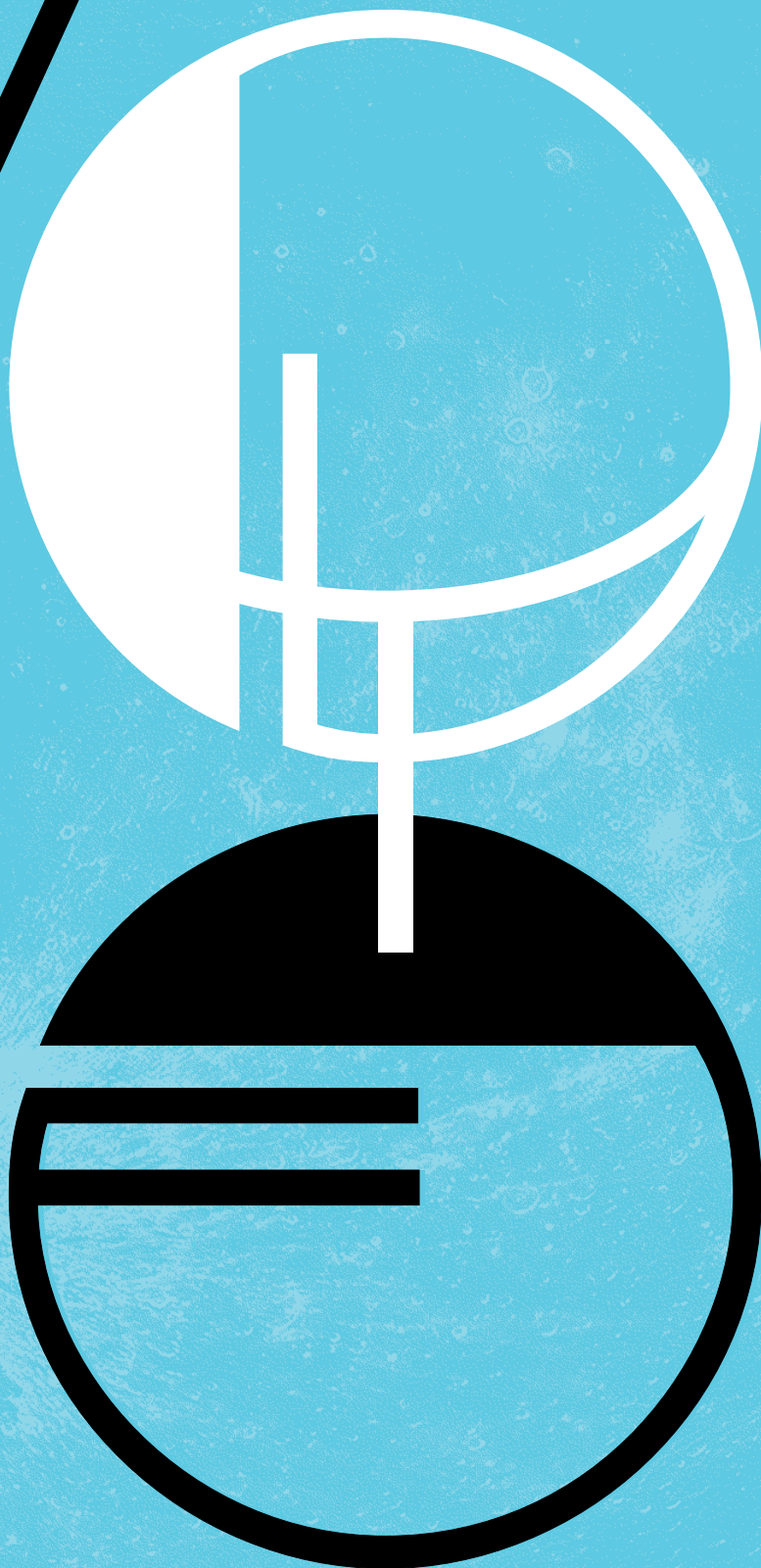




YEARBOOK^{OF} THE UNITED NATIONS

2010
VOLUME 64



YEARBOOK OF THE UNITED NATIONS 2010

Volume 64

YEARBOOK OF THE UNITED NATIONS, 2010

Volume 64

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Foreword

The dynamic multilateralism that best defines the United Nations made further advances in 2010. From high-level discussions on the Millennium Development Goals to the establishment of UN-Women, the year saw the United Nations continuing to break ground in advancing peace, human rights, development and justice.

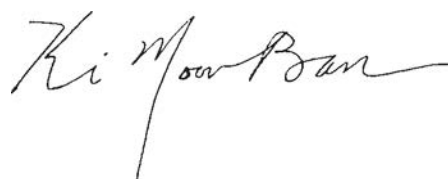
Multilateralism was central to the United Nations-led humanitarian response to the catastrophic 12 January earthquake in Haiti, which claimed hundreds of thousands of lives, including the Head of the United Nations Stabilization Mission in Haiti and 101 other United Nations personnel, and caused extensive injuries and widespread damage. While supporting recovery and reconstruction in Haiti, the United Nations also mobilized and coordinated humanitarian action throughout the year in response to international emergencies in other parts of the world.

My first Special Representative on Sexual Violence in Conflict took office in April, and at year's end the Security Council adopted resolution 1960 calling for an end to all acts of conflict-related sexual violence. In a milestone for the long-standing efforts of the United Nations for women's rights, the General Assembly established the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) as the centre of the UN system gender architecture. The Every Woman Every Child initiative was also set up to galvanize partners to save the lives of 16 million women and children by 2015.

Governments worked to ensure that action on climate change matched the grave threat faced by people and our planet. At the United Nations Climate Change Conference in Cancún, Mexico, they agreed on measures to build a low-carbon, climate-resilient future. The United Nations also completed the first successful Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) in ten years.

The United Nations provided its assistance to Member States by addressing such sensitive matters as the May humanitarian flotilla incident off the coast of Israel, the Commission of Inquiry into the assassination of Benazir Bhutto and the work of the Special Tribunal for Lebanon. To better support Africa, the General Assembly created the United Nations Office to the African Union in Addis Ababa.

With this edition on the work of the United Nations in 2010, the Yearbook collection further chronicles the often difficult but always essential global campaign for a better future.

A handwritten signature in black ink, reading "Ki Moon Ban". The signature is fluid and cursive, with the first name "Ki" and last name "Ban" being more prominent than the middle name "Moon".

Ban Ki-moon
Secretary-General of the United Nations
New York, October 2014

Table of contents

Foreword	v
Table of contents	vii
About the 2010 edition of the <i>Yearbook</i>	xiv
Abbreviations commonly used in the <i>Yearbook</i>	xv
Explanatory note on documents	xvi
Report of the Secretary-General on the work of the Organization	3

Part One: Political and security questions

I. International peace and security	41
<p>PROMOTION OF INTERNATIONAL PEACE AND SECURITY, 41: Maintenance of international peace and security, 41; Conflict prevention, 48; Peacemaking and peacebuilding, 51; Protection, 58; Special political missions, 68. THREATS TO INTERNATIONAL PEACE AND SECURITY, 70: International terrorism, 70. PEACE-KEEPING OPERATIONS, 79: General aspects of UN peacekeeping, 81; Comprehensive review of peacekeeping, 84; Operations in 2010, 85; Roster of 2010 operations, 85; Financial and administrative aspects of peacekeeping operations, 87.</p>	
II. Africa	106
<p>PROMOTION OF PEACE IN AFRICA, 109. CENTRAL AFRICA AND GREAT LAKES REGION, 116: Great Lakes region, 116; Democratic Republic of the Congo, 120; Burundi, 141; Central African Republic, 148; Central African Republic and Chad, 156; Uganda, 173; Rwanda, 173. WEST AFRICA, 174: Regional issues, 174; Côte d'Ivoire, 177; Liberia, 200; Sierra Leone, 213; Guinea-Bissau, 221; Cameroon–Nigeria, 231; Guinea, 233; Mauritania, 237. HORN OF AFRICA, 237: Sudan, 237; Chad–Sudan, 275; Somalia, 276; Djibouti–Eritrea, 303; Eritrea–Ethiopia, 306. NORTH AFRICA, 308: Western Sahara, 308. OTHER ISSUES, 315: Madagascar, 315; Mauritius–United Kingdom, 315.</p>	
III. Americas	317
<p>CENTRAL AMERICA, 317: Guatemala, 317; Nicaragua–Costa Rica, 319; Nicaragua–Honduras, 319. HAITI, 319: 12 January earthquake, 320; Political and security developments, 321; MINUSTAH, 328. OTHER ISSUES, 333: Colombia, 333; Cuba–United States, 334; Cooperation between the United Nations and regional organizations, 335.</p>	

IV. Asia and the Pacific**338**

AFGHANISTAN, 339: Political and security developments, 339; UNAMA, 358; International Security Assistance Force, 358; Children and armed conflict, 361; Sanctions, 361. IRAQ, 363: Political and security developments, 363; UNAMI, 370; International Advisory and Monitoring Board, 371; Non-proliferation and disarmament obligations, 373; Oil-for-food programme, 375. IRAQ–KUWAIT, 377: POWs, Kuwaiti property and missing persons, 377; UN Compensation Commission and Fund, 378. TIMOR-LESTE, 379: Political and security developments, 379; UNAMET, 384; UNMIT, 384. DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA, 386: Non-proliferation, 386; Other issues, 387. NEPAL, 388: UNMIN, 395; Children and armed conflict, 395. IRAN, 396: Non-proliferation, 396; Sanctions, 405. OTHER ISSUES, 406: India–Pakistan, 406; Kyrgyzstan, 406; Pakistan, 406; The Philippines, 407; Sri Lanka, 407; Thailand–Cambodia, 408; United Arab Emirates–Iran, 408.

V. Europe and the Mediterranean**409**

BOSNIA AND HERZEGOVINA, 409: Implementation of Peace Agreement, 410. KOSOVO, 416: Political and security developments, 416; EULEX, 417; UNMIK, 418; Kosovo Force, 419. THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA, 420. GEORGIA, 420: UNOMIG, 422. ARMENIA AND AZERBAIJAN, 422. ORGANIZATION FOR DEMOCRACY AND ECONOMIC DEVELOPMENT–GUAM, 423. CYPRUS, 423: Political and security developments, 424; UNFICYP, 425. OTHER ISSUES, 431: Strengthening of security and cooperation in the Mediterranean, 431; Cooperation with the Collective Security Treaty Organization, 432; Cooperation with the Council of Europe, 433; Cooperation with the Organization for Security and Cooperation in Europe, 436; Stability and development in South-Eastern Europe, 436.

VI. Middle East**437**

PEACE PROCESS, 437: Diplomatic efforts, 437; Occupied Palestinian Territory, 438. ISSUES RELATED TO PALESTINE, 465: General aspects, 465; Assistance to Palestinians, 470. LEBANON, 484: Political and security developments, 485; Implementation of resolution 1559(2004), 486; Implementation of resolution 1701(2006) and UNIFIL activities, 487; Special Tribunal for Lebanon, 496. SYRIAN ARAB REPUBLIC, 497: UNDOF, 500. UNTSO, 503.

VII. Disarmament**504**

UN MACHINERY, 504. UN ROLE IN DISARMAMENT, 511. NUCLEAR DISARMAMENT, 514: Comprehensive Nuclear-Test-Ban Treaty, 525; Advisory opinion of the International Court of Justice, 529; Prohibition of the use of nuclear weapons, 530. NON-PROLIFERATION, 531: Non-proliferation treaty, 531; Missiles, 533; Non-proliferation of weapons of mass destruction, 534; Multilateralism in disarmament and non-proliferation, 537; IAEA safeguards, 539; Radioactive waste, 542; Nuclear-weapon-free zones, 543. BACTERIOLOGICAL (BIOLOGICAL) AND CHEMICAL WEAPONS, 549: Bacteriological (biological) weapons, 549; Chemical weapons, 551; 1925 Geneva Protocol, 553. CONVENTIONAL WEAPONS, 554: Towards an arms trade treaty, 554; Small arms, 554; Convention on excessively injurious conventional weapons and Protocols, 559; Cluster munitions, 562; Anti-personnel mines, 562; Practical disarmament, 563; Transparency, 565. OTHER ISSUES, 566: Prevention of an arms race in outer space, 566; Prevention of an arms race on the seabed and the ocean floor, 569; Observance of environmental norms, 569; Effects of depleted uranium, 570; Science and technology and disarmament, 571. STUDIES, RESEARCH AND TRAINING, 571. REGIONAL DISARMAMENT, 575: Regional centres for peace and disarmament, 577.

VIII. Other political and security questions 581

GENERAL ASPECTS OF INTERNATIONAL PEACE AND SECURITY, 582: Support for democracies, 582. REGIONAL ASPECTS OF INTERNATIONAL PEACE AND SECURITY, 582: South Atlantic, 582. DECOLONIZATION, 583: Decade for the Eradication of Colonialism, 585; Puerto Rico, 593; Territories under review, 593; Other issues, 604. PEACEFUL USES OF OUTER SPACE, 609: Implementation of UNISPACE III recommendations, 609; Scientific and Technical Subcommittee, 610; Legal Subcommittee, 613. EFFECTS OF ATOMIC RADIATION, 617. INFORMATION SECURITY, 619. INFORMATION, 621: UN public information, 621.

Part Two: Human rights

I. Promotion of human rights 633

UN MACHINERY, 633: Human Rights Council, 633; Office of the High Commissioner for Human Rights, 637; Other aspects, 639. HUMAN RIGHTS INSTRUMENTS, 639: Convention against racial discrimination, 640; Covenant on civil and political rights and optional protocols, 643; Covenant on economic, social and cultural rights and optional protocol, 644; Convention on elimination of discrimination against women and optional protocol, 645; Convention against torture, 645; Convention on the rights of the child, 646; Convention on migrant workers, 653; Convention on rights of persons with disabilities, 653; International convention for protection from enforced disappearance, 654; Convention on genocide, 655; General aspects, 655. OTHER ACTIVITIES, 656: Strengthening action to promote human rights, 656; Human rights education, 660; International Year for People of African Descent, 661; Follow-up to 1993 World Conference, 662.

II. Protection of human rights 663

SPECIAL PROCEDURES, 663. CIVIL AND POLITICAL RIGHTS, 664: Racism and racial discrimination, 664; Human rights defenders, 673; Reprisals for cooperation with human rights bodies, 674; Protection of migrants, 675; Discrimination against minorities, 679; Freedom of religion or belief, 681; Right to self-determination, 688; Rule of law, democracy and human rights, 693; Other issues, 699. ECONOMIC, SOCIAL AND CULTURAL RIGHTS, 719: Realizing economic, social and cultural rights, 719; Impact of economic and financial crises, 719; Right to development, 719; Social Forum, 732; Extreme poverty, 733; Right to food, 736; Right to adequate housing, 740; Right to health, 741; Cultural rights, 744; Right to education, 744; Environmental and scientific concerns, 747; Slavery and related matters, 748; Vulnerable groups, 751.

III. Human rights country situations 765

GENERAL ASPECTS, 765. AFRICA, 766: Burundi, 766; Côte d'Ivoire, 766; Democratic Republic of the Congo, 767; Guinea, 768; Sierra Leone, 768; Somalia, 768; Sudan, 769. AMERICAS, 770: Bolivia, 770; Colombia, 771; Guatemala, 771; Haiti, 771. ASIA, 772: Afghanistan, 772; Cambodia, 772; Democratic People's Republic of Korea, 773; Iran, 776; Kyrgyzstan, 779; Myanmar, 779; Nepal, 783. EUROPE AND THE MEDITERRANEAN, 783: Cyprus, 783. MIDDLE EAST, 784: Territories occupied by Israel, 784.

Part Three: Economic and social questions

I. Development policy and international economic cooperation 791

INTERNATIONAL ECONOMIC RELATIONS, 791: Development and international economic cooperation, 791; Sustainable development, 800; Eradication of poverty, 809; Science and technology for development, 829. ECONOMIC AND SOCIAL TRENDS, 840. DEVELOPMENT POLICY AND PUBLIC ADMINISTRATION, 840: Committee for Development Policy, 840; Public administration, 841. GROUPS OF COUNTRIES IN SPECIAL SITUATIONS, 842: Least developed countries, 842; Small island developing States, 848; Landlocked developing countries, 855.

II. Operational activities for development 859

SYSTEM-WIDE ACTIVITIES, 859. TECHNICAL COOPERATION THROUGH UNDP, 867: UNDP/UNFPA Executive Board, 867; UNDP operational activities, 871; Financial and administrative matters, 879. OTHER TECHNICAL COOPERATION, 885: UN activities, 885; UN Office for Partnerships, 886; UN Office for Project Services, 887; UN Volunteers, 890; Economic and technical cooperation among developing countries, 891; UN Capital Development Fund, 891.

III. Humanitarian and special economic assistance 893

HUMANITARIAN ASSISTANCE, 893: Coordination, 893; Resource mobilization, 901; Humanitarian Activities, 902. SPECIAL ECONOMIC ASSISTANCE, 908: African economic recovery and development, 908; Other economic assistance, 916. DISASTER RESPONSE, 920: International cooperation, 921; Disaster reduction, 925; Disaster assistance, 929.

IV. International trade, finance and transport 937

INTERNATIONAL TRADE, 937: Multilateral trading system, 938; Trade policy, 941; Trade promotion and facilitation, 942; Commodities, 944. FINANCE, 945: Financial policy, 945; Financing for development, 953; Other issues, 961. TRANSPORT, 963: Maritime transport, 963; Transport of dangerous goods, 963. UNCTAD INSTITUTIONAL AND ORGANIZATIONAL QUESTIONS, 964.

V. Regional economic and social activities 967

REGIONAL COOPERATION, 967. AFRICA, 968: Economic trends, 968; Activities, 969; Programme and organizational questions, 973; Regional cooperation, 974. ASIA AND THE PACIFIC, 974: Economic trends, 974; Activities, 975; Programme and organizational questions, 978. EUROPE, 983: Economic trends, 983; Activities, 983; Housing and land management, 984. LATIN AMERICA AND THE CARIBBEAN, 988: Economic trends, 988; Activities, 989; Programme and organizational questions, 992. WESTERN ASIA, 993: Economic trends, 994; Activities, 994; Programme and organizational questions, 998.

VI. Energy, natural resources and cartography 999

ENERGY AND NATURAL RESOURCES, 999: Energy, 999; Natural resources, 1002. CARTOGRAPHY, 1004.

VII. Environment and human settlements	1005
ENVIRONMENT, 1005: UN Environment Programme, 1005; Global Environment Facility, 1017; International conventions and mechanisms, 1018; Environmental activities, 1028. HUMAN SETTLEMENTS, 1044: Implementation of Habitat Agenda and strengthening of UN-Habitat, 1044; UN Human Settlements Programme, 1049.	
VIII. Population	1052
COMMISSION ON POPULATION AND DEVELOPMENT, 1052: Commission session, 1052. INTERNATIONAL MIGRATION AND DEVELOPMENT, 1054. UNITED NATIONS POPULATION FUND, 1057: Activities, 1057. OTHER POPULATION ACTIVITIES, 1063.	
IX. Social policy, crime prevention and human resources development	1065
SOCIAL POLICY AND CULTURAL MATTERS, 1065: Social development, 1065; Persons with disabilities, 1077; Follow-up to International Year of the Family, 1081; Cultural development, 1082. CRIME PREVENTION AND CRIMINAL JUSTICE, 1094: Twelfth United Nations Crime Congress, 1094; Commission on Crime Prevention and Criminal Justice, 1101; Crime prevention programme, 1103; Integration and coordination, 1109. HUMAN RESOURCES DEVELOPMENT, 1129: UN research and training institutes, 1129; Education for All, 1130.	
X. Women	1133
FOLLOW-UP TO THE FOURTH WORLD CONFERENCE ON WOMEN AND BEIJING+5, 1133: Critical areas of concern, 1139. UN MACHINERY, 1176: Convention on the elimination of discrimination against women, 1176; Commission on the Status of Women, 1177; UN-Women, 1178; UN Development Fund for Women, 1182.	
XI. Children, youth and ageing persons	1183
CHILDREN, 1183: Follow-up to 2002 General Assembly special session on children, 1183; United Nations Children's Fund, 1184. YOUTH, 1192. AGEING PERSONS, 1193: Follow-up to Second World Assembly on Ageing (2002), 1193.	
XII. Refugees and displaced persons	1198
OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES, 1198: Programme policy, 1198; Refugee protection and assistance, 1203; Policy development and cooperation, 1213; Financial and administrative questions, 1215.	
XIII. Health, food and nutrition	1218
HEALTH, 1218: AIDS prevention and control, 1218; Non-communicable diseases, 1222; Water and sanitation, 1225; Tobacco, 1226; Malaria, 1227; Global public health, 1228; Road safety, 1233. FOOD AND AGRICULTURE, 1235: Food aid, 1235; Food security, 1236. NUTRITION, 1240.	
XIV. International drug control	1241
UN ACTION TO COMBAT DRUG ABUSE, 1241: UN Office on Drugs and Crime, 1241; Commission on Narcotic Drugs, 1245. COOPERATION AGAINST THE WORLD DRUG PROBLEM, 1249. CONVENTIONS, 1256: International Narcotics Control Board, 1257.	
XV. Statistics	1262
STATISTICAL COMMISSION, 1262: Economic statistics, 1262; Demographic and social statistics, 1266; Other statistical activities, 1268.	

Part Four: Legal questions

I. International Court of Justice 1273

JUDICIAL WORK OF THE COURT, 1273: Contentious proceedings, 1273; Advisory proceedings, 1286. OTHER QUESTIONS, 1289: Functioning and organization of the Court, 1289; Trust Fund to Assist States in the Settlement of Disputes, 1289.

II. International tribunals and court 1290

INTERNATIONAL TRIBUNAL FOR THE FORMER YUGOSLAVIA, 1290: The Chambers, 1290; Office of the Prosecutor, 1295; The Registry, 1296; Financing, 1296. INTERNATIONAL TRIBUNAL FOR RWANDA, 1298: The Chambers, 1298; Office of the Prosecutor, 1302; The Registry, 1303; Financing, 1303. FUNCTIONING OF THE TRIBUNALS, 1305: Implementation of completion strategies, 1305. INTERNATIONAL CRIMINAL COURT, 1314: The Chambers, 1317.

III. International legal questions 1321

LEGAL ASPECTS OF INTERNATIONAL POLITICAL RELATIONS, 1321: International Law Commission, 1321; International State relations and international law, 1328; Diplomatic relations, 1336; Treaties and agreements, 1338. INTERNATIONAL ECONOMIC LAW, 1339: Commission on International Trade Law, 1339. OTHER QUESTIONS, 1347: Rule of law at the national and international levels, 1347; Strengthening the role of the United Nations, 1348; Host country relations, 1354.

IV. Law of the sea 1356

UN CONVENTION ON THE LAW OF THE SEA, 1356: Institutions created by the Convention, 1370; Other developments related to the Convention, 1372; Division for Ocean Affairs and the Law of the Sea, 1391.

Part Five: Institutional, administrative and budgetary questions

I. United Nations restructuring and institutional matters 1395

RESTRUCTURING MATTERS, 1395: Programme of reform, 1395. INSTITUTIONAL MATTERS, 1407: Intergovernmental machinery, 1407. INSTITUTIONAL MACHINERY, 1409: General Assembly, 1409; Security Council, 1411; Economic and Social Council, 1411. COORDINATION, MONITORING AND COOPERATION, 1412: Institutional mechanisms, 1412; Other matters, 1413. UN AND OTHER ORGANIZATIONS, 1414: Cooperation with organizations, 1414; Participation in UN work, 1422.

II. United Nations financing and programming 1424

FINANCIAL SITUATION, 1424. UN BUDGET, 1425: Budget for 2010–2011, 1425; Programme budget outline for 2012–2013, 1438. CONTRIBUTIONS, 1440: Assessments, 1440. ACCOUNTS AND AUDITING, 1442: Financial management practices, 1444; Review of UN administrative and financial functioning, 1445. PROGRAMME PLANNING, 1446: Strategic framework for 2012–2013, 1446; Programme performance, 1447.

III. Administrative and staff matters 1448

ADMINISTRATIVE MATTERS, 1448: Managerial reform and oversight, 1448. OTHER ADMINISTRATIVE MATTERS, 1454: Conference management, 1454; UN information systems, 1461; UN premises and property, 1463. STAFF MATTERS, 1465: Conditions of service, 1465; Staff safety and security, 1473; Other staff matters, 1478; UN Joint Staff Pension Fund, 1486; Travel-related matters, 1488; Administration of justice, 1488.

Appendices

I. Roster of the United Nations	1497
II. Charter of the United Nations and Statute of the International Court of Justice	1500
III. Structure of the United Nations	1518
IV. Agendas of United Nations principal organs in 2010	1531
V. United Nations information centres and services	1542
VI. Intergovernmental organizations related to the United Nations	1544

Indices

Subject index	1549
Index of resolutions and decisions	1578
Index of Security Council presidential statements	1581

About the 2010 edition of the Yearbook

This sixty-fourth volume of the *Yearbook of the United Nations* continues the tradition of providing the most comprehensive coverage available of the annual activities and concerns of the United Nations.

The present volume recounts how in 2010 the United Nations helped resolve conflict situations and build peace in countries worldwide, as well as reduce poverty, support national elections, counter terrorism and advance disarmament and non-proliferation. It also highlights the renewed commitment by world leaders to achieve the Millennium Development Goals by 2015; outlines the establishment of the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women); and portrays the United Nations response—one of the largest ever mounted—in mobilizing and coordinating international humanitarian and economic assistance after the catastrophic 12 January earthquake in Haiti.

Readers can locate information by using the Table of contents, the Subject index, the Index of resolutions and decisions and the Index of Security Council presidential statements. The volume also features six appendices: Appendix I comprises a roster of Member States; Appendix II reproduces the Charter of the United Nations and the Statute of the International Court of Justice; Appendix III presents the structure of the principal organs of the United Nations; Appendix IV provides the agenda for each session of the principal organs in 2010; Appendix V gives the addresses of United Nations information centres and services worldwide; and Appendix VI lists the addresses of the specialized agencies and other related organizations of the UN system with their respective heads as at 2010.

Structure and scope of articles

The *Yearbook* is subject-oriented and divided into five parts covering political and security matters; human rights issues; economic and social questions; legal issues; and institutional, administrative and budgetary matters. Chapters summarize pertinent UN activities, including those of intergovernmental and expert bodies, as well as major reports and, in selected cases, the views of States in written communications.

Activities of UN bodies. The *Yearbook* puts the major activities of the principal organs of the United Nations and, on a selective basis, those of their subsidiary bodies in a narrative context of consideration, deliberation and action. The texts of all resolutions and decisions of a substantive nature adopted in 2010 by the General Assembly, the Security Council and the Economic and Social Council are repro-

duced or summarized under the relevant topic. Such texts are preceded by procedural details giving the date of adoption, meeting number and vote totals (in favour–against–abstaining), if any, and an indication of their approval by a sessional or subsidiary body prior to final adoption. The texts are followed by details of any recorded or roll-call vote. Substantive action by the Security Council has been analysed and brief reviews of the Council’s deliberations given, particularly in cases where an issue was taken up but no resolution was adopted.

Major reports. Most reports of the Secretary-General in 2010, along with those of main United Nations committees, regional and functional commissions, and Special Rapporteurs, as well as selected reports from other UN sources, such as seminars and expert and working groups, are summarized.

Views of States. Written communications sent to the United Nations by Member States and circulated as documents of the principal organs have been summarized, in selected cases, under the relevant topics.

Multilateral treaties. Information on signatories and parties to multilateral treaties and conventions has been taken from the series *Multilateral Treaties Deposited with the Secretary-General* (ST/LEG/SER/E) (see treaties.un.org).

Terminology

Formal titles of bodies, organizational units, conventions, declarations and officials are normally given in full on first mention in each main section. They are also used in resolution/decision texts, as well as in the Subject index under the key word of the title. Short titles, abbreviations or acronyms are used in subsequent references in the main text.

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Abbreviations commonly used in the Yearbook

ACABQ	Advisory Committee on Administrative and Budgetary Questions	OAS	Organization of American States
AU	African Union	OCHA	Office for the Coordination of Humanitarian Affairs
BINUB	United Nations Integrated Office in Burundi	ODA	official development assistance
BINUCA	United Nations Integrated Peacebuilding Office in the Central African Republic	OECD	Organization for Economic Cooperation and Development
CARICOM	Caribbean Community	OHCHR	Office of the United Nations High Commissioner for Human Rights
CEB	United Nations System Chief Executives Board for Coordination	OIOS	Office of Internal Oversight Services
CIS	Commonwealth of Independent States	OSCE	Organization for Security and Cooperation in Europe
CPC	Committee for Programme and Coordination	PA	Palestinian Authority
DPKO	Department of Peacekeeping Operations	UNAIDS	Joint United Nations Programme on HIV/AIDS
DPRK	Democratic People's Republic of Korea	UNAMA	United Nations Assistance Mission in Afghanistan
DRC	Democratic Republic of the Congo	UNAMI	United Nations Assistance Mission for Iraq
ECA	Economic Commission for Africa	UNAMID	African Union-United Nations Hybrid Operation in Darfur
ECE	Economic Commission for Europe	UNCTAD	United Nations Conference on Trade and Development
ECLAC	Economic Commission for Latin America and the Caribbean	UNDOF	United Nations Disengagement Observer Force
ECOWAS	Economic Community of West African States	UNDP	United Nations Development Programme
ESCAP	Economic and Social Commission for Asia and the Pacific	UNEP	United Nations Environment Programme
ESCWA	Economic and Social Commission for Western Asia	UNESCO	United Nations Educational, Scientific and Cultural Organization
EU	European Union	UNFICYP	United Nations Peacekeeping Force in Cyprus
FAO	Food and Agriculture Organization of the United Nations	UNFPA	United Nations Population Fund
HIV/AIDS	human immunodeficiency virus/ acquired immunodeficiency syndrome	UN-Habitat	United Nations Human Settlements Programme
IAEA	International Atomic Energy Agency	UNHCR	Office of the United Nations High Commissioner for Refugees
ICAO	International Civil Aviation Organization	UNICEF	United Nations Children's Fund
ICC	International Criminal Court	UNIDO	United Nations Industrial Development Organization
ICJ	International Court of Justice	UNIFIL	United Nations Interim Force in Lebanon
ICRC	International Committee of the Red Cross	UNIOGBIS	United Nations Integrated Peacebuilding Office in Guinea-Bissau
ICSC	International Civil Service Commission	UNIPSIL	United Nations Integrated Peacebuilding Office in Sierra Leone
ICTR	International Criminal Tribunal for Rwanda	UNMIK	United Nations Interim Administration Mission in Kosovo
ICTY	International Tribunal for the Former Yugoslavia	UNMIL	United Nations Mission in Liberia
IDPs	internally displaced persons	UNMIS	United Nations Mission in the Sudan
IFAD	International Fund for Agricultural Development	UNMIT	United Nations Integrated Mission in Timor-Leste
IFC	International Finance Corporation	UNOCI	United Nations Operation in Côte d'Ivoire
ILO	International Labour Organization	UNODC	United Nations Office on Drugs and Crime
IMF	International Monetary Fund	UNOPS	United Nations Office for Project Services
IMO	International Maritime Organization	UNOWA	United Nations Office for West Africa
ITU	International Telecommunication Union	UNRWA	United Nations Relief and Works Agency for Palestine Refugees in the Near East
JIU	Joint Inspection Unit	UNTSO	United Nations Truce Supervision Organization
LDC	least developed country	UN-Women	United Nations Entity for Gender Equality and the Empowerment of Women
MDGs	Millennium Development Goals	UNWTO	World Tourism Organization
MINURCAT	United Nations Mission in the Central African Republic and Chad	WFP	World Food Programme
MINURSO	United Nations Mission for the Referendum in Western Sahara	WHO	World Health Organization
MINUSTAH	United Nations Stabilization Mission in Haiti	WIPO	World Intellectual Property Organization
MONUSCO	United Nations Organization Stabilization Mission in the Democratic Republic of the Congo	WMDs	weapons of mass destruction
NEPAD	New Partnership for Africa's Development	WMO	World Meteorological Organization
NGO	non-governmental organization	WTO	World Trade Organization
NPT	Treaty on the Non-Proliferation of Nuclear Weapons	YUN	Yearbook of the United Nations
NSGT	Non-Self-Governing Territory		

Explanatory note on documents

The following principal United Nations document symbols appear in this volume:

A/- refers to documents of the General Assembly, numbered in separate series by session. Thus, A/65/- refers to documents issued for consideration at the sixty-fifth session, beginning with A/65/1. Documents of special and emergency special sessions are identified as A/S and A/ES-, followed by the session number.

A/C.- refers to documents of the Assembly's Main Committees. For example, A/C.1/- identifies documents of the First Committee, A/C.6/- documents of the Sixth Committee. A/BUR/- refers to documents of the General Committee. A/AC.- documents are those of the Assembly's ad hoc bodies and A/CN.- those of its commissions. For example, A/AC.105/- identifies documents of the Assembly's Committee on the Peaceful Uses of Outer Space, A/CN.4/- those of its International Law Commission. Assembly resolutions and decisions since the thirty-first (1976) session have been identified by two Arabic numerals: the first indicates the session of adoption, the second the sequential number in the series. Resolutions are numbered consecutively from 1 at each session. Decisions since the fifty-seventh (2002) session are numbered consecutively from 401 for those concerned with elections and appointments and from 501 for all other decisions. Decisions of special and emergency special sessions are numbered consecutively from 11 for those concerned with elections and appointments and from 21 for all other decisions.

E/- refers to documents of the Economic and Social Council, numbered in separate series by year. Thus, E/2010/- refers to documents issued for consideration by the Council at its 2010 sessions, beginning with E/2010/1. E/AC.-, E/C.- and E/CN.-, followed by identifying numbers, refer to documents of the Council's subsidiary ad hoc bodies, committees and commissions. For example, E/CN.5/- refers to documents of the Council's Commission for Social Development, E/C.2/- to documents of its Committee on Non-Governmental Organizations. E/ICEF/- documents are those of the United Nations Children's Fund (UNICEF). Symbols for the Council's resolutions and decisions since 1978 consist of two Arabic numerals: the first indicates the year of adoption and the second the sequential number in the series. There are two series: one for resolutions, beginning with 1 (e.g. resolution 2010/1), and one for decisions, beginning with 201 (e.g. decision 2010/201).

S/- refers to documents of the Security Council. Its resolutions are identified by consecutive numbers followed by the year of adoption in parentheses, beginning with resolution 1(1946).

ST/-, followed by symbols representing the issuing department or office, refers to documents of the United Nations Secretariat.

Documents of certain bodies bear special symbols, including the following:

CD/-	Conference on Disarmament
CERD/-	Committee on the Elimination of Racial Discrimination
DC/-	Disarmament Commission
DP/-	United Nations Development Programme
HSP/-	United Nations Human Settlements Programme
ITC/-	International Trade Centre
TD/-	United Nations Conference on Trade and Development
UNEP/-	United Nations Environment Programme

Many documents of the regional commissions bear special symbols, which are sometimes preceded by the following:

E/ECA/-	Economic Commission for Africa
E/ECE/-	Economic Commission for Europe
E/ECLAC/-	Economic Commission for Latin America and the Caribbean
E/ESCAP/-	Economic and Social Commission for Asia and the Pacific
E/ESCWA/-	Economic and Social Commission for Western Asia

Various other document symbols include the following:

L.- refers to documents of limited distribution, such as draft resolutions.

CONF.- refers to conference documents.

INF.- refers to general information documents.

SR.- refers to summary records and is followed by a meeting number.

PV.- refers to verbatim records and is followed by a meeting number.

United Nations sales publications each carry a sales number with the following components separated by periods: a capital letter indicating the language(s) of the publication; two Arabic numerals indicating the year; a Roman numeral indicating the subject category; a capital letter indicating a subdivision of the category, if any; and an Arabic numeral indicating the number of the publication within the category. Examples: E.06.II.A.2; E/F/R.05.II.E.8; E.08.II.C.2.

All UN official documents cited in the text in square brackets may be obtained through the UN Official Document System website: **documents.un.org**.

Report of the Secretary-General on the work of the Organization

Report of the Secretary-General on the work of the Organization

Following is the Secretary-General's report on the work of the Organization [A/65/1], dated 30 July 2010, submitted to the sixty-fifth session of the General Assembly. The Assembly took note of it on 5 October 2010 (decision 65/505).

Chapter I Introduction

1. Over the past year, the world moved from being on the brink of a global economic depression to witnessing the beginnings of a global recovery. To be sure, the recovery is fragile and uneven, and there is no guarantee that a relapse will not occur. Unemployment remains unacceptably high, and vulnerable employment continues to rise. Economic volatility, eruptions of conflict, natural disasters, challenges to food security and strains on natural resources are unlikely to disappear. Moreover, analysis by the United Nations suggests that while Governments have made substantial efforts to stimulate growth and spur recovery, those efforts have not always met the needs of the poor and most vulnerable.

2. Nonetheless, there are grounds for a new optimism in what was previously a dim prognosis for millions around the world. Specifically, there is a convergence of several important elements that will help guide the United Nations through these uncertain times. The United Nations has a concrete framework to guide its action: the Millennium Declaration and the Millennium Development Goals. It has significant resources and knowledge to help address the current challenges, as well as increasingly robust partnerships with business, civil society and academia that will help elevate the response.

3. These measures will be adopted only if the United Nations is able to mobilize collective global political leadership and will. Over the past year, the Organization has sought to provide leadership and to generate such will. But this is not a task that can be successfully completed by the Organization on its own. The unswerving and proactive engagement of all Member States, developing and developed—especially at the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals to be held in September—is essential.

4. In addition, over the next five years the Organization and its Member States must focus on

accelerating progress through further measures. These include adopting innovative financing and investments needed to support the provision of global public goods, dedicating resources to promote peace and security, and mobilizing to meet humanitarian and human rights needs around the world.

5. In this challenging environment, the need to act has never been more pressing. One of the Organization's single most important choices will be whether to take action to leverage one of the greatest forces for positive change worldwide: women.

6. Women can provide the strength and dynamism that the world desperately needs in order to meet global challenges. They are the essential foundation on which the pillars of peace, security, respect for human rights and development must be built. Empowered women will heal societies disrupted by war, drive markets and economic growth, anchor families, and fight for justice, human rights and human dignity. Without their full engagement, the international system cannot meet the demands made of it.

7. This year, which marks the fifteenth anniversary of the Beijing Declaration and Platform for Action and the tenth year of the global effort towards the Millennium Development Goals, the message to Member States and the Organization is clear: gender equality and women's empowerment are indispensable goals that the United Nations must champion for the benefit of all.

8. In too many societies, discriminatory access to land, technology, finance, jobs and education persists, suppressing women's entrepreneurial spirit and condemning them to destitution and second-class citizenship. Violence against women—in all its forms—causes irrevocable suffering and undermines societal stability, peace and development.

9. For that reason, in 2010 the Secretary-General is encouraging the United Nations to lend its full support to programmes that empower women and protect them from discriminatory practices and violence. The leadership of Member States is essential.

10. Over the past decade, the international community was able to make considerable progress towards reducing poverty, promoting sustainable development, securing peace and stability, and promoting women's empowerment. As the Organization and its Member States look to the next decade, they should be even more ambitious. They should work together to strengthen the Organization so that it can be the hub for multilateral action and a catalytic driver of change. If collective force is brought to bear, a brighter future can be achieved for all.

Chapter II

Delivering results for people most in need

11. The year 2010 is proving to be critical for meeting the promises that the United Nations and the international community have made to those most in need around the world: promises to deliver on the Millennium Development Goals, promises to bring peace to conflict areas and stimulate recovery from conflict and natural disaster, and promises to promote human rights, the rule of law and democracy globally. The tragic earthquake in Haiti was a powerful reminder of the complex challenges that the Organization and its Member States must be ready and equipped to address.

12. The challenges are immense, but experience has shown that when strong commitments are backed by the right policies and adequate resources, even the greatest needs can be met and real progress can be achieved.

A. Development

13. Over the past two decades, with the establishment of the internationally agreed development goals, there has been a groundbreaking shift in the way in which the world thinks about development. The Millennium Development Goals, in particular, underpin an unprecedented collective endeavour to address the many dimensions of poverty and inequality, and to build a global partnership for development.

14. By identifying and embracing the Millennium Development Goals, Member States put human development at centre stage and resolved to spare no effort to transform our world into a safer, more equitable, more sustainable and more prosperous place.

1. The Millennium Development Goals and the other internationally agreed development goals

15. Five years away from the agreed target date of 2015 for achieving the Millennium Development Goals, success is still within reach but not guaranteed. The Organization and its Member States have made great strides. Yet, progress is uneven, gaps are significant and new challenges have emerged. Intensi-

fied effort on the part of all will be needed in order to accelerate progress towards the Goals.

16. Progress in poverty reduction has been unbalanced across regions and is now threatened in some parts of the world. In 2005, there were 1.4 billion people living in extreme poverty (living on less than \$1.25 a day), down from 1.8 billion in 1990, with China accounting for most of the decline. Newly updated estimates from the World Bank suggest that, owing to the recent financial and economic crises, an additional 64 million people will fall into extreme poverty by the end of this year. Nevertheless, the momentum of economic growth in developing countries is strong enough to sustain progress on poverty and put the world on track to meet the poverty reduction target.

17. While there is no deadline for achieving "full and productive employment and decent work for all", no country can claim to have reached that target. The lack of progress in creating productive and decent jobs in urban areas, and stagnant farm productivity in many rural areas, have been the key reasons for the persistence of poverty and the rise in the numbers of the working poor. Women's lack of access to land, with secondary effects on access to credit, inputs and extension services, has also had serious impacts on food security. The food and energy crises and the global financial and economic crisis have further undermined progress.

18. Remarkable progress has been made since 2000 towards achieving universal primary education, with many developing countries having crossed the 90 per cent enrolment threshold. Primary school enrolment has increased fastest in sub-Saharan Africa. There is some concern that the rapid rise in enrolment may place undue pressures on the capacity of schools and teachers to deliver high-quality education.

19. The gender gap in primary school enrolment has narrowed over the past decade, although at a slow pace. Progress at the secondary school level, which is especially important for women's empowerment, has been even slower and in some cases is being reversed.

20. Addressing gender inequality and achieving women's empowerment remain among the most difficult goals, with cross-cutting implications. Worldwide, women's share of national parliamentary seats has increased only slowly, averaging 19 per cent as of January 2010. A number of developing countries, however, have led the way in using temporary special measures, including quotas, to make rapid progress in this area.

21. Violence against women and girls takes an unacceptable toll and is a serious impediment to the achievement of the Millennium Development Goals globally. In recognition of this, the Secretary-General's campaign UNiTE to End Violence against Women encourages countries to adopt and enforce

national laws to address and punish all forms of violence against women and girls, adopt and implement multisectoral national action plans, strengthen data collection on the prevalence of violence against women and girls, increase public awareness and social mobilization, and address sexual violence in conflict.

22. In the case of the health-related Millennium Development Goals, significant progress has been achieved. Globally, the number of deaths per year among children under 5 has been reduced from 12.5 million (1990) to 8.8 million (2008). The number of people in low- and middle-income countries receiving antiretroviral therapy for HIV increased tenfold in five years (2003–2008). Yet, rates of HIV infection among women continue to grow in some regions, with women and girls bearing the disproportionate burden of providing care to those who are ill. Major progress has been made in reducing measles deaths and in providing interventions to control malaria and tuberculosis. This includes a sharp decrease in the number of measles deaths across Africa and indications that malaria control measures may also be yielding results.

23. Nonetheless, current trends indicate that many countries are unlikely to achieve the health targets by 2015, particularly in the area of reducing maternal mortality, which has shown the least progress. Access to reproductive health services remains insufficient where women's health risks are greatest.

24. Despite an increase in the number of deliveries attended by skilled health workers in the developing regions, from 53 per cent in 1990 to 63 per cent in 2008, a recent academic analysis found an annual rate of reduction in maternal mortality of 1.3 per cent between 1990 and 2008, well short of the 5.5 per cent reduction needed in order to meet the Millennium Development Goal target. Access to maternal health-care for poor and rural women is an area of particular concern.

25. Some movement forward has been made towards halving the proportion of people without access to clean water. The number of people having access to an improved water source in developing countries rose from 71 per cent in 1990 to 84 per cent in 2008. But the proportion with improved sanitation increased by only 11 percentage points between 1990 and 2008. And the goal of improving the lives of at least 100 million slum-dwellers has proved to be much less ambitious than what would be needed to reverse the trend of increasing numbers of slum-dwellers.

26. Since 1986, the implementation of the Montreal Protocol has successfully phased out the production and use of more than 98 per cent of all controlled ozone-depleting substances. In contrast, the rate of growth of carbon dioxide emissions was much higher during the period 1995–2004 than during the period

1970–1994, and the trend has yet to change. While net deforestation rates have come down, partly because of reforestation efforts, around 5.6 million hectares of forest cover are still lost worldwide every year. The target of reducing the rate of biodiversity loss by 2010 has not been met. Nearly 17,000 plant and animal species remain at risk of extinction as a result of major threats such as overconsumption, habitat loss, invasive species, pollution and climate change.

27. Official development assistance delivered in 2009 was almost \$120 billion. Flows of some \$20 billion (in 2009 prices) in addition to the projected delivery will be needed this year to reach the Gleneagles Group of Eight official development assistance (ODA) target for 2010, which amounts to approximately \$146 billion in 2009 prices. Of the shortfall, \$16 billion will be required in order to meet the commitment for Africa. In 2008, ODA to the least developed countries was equivalent to 0.09 per cent of the total gross national income of countries members of the Development Assistance Committee of the Organization for Economic Cooperation and Development (OECD), with less than half of member countries meeting their target of 0.15–0.20 per cent of gross national income in aid to the least developed countries.

28. A number of important initiatives are currently under way with a view to accelerating progress towards the Millennium Development Goals and other internationally agreed development goals. In 2009, as a follow-up to the United Nations Conference on the World Financial and Economic Crisis and Its Impact on Development, the General Assembly charged an ad hoc open-ended working group with addressing a range of challenges in crisis response and reform. The working group has focused on mitigating the effects of the economic crisis on development, systemic reform issues and strengthening the role of the United Nations in global economic governance.

29. The United Nations system is advancing the implementation of its nine joint crisis initiatives designed to help countries weather and recover from the reverberating impact of the economic crisis, including the Social Protection Floor Initiative and the Global Jobs Pact. With a similar focus on employment and decent work, the system has come together in devising a plan of action for the Second United Nations Decade for the Eradication of Poverty, which should contribute to a more coherent and integrated system-wide response to the economic crisis and its ongoing impacts.

30. Overall, the experience of the past year underscores the urgency of moving the development agenda towards nationally owned development strategies that combine bold economic growth with social and sustainable development goals. Such strategies should address full employment and decent work

deficits, boost job creation through investment in green jobs and the expansion of public infrastructure, strengthen social protection, offer incentives to the private sector to retain existing jobs as well as create new ones, and reorient industrial policy towards a low-carbon development path.

31. The High-level Plenary Meeting of the General Assembly on the Millennium Development Goals in September will provide a unique opportunity to strengthen collective efforts and partnerships for the push to 2015, and to advance progress across the broader global development agenda. All stakeholders are strongly encouraged to engage in the summit process and to bring with them a renewed commitment to achieving the Millennium Development Goals by 2015.

2. The special needs of Africa

32. A decade of deep commitment to reform and political and economic stability is beginning to have an impact on Africa's development path. In fact, since 2000 sub-Saharan Africa has had a higher growth rate than a number of emerging economies. Overall, Africa has shown greater resilience to the financial and economic crisis than many other regions of the world and is expected to rebound faster than Latin America, Europe and Central Asia. Nevertheless, the crises have slowed the economic growth that Africa had previously experienced, reducing export earnings, remittances from the African diaspora and foreign direct investment. According to the *World Economic Situation and Prospects 2010: update as of mid-2010*, the aggregate economic growth rate in Africa was estimated to be 2.4 per cent in 2009 and is projected to be 4.7 per cent in 2010, down from an average of about 5.7 per cent during the period 2004–2007.

33. Even after the recovery gathers pace in advanced economies, the impact of the crises on unemployment and social welfare in Africa may linger, owing to the lack of social protection to offset the negative impact of a global recession on households and specific vulnerable groups.

34. Improving the status of women and girls in Africa requires specific attention if progress towards development is to be accelerated. Some positive steps have been taken. As of February 2010, 4 out of the top 10 countries in the world in terms of percentage of women parliamentarians were in Africa. Rwanda is the only country in the world in which women make up the majority of parliamentarians. Nevertheless, throughout the region, women still face violence and discrimination, are victim to harmful traditional practices and beliefs, and suffer disproportionately from hunger and poverty.

35. Africa has the potential to achieve the Millennium Development Goals. It has vast human and material wealth. Africa's people need neither pity nor

charity; they need the tools to create jobs and generate incomes. Developed countries should make good on promises made repeatedly at summit meetings of the Group of Eight and the Group of 20, and at the United Nations, to double aid to Africa. Yet, according to OECD, in 2010 Africa is likely to receive only about \$11 billion (in current prices) of the \$25 billion increase (measured in 2004 prices and exchange rates) in ODA envisaged at Gleneagles. This is due largely to the unmet commitments of a number of major donors that give large shares of ODA to Africa.

36. The Secretary-General's Millennium Development Goals Africa Steering Group has focused on specific needs in such strategically vital areas as health, education, agriculture, infrastructure and trade. It has provided the international community with a clear sense of direction on what it will take to sustain Africa's own efforts to fulfil its abundant potential and achieve the Millennium Development Goals. For example, across Africa, progress is being made against diseases such as malaria, tuberculosis and AIDS. Africa is now on track to attain the objective of zero deaths from malaria by 2015 in sub-Saharan Africa. In addition, efforts of the United Nations system have focused on support in the areas of governance and institutional capacity-building, including through the strengthening of human resource and leadership capacity in public service at all levels, as well as e-governance and the utilization of information and communications technology for development. In these areas too, Africa's commitments have yielded fruit, and many countries are now enjoying political stability.

B. Peace and security

37. The duty to prevent, contain and resolve violent conflict is enshrined in the Charter of the United Nations and forms a central pillar of the work of the Organization. Over the past year, the United Nations system redoubled its efforts to engage in preventive diplomacy, to improve its crisis response capacity, to manage violent conflict and to build sustainable peace following conflict. It is clear that if the United Nations is to better address political crises and resolve them more durably, such tools as peacekeeping and peacebuilding must be regarded as part of a political solution, not alternatives to one.

1. Preventive diplomacy and support for peace processes

38. Working closely with national actors, the United Nations has become more proactive, agile and effective in addressing rising political tensions and emerging crises. Throughout the past year, the Organization led or assisted mediation processes in more than 20 countries on four continents. The mediation support service has been professionalized

through the building up of knowledge, capacity and a network of expertise, and a strategy on gender and mediation has been developed to promote more effective participation by women in peace processes. To support the latter, the Department of Political Affairs partnered with members of United Nations Action against Sexual Violence in Conflict in organizing a high-level colloquium on addressing conflict-related sexual violence in mediation and peace agreements. There have also been increased efforts to provide greater political support and guidance to United Nations country teams working in politically complex environments.

39. The Organization's efforts over the past year have devoted significant attention to Africa and the Middle East and have required the entire range of interventions, from conflict prevention to support for peace consolidation.

40. In Africa, the United Nations worked closely together with regional and subregional organizations to promote a rapid and peaceful return to constitutional order and avert violence in Guinea, Guinea-Bissau, Madagascar and the Niger.

41. In Guinea, the International Commission of Inquiry conducted a thorough investigation of the 29 September 2009 massacre, paying special attention to the sexual violence that took place. In partnership with the Economic Community of West African States and the African Union, the United Nations engaged in preventive diplomacy. Together with those partners, the United Nations also conducted a needs assessment in the area of security sector reform, a critical element needed for the consolidation of long-term stability in the country.

42. The United Nations assisted the Government of Sierra Leone in both peace consolidation and conflict prevention. The former took the form of assistance in follow-up to key political agreements, while the latter involved confidence-building measures in preparation for the 2012 elections.

43. In Western Sahara, the United Nations continued to work with Morocco and the Frente Polisario, as well as neighbouring countries, to find a mutually acceptable solution of self-determination for the people of Western Sahara.

44. The United Nations facilitated the peace process in the eastern region of the Democratic Republic of the Congo, which contributed to a rapprochement between Kinshasa and Kigali. It also continued to assist in the peaceful settlement of the border disputes between Cameroon and Nigeria and between Equatorial Guinea and Gabon.

45. In the Central African Republic, the United Nations helped to shore up critical elements of the peace process, such as the disarmament, demobilization and reintegration of former combatants. It fur-

ther encouraged the participation of all armed groups in the peace process.

46. To bolster the conflict prevention architecture in West Africa, the Organization supported, through the Regional Office, the fight against drug trafficking and organized crime.

47. In Somalia, the Organization and its Member States implemented a strategy to support fragile peace processes. Throughout the year, preparedness plans were continuously updated in the event that the Security Council decided to deploy a United Nations peacekeeping mission.

48. In the Middle East, the Organization's political missions supported several countries navigating the difficult transition from war to peace. The Organization strived to create conditions conducive to a resumption of political negotiations between Israelis and Palestinians. The United Nations helped to manage a cessation of hostilities between Israel and Lebanon and encouraged the Government of Lebanon to develop a comprehensive border strategy to enforce the arms embargo. The United Nations has consistently advocated a full reopening of the crossings in Gaza.

49. The United Nations actively participated in the Middle East Quartet in supporting a broader Middle East settlement and responding to unfolding developments in the region. More recently, in the aftermath of the Israelis' attack on and diversion of a humanitarian flotilla bound for Gaza, the Secretary-General has been engaged in formulating proposals, consistent with the Security Council presidential statement on the issue (S/PRST/2010/9), for a credible, transparent and independent international inquiry into the events.

50. In Iraq, the United Nations helped to resolve a stalemate over the country's electoral law, paving the way for national elections in March 2010. Representatives of the Government of Iraq and the Iraqi Kurdistan Regional Government met under the auspices of the United Nations Assistance Mission for Iraq, through a high-level task force, to discuss Mission reports on disputed internal boundaries.

51. In Sri Lanka, the Secretary-General has engaged with the Government in line with the commitments made in the joint statement issued in May 2009. Accordingly, the United Nations system supports reconciliation and a sustainable political solution that addresses the aspirations and grievances of all communities; is providing assistance in the return and resettlement of displaced persons, including former child soldiers; and has called for an accountability process to address any alleged violations of international humanitarian and human rights law.

52. Engagements in other parts of the world included: assisting Governments in Central Asia in

developing arrangements for the joint management of shared water and energy resources as part of a conflict prevention programme; supporting the dialogue on the name issue between Greece and the former Yugoslav Republic of Macedonia; facilitating full-fledged negotiations towards a comprehensive settlement in Cyprus; and assisting in the peaceful settlement of the border dispute between the Bolivarian Republic of Venezuela and Guyana.

2. Peacekeeping

53. Peacekeeping plays a critical role in helping to maintain or restore durable peace and stability in countries emerging from conflict around the world. United Nations peacekeeping reached an unprecedented level of 124,000 deployed personnel last year, as compared with only 20,000 merely a decade ago.

54. Creating an enabling environment for elections and negotiations was a core focus of four peacekeeping missions this year. In the Sudan, the United Nations Mission in the Sudan (UNMIS) supported the elections held in April 2010, while strengthening its capacity to protect civilians. UNMIS also began supporting key stakeholders in planning for the upcoming 2011 referendums and in engaging those stakeholders on post-referendum arrangements. Meanwhile, in Darfur, negotiations led to the conclusion of preliminary agreements between the Government of the Sudan and one of the coalitions of opposition groups. However, much remains to be done to ensure that the North-South peace process remains on track and that an inclusive and comprehensive peace agreement is reached for Darfur. Restrictions on the freedom of movement of the African Union-United Nations Hybrid Operation in Darfur continued to hamper the Operation's ability to implement its mandate.

55. In Côte d'Ivoire, disagreements over the final voter list led to the postponement of elections, amid several violent incidents. The United Nations Operation in Côte d'Ivoire and the United Nations country team continued to provide support to the implementation of the Ouagadougou Political Agreements and the consolidation of peace.

56. In Afghanistan, the United Nations Assistance Mission in Afghanistan (UNAMA) provided technical assistance to the conduct of elections in August 2009, including support for women's participation, and facilitated political dialogue to resolve the issues arising in their aftermath. UNAMA continued to support the coordination of international aid and assisted the new Government in assuming increasing responsibilities. Insecurity, however, poses challenges for the Mission's work, and a tragic attack on a United Nations guesthouse in Kabul on 28 October 2009 claimed the lives of five United Nations personnel.

57. Efforts to strengthen institutions and support stability and economic recovery dominated the work undertaken by yet another set of peacekeeping missions. The operations in Liberia and Timor-Leste focused on strengthening national security institutions and the rule of law while facilitating recovery and peacebuilding tasks. In Timor-Leste, the United Nations Integrated Mission in Timor-Leste supported the resumption of primary policing duties by the Timorese national police and continued to support the Government in strengthening state institutions. In Liberia, the Mission was able to continue its gradual drawdown, which is linked to the achievement of specific benchmarks.

58. Significant progress was also achieved in the peace process in Burundi, which has embarked on a round of critical elections that will extend beyond the summer. It is a sign of the maturation of the peace agreement between formerly hostile parties that the elections were peaceful, despite disagreements and contested results. The peacekeeping mission in the country was transformed into a peacebuilding mission on 1 January 2010.

59. The United Nations Interim Force in Lebanon monitored the implementation of the cessation-of-hostilities agreement, contributing, under difficult conditions, to the establishment of a relatively stable environment in southern Lebanon. The mission has actively attempted to facilitate an agreement that would allow the Israeli forces to leave the northern part of Ghajar, as contemplated by Security Council resolution 1701(2006).

60. Haiti, with the support of the United Nations Stabilization Mission in Haiti (MINUSTAH), had been making steady progress towards stability and economic recovery when the country was hit by a devastating earthquake. More than 220,000 persons were killed, including 101 of the Organization's own staff. More than 300,000 Haitians were injured, and damages and losses are estimated at \$7.8 billion. A massive international assistance effort was immediately launched, and additional troops and police were authorized by the Security Council to support MINUSTAH.

61. Following the earthquake, MINUSTAH increased its overall force levels to support the immediate relief, recovery, and stability efforts. The Mission is providing logistical support and technical expertise to help the Government of Haiti to continue operations, supporting the Government in strengthening rule-of-law institutions at the national and local levels, and implementing its resettlement strategy for displaced persons. It is also supporting the Government and the Provisional Electoral Council in the preparation and conduct of the country's elections and coordinating

international electoral assistance to Haiti in cooperation with other international stakeholders.

62. Withdrawal or drawdown dominated the peacekeeping strategies of two other missions. In Chad, discussions on the future of the United Nations Mission in the Central African Republic and Chad began after the Government had called for its withdrawal. Special attention was devoted to the continued protection of refugees and internally displaced persons, and to facilitating the provision of humanitarian assistance in eastern Chad. The drawdown has been successful thus far and is on target for completion by 31 December 2010.

63. In the Democratic Republic of the Congo, a new phase began with the transformation of the United Nations Organization Mission in the Democratic Republic of the Congo into the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo following the agreement between the Government and the United Nations that drawdown would be gradual and based on joint assessments of conditions on the ground. Meanwhile, given the ongoing insecurity in the east, the Mission continued its efforts to protect civilians and support the implementation of national plans to address the presence of armed groups, based on a policy of strict conditionality related to the conduct of the Forces armées de la République démocratique du Congo in terms of human rights. Efforts at stabilization and strengthening governance, including with regard to the security sector, also continued.

64. Over the past year, the widespread or systematic use of sexual violence against civilians in armed conflicts as a tactic of war was of great concern. The first report of the Secretary-General on the subject (S/2009/362) was issued mainly on the basis of reports from peacekeeping missions and identified serious gaps in the capacity of domestic security and justice systems to tackle impunity, as well as shortcomings in the provision of services for survivors. Among other key recommendations, the Secretary-General proposed the appointment of a senior person with the responsibility across the United Nations system for attending to the prevention and response to sexual violence in post-conflict and conflict situations. Subsequently, the Secretary-General appointed a Special Representative on Sexual Violence in Conflict.

65. As part of a broader strategy for empowering women, the Secretary-General has encouraged Member States to provide more female peacekeepers. The Department of Peacekeeping Operations has developed gender guidelines for military peacekeepers, as well as a gender training strategy.

66. The continued scale of deployment and the diversity and complexity of mission mandates is not matched by adequate capabilities. In recent times, dif-

fering views within the Security Council and on the part of other stakeholders on the political strategy for missions, and insufficient consent by host Governments, have hampered the implementation of Council mandates in several operations. The increased demands have exposed the limitations of the basic systems, structures and tools of the Organization, which are challenged by the size, tempo and complex tasks of today's missions.

67. Under the banner of the New Horizon process, the Secretariat has worked intensively with Member States over the past year to examine these challenges and make recommendations to address them. In a series of Security Council and General Assembly deliberations, this agenda received broad support. The ongoing support of Member States for further implementation will be essential if the United Nations is to provide stronger peacekeeping capabilities in the future.

3. Peacebuilding

68. The past year saw momentum building behind United Nations peacebuilding efforts, with the implementation of a number of important recommendations set out in the report of the Secretary-General on peacebuilding in the immediate aftermath of conflict (A/63/881-S/2009/304). Specifically, progress was made in the deployment of leadership teams in the field, in the development and implementation of integrated strategic frameworks for peace consolidation in certain field locations, and in the improvement of collaboration with the World Bank.

69. The Peacebuilding Support Office initiated a global review of international civilian capacities. The review is designed to examine how the international system can bridge persistent gaps in standards, training and the timely deployment of civilian capacities for peacebuilding.

70. The Security Council has requested the Secretary-General to submit a report on women's participation in peacebuilding, analysing the needs of women and girls in post-conflict situations and setting out recommendations to ensure that peacebuilding planning and financing processes respond fully to those needs.

71. The Peacebuilding Commission has remained engaged in the four countries on its agenda, with the support of the Peacebuilding Support Office and the integrated peacebuilding missions. Over the past year, it improved its working methods and strengthened its partnerships with the international financial institutions with regional and subregional organizations and with the national actors in the countries on its agenda.

72. The Peacebuilding Fund has provided funding assistance to an increasingly large and diverse number of countries emerging from conflict. As at

28 February 2010, with more than \$334 million in deposits, the Fund had already allocated more than \$196 million to 16 countries for a total of 115 projects.

73. The five-year review of the United Nations peacebuilding architecture was launched in February 2010. The 2010 review process offers an excellent opportunity to reaffirm and deepen the political commitment to the role of the Peacebuilding Commission and explore ways in which to realize its full potential.

C. Humanitarian affairs

74. During the reporting period, emerging humanitarian challenges such as climate change, the food and financial crises, resource scarcities, population growth and urbanization increased vulnerabilities and humanitarian needs around the world. The year was also marked by the continuation of disasters associated with natural hazards and by an escalation in armed conflicts.

75. In support of Governments and working with other partners, the United Nations system responded to some 43 new emergencies: 33 natural disasters, 9 armed conflicts and 1 epidemic. In terms of regional patterns, 15 occurred in Africa, 14 in Asia and the Pacific, 8 in Latin America and the Caribbean and 6 in Central Asia. In comparison with last year, the number of new emergencies increased in Africa and Asia and the Pacific, while decreasing in Europe and Central Asia.

76. In Latin America and the Caribbean, the United Nations system was called to respond to the devastating 12 January earthquake in Haiti. Within 36 hours, the United Nations had deployed staff to coordinate and integrate the emergency response effort in the face of the loss of the Mission's leadership.

77. In March 2010, the United Nations, the United States of America and the Government of Haiti, with the support of Brazil, Canada, the European Union, France and Spain, co-hosted the ministerial-level International Donors' Conference "Towards a New Future for Haiti" in New York. The aim of the Conference was to mobilize international support for the development needs of Haiti in an effort to lay the foundation for Haiti's long-term recovery. Member States and international partners pledged \$5.3 billion for the next 18 months to begin Haiti's path towards long-term recovery.

78. By the end of May 2010, emergency shelter materials had been distributed to almost all those identified as being in need and the revised Humanitarian Appeal of \$1.5 billion for ongoing humanitarian operations had been 58 per cent funded, at \$878 million.

79. In addition to relief assistance and the previously described mandated areas of support provided by MINUSTAH, the United Nations system is supporting the recovery efforts of the Government of Haiti

by providing shelter, making cash for work available, removing rubble, supporting rebuilding efforts and, more broadly, strengthening the Government's capacity to deliver basic services. The events in Haiti point once again to the importance of disaster management and risk reduction, areas of competency that the Organization must further develop and expand.

80. While the United Nations has rallied to help the Haitians recover from the disaster, this is not a time for complacency. Much remains to be done, and the Organization and its Member States must strengthen their efforts to deliver on the commitments they have made to the Government and to the Haitian people.

81. The reporting period also saw the shrinking of humanitarian space as humanitarian workers came under attack. In Afghanistan, Pakistan, Somalia, Chad, the Democratic Republic of the Congo and the Sudan, the number of staff deaths, kidnappings and attacks increased. Attacks and threats against the United Nations have forced the Organization to review and adjust security arrangements and take measures to mitigate risks by changing the way in which programmes are implemented. At the same time, the Organization is working to ensure enhanced access for humanitarian actors and respect for humanitarian principles in a range of conflict situations. Advocacy efforts are helping to draw attention to neglected emergencies, attracting much-needed political and financial support.

82. Owing to a more tightly coordinated and needs-based humanitarian financing system, consolidated and flash appeals worldwide reached a value of some \$10 billion over the past year, of which 71 per cent was funded. This represents an approximate doubling of the 2007 figures (\$7.1 billion requested, 71 per cent funded) and a tripling of the 2004 figures (\$3.4 billion requested, 64 per cent funded). Although funding for the Central Emergency Response Fund dropped from \$453 million in 2008 to \$401 million in 2009, some 23 Member States increased contributions in their national currencies. Another 17 countries joined the ranks of Fund donors in 2009, bringing to 117 the total number of Member States that have contributed to the Fund. Levels of funding for country-based pooled funds also decreased, from \$407 million in 2008 to \$339 million in 2009, while 5 emergency response funds were established in new countries, bringing the total to 18. Funding decreases were due largely to global currency fluctuations. The United Nations is asking Member States to increase the average amount contributed per fund, adjusted for local exchange rates. Funding for the humanitarian coordination system and common planning processes, including financing, has flattened and not kept pace with requirements.

83. There has been an increasing focus on accountability for funds, including the development of a draft performance and accountability framework for the Central Emergency Response Fund. Country-based pooled funds continued to make progress in strengthening their respective monitoring systems, notably in the Democratic Republic of the Congo, Ethiopia, Iraq, the Occupied Palestinian Territory and Somalia.

84. The Organization focused on advancing three policy areas. First, the Organization joined with humanitarian partners to successfully advocate the mainstreaming of disaster risk reduction and management into climate change discussions. Secondly, it supported the Security Council's new informal Expert Group on the Protection of Civilians in developing more principled, transparent and systematic action on protection issues. Thirdly, it worked to embed gender perspectives more thoroughly into humanitarian response, contingency planning and integrated mission planning by providing technical support on gender equality programming.

D. Human rights, the rule of law, genocide prevention and the responsibility to protect, and democracy and good governance

85. The protection of human rights, the establishment of the rule of law, genocide prevention and the responsibility to protect, and democracy and good governance are prerequisites for the promotion of human welfare and permit the realization of a stable polity. Those elements provide the foundation for the achievement of the Millennium Development Goals. Without them, violence, corruption, inequity and conflict ensue, creating instability, uncertainty and societal fragmentation. For that reason, the Organization is unrelenting in its commitment to their advancement through its work around the world.

1. Human rights

86. Over the past year, the United Nations witnessed the negative impact of ongoing global challenges, such as the economic and food crises and climate change, on the status of human rights. Of particular concern were increasing incidents of xenophobia and discrimination against non-citizens and ongoing impunity for human rights violations.

87. In response, the United Nations system increased its efforts to integrate human rights into the development efforts of Member States. Accordingly, the United Nations Development Group established a standing mechanism to assist the United Nations system at Headquarters and in the field in mainstreaming human rights into policy development and operational activities.

88. The Organization also used the occasion of the thirtieth anniversary of the Convention on the Elimination of All Forms of Discrimination against Women, the twentieth anniversary of the Convention on the Rights of the Child and the twentieth anniversary of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families to remind the international community of the need to take decisive action to protect the most vulnerable groups, particularly women and children, migrants, refugees, internally displaced persons and asylum-seekers. Following the successful conclusion of the Durban Review Conference in April 2009, the Organization began to take practical steps to realize the aspirations reflected in the Outcome Document.

89. An increased presence of human rights expertise in the field enhanced the Organization's ability to provide assistance to Governments and other partners in addressing prevailing human rights challenges. Human rights officers supported the Human Rights Council's fact-finding mission to Gaza and the Secretary-General's Commission of Inquiry for Guinea in the aftermath of the violence that occurred on 28 September 2009 in Conakry. They also supported transitional justice processes in numerous countries around the world. In addition, the United Nations system continued to monitor the situation of children affected by conflict, as called for in Security Council resolutions 1612(2005) and 1882(2009).

90. The Secretary-General sincerely hopes that during the forthcoming review of the Human Rights Council in 2010–2011, the focus of discussions will be on building upon the achievements of the Council, such as the universal periodic review mechanism. The Council can and must do more to address serious and chronic human rights situations and respond to emerging crises. It should also strengthen its interaction with the independent experts who constitute the special procedures mandated by the Council.

91. As the September High-level Plenary Meeting of the General Assembly on the Millennium Development Goals approaches, the international community must seek to leverage the momentum generated in support of the Goals to strengthen the human rights commitment underpinning the Millennium Declaration.

2. Rule of law

92. Many of the world's poor and marginalized groups do not benefit from the protection provided by the rule of law. This is particularly true for the disproportionately high number of women who find themselves without access to justice.

93. Over the past few years, the Organization has been seeking to address that imbalance by ex-

panding its programming worldwide. Over the past year, the United Nations system conducted rule-of-law programming in more than 120 countries, 19 of which host peace operations mandated by the Security Council, which have as part of their mission the goals of “addressing exclusion” and “enhancing justice and security for all”.

94. The link among peace, development and justice was strengthened through the outcome of the First Review Conference of the Rome Statute of the International Criminal Court. The Kampala Declaration of the International Criminal Court, the amendments to the Rome Statute and the agreement on the crime of aggression adopted over the past year provide the international community with additional tools for fighting impunity.

95. In order to promote women’s empowerment in particular, the Organization took definitive steps to establish a deployable team of experts to strengthen the rule-of-law response to sexual violence in armed conflict pursuant to Security Council resolution 1888(2009), and to build on existing United Nations efforts in many conflict-affected countries. New United Nations rules on the treatment of women prisoners and offenders, and revised model strategies and measures on the elimination of violence against women in the field of crime prevention and criminal justice, have also been formulated. In addition, a global effort was launched to encourage Member States to deploy more women in the United Nations police, with a view to increasing their participation from 6.5 per cent to 20 per cent by 2014.

96. To enhance coherence, the Rule of Law Coordination and Resource Group issued system-wide guidance on a United Nations common approach to transitional justice. The approach is guided by the principle of the centrality of victims and international law, takes into account the particular context of the country situation, emphasizes the importance of combating impunity and upholding the protection of human rights in peace agreements, and calls for efforts to address violations of social and economic rights.

97. The Group also launched the United Nations Rule of Law website and document repository (www.unrol.org), a central resource making more than 1,200 United Nations documents readily accessible and linking 42 United Nations entities and 126 partners worldwide. Both initiatives are part of a broader United Nations effort to provide more strategic and effective rule-of-law assistance. Member States and other partners are encouraged to collaborate on strengthening global and country-level coordination and coherence in the area of security and justice.

3. Genocide prevention and the responsibility to protect

98. The concept of the responsibility to protect is gaining traction within the United Nations system. The Special Adviser who focuses on the responsibility to protect led the preparation of the January 2009 report of the Secretary-General on implementing the responsibility to protect (A/63/677) and, together with the Special Adviser on the Prevention of Genocide, consulted widely with Member States and other stakeholders in the months leading up to the General Assembly’s three-day debate on the report in July. The largely positive debate led to the adoption of the Assembly’s first resolution on the subject, resolution 63/308, by consensus.

99. The Office of the Special Adviser on the Prevention of Genocide continues to provide a unique analytical perspective within the United Nations system, to sound the alarm when necessary and to increase the capacity of the United Nations to prevent genocide. Over the past year, the Office strengthened its information management system that allows for the monitoring of developments in all countries. The Office put into practice an analysis framework to assess the risk of genocide in a given situation, which was made public and was welcomed by Member States, experts and non-governmental organizations. The Panel of the Wise of the African Union requested that it be integrated into the Organization’s early warning mechanism.

100. The office also expanded its outreach and awareness-raising activities. In an effort to mainstream genocide prevention and encourage a culture of prevention throughout the United Nations system and beyond, it established contacts with the African Union; the Organization of American States, including the Inter-American Commission on Human Rights; and the European Union.

101. Further conceptual, political and implementation work on the part of all stakeholders is necessary.

4. Democracy and good governance

102. Democratic norms permeate the fabric of the Organization and are strengthened by the progressive adoption of international standards and practices. The Secretary-General’s Guidance Note on Democracy has served as a key document in harmonizing the work of the Organization in support of democracy by establishing specific goals and norms.

103. Poor governance can be both a source and a consequence of conflict. Addressing weak governance, in particular by promoting the empowerment and participation of women, is now accepted as an integral part of approaches to development, conflict prevention and resolution and peacebuilding. Promoting good governance is also reflected in the

mandates of many field missions, contributing to a measurable improvement in democratic governance in their host countries.

104. Over the past year, the United Nations provided electoral assistance to more than 50 Member States. In peacekeeping or post-conflict environments, such as Afghanistan, the Central African Republic, Côte d'Ivoire, the Democratic Republic of the Congo, Guinea-Bissau, Haiti and Iraq, it was provided through components of field missions of the Department of Peacekeeping Operations or the Department of Political Affairs. Technical assistance in the context of development, such as in Bangladesh, El Salvador, Malawi, the United Republic of Tanzania and Timor-Leste, was provided mainly by the United Nations Development Programme as part of its democratic governance programmes. In other contentious environments, such as Kyrgyzstan and Guinea, electoral assistance contributed to ongoing processes of the restoration of constitutional order, seeking to ensure inclusiveness and transparency, even under very difficult circumstances.

105. The United Nations Democracy Fund has enhanced the Organization's efforts by providing grants, especially to local non-governmental organizations, to strengthen the voice of civil society, promote human rights and encourage the participation of marginalized groups in democratic processes. To date, the Fund has received more than \$105 million in contributions and has supported 271 projects worldwide.

Chapter III

Securing global goods

106. Addressing climate change, advancing on a global health agenda, countering terrorism and making progress on disarmament and non-proliferation have been priorities for the Secretary-General since he first came to office. These issues share some important traits: they can have a dramatic impact on human welfare and on peace and security, they ignore borders and affect populations indiscriminately, they are highly complex in nature, and the remedies needed are cross-sectoral in nature and require the coordination of activities across a broad range of actors. They constitute global threats that must be addressed if the global good is to be secured. The United Nations, with its engagement across a wide range of sectors and with its universal membership, is the only institution in the world that has the scope, expertise and legitimacy to be able to craft and implement effective policies to address these challenges.

A. Climate change

107. Political momentum on climate change swelled during the second half of 2009 as the world prepared for the United Nations Climate Change

Conference in Copenhagen in December. In September, the Secretary-General hosted a Summit on Climate Change with 101 world leaders, which helped to place climate change at the top of the global agenda. No issue is more fundamental to long-term sustainable development and prosperity, energy security, food security and international security.

108. While Copenhagen did not fulfil all public expectations, it was an essential step forward in global efforts to address the climate challenge. Copenhagen marked the largest-ever gathering of Heads of State and Government on climate change. Important progress was achieved in building a broad political consensus that can invigorate global negotiations.

109. The challenge now is to build on the elements of agreement that emerged from Copenhagen within the global, dual-track negotiating process under the United Nations Framework Convention on Climate Change. Strengthening trust between countries and increasing the transparency and effectiveness of the process are critical. The ultimate goal remains an effective, ambitious and comprehensive global agreement that sets the world on the path towards low-emissions development and helps to catalyse clean-energy growth in developing countries.

110. The timing—and the precise form—of that agreement is for Governments to decide. Every year of delay increases the risk of dangerous climate impacts and adds to the human and economic toll.

111. Since the end of 2009, the Secretary-General has been working closely with the world leaders to ensure that the subject of climate change remains a strategic imperative. He is encouraging Governments to press forward with national pledges to minimize emissions and to take ambitious action at every level to strengthen mitigation and adaptation.

112. In addition, the Secretary-General is urging countries to build on the progress made at Copenhagen on an adaptation framework; an agreement on reducing deforestation and forest degradation; a system for measuring, reporting on and verifying mitigation and finance; technology development and transfer; and short- and long-term finance. The United Nations will continue to support Governments as needed in each of those areas.

113. To accelerate momentum, the Secretary-General launched a High-level Advisory Group on Climate Change Financing to identify potential funding sources to support climate action in developing countries. He will also establish a high-level panel on global sustainability to address the linkages between climate change and sustainable development.

114. There is still much work ahead of us. Global greenhouse gas emissions continue to rise, with climate impacts affecting millions of people worldwide, especially the most vulnerable. That is

why the United Nations system is committed to assisting Governments in implementing existing and future climate change agreements while building global green prosperity. The United Nations system will continue to provide expertise and assistance within a sustainable development context, including in core climate-related sectors such as energy, water, food security and disaster risk reduction. In addressing climate change, the world can help to achieve the Millennium Development Goals and chart a path towards a safer, healthier, cleaner and more prosperous future for all.

B. Global health

115. The importance of health for economic productivity, social stability and security, and poverty reduction has been firmly demonstrated. Over the past year, the Secretary-General has called for a renewed focus on achieving the health-related Millennium Development Goals, which so clearly underpins progress in other areas.

116. A focus on results has spurred innovation, not just in terms of medicines and vaccines, but also in ways of doing business and raising resources, and in attention to measurement and the setting of priorities. The creation of new partnerships has produced impressive results, notably in the field of immunization and in the fight against AIDS, tuberculosis and malaria.

117. Over the past year, the influenza A (H1N1) pandemic reminded us of the rapid spread of new pathogens and demonstrated the effectiveness of the International Health Regulations promulgated by the World Health Organization.

118. Malaria still kills more than 800,000 people a year, most of them children under 5 and pregnant women. However, there has been tremendous progress over a short period of time: more than 150 million insecticide-treated nets were delivered to Africa during the two-year period 2008–2009, and nine countries have reduced child deaths by more than 50 per cent.

119. There has been measurable forward movement in the AIDS response. Since 2001, the global rate of new infections has decreased by 17 per cent. At the same time, HIV treatment access in low- and middle-income countries increased tenfold over a span of just five years, bringing to 4 million the number of people on antiretroviral therapy at the end of 2008. Today, the tools and techniques exist to virtually eliminate mother-to-child HIV transmission. HIV-based stigma and discrimination are being confronted more strongly, as demonstrated by several countries that have lifted decades-old travel restrictions on people living with HIV.

120. The global response to AIDS must be leveraged more effectively to meet women's health needs. AIDS remains the leading cause of death among women of reproductive age worldwide. A total of 15.7

million women are living with HIV. Shortfalls in public financing threaten the progress made in curbing the epidemic's spread and saving the lives of those infected. Four out of five low- and middle-income countries are currently not on track to reach their universal access targets.

121. The world has made unacceptably slow progress on maternal health, the critical indicator of the health and prosperity of a nation. With hundreds of thousands of women and girls dying in pregnancy or childbirth every year and 10 million to 15 million more suffering long-term disabilities, the Secretary-General has officially launched a global effort on women's and children's health. The global effort seeks to build upon and revitalize existing commitments, to secure new commitments from a range of influential partners and to provide organization and accountability for delivery at the highest levels.

122. Beyond the Millennium Development Goals, the United Nations has made major strides in the eradication of guinea worm. Attention to addressing non-communicable diseases such as cancer, heart disease, diabetes and stroke has also increased.

123. Yet, for all of these advancements, significant challenges remain in achieving better health. This is due largely to deficient health systems, threats to health security posed by pandemic influenza and other emerging diseases, and profound inequities—illustrating a failure to allocate adequate resources to health care for the poor, women and children. For example, there has been a relative lack of progress in improving access to treatment for the two biggest killers of children, diarrhoea and pneumonia. The strategic role of the United Nations in shaping the future of global health requires focused attention on support for equitable access to health systems that deliver high-quality services within a coherent policy framework.

124. Further effort is needed to support the formulation by countries of coherent national health policies, strategies and plans and their implementation in keeping with the scale of national and global health challenges. The United Nations will continue to play an important role through advocacy, the development of guidelines and the provision of support to countries in the development of innovative models for reaching those in need.

C. Countering terrorism

125. Terrorism is a major threat to international peace and security that calls for a firm and concerted global response. Mobilizing resources of the United Nations system to combat terrorism is crucial to that end, and the United Nations Counter-Terrorism Implementation Task Force provides a key mechanism for doing so.

126. In supporting the implementation of the United Nations Global Counter-Terrorism Strategy, the Task Force has launched initiatives, developed specific recommendations and support activities and produced reports on supporting victims of terrorism, countering terrorist financing, countering the use of the Internet for terrorist purposes, and private-public partnerships for the protection of vulnerable targets. The Task Force, together with the United Nations Regional Centre for Preventive Diplomacy for Central Asia, is assisting Member States in the region in developing an action plan on strategy implementation, with a particular focus on addressing conditions conducive to terrorism. It has also supported the International Criminal Police Organization in creating a Vulnerable Targets Referral Centre and an information system for the facilitation of enhanced information-sharing and the coordination of technical assistance delivery.

127. Counter-terrorism efforts must be systematically integrated into the broader agenda of international peace, security and development and must be in compliance with human rights, humanitarian and refugee law. In that spirit, and following the adoption of resolution 1904(2009), on the sanctions regime against Al-Qaida, Usama bin Laden and the Taliban, the Secretary-General, on 14 July 2010, appointed an Ombudsperson mandated to consider delisting requests from individuals and groups named on the Consolidated List.

128. The support of Member States will be essential for the continued implementation of the Counter-Terrorism Strategy.

D. Disarmament and non-proliferation

129. The year 2010 is proving to be critical for defining the direction that disarmament and non-proliferation efforts will take. The international community has achieved some meaningful progress, particularly in the nuclear arena. Positive developments have included the signing, on 8 April, of the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms by President Barack Obama and President Dmitry Medvedev, the declarations by the United States and the United Kingdom of the size of their nuclear-weapon stockpiles and the successful outcome of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). At the latter, a plan of action was adopted to advance nuclear disarmament, non-proliferation and the peaceful uses of nuclear energy over the next five years. The agreement on forward-looking action halts years of deteriorating confidence in the Treaty regime. The Secretary-General particularly welcomed the agreement on a

process leading to the full implementation of the 1995 resolution on the establishment of a Middle East zone free of weapons of mass destruction. In addition, the Final Document of the NPT Review Conference noted the Secretary-General's action plan for nuclear disarmament and addressed the benchmarks outlined therein.

130. Less positive, however, has been the lack of substantive progress on the part of the Conference on Disarmament. There has been no progress on the peaceful and negotiated denuclearization of the Korean peninsula through the Six-Party Talks.

131. Similarly, the issue involving the nuclear programme of the Islamic Republic of Iran remains a matter of concern.

132. It is clear that more needs to be done. Following the successful conclusion of the 2010 Review Conference, States parties to the Treaty on the Non-Proliferation of Nuclear Weapons and relevant organizations need to start implementing the action plan now. A nuclear-weapon-free zone in the Middle East must be pursued with increasing urgency. The universality of the Treaty must be achieved. The action plan specifically mandates the Secretary-General to convene a high-level meeting on the margins of the General Assembly so as to reinvigorate the Conference on Disarmament.

133. The Conference on Disarmament must begin to work without delay, in particular to commence negotiations and substantive deliberation on the main substantive issues. New efforts are also required to achieve the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty, and the International Convention for the Suppression of Acts of Nuclear Terrorism needs to be strengthened.

134. In the field of conventional arms, there have been some promising developments. In 2010, the Convention on Cluster Munitions entered into force. The United Nations will remain actively involved in all aspects of mine action and is firmly committed to continuing to support the implementation and universalization of the key humanitarian treaties, including the Convention on Certain Conventional Weapons, the Anti-personnel Mine Ban Convention and the Convention on Cluster Munitions, while seeking to strengthen synergies between them.

135. Importantly, in 2010 negotiations began within the United Nations on an arms trade treaty, to be concluded in 2012. Member States must develop a strong and robust treaty in order to counter the negative effects of unregulated arms transfers on regional stability, development and human rights.

136. The excessive accumulation and the easy availability of small arms and light weapons in zones of conflict and crime remain an issue of enduring concern. The recent initiative of the General Assembly to focus on the broader issue of armed violence, includ-

ing how it undermines development, is a promising development.

137. The Secretary-General has highlighted the close relationship between disarmament and other global challenges, stressing that “the world is over-armed and development is under-funded”. The Organization will work with Member States to maintain and reinvigorate effective disarmament and non-proliferation norms so that stability and security can prevail and so that the resources necessary to combat climate change and achieve the Millennium Development Goals are liberated.

Chapter IV

Creating a stronger United Nations

138. Effective United Nations action across a wide range of issue areas is essential if the Organization is to attain its long-term objectives of delivering to those most in need and addressing the new set of twenty-first-century global challenges that confront the international community. The Organization must make an explicit effort to ensure that it takes action to modernize its processes, introduces cost-effective measures, and rewards excellence and achievement. It must also strive to ensure that the component parts of the Organization and of the United Nations system work well together, leveraging each other's respective strengths. In addition, the future of the Organization will rest in part on its ability to forge strong working relationships with a variety of stakeholders, including regional organizations and civil society. For that reason, outreach and partnership-building are important elements of the Organization's activities.

A. The Secretariat, the intergovernmental machinery, system-wide coherence and cooperation with regional organizations

139. With a view to strengthening the Organization, the Secretary-General initiated a number of important changes in human resource policy, in budget planning and in the accountability framework. These included adopting a variety of measures to support women's empowerment in the Organization and laying the groundwork for the establishment of a new gender entity. The Security Council, the Economic and Social Council and the General Assembly provided important platforms for stimulating discussion and forging consensus on a wide range of global concerns. Important progress was also made on system-wide coherence and the further strengthening of the Organization's cooperation with regional organizations.

1. The Secretariat

140. In order to deliver results for people most in need, the Organization must be able to recruit and deploy staff members quickly and efficiently, and staff must continually learn and grow. To that end, the

Secretary-General is continuing to implement his human resources reform agenda, including by reducing the various types of employment contracts from 16 to 3, harmonizing conditions of service between staff in the field and those at Headquarters, and launching a new talent management system to modernize recruitment, performance management and staff learning and development.

141. As part of his efforts to strengthen the Organization, the Secretary-General has adopted various policies designed to empower and promote women working in the Secretariat. These complement the important initiatives he has championed to empower women in the context of war and internal conflict previously discussed: his seminal report on sexual violence in armed conflict (S/2009/362), his appointment of a Special Representative on Sexual Violence in Conflict and his insistence on a zero-tolerance policy regarding abuse and violence in peacekeeping missions.

142. More women have been appointed by the Secretary-General to senior United Nations posts than at any time in the history of the Organization, and the Secretary-General has overseen a gender balance strategy and action plan within the Secretariat to ensure managerial and departmental accountability with respect to gender balance targets.

143. At the end of 2009, the Secretary-General provided the General Assembly with a comprehensive proposal to create a new United Nations gender entity, consolidating current structures and enabling the United Nations to provide enhanced support to our national partners in a more effective manner. The Assembly endorsed the Secretary-General's proposal by adopting unanimously, on 2 July 2010, the landmark resolution 64/289 on system-wide coherence. In the resolution, the Assembly, *inter alia*, called for the merging of the four parts of the United Nations system dealing with women's issues into one composite gender entity, the United Nations Entity for Gender Equality and the Empowerment of Women, to be known as UN-Women. The Assembly also called for the appointment of an Under-Secretary-General to head the new body, and for the establishment of an executive board to provide intergovernmental support for and supervision of its operational activities. The Beijing Platform of Action, adopted at the Fourth World Conference on Women, will serve as the framework for the new body's work.

144. A more strategic and effective budget is critical to identifying the results that must be delivered within a given time period and to determining whether or not goals have been achieved. To improve the presentation of the budget, the Secretary-General engaged in a dialogue with Member States that ex-

explored various scenarios for ways in which to modify the format of budgetary documents and identified several options for further consideration. That important dialogue needs to continue, as the Secretariat requires a budget process that is less cumbersome and provides more flexibility to managers in the utilization of resources. Such flexibility should go hand in hand with increased accountability.

145. The Organization's service delivery and resource management will improve dramatically through the Umoja reform initiative, aimed at enterprise resource planning, and the introduction of International Public Sector Accounting Standards. Umoja will modernize the Secretariat's business practices, upgrade staff skills and put in place a single, integrated information system. The endeavour will enhance transparency and support improved performance monitoring and reporting of results, linked to objectives and resource usage. In anticipation of significant annual capacity improvements and cost recovery, the General Assembly endorsed the Secretary-General's proposal that Umoja be deployed through the "pilot first" strategy, which will provide the fastest and least expensive path towards benefit realization.

146. Progress on the Capital Master Plan is providing modern facilities to support the delivery of results. During the reporting period, offices and staff were moved to swing spaces with precision and efficiency, the North Lawn Building was inaugurated, the Security Council and the Economic and Social Council were successfully relocated, construction continued in the basements, and renovation work commenced in the Secretariat and Conference buildings.

147. The most fundamental way to ensure the efficient delivery of results for those most in need is to have in place effective systems for internal control and to strengthen accountability within the Organization and between the Secretariat and Member States. To that end, the Secretary-General completed the agenda for procurement reform during the reporting period by submitting reports on procurement governance and sustainable procurement, to be further considered by the General Assembly at its sixty-fifth session. The Secretary-General's most urgent priorities for the remainder of 2010 and for next year are to strengthen personal accountability, promote a culture of results-based management, institute proactive risk management, and continue to analyse and monitor the implementation of the recommendations of oversight bodies in order to draw lessons for continued management improvement.

2. Intergovernmental machinery

148. In 2010, the Security Council has focused its agenda on intra-State conflicts, threats of terrorism, nuclear non-proliferation and disarmament

and, increasingly, the security implications of transnational organized crime and drug trafficking. The Economic and Social Council has focused on the implementation of the Millennium Development Goals and has advanced accountability for global development commitments. Its annual ministerial review on gender equality and women's empowerment brought together Governments, the private sector and civil society at a number of events throughout the year. The Secretary-General's participation and his strong advocacy on behalf of women and public health built a greater sense of engagement. The 2010 session of the multi-stakeholder Development Cooperation Forum of the Economic and Social Council focused on increasing aid flows and quality, and policy coherence. The Forum process permitted an open debate among Member States, civil society, the private sector, parliamentarians and local Governments on promoting and improving development cooperation for the achievement of the Millennium Development Goals.

149. The General Assembly has been engaged in intensive preparations for its High-level Plenary Meeting on the Millennium Development Goals to be held at United Nations Headquarters in September. Important inputs on ways to strengthen the implementation of the global development agenda have been provided through the Assembly's high-level dialogues on "Water for Life" and financing for development, as well as through various informal meetings convened by the Assembly with the United Nations system, academia, civil society and the private sector.

150. The Secretary-General has increased his personal interaction with the intergovernmental bodies through numerous exchanges. In the case of the General Assembly, the Secretary-General briefed Member States on issues ranging from the meetings of the Group of 20 and the Quartet to the United Nations Climate Change Conference in Copenhagen, as well as the natural disasters in Haiti and Chile.

3. System-wide coherence

151. On 2 July 2010, the General Assembly unanimously adopted the landmark resolution 64/289 on system-wide coherence, which brought to a close a major intergovernmental process that had begun at the sixty-first session. In the resolution, the Assembly, in addition to deciding to establish a composite gender entity, adopted a number of important decisions in other areas of the system-wide coherence process. These included: introducing a new approach to determining the level of "critical mass" of core funding for funds and programmes; strengthening the participation of national policymakers of programme countries in meetings of the executive boards of the funds

and programmes and the operational activities segment of the Economic and Social Council; enhancing the training of delegates of the permanent missions of Member States on the roles and responsibilities of governing bodies; inviting the President and the Bureau of the Council to convene informal coordination meetings with the governing bodies responsible for United Nations operational activities for development; requesting the Secretary-General, under the auspices of the Council, to prepare and put in place periodic surveys on operational activities for development, addressed to Governments of programme countries; and requesting the Secretary-General to commission a comprehensive review of the existing institutional framework for the system-wide evaluation of operational activities for development.

152. In the resolution, the Assembly approved a modality for countries to submit a common country programme document on a voluntary basis, which represented another significant step forward in improving the coherence of the United Nations development activities. In addition, the Assembly welcomed the intergovernmental meetings of countries implementing the “Delivering as one” approach held in Kigali in October 2009 and in Hanoi in June 2010. In the outcome documents of those meetings, the countries implementing “Delivering as one” affirmed that the approach had added value by providing renewed Government leadership to United Nations programmes and better alignment with national priorities, and had brought enhanced coherence and effectiveness to United Nations support. The Assembly also encouraged the Secretary-General to proceed with the independent evaluation of lessons learned from the “Delivering as one” pilots, with a report to be submitted to the Assembly at its sixty-sixth session.

153. During the reporting period, the United Nations System Chief Executives Board for Coordination, through its three pillars, continued to advance a coordinated and collective approach to common United Nations system objectives. Noteworthy in that regard are the development of a coordinated United Nations system approach to climate change and the support provided to countries preparing United Nations Development Assistance Frameworks. Furthermore, in 2010, the Chairs of the High-level Committee on Management and the United Nations Development Group deployed a joint high-level mission to several countries to identify and address country-level bottlenecks in the area of business practice harmonization.

4. Cooperation with regional organizations

154. Today’s crises and challenges require multifaceted solutions, making cooperation between the United Nations and regional organizations more vital than ever. The Secretary-General’s retreat with

heads of regional and other organizations in January 2010 provided an important forum in which to discuss joint strategies for preventing and resolving conflict. Participants explored intensifying cooperation with the Association of Southeast Asian Nations, the League of Arab States, the Organization of the Islamic Conference and the Caribbean Community.

155. In Africa, efforts to strengthen our partnership with the African Union within the framework of the Ten-Year Capacity-Building Programme included: strengthening the capacity of the secretariat of the African Union Peace and Security Council, collaborating on the establishment of the African Union Democracy and Electoral Assistance Unit, and supporting the development of a mediation strategy for Africa. The United Nations also engaged with the African Union to increase awareness about the importance of integrating a gender perspective into conflict resolution. In order to enhance further strategic partnerships with the African Union, the Organization’s presence in Addis Ababa has been restructured. Specifically, the United Nations has established the United Nations Office to the African Union, headed by an Assistant Secretary-General. The Organization continues to work closely with the African Union and the Economic Community of West African States to encourage an early return to constitutional order in Guinea and the Niger. In addition, the Organization has deployed several of its staff to the Southern African Development Community secretariat in Gaborone and to the Economic Community of Central African States to assist in building the mediation and early warning capacities of those subregional organizations.

156. Desk-to-desk dialogues continued with the European Union, the Organization of American States and the Organization for Security and Cooperation in Europe, and a joint mediation training programme was conducted with the latter. Looking ahead, cooperative efforts with relevant regional organizations will be important in assisting the Government of Haiti in rebuilding after the 12 January 2010 earthquake.

B. Global constituencies

157. Civil society, the business community and academia are essential partners in our work to achieve the goals of the United Nations, particularly the Millennium Development Goals. Across the Organization, partnerships are a common and increasingly sophisticated mechanism for addressing priority challenges. Over the past year, the United Nations has made important strides in expanding the geographic and demographic diversity of its audiences and in leveraging the contributions of civil society in its work.

1. Strengthening partnerships with civil society

158. The Organization is actively reaching out to civil society and encouraging increased citizen engagement in the formulation and implementation of international policy. It is employing both traditional means of outreach and more innovative techniques, including the use of new media tools that help to inform and inspire the next generation of the global citizenry.

159. The past year saw a dynamic collaboration between representatives of civil society and the United Nations on climate change, disarmament and women's empowerment. The international community joined together in support of the "Seal the Deal!" campaign, a communications effort that helped to create massive global awareness of climate change as one of the greatest challenges of the twenty-first century. More than 1,300 people, representing 55 countries and 340 non-governmental organizations, came together for the 62nd Annual Conference of the Department of Public Information for Non-Governmental Organizations, on the theme "For peace and development: disarm now!", which was hosted by the Government of Mexico in Mexico City from 9 to 11 September. Non-governmental organizations participated in record numbers in the fifty-fourth session of the Commission on the Status of Women, commemorating the fifteenth anniversary of the Fourth World Conference on Women. A special event of the Economic and Social Council on smart philanthropy catalysed engagement by the private sector, foundations and civil society in the area of women's economic empowerment.

160. It is hoped that the same energy that civil society brought to these issues will be directed at making the September Summit on the Millennium Development Goals and its outcome a success.

161. It is heartening to note that the overall number of non-governmental organizations associated with the Organization continues to increase. This suggests not only that the Organization's outreach and communications are having an impact, but also, and more important, that mutual interest and respect exist between the two constituencies. The informed and active participation of civil society in the work of the United Nations is essential to making a difference in the lives of ordinary people.

2. Engaging the business community

162. Significant efforts have been made to enhance engagement with the business community. The revised Guidelines on cooperation between the United Nations and the business sector and the United Nations-Business website are milestones and essential to the modernization of the Organi-

zation. The Guidelines, issued on 20 November 2009, help staff to develop effective partnerships while ensuring the Organization's integrity and independence. Launched on 14 January 2010, business.un.org is the first online gateway to match business resources with the needs of the Organization with respect to humanitarian crises and long-term partnerships.

163. Important contributions were made by business to advance United Nations objectives. On 24 and 25 June 2010, the Secretary-General chaired the third Global Compact Leaders Summit, where hundreds of companies showcased work that is advancing development. The Summit launched many initiatives that are contributing to the achievement of the Millennium Development Goals, including the Women's Empowerment Principles, anti-corruption reporting guidance and an environmental stewardship framework. Two Global Compact initiatives, Caring for Climate and the CEO Water Mandate, continue to bring business solutions to these critical areas.

164. Looking ahead, encouraging corporate action in support of United Nations goals will remain a priority. The Organization must scale up this work by further building its capacity to partner with business and by facilitating greater collaboration among partners, including business, civil society, academia and local governments.

Chapter V

Conclusion

165. The Organization is more than just a collection of buildings, a sequence of meetings, a set of reports and consultations or even a set of principles and programmes. Fundamentally, the Organization is about its people and the passion and commitment that they bring to the work of the United Nations.

166. While the past year brought some important successes and achievements, it also brought tremendous losses in the work and life of the Organization. The United Nations lost more of its dedicated staff than ever before in its 65-year history. The relatives, friends and colleagues of those who gave their lives in the service of the United Nations should know this: the Organization will not waver from the ideals that they served. Their sacrifice will not be forgotten, and it will not have been in vain. The responsibility is now on those who remain to work tirelessly to reinvigorate and support the mission of the United Nations, for which colleagues gave their lives.

ANNEX

Millennium Development Goals, targets and indicators, 2010: statistical tables

GOAL 1

Eradicate extreme poverty and hunger

Target 1.A

Halve, between 1990 and 2015, the proportion of people whose income is less than one dollar a day

Indicator 1.1

Proportion of population living below \$1.25 purchasing power parity (PPP) per day^{a,b}
(Percentage)

	1990	1999	2005
Developing regions	45.7	33.0	26.6
Northern Africa	4.5	4.4	2.6
Sub-Saharan Africa	57.5	58.3	50.9
Latin America and the Caribbean	11.3	10.9	8.2
Caribbean	28.8	25.4	25.8
Latin America	10.5	10.2	7.4
Eastern Asia	60.1	35.6	15.9
Southern Asia	49.5	42.2	38.6
Southern Asia excluding India	44.6	35.3	30.7
South-Eastern Asia	39.2	35.3	18.9
Western Asia	2.2	4.1	5.8
Oceania	—	—	—
Commonwealth of Independent States	2.7	7.8	5.3
Commonwealth of Independent States, Asia	6.3	22.3	19.2
Commonwealth of Independent States, Europe	1.6	3.0	0.3
Transition countries in South-Eastern Europe ...	0.1	1.9	0.5
Least developed countries	63.3	60.4	53.4
Landlocked developing countries	49.1	50.7	42.8
Small island developing States	32.4	27.7	27.5

^aHigh-income economies, as defined by the World Bank, are excluded.

^bEstimates by the World Bank, March 2010.

Indicator 1.2

Poverty gap ratio^{a,b}
(Percentage)

	1990	1999	2005
Developing regions	15.6	11.6	8.0
Northern Africa	0.8	0.8	0.5
Sub-Saharan Africa	26.3	25.8	20.7
Latin America and the Caribbean	3.9	3.8	2.8
Caribbean	13.4	12.7	12.8
Latin America	3.5	3.4	2.3
Eastern Asia	20.7	11.1	4.0
Southern Asia	14.5	11.2	9.8
Southern Asia excluding India	14.2	9.9	8.1
South-Eastern Asia	11.1	9.6	4.2
Western Asia	0.6	1.0	1.5
Oceania	—	—	—
Commonwealth of Independent States	0.9	2.5	1.5
Commonwealth of Independent States, Asia ...	2.1	7.5	5.4
Commonwealth of Independent States, Europe	0.5	0.8	0.1
Transition countries in South-Eastern Europe	0.0	0.5	0.2
Least developed countries	27.5	24.7	19.9
Landlocked developing countries	21.9	20.2	15.5
Small island developing States	14.4	12.3	11.9

^aThe poverty gap ratio measures the magnitude of poverty. It is the result of multiplying the proportion of people who live below the poverty line (at \$1.25 PPP per day) by the difference between the poverty line and the average income of the population living under the poverty line.

^bHigh-income economies, as defined by the World Bank, are excluded.

Indicator 1.3

Share of poorest quintile in national consumption^{a,b}
(Percentage)

	2005
Northern Africa	6.1
Sub-Saharan Africa	3.6
Latin America and the Caribbean	2.9
Eastern Asia	4.3
Southern Asia	7.4
South-Eastern Asia	5.7
Western Asia	6.2
Commonwealth of Independent States	7.0
Transition countries in South-Eastern Europe	8.2

^aHigh-income economies, as defined by the World Bank, are excluded.

^bNo new global or regional data are available. Data presented are from 2008 report (A/63/1).

Target 1.B

Achieve full and productive employment and decent work for all, including women and young people

Indicator 1.4

Growth rate of gross domestic product (GDP) per person employed

(a) Annual growth rate of GDP per person employed
(Percentage)

	1998	2009 ^a
World	0.9	-2.1
Developing regions	0.5	0.6
Northern Africa	1.3	1.0
Sub-Saharan Africa	-0.9	-1.8
Latin America and the Caribbean	0.2	-3.4
Eastern Asia	3.2	5.4
Southern Asia	2.3	1.9
South-Eastern Asia	-8.5	-1.7
Western Asia	0.0	-1.5
Oceania	-5.6	-1.3
Commonwealth of Independent States	-2.3	-5.2
Commonwealth of Independent States, Asia	0.5	-0.4
Commonwealth of Independent States, Europe	-2.1	-5.4
Developed regions	1.7	-1.2
Transition countries in South-Eastern Europe	0.4	-3.2
Least developed countries	1.3	0.7
Landlocked developing countries	-0.3	-0.9
Small island developing States	-0.4	-2.8

^aPreliminary data.

(b) GDP per person employed
(2005 United States dollars (PPP))

	1998	2009 ^a
World	17 457	21 172
Developing regions	7 816	11 559
Northern Africa	15 806	18 368
Sub-Saharan Africa	4 381	5 135
Latin America and the Caribbean	21 170	22 214
Eastern Asia	5 370	11 952
Southern Asia	5 030	7 794
South-Eastern Asia	6 744	9 089

	1998	2009 ^a
Western Asia	33 084	39 559
Oceania	5 954	5 564
Commonwealth of Independent States	12 875	21 181
Commonwealth of Independent States, Asia Commonwealth	6 453	11 886
of Independent States, Europe	14 695	24 399
Developed regions	61 156	69 841
Transition countries in South-Eastern Europe ..	15 490	25 150
Least developed countries	2 062	2 974
Landlocked developing countries	3 519	4 828
Small island developing States	20 926	23 846

^aPreliminary data.

Indicator 1.5

Employment-to-population ratio

(a) Total

(Percentage)

	1991	2000	2009 ^a
World	62.2	61.2	60.4
Developing regions	64.2	62.9	61.7
Northern Africa	43.9	43.4	46.0
Sub-Saharan Africa	63.5	64.1	64.9
Latin America and the Caribbean	56.3	57.9	60.0
Eastern Asia	74.5	73.1	69.8
Southern Asia	57.6	56.0	55.4
South-Eastern Asia	68.0	66.5	65.6
Western Asia	48.6	46.4	44.3
Oceania	65.5	66.3	66.8
Commonwealth of Independent States	57.9	54.0	56.9
Commonwealth			
of Independent States, Asia	57.4	55.7	59.3
Commonwealth			
of Independent States, Europe	58.0	53.6	56.1
Developed regions	56.5	56.5	55.3
Transition countries in			
South-Eastern Europe	53.4	51.9	47.7
Least developed countries	70.7	69.3	69.0
Landlocked developing countries	66.1	66.0	68.3
Small island developing States	54.8	56.6	57.7

^aPreliminary data.

(b) Men, women and youth, 2009^a

(Percentage)

	Men	Women	Youth
World	72.8	48.0	44.2
Developing regions	75.5	47.8	45.0
Northern Africa	70.1	22.2	29.4
Sub-Saharan Africa	74.5	55.5	49.0
Latin America and the Caribbean	74.3	46.5	43.6
Eastern Asia	75.4	64.0	53.9
Southern Asia	77.2	32.5	41.2
South-Eastern Asia	77.6	53.9	43.6
Western Asia	66.4	20.4	26.0
Oceania	71.2	62.4	52.8
Commonwealth of Independent States	62.9	51.8	34.9
Commonwealth			
of Independent States, Asia	65.6	53.4	38.6
Commonwealth			
of Independent States, Europe	61.9	51.3	32.8
Developed regions	62.9	48.1	41.0
Transition countries			
in South-Eastern Europe	55.0	40.8	24.1
Least developed countries	79.3	58.9	55.9
Landlocked developing countries	76.6	60.4	55.0
Small island developing States	69.8	45.8	43.0

^aPreliminary data.

Indicator 1.6

Proportion of employed people living below \$1.25 (PPP) per day (Percentage)

	1991	2000	2009 ^a
World	42.9	32.6	24.8
Developing regions	56.3	41.3	30.7
Northern Africa	6.4	5.5	4.3
Sub-Saharan Africa	66.8	66.1	63.5
Latin America and the Caribbean	12.7	12.9	8.5
Eastern Asia	67.4	36.5	12.6
Southern Asia	60.9	53.3	51.3
South-Eastern Asia	53.5	41.8	27.6
Western Asia	8.7	8.6	11.5
Oceania	51.6	47.4	49.7
Commonwealth of Independent States	4.6	7.7	5.6
Commonwealth			
of Independent States, Asia	16.2	25.5	21.3
Commonwealth			
of Independent States, Europe	1.7	2.6	0.2
Developed regions	0.0	0.0	0.0
Transition countries			
in South-Eastern Europe	0.6	0.9	0.6
Least developed countries	70.5	70.7	65.8
Landlocked developing countries	57.7	58.7	52.5
Small island developing States	17.1	20.4	24.0

^aForecast.

Indicator 1.7

Proportion of own-account and contributing family workers in total employment

(a) Both sexes

(Percentage)

	1991	2000	2009 ^a
World	55.4	52.8	50.6
Developing regions	69.2	64.0	60.2
Northern Africa	36.7	31.5	33.9
Sub-Saharan Africa	82.7	81.0	76.6
Latin America and the Caribbean	35.4	34.4	31.9
Eastern Asia	69.2	59.0	53.3
Southern Asia	81.5	79.8	76.6
South-Eastern Asia	68.9	64.8	61.3
Western Asia	42.4	33.2	28.5
Oceania	72.4	74.1	78.6
Commonwealth of Independent States	13.0	20.5	18.7
Commonwealth			
of Independent States, Asia	43.0	49.8	44.0
Commonwealth			
of Independent States, Europe	5.3	12.0	10.0
Developed regions	12.1	11.0	10.6
Transition countries			
in South-Eastern Europe	23.3	34.1	28.5
Least developed countries	87.2	85.0	82.9
Landlocked developing countries	74.2	76.9	73.6
Small island developing States	33.5	37.3	39.6

^aForecast.

(b) Men

(Percentage)

	1991	2000	2009 ^a
World	53.0	51.3	49.4
Developing regions	64.7	60.8	57.3
Northern Africa	32.9	28.2	27.7
Sub-Saharan Africa	78.1	76.4	70.6
Latin America and the Caribbean	34.8	34.6	32.3
Eastern Asia	63.1	54.4	49.5

	1991	2000	2009 ^a
Southern Asia	77.8	76.7	73.6
South-Eastern Asia	64.3	61.1	58.3
Western Asia	36.2	29.3	26.1
Oceania	67.3	68.4	73.1
Commonwealth of Independent States	14.7	21.2	20.2
Commonwealth of Independent States, Asia	46.9	50.6	45.2
Commonwealth of Independent States, Europe	6.0	12.3	11.0
Developed regions	12.0	11.6	11.8
Transition countries in South-Eastern Europe	21.6	33.2	30.2
Least developed countries	83.0	80.4	79.2
Landlocked developing countries	71.9	73.9	70.0
Small island developing States	32.4	36.9	39.8

^aForecast.

(c) Women
(Percentage)

	1991	2000	2009 ^a
World	59.2	55.1	52.3
Developing regions	76.7	69.3	64.7
Northern Africa	49.9	42.3	53.3
Sub-Saharan Africa	89.0	87.3	84.3
Latin America and the Caribbean	36.5	34.1	31.3
Eastern Asia	76.7	64.7	57.8
Southern Asia	90.9	88.1	83.9
South-Eastern Asia	75.1	69.9	65.4
Western Asia	62.9	47.3	36.8
Oceania	79.1	80.9	84.9
Commonwealth of Independent States	11.1	19.7	17.2
Commonwealth of Independent States, Asia	38.4	48.8	42.6
Commonwealth of Independent States, Europe	4.5	11.7	8.9
Developed regions	12.3	10.2	9.1
Transition countries in South-Eastern Europe	25.4	35.1	26.4
Least developed countries	92.9	91.2	87.7
Landlocked developing countries	77.2	80.7	78.0
Small island developing States	35.5	37.8	39.2

^aForecast.

Target 1.C

Halve, between 1990 and 2015, the proportion of people who suffer from hunger

Indicator 1.8

Prevalence of underweight children under 5 years of age

(a) Total
(Percentage)

	1990	2008
Developing regions	31	26
Northern Africa	11	7
Sub-Saharan Africa	31	27
Latin America and the Caribbean	11	6
Eastern Asia	17	7
Eastern Asia excluding China	12	6
Southern Asia	51	46
Southern Asia excluding India	49	35
South-Eastern Asia	37	25
Western Asia	14	14
Oceania	—	—

(b) By sex, 2003–2008
(Percentage)

	Boys	Girls	Boy-to-girl ratio
Developing regions	28	29	0.97
Northern Africa	—	—	—
Sub-Saharan Africa	28	26	1.08
Latin America and the Caribbean	8	7	1.14
Eastern Asia	—	—	—
Eastern Asia excluding China	10	11	0.93
Southern Asia	46	49	0.94
Southern Asia excluding India	42	46	0.92
South-Eastern Asia	25	25	1.00
Western Asia	20	19	1.05
Oceania	—	—	—
Commonwealth of Independent States	5	5	1.00
Commonwealth of Independent States, Asia	7	7	1.00
Commonwealth of Independent States, Europe	—	—	—
Transition countries of South-Eastern Europe	3	3	1.13

(c) By residence, 2003–2008
(Percentage)

	Rural	Urban
Developing regions	32	18
Northern Africa	8	6
Sub-Saharan Africa	30	19
Latin America and the Caribbean	12	5
Eastern Asia	9	2
Eastern Asia excluding China	6	7
Southern Asia	50	39
Southern Asia excluding India	39	47
South-Eastern Asia	27	21
Western Asia	21	8
Oceania	—	—
Commonwealth of Independent States	—	—
Commonwealth of Independent States, Asia	8	5
Transition countries of South-Eastern Europe	3	3

(d) By household wealth, 2003–2008
(Percentage)

	Poorest quintile	Richest quintile
Developing regions	43	19
Northern Africa	10	5
Sub-Saharan Africa	34	17
Latin America and the Caribbean	—	—
Eastern Asia	—	—
Eastern Asia excluding China	8	4
Southern Asia	60	26
Southern Asia excluding India	54	29
South-Eastern Asia	—	—
Western Asia	—	—
Oceania	—	—
Commonwealth of Independent States	—	—
Commonwealth of Independent States, Asia	9	4

Indicator 1.9

Proportion of population below minimum level of dietary energy consumption
(Percentage)

	1990–1992	2000–2002	2005–2007
World ^a	16	14	13
Developing regions ^a	20	16	16
Northern Africa	<5	<5	<5
Sub-Saharan Africa	31	30	26

	1990– 1992	2000– 2002	2005– 2007
Latin America and the Caribbean	12	10	9
Eastern Asia	18	10	10
Eastern Asia excluding China	8	13	12
Southern Asia	21	20	21
Southern Asia excluding India	26	23	23
South-Eastern Asia	24	17	14
Western Asia	5	8	7
Oceania	—	—	—
Commonwealth of Independent States	6 ^b	7	<5
Commonwealth of Independent States, Asia	16 ^b	17	9
Commonwealth of Independent States, Europe	<5 ^b	<5	<5
Developed regions	<5	<5	<5
Transition countries of South-Eastern Europe	<5	<5	<5
Least developed countries	40	36	32
Landlocked developing countries	34	30	26
Small island developing States	24	21	21

^aIncludes countries/territories in Oceania.

^bRefers to 1993–1995.

GOAL 2

Achieve universal primary education

Target 2.A

Ensure that, by 2015, children everywhere, boys and girls alike, will be able to complete a full course of primary schooling

Indicator 2.1

Net enrolment ratio in primary education

(a) Total^a

	1991	2000	2008
World	82.2	84.3	89.6
Developing regions	79.9	82.6	88.8
Northern Africa	80.2	88.0	94.4
Sub-Saharan Africa	53.4	60.3	76.4
Latin America and the Caribbean	85.8	94.1	94.9
Eastern Asia	97.5	94.4	96.0
Eastern Asia excluding China	98.1	97.6	98.0
Southern Asia	75.3	80.0	89.7
Southern Asia excluding India	64.1	68.5	76.3
South-Eastern Asia	94.0	93.6	94.7
Western Asia	82.1	83.3	88.0
Oceania	—	—	—
Commonwealth of Independent States	90.3	90.5	93.4
Commonwealth of Independent States, Asia	85.9	95.2	94.0
Commonwealth of Independent States, Europe	92.5	86.8	93.0
Developed regions	97.1	97.5	96.1
Least developed countries	52.3	59.5	78.8
Landlocked developing countries	55.1	65.4	81.6
Small island developing States	71.2	80.1	75.8

^aPrimary- and secondary-level enrollees of official primary school age per 100 children of the same age. Ratios correspond to school years ending in the years for which data are presented.

(b) By sex^a

	1991		2000		2008	
	Boys	Girls	Boys	Girls	Boys	Girls
World	86.1	78.0	87.0	81.5	90.6	88.6
Developing regions	84.4	75.1	85.6	79.4	89.9	87.6

	1991		2000		2008	
	Boys	Girls	Boys	Girls	Boys	Girls
Northern Africa	86.9	73.3	90.7	85.2	96.3	92.5
Sub-Saharan Africa	58.0	48.8	63.9	56.6	78.3	74.5
Latin America and the Caribbean	85.4	86.3	93.7	94.4	95.1	94.8
Eastern Asia	99.9	94.9	93.4	95.4	94.2	98.1
Eastern Asia excluding China	98.1	98.2	98.1	97.0	98.3	97.7
Southern Asia	83.4	66.7	86.7	72.8	91.7	87.5
Southern Asia excluding India	71.7	56.2	73.7	63.1	78.8	73.7
South-Eastern Asia	96.0	91.9	94.9	92.2	95.5	93.8
Western Asia	87.1	76.9	87.8	78.6	90.7	85.3
Oceania	—	—	—	—	—	—
Commonwealth of Independent States	91.0	89.7	90.8	90.1	93.5	93.4
Commonwealth of Independent States, Asia	87.6	84.2	95.5	95.0	94.7	93.3
Commonwealth of Independent States, Europe	92.7	92.4	87.2	86.3	92.6	93.5
Developed regions	97.3	96.8	97.5	97.5	95.8	96.4
Least developed countries	57.8	46.8	63.0	56.0	80.7	76.7
Landlocked developing countries	60.9	49.2	69.9	60.7	84.2	79.1
Small island developing States	71.9	70.4	81.2	79.0	76.3	75.1

^aPrimary- and secondary-level enrollees of official primary school age per 100 children of the same age. Ratios correspond to school years ending in the years for which data are presented.

Indicator 2.2

Proportion of pupils starting grade 1 who reach last grade of primary school

(a) Total^a

	1991	2000	2008
World	79.6	82.1	88.1
Developing regions	77.0	79.5	86.7
Northern Africa	72.2	81.1	96.3
Sub-Saharan Africa	50.5	52.0	63.8
Latin America and the Caribbean	84.2	97.5	101.0
Eastern Asia	106.2	97.9	96.0
Eastern Asia excluding China	94.5	97.8	96.9
Southern Asia	64.4	69.3	85.4
Southern Asia excluding India	55.2	62.3	66.2
South-Eastern Asia	85.7	92.4	98.7
Western Asia	77.6	78.9	88.2
Oceania	61.1	63.7	67.0
Commonwealth of Independent States	82.8	94.3	97.3
Commonwealth of Independent States, Asia	61.7	94.8	99.1
Commonwealth of Independent States, Europe	92.5	94.0	96.0
Developed regions	97.8	99.1	97.8
Least developed countries	39.5	45.8	58.7
Landlocked developing countries	43.4	54.9	64.5
Small island developing States	66.3	76.0	78.9

^aPrimary completion rates correspond to school years ending in the years for which data are presented. Since there are no regional averages for the official indicator, the table displays the gross intake ratio at last grade of primary, which corresponds to the “total number of new entrants in the last grade of primary education, regardless of age, expressed as a percentage of the population of the theoretical entrance age to the last grade” (*Global Education Digest 2009: Comparing Education Statistics Across the World* (Montreal, Canada, United Nations Educational, Scientific and Cultural Organization (UNESCO) Institute for Statistics, 2009), annex B, p. 255).

(b) By sex^a

	1991		2000		2008	
	Boys	Girls	Boys	Girls	Boys	Girls
World	82.0	74.1	84.9	79.2	89.6	86.9
Developing regions	79.5	69.8	82.8	76.2	88.6	85.3
Northern Africa	80.1	64.6	84.2	77.9	99.4	93.0
Sub-Saharan Africa	55.8	45.9	57.0	47.9	69.3	59.8
Latin America and the Caribbean ...	84.5	86.1	97.1	97.8	101.8	103.0
Eastern Asia	96.1	91.5	97.9	97.8	94.6	97.8
Eastern Asia						
excluding China	93.9	94.0	97.8	97.6	97.9	95.8
Southern Asia	73.5	54.6	75.8	62.3	87.3	83.4
Southern Asia excluding India ..	60.5	49.7	66.4	58.1	68.2	64.2
South-Eastern Asia	89.3	87.9	92.7	92.1	98.8	98.7
Western Asia	83.0	72.6	83.5	74.1	92.6	83.7
Oceania	63.4	55.8	65.9	59.0	70.1	61.4
Commonwealth of						
Independent States	91.4	91.3	94.0	93.4	95.7	95.1
Commonwealth of						
Independent States, Asia	85.7	85.0	97.4	96.1	99.4	97.9
Commonwealth of						
of Independent States, Europe	94.0	94.2	92.0	91.8	92.9	92.9
Developed regions	96.5	98.0	99.3	98.9	97.2	98.2
Least developed countries	45.0	34.6	50.4	42.1	62.8	56.1
Landlocked developing countries ..	53.7	44.5	60.5	49.9	68.1	60.7
Small island developing States	64.8	64.7	75.8	75.8	79.3	78.1

^aPrimary completion rates correspond to school years ending in the years for which data are presented. Since there are no regional averages for the official indicator, the table displays the gross intake ratio at last grade of primary, which corresponds to the "total number of new entrants in the last grade of primary education, regardless of age, expressed as a percentage of the population of the theoretical entrance age to the last grade" (*Global Education Digest 2009: Comparing Education Statistics Across the World* (Montreal, Canada, UNESCO Institute for Statistics, 2009), annex B, p. 255).

Indicator 2.3**Literacy rate of 15- to 24-year-olds, women and men****(a) Total^a**

(Percentage who can both read and write)

	1985–1994	1995–2004	2005–2008
World	83.3	87.1	89.0
Developing regions	79.8	84.6	87.2
Northern Africa	67.8	79.3	86.1
Sub-Saharan Africa	65.4	68.6	71.9
Latin America and the Caribbean	91.8	96.2	96.9
Eastern Asia	94.6	98.9	99.3
Eastern Asia excluding China	99.4	99.4	99.5
Southern Asia	60.3	73.7	79.3
Southern Asia excluding India	56.4	67.3	75.4
South-Eastern Asia	94.5	96.3	96.1
Western Asia	87.8	91.9	92.7
Oceania	71.4	73.9	73.0
Commonwealth of Independent States	99.8	99.8	99.8
Commonwealth of Independent States, Asia	99.8	99.8	99.8
Commonwealth of			
Independent States, Europe	99.7	99.7	99.7
Developed regions	99.6	99.6	99.6
Least developed countries	55.7	65.3	69.9
Landlocked developing countries	61.6	68.1	71.8
Small island developing States	85.3	87.1	87.4

^aThe regional averages presented in this table are calculated using a weighted average of the latest available observed data point for each country or territory for the reference period. UNESCO Institute for Statistics estimates have been used for countries with missing data.

(b) By sex^a

(Percentage who can both read and write)

	1985–1994		1995–2004		2005–2008	
	Men	Women	Men	Women	Men	Women
World	87.7	78.6	90.2	83.8	91.7	86.4
Developing regions	85.3	74.2	88.5	80.6	90.3	84.1
Northern Africa	77.4	57.7	85.2	73.3	89.8	82.2
Sub-Saharan Africa	72.9	58.3	75.6	62.3	76.8	67.1
Latin America						
and the Caribbean	91.5	92.0	95.8	96.5	96.7	97.2
Eastern Asia	97.1	91.9	99.2	98.6	99.4	99.2
Eastern Asia						
excluding China	99.3	99.5	99.2	99.5	99.3	99.7
Southern Asia	71.6	48.3	81.1	65.6	85.7	73.3
Southern Asia						
excluding India	66.9	46.0	73.9	60.8	79.7	71.0
South-Eastern Asia	95.5	93.5	96.6	96.1	96.3	95.8
Western Asia	93.6	81.6	95.6	88.1	95.6	89.8
Oceania	76.6	66.1	76.1	71.5	72.0	74.1
Commonwealth of						
Independent States	99.7	99.8	99.7	99.8	99.7	99.8
Commonwealth of						
Independent States, Asia	99.8	99.8	99.8	99.9	99.8	99.8
Commonwealth of						
Independent States, Europe ..	99.7	99.8	99.7	99.8	99.6	99.8
Developed regions	99.1	99.6	99.0	99.6	99.5	99.6
Least developed countries	64.2	47.6	72.2	58.9	74.5	65.5
Landlocked developing countries ..	67.6	56.1	74.6	62.2	77.6	66.3
Small island developing States ...	87.3	83.3	88.0	86.2	87.2	87.7

^aThe regional averages presented in this table are calculated using a weighted average of the latest available observed data point for each country or territory for the reference period. UNESCO Institute for Statistics estimates have been used for countries with missing data.

GOAL 3**Promote gender equality and empower women****Target 3.A****Eliminate gender disparity in primary and secondary education, preferably by 2005, and in all levels of education no later than 2015****Indicator 3.1****Ratios of girls to boys in primary, secondary and tertiary education****(a) Primary^a**

	1991	2000	2008
World	0.89	0.92	0.97
Developing regions	0.87	0.91	0.96
Northern Africa	0.82	0.91	0.94
Sub-Saharan Africa	0.84	0.85	0.91
Latin America and the Caribbean	0.98	0.97	0.97
Eastern Asia	0.92	1.02	1.04
Eastern Asia excluding China	1.00	0.99	0.99
Southern Asia	0.76	0.83	0.96
Southern Asia excluding India	0.74	0.80	0.96
South-Eastern Asia	0.97	0.97	0.97
Western Asia	0.87	0.88	0.92
Oceania	0.90	0.90	0.89
Commonwealth of Independent States	1.00	0.99	0.99
Commonwealth of			
Independent States, Asia	0.99	0.99	0.98
Commonwealth of			
Independent States, Europe	1.00	0.99	1.00
Developed regions	0.99	0.99	1.00
Least developed countries	0.80	0.84	0.92
Landlocked developing countries	0.83	0.83	0.92
Small island developing States	0.96	0.96	0.95

^aUsing gross enrolment ratios.

(b) Secondary^a

	1991	2000	2008
World	0.84	0.92	0.96
Developing regions	0.76	0.89	0.95
Northern Africa	0.79	0.94	0.98
Sub-Saharan Africa	0.77	0.81	0.79
Latin America and the Caribbean	1.07	1.07	1.08
Eastern Asia	0.77	0.94	1.05
Eastern Asia excluding China	0.96	0.99	0.99
Southern Asia	0.60	0.76	0.87
Southern Asia excluding India	0.63	0.88	0.91
South-Eastern Asia	0.90	0.97	1.03
Western Asia	0.70	0.78	0.86
Oceania	0.84	0.91	0.87
Commonwealth of Independent States	1.02	1.01	0.98
Commonwealth of Independent States, Asia	0.96	0.98	0.98
Commonwealth of Independent States, Europe	1.05	1.02	0.98
Developed regions	1.01	1.01	1.00
Least developed countries	0.58	0.80	0.81
Landlocked developing countries	0.84	0.84	0.85
Small island developing States	1.07	1.04	1.02

^aUsing gross enrolment ratios.**(c) Tertiary^a**

	1991	2000	2008
World	0.90	0.99	1.08
Developing regions	0.67	0.83	0.97
Northern Africa	0.57	0.76	0.95
Sub-Saharan Africa	0.50	0.70	0.67
Latin America and the Caribbean	0.95	1.16	1.25
Eastern Asia	0.51	0.70	1.00
Eastern Asia excluding China	0.54	0.63	0.75
Southern Asia	0.49	0.67	0.76
Southern Asia excluding India	0.34	0.71	0.92
South-Eastern Asia	0.85	0.98	1.07
Western Asia	0.67	0.82	0.92
Oceania	0.54	0.83	0.84
Commonwealth of Independent States	1.22	1.22	1.30
Commonwealth of Independent States, Asia	1.01	0.92	1.07
Commonwealth of Independent States, Europe	1.28	1.28	1.34
Developed regions	1.07	1.19	1.29
Least developed countries	0.36	0.60	0.58
Landlocked developing countries	0.84	0.78	0.85
Small island developing States	1.17	1.30	1.56

^aUsing gross enrolment ratios.**Indicator 3.2**

Share of women in wage employment in the non-agricultural sector
(Percentage of employees)

	1990	2000	2005	2008
World	35.2	37.6	38.5	39.2
Developing regions	31.2	33.8	34.7	35.5
Northern Africa	19.3	19.0	18.7	19.2
Sub-Saharan Africa	23.5	28.2	30.5	32.4
Latin America and the Caribbean	36.3	40.3	41.4	42.4
Eastern Asia	38.1	39.6	40.6	41.2
Eastern Asia excluding China	40.1	42.3	43.2	44.0
Southern Asia	13.2	17.2	18.0	19.2
Southern Asia excluding India	14.5	18.4	17.9	19.1
South-Eastern Asia	35.5	37.3	37.1	38.1
Western Asia	16.5	18.8	19.5	20.1
Oceania	33.3	35.6	35.1	36.0

	1990	2000	2005	2008
Commonwealth of Independent States	48.7	50.1	50.9	50.6
Commonwealth of Independent States, Asia	44.3	44.7	45.5	45.2
Commonwealth of Independent States, Europe	49.6	51.2	52.1	51.8
Developed regions	43.4	45.5	46.3	46.8

Indicator 3.3

Proportion of seats held by women in national parliament^a
(Percentage)

	1990	2000	2005	2010 ^b
World	12.8	12.5	15.6	19.0
Developing regions	10.4	10.8	13.9	17.6
Northern Africa	2.6	2.1	5.4	9.0
Sub-Saharan Africa	7.2	9.1	14.2	18.4
Latin America and the Caribbean	11.9	14.8	19.0	22.7
Caribbean	22.1	19.9	26.0	29.4
Latin America	8.6	12.9	16.4	20.1
Eastern Asia	20.2	19.9	19.4	19.5
Eastern Asia excluding China	17.8	14.6	17.2	14.5
Southern Asia	5.7	6.7	8.8	18.2
Southern Asia excluding India	5.9	5.6	9.0	20.1
South-Eastern Asia	10.4	9.7	15.5	19.3
Western Asia	4.6	4.7	5.0	9.4
Oceania	1.2	3.4	3.0	2.5
Commonwealth of Independent States	—	7.3	10.2	14.6
Commonwealth of Independent States, Asia	—	7.1	9.9	15.1
Commonwealth of Independent States, Europe	—	7.5	10.5	14.2
Developed regions	16.3	17.5	20.9	23.5
Transition countries of South-Eastern Europe	27.8	8.4	15.0	18.3
Least developed countries	7.2	7.3	13.0	19.1
Landlocked developing countries	14.0	7.7	13.4	21.6
Small island developing States	15.5	13.3	18.3	21.0

^aSingle or lower house only.^bAs at 31 January 2010.**GOAL 4****Reduce child mortality****Target 4.A**

Reduce by two thirds, between 1990 and 2015, the under-5 mortality rate

Indicator 4.1

Under-5 mortality rate^a

	1990	2000	2008
World	90	78	65
Developing regions	100	86	72
Northern Africa	80	46	29
Sub-Saharan Africa	184	166	144
Latin America and the Caribbean	52	33	23
Eastern Asia	45	36	21
Eastern Asia excluding China	32	28	27
Southern Asia	121	97	74
Southern Asia excluding India	132	105	85
South-Eastern Asia	73	50	38
Western Asia	66	44	32
Oceania	76	66	60
Commonwealth of Independent States	46	39	25
Commonwealth of Independent States, Asia	78	62	39
Commonwealth of Independent States, Europe	26	23	14
Developed regions	12	8	6
Transition countries of South-Eastern Europe	30	19	12

^aDeaths of children before reaching age 5 per 1,000 live births.

Indicator 4.2**Infant mortality rate^a**

	1990	2000	2008
World	62	54	45
Developing regions	68	59	49
Northern Africa	61	38	25
Sub-Saharan Africa	108	98	86
Latin America and the Caribbean	42	28	19
Eastern Asia	36	29	18
Eastern Asia excluding China	25	22	21
Southern Asia	87	71	56
Southern Asia excluding India	96	78	64
South-Eastern Asia	50	37	29
Western Asia	52	35	26
Oceania	56	50	46
Commonwealth of Independent States	38	33	22
Commonwealth of Independent States, Asia ..	64	52	34
Commonwealth of Independent States, Europe	22	19	12
Developed regions	10	6	5
Transition countries of South-Eastern Europe ..	24	16	10

^aDeaths of children under age 1 per 1,000 live births.

Indicator 4.3**Proportion of 1-year-old children immunized against measles^a
(Percentage)**

	1990	2000	2008
World	73	72	83
Developing regions	71	70	81
Northern Africa	85	93	92
Sub-Saharan Africa	57	55	72
Latin America and the Caribbean	76	92	93
Eastern Asia	98	85	94
Eastern Asia excluding China	95	88	95
Southern Asia	57	58	75
Southern Asia excluding India	60	68	87
South-Eastern Asia	70	80	88
Western Asia	79	84	83
Oceania	70	68	58
Commonwealth of Independent States	85	95	96
Commonwealth of Independent States, Asia ..	—	93	93
Commonwealth of Independent States, Europe ..	85	97	98
Developed regions	84	91	93
Transition countries of South-Eastern Europe ..	93	93	95

^aChildren aged 12–23 months who received at least one dose of measles vaccine.

GOAL 5**Improve maternal health****Target 5.A**

**Reduce by three quarters, between 1990 and 2015,
the maternal mortality ratio**

Indicator 5.1**Maternal mortality ratio^{a,b}**

	1990	2005
World	430	400
Developing regions	480	450
Northern Africa	250	160
Sub-Saharan Africa	920	900
Latin America and the Caribbean	180	130
Eastern Asia	95	50
Eastern Asia excluding China	—	170
Southern Asia	620	490
Southern Asia excluding India	—	570

	1990	2005
South-Eastern Asia	450	300
Western Asia	190	160
Oceania	550	430
Commonwealth of Independent States	58	51
Developed regions	11	9
Least developed countries	900	870

^aMaternal deaths per 100,000 live births.

^bNo new global or regional data are available. Data presented are from 2008 report (A/63/1).

Indicator 5.2**Proportion of births attended by skilled health personnel
(Percentage)**

	Around 1990	Around 2008
World	58	66
Developing regions	53	63
Northern Africa	46	80
Sub-Saharan Africa	41	46
Latin America and the Caribbean ^a	72	86
Eastern Asia	94	98
Eastern Asia excluding China	97	100
Southern Asia	30	45
Southern Asia excluding India	25	41
South-Eastern Asia	46	75
Western Asia	62	78
Oceania	54	57
Commonwealth of Independent States	97	98
Commonwealth of Independent States, Asia	93	97
Commonwealth of Independent States, Europe	99	99
Developed regions	99	99
Transition countries of South-Eastern Europe	98	99

^aIncludes only deliveries in health-care institutions.

Target 5.B

Achieve, by 2015, universal access to reproductive health

Indicator 5.3**Contraceptive prevalence rate^a
(Percentage)**

	1990	2007
World	55	63
Developing regions	52	62
Northern Africa	44	60
Sub-Saharan Africa	12	22
Latin America and the Caribbean	62	72
Caribbean	54	62
Latin America	63	72
Eastern Asia	78	86
Eastern Asia excluding China	74	76
Southern Asia	40	54
Southern Asia excluding India	30	49
South-Eastern Asia	48	62
Western Asia	46	55
Oceania	28	28
Commonwealth of Independent States	61	70
Commonwealth of Independent States, Asia	54	56
Commonwealth of Independent States, Europe	63	76
Developed regions	70	71
Transition countries of South-Eastern Europe	60	58
Least developed countries	17	31
Landlocked developing countries	25	33
Small island developing States	50	54

^aAmong women aged 15–49 who are married or in union.

Indicator 5.4**Adolescent birth rate^a**

	1990	2007
World	60	48
Developing regions	65	52
Northern Africa	43	31
Sub-Saharan Africa	124	121
Latin America and the Caribbean	91	74
Caribbean	81	67
Latin America	92	74
Eastern Asia	15	5
Eastern Asia excluding China	4	3
Southern Asia	89	53
Southern Asia excluding India	123	71
South-Eastern Asia	53	44
Western Asia	62	53
Oceania	83	61
Commonwealth of Independent States	52	29
Commonwealth of Independent States, Asia	45	29
Commonwealth of Independent States, Europe	55	29
Developed regions	29	23
Transition countries of South-Eastern Europe	48	30
Least developed countries	133	121
Landlocked developing countries	106	104
Small island developing States	77	63

^aBirths per 1,000 women aged 15–19 years.

Indicator 5.5**Antenatal care coverage (at least one visit and at least four visits)****(a) At least one visit^a**
(Percentage)

	Around 1990	Around 2008
World	64	80
Developing regions	64	80
Northern Africa	46	78
Sub-Saharan Africa	67	76
Latin America and the Caribbean	79	94
Eastern Asia	80	91
Southern Asia	48	70
Southern Asia excluding India	22	58
South-Eastern Asia	72	93
Western Asia	53	79
Oceania	—	—
Commonwealth of Independent States, Asia	90	96

^aProportion of women aged 15–49 years who received antenatal care during pregnancy from skilled health personnel, at least once.

(b) At least four visits^a
(Percentage)

	2003–2009 ^b
World	47
Developing regions	47
Northern Africa	58
Sub-Saharan Africa	44
Latin America and the Caribbean	84
Eastern Asia	—
Southern Asia	36
Southern Asia excluding India	34
South-Eastern Asia	75
Western Asia	—
Oceania	56

^aProportion of women aged 15–49 years who received antenatal care during pregnancy from any provider (skilled or unskilled), at least four times.

^bData refer to the most recent year available during the period specified.

Indicator 5.6**Unmet need for family planning^a**
(Percentage)

	1990	2007
World	13.2	11.2
Developing regions	13.7	11.4
Northern Africa	19.5	9.9
Sub-Saharan Africa	26.5	24.8
Latin America and the Caribbean	15.8	10.5
Caribbean	19.7	20.1
Latin America	15.6	9.9
Eastern Asia	3.3	2.3
Southern Asia	18.2	14.7
Southern Asia excluding India	24.3	20.7
South-Eastern Asia	15.1	10.9
Western Asia	15.7	12.2
Commonwealth of Independent States	—	—
Commonwealth of Independent States, Asia	14.4	13.4
Transition countries of South-Eastern Europe	15.2	15.0
Least developed countries	26.1	24.4
Landlocked developing countries	24.6	24.8

^aAmong women, married or in union, of reproductive age (aged 15–49 years).

GOAL 6**Combat HIV/AIDS, malaria and other diseases****Target 6.A****Have halted by 2015 and begun to reverse the spread of HIV/AIDS****Indicator 6.1****HIV prevalence among population aged 15–24 years**
(Percentage)

	1990		2002		2008	
	Estimated adult (15–49) HIV prevalence	Adults (15+) living with HIV who are women	Estimated adult (15–49) HIV prevalence	Adults (15+) living with HIV who are women	Estimated adult (15–49) HIV prevalence	Adults (15+) living with HIV who are women
Developing regions	0.3	51	0.9	53	0.8	53
Northern Africa	<0.1	28	<0.1	30	0.1	31
Sub-Saharan Africa	1.9	57	5.3	58	4.7	58
Latin America and the Caribbean	0.3	29	0.6	32	0.6	33
Caribbean	1.1	46	1.1	52	1.1	53
Latin America	0.3	24	0.6	30	0.6	31
Eastern Asia	<0.1	29	0.1	27	0.1	27
Eastern Asia excluding China	<0.1	29	0.0	30	0.0	31
Southern Asia	<0.1	31	0.3	42	0.2	43
Southern Asia excluding India	<0.1	23	0.1	28	0.1	29
South-Eastern Asia	0.2	43	0.3	44	0.4	40
Western Asia	<0.1	29	0.1	30	0.1	30
Oceania	<0.1	29	0.6	30	0.9	30
Commonwealth of Independent States	0.1	43	0.6	42	0.8	43
Commonwealth of Independent States, Asia	<0.1	34	0.1	31	0.2	30
Commonwealth of Independent States, Europe	0.1	43	0.8	43	1.0	44
Developed regions	0.2	15	0.4	20	0.4	21
Transition countries of South-Eastern Europe	<0.1	39	0.1	41	0.1	40

	1990		2002		2008	
	Estimated adult (15–49) HIV prevalence	Adults (15+) living with HIV who are women	Estimated adult (15–49) HIV prevalence	Adults (15+) living with HIV who are women	Estimated adult (15–49) HIV prevalence	Adults (15+) living with HIV who are women
Least developed countries	1.4	55	2.0	58	1.8	58
Landlocked developing countries	2.5	56	3.8	58	3.1	58
Small island developing States	0.6	45	0.8	47	0.8	47

Indicator 6.2

Condom use at last high-risk sex,^a 2003–2008^b

	Women		Men	
	Number of countries covered by surveys	Percentage who used a condom at last high-risk sex	Number of countries covered by surveys	Percentage who used a condom at last high-risk sex
Developing regions	49	27	38	43
Sub-Saharan Africa	37	35	29	48
Latin America and the Caribbean ^c	10	49	—	—
Southern Asia	1	22	2	38
Commonwealth of Independent States, Asia ^c ...	—	—	3	49

^aPercentage of young women and men aged 15–24 years reporting the use of a condom during sexual intercourse with a non-regular (non-marital and non-cohabiting) sexual partner in the last 12 months, among those who had such a partner in the last 12 months.

^bData refer to the most recent year available during the period specified.

^cData refer to the most recent year available during the period 2002–2008.

Indicator 6.3

Proportion of population aged 15–24 years with comprehensive correct knowledge of HIV/AIDS,^a 2003–2008^b

	Women		Men	
	Number of countries covered by surveys	Percentage who have comprehensive knowledge covered by surveys	Number of countries covered by surveys	Percentage who have comprehensive knowledge covered by surveys
World ^c	87	19	45	31
Developing regions ^c	69	19	39	31
Northern Africa	3	8	1	18
Sub-Saharan Africa	38	24	28	33
Southern Asia	4	17	3	34
Southern Asia excluding India	3	7	—	—
South-Eastern Asia	5	22	3	17
Commonwealth of Independent States	11	28	—	—
Commonwealth of Independent States, Asia ...	8	20	—	—
Transition countries of South-Eastern Europe	7	18	2	5

^aPercentage of young women and men aged 15–24 years who correctly identify the two major ways of preventing the sexual transmission of HIV (using condoms and limiting sex to one faithful, uninfected partner), who reject two common local misconceptions and who know that a healthy-looking person can transmit the AIDS virus.

^bData refer to the most recent year available during the period specified.

^cExcludes China.

Indicator 6.4

Ratio of school attendance of orphans to school attendance of non-orphans aged 10–14 years,^a 2003–2008^b

	Number of countries with data	School attendance ratio
Developing regions	44	0.81
Sub-Saharan Africa	33	0.93
Southern Asia	2	0.73
South-Eastern Asia	3	0.84

^aRatio of the current school attendance rate of children aged 10–14 years both of whose biological parents have died, to the current school attendance rate of children aged 10–14 years both of whose parents are still alive and who currently live with at least one biological parent.

^bData refer to the most recent year available during the period specified.

Target 6.B

Achieve, by 2010, universal access to treatment for HIV/AIDS for all those who need it

Indicator 6.5

Proportion of population with advanced HIV infection with access to antiretroviral drugs^{a,b} (Percentage)

	2005	2006	2007	2008
Developing regions ^c	16	24	33	42
Northern Africa	27	31	37	40
Sub-Saharan Africa	14	22	33	43
Latin America and the Caribbean	46	47	50	54
Eastern Asia	10	14	15	19
Eastern Asia excluding China	<1	<1	<1	1
Southern Asia	7	12	21	31
Southern Asia excluding India	2	3	7	10
South-Eastern Asia and Oceania	28	37	50	57
Western Asia	—	—	—	—
Commonwealth of Independent States	4	8	13	20
Commonwealth of Independent States, Asia .	6	11	13	23
Commonwealth of Independent States, Europe	4	8	13	20
Least developed countries	13	23	35	46
Landlocked developing countries	16	27	38	53
Small island developing States	22	30	42	52

^aReceiving antiretroviral therapy.

^bHigh-income economies, as defined by the World Bank, are excluded.

^cValues for developing regions include two countries from Western Asia.

Target 6.C

Have halted by 2015 and begun to reverse the incidence of malaria and other major diseases

Indicator 6.6

Incidence and death rates associated with malaria

(a) Incidence^a

World	71
Northern Africa	0
Sub-Saharan Africa	294
Latin America and the Caribbean	8
Caribbean	11
Latin America	7
Eastern Asia	<1
Eastern Asia excluding China	6
Southern Asia	13

Southern Asia excluding India	13
South-Eastern Asia	26
Western Asia	4
Oceania	173
Commonwealth of Independent States, Asia	<1
Least developed countries	182
Landlocked developing countries	201
Small island developing States	92

^aNumber of new cases per 1,000 population, 2008, in malaria endemic countries.

(b) Deaths^a

	All ages	Children under 5
World	25	192
Northern Africa	0	0
Sub-Saharan Africa	112	587
Latin America and the Caribbean	1	2
Caribbean	3	8
Latin America	<0.5	1
Eastern Asia	<0.5	<0.5
Eastern Asia excluding China	0	0
Southern Asia	2	7
Southern Asia excluding India	2	8
South-Eastern Asia	5	14
Western Asia	1	3
Oceania	34	100
Commonwealth of Independent States, Asia	<0.5	<0.5
Least developed countries	71	391
Landlocked developing countries	78	397
Small island developing States	24	101

^aNumber of deaths per 100,000 population, 2008, in malaria endemic countries.

Indicator 6.7

Proportion of children under 5 sleeping under insecticide-treated bed nets, 2006–2009

(a) Total

(Percentage)

Sub-Saharan Africa (33 countries)	20 ^a
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^aData for a subset of 26 countries in sub-Saharan Africa with trend data showed that the use of insecticide-treated bed nets among children increased from 2 per cent in 2000 to 22 per cent in 2008.

(b) By sex

(Percentage)

	Boys	Girls
Sub-Saharan Africa (29 countries)	17	17

(c) By residence

(Percentage)

	Urban	Rural
Sub-Saharan Africa (32 countries)	20	19

Indicator 6.8

Proportion of children under 5 with fever who are treated with appropriate anti-malarial drugs, 2006–2009

(a) Total

(Percentage)

Developing regions (44 countries)	17
Sub-Saharan Africa (34 countries)	34
Southern Asia (4 countries)	7
Southern Asia excluding India (3 countries)	3
South-Eastern Asia (3 countries)	1

(b) By sex

(Percentage)

	Boys	Girls
Southern Asia (3 countries)	8	6

(c) By residence

(Percentage)

	Urban	Rural
Developing regions (41 countries)	23	16
Sub-Saharan Africa (33 countries)	41	30
Southern Asia (4 countries)	9	7
Southern Asia excluding India (3 countries)	3	3

Indicator 6.9

Incidence, prevalence and death rates associated with tuberculosis

(a) Incidence

(Number of new cases per 100,000 population, including HIV-infected)^a

	1990	2000	2008
World	130 (110; 150)	140 (130; 140)	140 (130; 150)
Developing regions ...	150 (130; 180)	160 (150; 170)	160 (160; 170)
Northern Africa	59 (49; 71)	48 (44; 52)	43 (39; 47)
Sub-Saharan Africa	180 (160; 200)	320 (300; 340)	350 (330; 370)
Latin America and the Caribbean ...	90 (75; 110)	61 (57; 67)	46 (43; 50)
Caribbean	96 (70; 130)	91 (79; 110)	81 (70; 95)
Latin America ...	89 (74; 110)	59 (54; 64)	44 (40; 47)
Eastern Asia	120 (81; 190)	110 (90; 130)	100 (85; 120)
Southern Asia	170 (130; 250)	170 (150; 200)	170 (150; 200)
South-Eastern Asia	240 (200; 300)	230 (210; 250)	220 (200; 240)
Western Asia	58 (48; 70)	48 (43; 53)	34 (31; 37)
Oceania	200 (140; 300)	190 (160; 230)	190 (160; 220)
Commonwealth of Independent States	99 (74; 130)	120 (110; 130)	110 (100; 120)
Commonwealth of Independent States, Asia	120 (95; 150)	130 (120; 150)	140 (130; 150)
Commonwealth of Independent States, Europe	91 (62; 140)	110 (96; 130)	100 (92; 120)
Developed regions ...	28 (26; 31)	20 (19; 21)	13 (13; 14)
Transition countries of South-Eastern Europe	110 (75; 160)	110 (97; 140)	76 (65; 89)
Least developed countries	220 (190; 250)	270 (260; 290)	280 (270; 300)
Landlocked developing countries	170 (150; 190)	270 (260; 290)	280 (260; 300)
Small island developing States	120 (95; 140)	110 (100; 120)	110 (97; 120)

^aLower and upper bounds in brackets.

(b) Prevalence

(Number of existing cases per 100,000 population, including HIV-infected)^a

	1990	2000	2008
World	250 (200; 330)	220 (190; 260)	170 (150; 210)
Developing regions ...	310 (240; 410)	270 (240; 310)	210 (170; 250)
Northern Africa	80 (52; 170)	33 (23; 51)	27 (18; 44)
Sub-Saharan Africa ..	300 (240; 380)	480 (430; 540)	490 (430; 560)
Latin America and the Caribbean ...	150 (90; 250)	66 (51; 89)	40 (30; 58)
Caribbean	160 (97; 320)	130 (93; 180)	96 (64; 150)
Latin America	130 (85; 260)	60 (45; 85)	34 (25; 55)
Eastern Asia	270 (150; 510)	210 (150; 310)	90 (43; 200)

	1990	2000	2008
Southern Asia	380 (240; 660)	270 (200; 380)	220 (150; 330)
South-Eastern Asia ..	440 (320; 630)	460 (380; 560)	290 (220; 380)
Western Asia	83 (49; 160)	59 (44; 80)	40 (29; 59)
Oceania	430 (250; 790)	130 (68; 280)	110 (51; 260)
Commonwealth of Independent States	200 (120; 320)	120 (77; 190)	100 (65; 170)
Commonwealth of Independent States, Asia	230 (150; 360)	150 (110; 210)	160 (120; 210)
Commonwealth of Independent States, Europe ..	180 (97; 350)	100 (53; 200)	72 (33; 170)
Developed regions	29 (21; 43)	14 (10; 20)	9 (6; 13)
Transition countries of South-Eastern Europe	160 (70; 380)	97 (49; 200)	58 (28; 130)
Least developed countries	430 (350; 560)	490 (440; 550)	420 (380; 490)
Landlocked developing countries	240 (190; 300)	370 (320; 430)	380 (330; 450)
Small island developing States	210 (140; 330)	130 (110; 170)	110 (84; 150)

^a Lower and upper bounds in brackets.

(c) Deaths

(Number of deaths per 100,000 population, excluding HIV-infected)^a

	1990	2000	2008
World	30 (22; 45)	27 (21; 34)	21 (17; 27)
Developing regions	38 (26; 55)	32 (25; 42)	25 (20; 32)
Northern Africa	11 (6; 20)	5 (3; 8)	4 (3; 7)
Sub-Saharan Africa	33 (25; 47)	50 (40; 67)	52 (41; 69)
Latin America and the Caribbean	17 (11; 27)	6 (5; 8)	5 (4; 7)
Caribbean	18 (9; 38)	15 (8; 27)	12 (8; 21)
Latin America	16 (10; 27)	6 (5; 7)	5 (4; 7)
Eastern Asia	31 (13; 77)	26 (13; 54)	12 (6; 26)
Southern Asia	45 (24; 94)	33 (20; 54)	28 (17; 46)
South-Eastern Asia	56 (35; 96)	56 (38; 85)	37 (26; 53)
Western Asia	9 (6; 17)	7 (5; 11)	5 (4; 8)
Oceania	50 (24; 120)	19 (10; 41)	17 (9; 37)
Commonwealth of Independent States	26 (15; 47)	22 (20; 26)	18 (13; 25)
Commonwealth of Independent States, Asia	30 (20; 49)	22 (19; 36)	26 (19; 36)
Commonwealth of Independent States, Europe ..	23 (11; 52)	22 (20; 23)	14 (9; 24)
Developed regions	3 (2; 4)	1 (1; 1)	1 (1; 1)
Transition countries of South-Eastern Europe	21 (10; 49)	7 (7; 8)	5 (4; 6)
Least developed countries	50 (36; 76)	56 (44; 75)	50 (40; 64)
Landlocked developing countries	29 (21; 41)	40 (31; 55)	42 (33; 59)
Small island developing States	24 (15; 39)	16 (11; 25)	15 (11; 21)

^a Lower and upper bounds in brackets.

Indicator 6.10

Proportion of tuberculosis cases detected and cured under directly observed treatment short course

(a) New cases detected under directly observed treatment short course (DOTS)

(DOTS smear-positive case detection rate: percentage)^a

	2000	2008
World	40 (38; 43)	62 (58; 66)
Developing regions	39 (37; 41)	61 (58; 65)

	2000	2008
Northern Africa	89 (82; 98)	86 (78; 94)
Sub-Saharan Africa	39 (37; 41)	46 (44; 49)
Latin America and the Caribbean	70 (64; 75)	77 (71; 82)
Caribbean	51 (44; 59)	62 (53; 72)
Latin America	72 (66; 79)	79 (73; 85)
Eastern Asia	33 (27; 39)	72 (60; 86)
Southern Asia	37 (32; 43)	67 (58; 77)
South-Eastern Asia	40 (36; 44)	66 (60; 72)
Western Asia	52 (47; 57)	65 (59; 71)
Oceania	31 (26; 37)	32 (28; 37)
Commonwealth of Independent States	58 (51; 65)	74 (68; 82)
Commonwealth of Independent States, Asia	60 (55; 65)	63 (58; 69)
Commonwealth of Independent States, Europe	57 (49; 67)	80 (70; 91)
Developed regions	87 (82; 92)	92 (87; 97)
Transition countries of South-Eastern Europe	99 (84; 120)	110 (93; 130)
Least developed countries	35 (33; 36)	49 (46; 51)
Landlocked developing countries	38 (36; 40)	41 (38; 43)
Small island developing States	42 (38; 46)	52 (47; 57)

^a Lower and upper bounds in brackets.

(b) Patients successfully treated under directly observed treatment short course

(Percentage)

	2000	2007
World	69	86
Developing regions	69	87
Northern Africa	88	87
Sub-Saharan Africa	71	79
Latin America and the Caribbean	76	82
Caribbean	72	80
Latin America	77	83
Eastern Asia	92	94
Southern Asia	42	88
South-Eastern Asia	86	89
Western Asia	77	86
Oceania	76	46
Commonwealth of Independent States	77	64
Commonwealth of Independent States, Asia	79	75
Commonwealth of Independent States, Europe ..	67	59
Developed regions	66	61
Transition countries of South-Eastern Europe	72	85
Least developed countries	77	85
Landlocked developing countries	75	80
Small island developing States	73	74

GOAL 7

Ensure environmental sustainability

Target 7.A

Integrate the principles of sustainable development into country policies and programmes and reverse the loss of environmental resources

Indicator 7.1

Proportion of land area covered by forest (Percentage)

	1990	2000	2010
World	32.0	31.4	31.0
Developing regions	30.8	29.5	28.8
Northern Africa	1.4	1.4	1.4
Sub-Saharan Africa	31.2	29.5	28.1

	1990	2000	2010
Latin America and the Caribbean	52.0	49.6	47.4
Caribbean	25.8	28.1	30.3
Latin America	52.3	49.9	47.6
Eastern Asia	16.4	18.0	20.5
Eastern Asia excluding China	15.2	14.0	12.8
Southern Asia	14.1	14.1	14.5
Southern Asia excluding India	7.8	7.3	7.1
South-Eastern Asia	56.9	51.3	49.3
Western Asia	2.8	3.0	3.4
Oceania	67.5	65.1	62.5
Commonwealth of Independent States	39.5	39.6	39.6
Commonwealth of Independent States, Asia	3.9	3.9	3.9
Commonwealth of Independent States, Europe	48.0	48.1	48.1
Developed regions	30.0	30.4	30.6
Transition countries of South-Eastern Europe	30.2	30.5	32.6
Least developed countries	32.7	31.0	29.6
Landlocked developing countries	19.3	18.2	17.1
Small island developing States	64.6	63.7	62.7

Indicator 7.2

Carbon dioxide emissions, total, per capita and per \$1 GDP (PPP)

(a) Total^a

(millions of metric tons)

	1990	2000	2005	2007
World	21 899	24 043	27 923	29 595
Developing regions	7 070	9 915	13 277	14 894
Northern Africa	232	362	425	453
Sub-Saharan Africa	464	554	658	684
Latin America and the Caribbean	1 051	1 342	1 477	1 594
Caribbean	84	99	106	120
Latin America	966	1 243	1 371	1 474
Eastern Asia	2 986	3 974	6 212	7 165
Eastern Asia excluding China ...	525	569	598	626
Southern Asia	1 009	1 675	2 032	2 326
Southern Asia excluding India ..	319	489	621	714
South-Eastern Asia	426	790	1 064	1 133
Western Asia	653	1 042	1 218	1 340
Oceania	6	7	11	10
Commonwealth of Independent States ^b	3 797	2 141	2 299	2 372
Commonwealth of Independent States, Asia ^b ...	499	330	387	445
Commonwealth of Independent States, Europe ^b ..	2 806	1 811	1 911	1 926
Developed regions	10 907	11 768	12 084	12 053
Transition countries of South-Eastern Europe	243	169	180	191
Least developed countries	64	112	167	185
Landlocked developing countries ...	56	400	460	523
Small island developing States	139	163	182	190
Annex I countries ^{c,d}	11 615	12 577	12 958	13 026

(b) Per capita (Metric tons)

	1990	2000	2005	2007
World	4.2	3.9	4.3	4.4
Developing regions	1.8	2.1	2.6	2.8
Northern Africa	1.9	2.5	2.7	2.8
Sub-Saharan Africa	0.9	0.8	0.9	0.9
Latin America and the Caribbean	2.4	2.6	2.7	2.8
Caribbean	2.7	2.9	2.9	3.2
Latin America	2.4	2.6	2.7	2.8

	1990	2000	2005	2007
Eastern Asia	2.5	3.0	4.5	5.1
Eastern Asia excluding China	7.4	7.2	7.4	7.7
Southern Asia	0.8	1.1	1.3	1.4
Southern Asia excluding India	0.9	1.2	1.3	1.5
South-Eastern Asia	1.0	1.5	1.9	2.0
Western Asia	4.9	6.0	6.2	6.6
Oceania	1.0	1.0	1.3	1.1
Commonwealth of Independent States ^b	11.7	7.6	8.3	8.6
Commonwealth of Independent States, Asia ^b	7.3	4.6	5.2	5.9
Commonwealth of Independent States, Europe ^b	13.1	8.6	9.4	9.6
Developed regions	12.3	12.4	12.4	12.2
Transition countries of South-Eastern Europe	6.9	4.3	4.7	5.0
Least developed countries	0.1	0.2	0.2	0.2
Landlocked developing countries	0.3	1.2	1.3	1.4
Small island developing States	3.2	3.2	3.3	3.3
Annex I countries ^{c,d}	12.0	12.2	12.2	12.1

(c) Per \$1 GDP (PPP)

(kilograms)

	1990	2000	2005	2007
World	0.54	0.50	0.49	0.47
Developing regions	0.65	0.59	0.60	0.58
Northern Africa	0.43	0.54	0.52	0.50
Sub-Saharan Africa	0.58	0.54	0.50	0.45
Latin America and the Caribbean	0.33	0.31	0.30	0.29
Caribbean	0.61	0.59	0.55	0.55
Latin America	0.33	0.31	0.30	0.29
Eastern Asia	1.46	0.87	0.92	0.86
Eastern Asia excluding China	0.44	0.45	0.38	0.36
Southern Asia	0.60	0.62	0.55	0.53
Southern Asia excluding India	0.49	0.51	0.49	0.49
South-Eastern Asia	0.42	0.47	0.50	0.47
Western Asia	0.52	0.58	0.54	0.53
Oceania	0.30	0.25	0.38	0.29
Commonwealth of Independent States ^b	1.54	1.27	0.98	0.86
Commonwealth of Independent States, Asia ^b	2.37	1.80	1.33	1.21
Commonwealth of Independent States, Europe ^b	1.45	1.20	0.93	0.81
Developed regions	0.49	0.41	0.38	0.36
Transition countries of South-Eastern Europe	0.99	0.70	0.58	0.54
Least developed countries	0.18	0.19	0.21	0.20
Landlocked developing countries	0.30	0.96	0.76	0.71
Small island developing States	0.59	0.43	0.41	0.36
Annex I countries ^{c,d}	0.51	0.43	0.40	0.38

^aTotal CO₂ emissions from fossil fuels (include emissions from solid fuel consumption, liquid fuel consumption, gas fuel consumption, cement production and gas flaring (United States Carbon Dioxide Information Analysis Center).

^bThe 1990 column shows 1992 data.

^cBased on the annual national emission inventories of annex I countries (with the exception of Belarus, the Russian Federation and Ukraine, which are included in the Commonwealth of Independent States) that report to the Conference of the Parties to the United Nations Framework Convention on Climate Change; non-annex I countries do not have annual reporting obligations.

^dExcluding emissions/removals from land use, land-use change and forestry.

Indicator 7.3**Consumption of ozone-depleting substances**

(Tons of ozone depletion potential)

	1990 ^a	2000	2008
Developing regions	247 582	212 514	44 689
Northern Africa	6 203	8 129	1 347
Sub-Saharan Africa	23 449	9 561	1 327
Latin America and the Caribbean	76 048	31 087	6 715
Caribbean	2 177	1 669	219
Latin America	73 871	29 418	6 496
Eastern Asia	103 217	105 762	21 530
Eastern Asia excluding China	12 904	14 885	4 144
Southern Asia	3 338	28 161	4 057
Southern Asia excluding India	3 338	9 466	1 152
South-Eastern Asia	21 108	16 831	2 916
Western Asia	11 516	11 882	6 605
Oceania	47	129	10
Commonwealth of Independent States ...	139 454	27 585	1 719
Commonwealth of			
Independent States, Asia	2 738	928	183
Commonwealth of			
Independent States, Europe	136 716	26 657	1 536
Developed regions	826 807	24 060	-1 792 ^b
Transition countries			
of South-Eastern Europe	6 239	966	113
Least developed countries	1 462	4 786	1 075
Landlocked developing countries	3 354	2 386	437
Small island developing States	7 162	2 147	396

^aFor years prior to the entry into force of the reporting requirement for a group of substances, missing country consumption values have been estimated at the base year level. This applies to substances in annexes B, C and E, whose years of entry into force are 1992, 1992 and 1994, respectively.

^bNegative numbers will occur where exports plus destruction exceed actual production plus imports.

Indicator 7.4**Proportion of fish stocks within safe biological limits^a**

(Percentage)

	1990	2000	2006
Total	81	72	72
Fully exploited	50	47	52
Under and moderately exploited	31	25	20

^aNo new global or regional data are available. Data presented are from 2009 report (A/64/1).

Indicator 7.5**Proportion of total water resources used^a, around 2000^b**

(Percentage)

Developing regions	6.7
Northern Africa	77.5
Sub-Saharan Africa	2.2
Latin America and the Caribbean	1.4
Eastern Asia	21.6
Eastern Asia excluding China	19.2
Southern Asia	26.8
Southern Asia excluding India	19.6
South-Eastern Asia	4.5
Western Asia	47.5
Oceania	0.02
Commonwealth of Independent States	5.2
Developed regions	9.2
Transition countries of South-Eastern Europe	7.5
Least developed countries	3.5

Landlocked developing countries 8.2

Small island developing States 1.3

^aSurface water and groundwater withdrawal as percentage of total actual renewable water resources.

^bDifferences between these figures and those set out in the statistical annex to the *Millennium Development Goals Report 2009* (see <http://unstats.un.org/unsd/mdg>) are due to the availability of new data.

Target 7.B**Reduce biodiversity loss, achieving, by 2010, a significant reduction in the rate of loss****Indicator 7.6****Proportion of terrestrial and marine areas protected****(a) Terrestrial and marine^{a,b}**

(Percentage)

	1990	2000	2009
World ^c	7.9	9.9	10.9
Developing regions	8.1	10.9	12.4
Northern Africa	3.2	3.7	4.0
Sub-Saharan Africa	10.4	10.6	11.1
Latin America and the Caribbean	9.4	15.2	19.3
Caribbean	3.5	4.0	4.6
Latin America	9.6	15.6	19.9
Eastern Asia	11.6	14.4	15.3
Eastern Asia excluding China	3.9	11.5	11.5
Southern Asia	5.3	5.9	6.2
Southern Asia excluding India	5.7	6.5	7.1
South-Eastern Asia	4.3	6.7	7.3
Western Asia	3.7	14.4	14.5
Oceania	0.5	1.1	1.6
Commonwealth of Independent States	6.7	7.8	7.8
Commonwealth			
of Independent States, Asia	2.7	3.0	3.0
Commonwealth			
of Independent States, Europe	7.6	8.8	8.8
Developed regions	10.8	12.1	13.1
Transition countries of South-Eastern Europe ...	2.8	4.9	7.0
Least developed countries	8.5	9.2	9.5
Landlocked developing countries	8.8	10.8	11.2
Small island developing States	1.4	2.7	3.2

^aRatio of protected area (terrestrial and marine combined) to total territorial area. Differences between these figures and those set out in the statistical annex to the *Millennium Development Goals Report 2009* (see <http://unstats.un.org/unsd/mdg>) are due to the availability of new data and to revised methodologies.

^bProtected areas with an unknown year of establishment are included in all years.

^cIncluding territories that are not considered in the calculations of aggregates for the Commonwealth of Independent States, developed regions and developing regions.

(b) Terrestrial^{a,b}

(Percentage)

	1990	2000	2009
World ^c	8.7	10.7	11.6
Developing regions	9.4	12.4	13.9
Northern Africa	3.3	3.7	4.0
Sub-Saharan Africa	11.1	11.3	11.7
Latin America and the Caribbean	10.5	16.1	20.8
Caribbean	9.1	9.8	11.1
Latin America	10.5	16.2	20.9
Eastern Asia	12.0	14.9	15.9
Eastern Asia excluding China	4.0	12.1	12.1

	1990	2000	2009
Southern Asia	5.5	6.1	6.4
Southern Asia excluding India	5.9	6.8	7.4
South-Eastern Asia	8.6	13.0	13.6
Western Asia	4.0	15.4	15.5
Oceania	2.0	3.0	3.0
Commonwealth of Independent States	7.0	7.7	7.7
Commonwealth of Independent States, Asia	2.7	3.0	3.0
Commonwealth			
of Independent States, Europe	7.9	8.8	8.8
Developed regions	11.6	12.9	13.6
Transition countries			
of South-Eastern Europe	2.9	4.7	6.9
Least developed countries	9.4	10.0	10.2
Landlocked developing countries	8.8	10.8	11.2
Small island developing States	4.0	6.3	6.7

^a Ratio of terrestrial protected area to total surface area. Differences between these figures and those set out in the statistical annex to the *Millennium Development Goals Report 2009* (see <http://unstats.un.org/unsd/mdg>) are due to the availability of new data and to revised methodologies.

^b Protected areas with an unknown year of establishment are included in all years.

^c Including territories that are not considered in the calculations of aggregates for the Commonwealth of Independent States, developed regions and developing regions.

(c) Marine^{a,b} (Percentage)

	1990	2000	2009
World ^c	2.9	5.0	6.3
Developing regions	0.9	2.9	3.5
Northern Africa	1.6	2.1	3.1
Sub-Saharan Africa	0.7	1.5	1.8
Latin America and the Caribbean	2.3	9.0	9.8
Caribbean	1.2	1.6	2.0
Latin America	2.6	10.7	11.6
Eastern Asia	1.2	1.7	1.9
Eastern Asia excluding China	3.2	3.2	3.4
Southern Asia	1.3	1.4	1.6
Southern Asia excluding India	1.0	1.2	1.5
South-Eastern Asia	0.5	1.2	1.8
Western Asia	0.7	2.0	2.2
Oceania	0.1	0.6	1.2
Commonwealth of Independent States	3.2	8.9	8.9
Commonwealth of Independent States, Asia ..	0.2	0.4	0.4
Commonwealth			
of Independent States, Europe	3.2	8.9	8.9
Developed regions	6.5	8.1	11.0
Transition countries of South-Eastern Europe ..	0.6	9.8	10.8
Least Developed Countries	0.5	1.1	2.0
Landlocked developing countries ^d	0.0	0.0	0.0
Small island developing States	0.4	1.2	1.8

^a Ratio of marine protected area to total territorial waters. Differences between these figures and those set out in the statistical annex to the *Millennium Development Goals Report 2009* (see <http://unstats.un.org/unsd/mdg>) are due to the availability of new data and to revised methodologies.

^b Protected areas with an unknown year of establishment are included in all years.

^c Including territories that are not considered in the calculations of aggregates for the Commonwealth of Independent States, developed regions and developing regions.

^d Some landlocked developing countries have territorial water claims within inland seas.

Indicator 7.7

Proportion of species threatened with extinction^{a,b}

(Percentage of species not expected to become extinct in the near future)

	Birds		Mammals	
	1994	2008	1996	2008
World	93.51	93.09	86.03	85.33
Developing regions	96.44	95.71	85.87	85.13
Northern Africa	92.55	92.19	90.18	89.82
Sub-Saharan Africa	97.60	97.12	86.76	86.59
Latin America				
and the Caribbean	93.75	93.60	87.09	86.56
Caribbean	96.01	95.93	89.81	89.94
Latin America	93.49	93.35	87.59	87.04
Eastern Asia	93.10	92.95	91.42	90.67
Southern Asia	96.19	95.78	86.92	86.21
South-Eastern Asia	95.99	95.52	84.27	82.59
Western Asia	93.40	92.66	92.95	92.50
Oceania	97.60	96.99	85.16	84.39
Commonwealth				
of Independent States	91.86	91.41	92.28	91.68
Developed regions	92.20	91.85	91.04	90.79

^a No new global or regional data are available for mammals. Data presented are from 2009 report (A/64/1).

^b International Union for Conservation of Nature Red List Index values for non-data-deficient species.

Target 7.C

Halve, by 2015, the proportion of people without sustainable access to safe drinking water and basic sanitation

Indicator 7.8

Proportion of population using an improved drinking water source (Percentage)

	1990			2008		
	Total	Urban	Rural	Total	Urban	Rural
World	77	95	64	87	96	78
Developing regions	71	93	60	84	94	76
Northern Africa	86	94	78	92	95	87
Sub-Saharan Africa	49	83	36	60	83	47
Latin America						
and the Caribbean	85	95	63	93	97	80
Eastern Asia						
excluding China	93 ^a	97 ^a	80 ^a	98	100	91
Southern Asia	75	91	69	87	95	83
Southern Asia						
excluding India	82	95	77	85	93	80
South-Eastern Asia	72	92	63	86	92	81
Western Asia	86	96	70	90	96	78
Oceania	51	92	38	50	92	37
Commonwealth of						
Independent States	92	98	82	94	98	87
Commonwealth of						
Independent States, Asia	88	96	80	88	97	80
Commonwealth of						
Independent States,						
Europe	94	98	82	96	98	91
Developed regions	99	100	98	100	100	98
Least developed						
countries	54	81	47	62	80	54

^a Data from 1995.

Indicator 7.9

Proportion of population using an improved sanitation facility
(Percentage)

	1990			2008		
	Total	Urban	Rural	Total	Urban	Rural
World	54	77	36	61	76	45
Developing regions	41	65	28	52	68	40
Northern Africa	72	91	55	89	94	83
Sub-Saharan Africa	28	43	21	31	44	24
Latin America and the Caribbean	69	81	39	80	86	55
Eastern Asia	43	53	39	56	61	53
Eastern Asia excluding China	86 ^a	88 ^a	78 ^a	97	99	92
Southern Asia	25	56	13	36	57	26
Southern Asia excluding India	42	74	30	50	65	42
South-Eastern Asia	46	69	36	69	79	60
Western Asia	80	96	53	85	94	67
Oceania	55	85	46	53	81	45
Commonwealth of Independent States	89	94	79	89	93	83
Commonwealth of Independent States, Asia	91	96	86	91	91	91
Commonwealth of Independent States, Europe	89	94	76	89	94	76
Developed regions	99	100	97	99	100	96
Least developed countries	24	43	19	36	50	31

^aData from 1995. These data are based on a subset of countries different from those used for the 2008 estimates.

Target 7.D

By 2020, to have achieved a significant improvement in the lives of at least 100 million slum-dwellers

Indicator 7.10

Proportion of urban population living in slums^a
(Percentage)

	1990	2000	2010
Developing regions	46.1	39.3	32.7
Northern Africa	34.4	20.3	13.3
Sub-Saharan Africa	70.0	65.0	61.7
Latin America and the Caribbean	33.7	29.2	23.5
Eastern Asia	43.7	37.4	28.2
Southern Asia	57.2	45.8	35.0
South-Eastern Asia	49.5	39.6	31.0
Western Asia	22.5	20.6	24.6
Oceania	24.1	24.1	24.1

^aRepresented by the urban population living in households with at least one of the four characteristics: lack of access to improved drinking water, lack of access to improved sanitation, overcrowding (three or more persons per room) and dwellings made of non-durable material. Half of pit latrines are considered improved sanitation. These new figures are not comparable with previously published estimates in which all households using pit latrines were considered slum households.

GOAL 8

Develop a global partnership for development

Target 8.A

Develop further an open, rule-based, predictable, non-discriminatory trading and financial system

Includes a commitment to good governance, development and poverty reduction—both nationally and internationally

Target 8.B

Address the special needs of the least developed countries

Includes: tariff- and quota-free access for least developed countries' exports; enhanced programme of debt relief for heavily indebted poor countries (HIPC) and cancellation of official bilateral debt; and more generous official development assistance (ODA) for countries committed to poverty reduction

Target 8.C

Address the special needs of landlocked developing countries and small island developing States (through the Programme of Action for the Sustainable Development of Small Island Developing States and the outcome of the twenty-second special session of the General Assembly)

Target 8.D

Deal comprehensively with the debt problems of developing countries through national and international measures in order to make debt sustainable in the long term

Official development assistance

Indicator 8.1

Net ODA, total and to the least developed countries, as a percentage of Organization for Economic Cooperation and Development/Development Assistance Committee donors' gross national income

(a) Annual total assistance^a

(Billions of United States dollars)

	1990	2002	2005	2006	2007	2008	2009 ^b
All developing countries	52.8	58.6	107.8	104.8	104.2	122.3	119.6
Least developed countries	15.1	15.9	26.1	30.1	32.1	37.1	

^aIncluding non-ODA debt forgiveness but excluding forgiveness of debt for military purposes.

^bPreliminary data.

(b) Share of OECD/DAC donors' gross national income

(Percentage)

	1990	2002	2005	2006	2007	2008	2009 ^a
All developing countries	0.32	0.23	0.32	0.3	0.27	0.3	0.31
Least developed countries	0.09	0.06	0.08	0.09	0.08	0.09	

^aPreliminary data.

Indicator 8.2

Proportion of total bilateral, sector-allocable ODA of OECD/DAC donors to basic social services (basic education, primary health care, nutrition, safe water and sanitation)

	1998	2000	2002	2004	2006	2008
Percentage	10.7	15.5	17.3	15.9	20.0	18.6
Billions of United States dollars	3.0	4.3	4.9	7.7	11.5	15.5

Indicator 8.3

Proportion of bilateral official development assistance of OECD/DAC donors that is untied^a

	1990	2003	2005	2006	2007	2008
Percentage	67.6	91.1	91.4	88.3	83.9	86.5
Billions of United States dollars	16.3	30.1	49	62.2	60.3	80.6

^aExcludes technical cooperation and administrative costs as well as ODA whose tying status is not reported. The percentage of bilateral ODA, excluding technical cooperation and administrative costs, with reported tying status was 99.6 in 2008.

Indicator 8.4

ODA received in landlocked developing countries as a proportion of their gross national incomes

	1990	2003	2005	2006	2007	2008
Percentage	6.3	8.1	7.0	6.2	5.6	4.2
Billions of United States dollars	7.0	12.1	15.0	16.6	18.9	22.6

Indicator 8.5

ODA received in small island developing States as a proportion of their gross national incomes

	1990	2003	2005	2006	2007	2008
Percentage	2.7	2.5	2.5	2.5	2.8	2.7
Billions of United States dollars	2.1	1.8	2.5	2.7	3.2	3.7

Market access**Indicator 8.6**

Proportion of total developed country imports (by value and excluding arms) from developing countries and least developed countries, admitted free of duty (Percentage)

	1996	2000	2004	2006	2008 ^a
(a) Excluding arms					
Developing countries ^a	53	63	76	81	84
Least developed countries	68	75	82	89	92
(b) Excluding arms and oil					
Developing countries ^a	54	65	76	77	80
Northern Africa	20	26	94	95	95
Sub-Saharan Africa	88	83	91	93	94
Latin America and the Caribbean	58	58	93	97	96
Latin America	74	82	92	93	93
Eastern Asia	35	52	63	64	68
Southern Asia	41	46	62	62	66
South-Eastern Asia	60	76	76	78	80
Western Asia	45	56	89	93	95
Oceania	82	79	84	87	91
Commonwealth of Independent States	59	59	87	89	91
Least developed countries	78	70	80	79	81

^aIncludes Commonwealth of Independent States countries.

Indicator 8.7

Average tariffs imposed by developed countries on agricultural products and textiles and clothing from developing countries (Percentage)

	1996	2000	2004	2008
(a) Agricultural goods				
Developing countries	10.5	9.3	9.1	8.0
Least developed countries	3.9	3.6	3.0	1.6
(b) Textiles				
Developing countries	7.3	6.6	5.2	5.1
Least developed countries	4.6	4.1	3.2	3.2
(c) Clothing				
Developing countries	11.5	10.8	8.6	8.2
Least developed countries	8.2	7.8	6.4	6.4

Indicator 8.8

Agricultural support estimate for OECD countries as a percentage of their gross domestic product

	1990	2003	2005	2006	2007	2008 ^a
Percentage	2.05	1.17	1.05	0.96	0.88	0.84
Billions of United States dollars ..	327	350	375	363	364	376

^aPreliminary data.

Indicator 8.9

Proportion of ODA provided to help build trade capacity^a

	2001	2003	2005	2007	2008
Trade policy and regulations and trade-related adjustment ^b	1.0	0.8	0.8	0.8	0.8
Economic infrastructure	21.5	14.8	17.2	13.1	18.1
Building productive capacity	16.0	13.4	12.8	13.3	14.7
TOTAL aid for trade ...	38.5	29.0	30.7	27.2	33.7

^aAid-for-trade proxies as a percentage are of bilateral sector-allocable ODA.

^bReporting of trade-related adjustment data commenced in 2007. Only Canada and the European Commission reported.

Debt sustainability**Indicator 8.10**

Total number of countries that have reached their HIPC decision points and number that have reached their HIPC completion points (cumulative)

	2000 ^a	2010 ^b
Reached completion point	1	28
Reached decision point but not completion point	21	7
Yet to be considered for decision point	12	5
TOTAL eligible countries	34	40

^aAs of December 2000; including only countries that are heavily indebted poor countries in 2010.

^bAs of March 2010.

Indicator 8.11

Debt relief committed under HIPC and Multilateral Debt Relief initiatives^a (Billions of United States dollars, cumulative)

	2000	2010
To countries that reached decision or completion point ...	32	82

^aExpressed in end-2008 net present value terms; commitment status as of March 2010.

^bExcludes \$38.4 million (in nominal terms) of committed debt relief from the International Development Association to Afghanistan and \$201.3 million (in nominal terms) of committed debt relief from the Association and the International Monetary Fund to the Congo.

Indicator 8.12

Debt service as a percentage of exports of goods and services^{a,b}

	1990	1995	2000	2008
Developing regions	19.7	14.4	12.6	3.5
Northern Africa	39.9	22.7	15.4	6.1
Sub-Saharan Africa	17.6	10.4	9.4	1.9
Latin America and the Caribbean	20.6	18.7	21.8	6.7
Caribbean	16.8	10.8	8.0	11.3
Latin America	20.7	19.0	22.2	6.6
Eastern Asia	10.6	9.0	5.1	0.6
Southern Asia	17.6	27.0	13.8	5.4
Southern Asia excluding India	9.3	22.3	11.5	7.9
South-Eastern Asia	16.7	7.9	6.5	2.8
Western Asia	27.8	22.3	17.5	9.5
Oceania	14.0	7.8	5.9	1.2
Commonwealth of Independent States	0.6 ^c	6.1	8.1	3.9
Commonwealth of Independent States, Asia	0.6 ^c	3.8	8.4	0.6

	1990	1995	2000	2008
Commonwealth				
of Independent States, Europe	0.6 ^c	6.2	8.1	4.4
Transition countries				
of South-Eastern Europe	9.7	11.7	11.8	4.1
Least developed countries	16.8	13.4	11.6	2.9
Landlocked developing countries	14.9	7.3	8.6	1.2
Small island developing States	13.7	9.5	8.7	8.4

^aDebt service as a proportion of exports of goods and services and net income from abroad.

^bIncluding countries reporting to the World Bank Debtor Reporting System. Aggregates are based on available data, and for some years, might exclude countries that do not have data on exports of goods and services and net income from abroad.

^cData for 1993.

Target 8.E

In cooperation with pharmaceutical companies, provide access to affordable, essential drugs in developing countries

Indicator 8.13

Proportion of population with access to affordable essential drugs on a sustainable basis
(No global or regional data are available)

Target 8.F

In cooperation with the private sector, make available the benefits of new technologies, especially information and communications

Indicator 8.14

Number of fixed telephone lines per 100 population

	1990	2000	2008
World	9.8	15.9	18.5
Developing regions	2.4	8.0	12.9
Northern Africa	2.8	7.1	12.5
Sub-Saharan Africa	1.0	1.4	1.4
Latin America and the Caribbean	6.3	14.7	18.6
Caribbean	7.0	11.2	11.2
Latin America	6.2	15.0	19.1
Eastern Asia	2.4	13.8	26.5
Eastern Asia excluding China	24.8	42.8	39.2
Southern Asia	0.7	3.2	4.4
Southern Asia excluding India	1.0	3.4	7.2
South-Eastern Asia	1.3	4.8	13.6
Western Asia	9.7	17.8	17.1
Oceania	3.3	5.2	5.4
Commonwealth of Independent States	12.5	18.6	26.0
Commonwealth			
of Independent States, Asia	7.9	8.8	12.0
Commonwealth			
of Independent States, Europe	13.9	21.9	31.3
Developed regions	42.4	55.0	45.9
Transition countries			
of South-Eastern Europe	13.1	21.1	25.9
Least developed countries	0.3	0.5	1.0
Landlocked developing countries	2.4	2.8	3.8
Small island developing States	7.9	12.9	12.4

Indicator 8.15

Cellular subscribers per 100 population

	1995	2000	2008
World	1.6	12.1	59.7
Developing regions	0.4	5.5	48.8
Northern Africa	<0.1	2.7	66.7
Sub-Saharan Africa	0.1	1.7	31.8
Latin America and the Caribbean	0.8	12.2	80.1
Caribbean	1.2	6.4	49.8
Latin America	0.8	12.6	82.4
Eastern Asia	0.5	9.9	50.4
Eastern Asia excluding China	3.4	49.9	81.1
Southern Asia	<0.1	0.4	32.7
Southern Asia excluding India	<0.1	0.5	40.9
South-Eastern Asia	0.7	4.3	66.3
Western Asia	0.9	14.9	80.1
Oceania	0.2	2.4	20.9
Commonwealth of Independent States	<0.1	1.8	113.4
Commonwealth			
of Independent States, Asia	<0.1	1.3	63.4
Commonwealth			
of Independent States, Europe	0.1	2.0	132.4
Developed regions	7.8	47.7	104.6
Transition countries of			
South-Eastern Europe	0.1	8.9	111.9
Least developed countries ^a	<0.1	0.3	20.9
Landlocked developing countries	<0.1	1.1	27.8
Small island developing States	1.5	10.3	51.6

^aThe 1995 column shows 1996 data.

Indicator 8.16

Internet users per 100 population

	1995	2000	2008
World	0.7	6.5	23.4
Developing regions	0.1	2.0	15.1
Northern Africa	<0.1	0.7	19.1
Sub-Saharan Africa	0.1	0.5	6.0
Latin America and the Caribbean	0.1	3.9	28.8
Caribbean	0.1	2.8	19.9
Latin America	0.1	4.0	29.5
Eastern Asia	0.1	3.6	24.6
Eastern Asia excluding China	0.9	27.0	54.4
Southern Asia	<0.1	0.5	5.8
Southern Asia excluding India ^a	<0.1	0.3	9.1
South-Eastern Asia	0.1	2.4	13.9
Western Asia	0.1	4.0	23.8
Oceania	<0.1	1.8	6.0
Commonwealth of Independent States	0.1	1.4	22.9
Commonwealth			
of Independent States, Asia ^a	<0.1	0.5	12.3
Commonwealth			
of Independent States, Europe	0.1	1.7	27.0
Developed regions	3.9	29.8	67.7
Transition countries of			
South-Eastern Europe	0.1	3.4	31.7
Least developed countries ^b	<0.1	0.1	2.1
Landlocked developing countries ^a	<0.1	0.3	5.2
Small island developing States	0.2	4.9	20.8

^aThe 1995 column shows 1996 data.

^bThe 1995 column shows 1998 data.

NOTES

Sources: United Nations Inter-Agency and Expert Group on Millennium Development Goals Indicators and Millennium Development Goal Indicators Database (<http://mdgs.un.org>).

Notes: Except where indicated, regional groupings are based on United Nations geographical regions, with some modifications necessary to create, to the extent possible, homogeneous groups of countries for analysis and presentation. The regional composition adopted for 2010 reporting on Millennium Development Goal indicators is available at <http://mdgs.un.org>, under “Data”.

“Commonwealth of Independent States” comprises Belarus, the Republic of Moldova, the Russian Federation and Ukraine in Europe, and Armenia, Azerbaijan, Georgia, Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan in Asia.

Where shown, “Developed regions” comprises Europe (except Commonwealth of Independent States countries), Australia, Canada, Japan, New Zealand and the United States of America. Developed regions always include transition countries in Europe.

PART ONE

Political and security questions

International peace and security

Peacekeeping, peacebuilding, economic recovery in post-conflict countries and counter-terrorism strategies were among the key challenges addressed by the United Nations in 2010. During the year, the Security Council issued statements on the transition and exit strategies of peacekeeping operations, post-conflict peacebuilding, preventive diplomacy—especially in Africa—threats to peace caused by terrorist acts and protection of civilians in armed conflict. In October, the Council adopted a resolution welcoming the review of the UN peacebuilding architecture and requested all relevant United Nations actors to take forward the recommendations of the related report and improve the Peacebuilding Commission's effectiveness. Among other issues, the Council discussed its own role in maintaining international peace and security.

At the end of 2010, there were 15 peacekeeping operations, served by 120,927 uniformed and civilian personnel, including United Nations Volunteers. On 1 July, the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) took over from an earlier UN peacekeeping operation—the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC). The United Nations Mission in the Central African Republic and Chad (MINURCAT) completed its mandate on 31 December.

Also at year's end, the United Nations was carrying out 12 political or peacebuilding missions, served by 4,286 personnel. The United Nations Integrated Office in Burundi (BINUB) ended on 31 December; it was succeeded by the United Nations Office in Burundi (BNUB) on 1 January 2011.

International terrorist acts resulted in the deaths of hundreds of innocent civilians and injuries to many others, including in Afghanistan, Iran, Iraq, Nigeria, Pakistan, the Russian Federation and Uganda. In Afghanistan, a terrorist attack took place against the United Nations operations centre in the western city of Herat on 23 October. A suicide bomb attack in the town of Khar in Pakistan on 25 December outside a World Food Programme distribution centre reportedly killed 45 people and injured many others. The Security Council and the Secretary-General condemned those attacks.

The General Assembly in September reiterated its condemnation of terrorism in all its forms and manifestations, committed by whomever, wherever and

for whatever purposes, as terrorism constituted one of the most serious threats to international peace and security. Nevertheless, the Assembly in December expressed concern at violations of human rights and fundamental freedoms, as well as of international refugee and humanitarian law, committed in the context of countering terrorism.

By a resolution on conflict diamonds, the General Assembly reaffirmed its support for the Kimberley Process Certification Scheme and for the Kimberley Process as a whole. The Assembly also adopted texts on a comprehensive review of peacekeeping operations in all their aspects, the peacekeeping support account, the financing of the United Nations Logistics Base at Brindisi, the review of the United Nations peacebuilding architecture and the criminal accountability of United Nations officials and experts on missions.

Regarding the financial position of United Nations peacekeeping operations, expenditures rose by 7.0 per cent, from \$7,120.6 million to \$7,616.1 million for the 2009/2010 financial year. Unpaid assessed contributions decreased by 4.4 per cent, from \$954.0 million at the end of 2008/2009 to \$912.2 million at the end of 2009/2010.

Promotion of international peace and security

Maintenance of international peace and security

Security sector reform

Special Committee on Peacekeeping Operations consideration. During its 2010 substantive session (New York, 22 February–19 March) [A/64/19], the Special Committee on Peacekeeping Operations stressed that security sector reform must take place within a broad framework of the rule of law, and underlined that security sector reform was a nationally owned process. UN engagement in providing assistance for security sector reform through peacekeeping missions should be undertaken at the request of the host country, and such assistance should be rooted in the country's particular needs and conditions. The sustainability of security sector reform depended on national

ownership and the sustained support of the international community, in particular bilateral donors. The United Nations and the international community should avoid imposing external models of security sector reform and concentrate on strengthening the host country's capacity to develop, manage and implement security sector reform through inclusive consultation processes. The Special Committee reiterated the importance of incorporating gender perspectives in security sector reform programmes, and recognized and encouraged the continued assistance and advice of the Department of Peacekeeping Operations (DPKO) to UN peacekeeping and special political missions.

Rule of law, preventive diplomacy and role of Security Council

Security Council consideration (June). On 29 June [S/PV.6347], the Council held an open debate on the promotion and strengthening of the rule of law in the maintenance of international peace and security. It had before it a concept note submitted by Mexico [S/2010/322]. The Council was briefed by the Deputy Secretary-General, Asha-Rose Migiros, and the Under-Secretary-General for Legal Affairs, Patricia O'Brien. The Deputy Secretary-General said that the debates within the Council and the United Nations had expanded from a focus on the rule of law in war-torn societies to include strengthening the rule of law at the international level. That evolution was rooted in the fundamental principle that the Organization must act in accordance with fundamental standards of human rights in its own activities, operations and practices. In response to international crimes, the United Nations must redouble its efforts to build national capacities to hold alleged perpetrators accountable. The financial resources allocated for strengthening the rule of law in fragile conflict and post-conflict settings had not matched the rhetoric in importance; early and strategic responses required more comprehensive needs and threat assessment; a strategic approach that included security sector reform and equal attention to all components of the justice system was required; and the political nature of the exercise must be recognized. Some 36 speakers also addressed the meeting.

SECURITY COUNCIL ACTION

On 29 June [meeting 6347], following consultations among Security Council members, the President made statement **S/PRST/2010/11** on behalf of the Council:

The Security Council reaffirms its commitment to the Charter of the United Nations and international law, and to an international order based on the rule of law and international law, which is essential for peaceful coexistence and cooperation among States in addressing com-

mon challenges, thus contributing to the maintenance of international peace and security.

The Council is committed to and actively supports the peaceful settlement of disputes and reiterates its call upon Member States to settle their disputes by peaceful means as set forth in Chapter VI of the Charter. The Council emphasizes the key role of the International Court of Justice, the principal judicial organ of the United Nations, in adjudicating disputes between States and the value of its work and calls upon States that have not yet done so to consider accepting the jurisdiction of the Court in accordance with its Statute.

The Council calls upon States to resort also to other dispute settlement mechanisms, including international and regional courts and tribunals which offer States the possibility of settling their disputes peacefully, contributing thus to the prevention or settlement of conflict.

The Council emphasizes the importance of the activities of the Secretary-General in promoting mediation and in the peaceful settlement of disputes between States, recalls in this regard the report of the Secretary-General of 8 April 2009 on enhancing mediation and its support activities, and encourages the Secretary-General to increasingly and effectively use all the modalities and diplomatic tools at his disposal under the Charter for this purpose.

The Council recognizes that respect for international humanitarian law is an essential component of the rule of law in conflict situations, reaffirms its conviction that the protection of the civilian population in armed conflict should be an important aspect of any comprehensive strategy to resolve conflict and recalls in this regard resolution 1894(2009).

The Council further reiterates its call for all parties to armed conflict to respect international law applicable to the rights and protection of women and children, as well as displaced persons and humanitarian workers, and other civilians who may have specific vulnerabilities, such as persons with disabilities and older persons.

The Council reaffirms its strong opposition to impunity for serious violations of international humanitarian law and human rights law. The Council further emphasizes the responsibility of States to comply with their relevant obligations to end impunity and to thoroughly investigate and prosecute persons responsible for war crimes, genocide, crimes against humanity or other serious violations of international humanitarian law in order to prevent violations, avoid their recurrence and seek sustainable peace, justice, truth and reconciliation.

The Council notes that the fight against impunity for the most serious crimes of international concern has been strengthened through the work of the International Criminal Court, ad hoc and mixed tribunals, as well as specialized chambers in national tribunals and takes note of the stocktaking of international criminal justice undertaken by the first Review Conference of the Rome Statute of the International Criminal Court, held in Kampala from 31 May to 11 June 2010. The Council intends to continue forcefully to fight impunity and uphold accountability with appropriate means and draws attention to the full range of justice and reconciliation mechanisms to be considered, including national, international and mixed criminal courts and tribunals, truth

and reconciliation commissions as well as national reparations programmes for victims, institutional reforms and traditional dispute resolution mechanisms.

The Council expresses its commitment to ensure that all United Nations efforts to restore peace and security themselves respect and promote the rule of law. The Council recognizes that sustainable peacebuilding requires an integrated approach, which strengthens coherence between political, security, development, human rights and rule of law activities. In this regard, the Council reiterates the urgency of improving United Nations peacebuilding efforts and achieving a coordinated United Nations approach in the field among all parts of the United Nations system, including in ensuring capacity-building support to assist national authorities to uphold the rule of law, especially after the end of United Nations peacekeeping and other relevant missions.

The Council considers sanctions an important tool in the maintenance and restoration of international peace and security. The Council reiterates the need to ensure that sanctions are carefully targeted in support of clear objectives and designed carefully so as to minimize possible adverse consequences and are implemented by Member States. The Council remains committed to ensuring that fair and clear procedures exist for placing individuals and entities on sanctions lists and for removing them, as well as for granting humanitarian exemptions. In this context, the Council recalls the adoption of resolutions 1822(2008) and 1904(2009), including the appointment of an Ombudsperson and other procedural improvements in the Al-Qaida and Taliban sanctions regime.

The Council welcomes the establishment of the Rule of Law Coordination and Resource Group, chaired by the Deputy Secretary-General and supported by the Rule of Law Unit in the Executive Office of the Secretary-General, and urges greater efforts by the Group to ensure a coordinated and coherent response by the United Nations system to issues related to the rule of law on the agenda of the Council.

The Council requests the Secretary-General to provide a follow-up report within 12 months to take stock of the progress made in respect of the implementation of the recommendations contained in the 2004 report of the Secretary-General, and to consider in this context further steps in regard to the promotion of the rule of law in conflict and post-conflict situations.

Security Council consideration (July). On 16 July [S/PV.6360], the Council held an open debate on optimizing the use of preventive diplomacy tools: prospects and challenges in Africa. It had before it a concept note submitted by Nigeria [S/2010/371]. The Council was briefed by the Deputy Secretary-General, who said that in recent years there had been a welcome emergence of stronger policy frameworks in favour of conflict prevention, particularly in Africa, with a growing capacity for operational response. Preventive diplomacy was being conducted by a broader array of actors than ever before, using a wide range of tools. That made it possible to consider multifaceted preventive strategies that were previously not an option. The Department of Political Affairs had been

strengthened so that it would be capable of effectively carrying out its lead role in that area. In the previous year alone, the United Nations had supported, often in partnership with others, more than 20 peace processes, and responded to many more disputes that did not reach that level. The Organization had continued to professionalize its mediation support capacity. It had also attempted to develop new tools, including the use of investigative mandates to help defuse tensions in judicial cases with political implications. All of this held promise for preventive diplomacy in Africa. The United Nations saw a need to focus on strengthening partnerships, being prepared to persuade, and supporting and encouraging the role of women in prevention. The international community was urged to continue to invest in prevention. Thirty-two countries and the European Union (EU) addressed the ensuing debate.

SECURITY COUNCIL ACTION

On 16 July [meeting 6360], following consultations among Security Council members, the President made statement **S/PRST/2010/14** on behalf of the Council:

The Security Council reaffirms its primary responsibility for the maintenance of international peace and security in accordance with the Charter of the United Nations. The Council recalls Articles 33 and 34 of the Charter and reaffirms its commitment to the settlement of disputes by peaceful means and the promotion of necessary preventive action in response to disputes or situations, the continuation of which is likely to endanger the maintenance of international peace and security.

The Council recalls that the prevention of conflict remains a primary responsibility of Member States. As such, actions undertaken by United Nations entities within the framework of conflict prevention must be designed to support and complement, as appropriate, the conflict prevention roles of national Governments.

The Council notes that, consistent with its functions in relation to international peace and security, it seeks to remain engaged in all stages of the conflict cycle and in exploring ways of preventing the escalation of disputes into armed conflict or a relapse into armed conflict, and recalls that, in accordance with Articles 99 and 35 of the Charter, the Secretary-General or any Member State may bring to the attention of the Council any matter which is likely to endanger the maintenance of international peace and security.

The Council recalls that early warning, preventive diplomacy, preventive deployment, mediation, practical disarmament measures and post-conflict peacebuilding are interdependent and complementary components of a comprehensive conflict prevention strategy. The Council notes the importance of creating and maintaining peace through inclusive dialogue, reconciliation and reintegration.

The Council reaffirms the important role of women in the prevention and resolution of conflicts and in peacebuilding, and reiterates its call to increase the

equal participation, representation and full involvement of women in preventive diplomacy efforts and all related decision-making processes with regard to conflict resolution and peacebuilding, in line with resolutions 1325(2000), 1820(2008), 1888(2009) and 1889(2009).

The Council recognizes the importance of a comprehensive strategy comprising operational and structural measures for the prevention of armed conflict, and encourages the development of measures to address the root causes of conflicts in order to ensure sustainable peace. The Council reaffirms the central role of the United Nations in this regard.

The Council recalls the previous statements by its President concerning the various factors and causes that play a role in inciting, worsening or prolonging conflicts in Africa and, in particular, the factors and causes that have been highlighted and addressed by the Council. The Council also notes that, especially in the context of Africa, implementation of effective security sector reform programmes, strengthening of human rights and the rule of law, protection of civilians, ensuring accountability, meaningful progress in sustainable economic development and poverty eradication, support for elections and the building of democratic institutions and effective control of small arms, *inter alia*, have become important elements of conflict prevention.

The Council also recognizes the increased material, human and financial resources required by peacekeeping operations over the last decade. Accordingly, the Council acknowledges the potential benefits and efficiencies that could be achieved through an integrated approach to preventive diplomacy efforts similar to the approach to peacekeeping and peacebuilding methods, which underscores the interrelationship between political, security, development, human rights and rule of law activities.

The Council encourages the development of peaceful settlement of local disputes through regional arrangements in accordance with Chapter VIII of the Charter and reiterates its support for the efforts of regional and subregional organizations, in particular the African Union, the Economic Community of West African States, the Southern African Development Community, the East African Community, the Intergovernmental Authority on Development and the Economic Community of Central African States, as regards conflict prevention. The Council acknowledges the need for closer and more operational cooperation between the United Nations and regional and subregional organizations in Africa to build national and regional capacities in relation to the preventive diplomacy tools of mediation, information-gathering and analysis, early warning, prevention and peacemaking, and in this context the Council recognizes the important role that regional United Nations offices, such as the United Nations Office for West Africa, can play and stresses the valuable contribution of mediation capacities such as the Council of Elders, the Panel of the Wise and the good offices of the Secretary-General and his special envoys, and of regional and subregional organizations, to ensuring the coherence, synergy and collective effectiveness of their efforts.

The Security Council underlines the importance of continually engaging the potential and existing capacities and capabilities of the United Nations Secretariat,

regional and subregional organizations as well as national Governments in preventive diplomacy efforts, including mediation, and welcomes the promotion of regional approaches to the peaceful settlement of disputes.

The Council further reiterates its support for the work of the Peacebuilding Commission and recognizes the need for greater coordination with the Commission. The Council further recognizes the need for greater coherence with all relevant United Nations entities in relation to the most effective use of preventive diplomacy tools at their disposal. The Council recognizes the important role of the United Nations Integrated Peacebuilding Offices in supporting national efforts to prevent conflicts and in addressing cross-border threats. The Council also recognizes the value that the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa continues to add to the process of embedding preventive diplomacy practices into the conflict management architecture of the Organization. In this connection, the Council recalls the role of the Special Adviser to the Secretary-General on the Prevention of Genocide in matters relating to the prevention and resolution of conflict. The Council emphasizes the need for the full engagement of all relevant actors, including civil society, to sustain the momentum and perspective for a meaningful preventive diplomacy framework.

The Council recognizes the importance of enhancing efforts, including coordination among relevant bilateral and multilateral donors, to ensure predictable, coherent and timely financial support to optimize the use of preventive diplomacy tools, including mediation, throughout the conflict cycle.

The Council requests the Secretary-General to submit, within twelve months of the adoption of the present statement, a report containing recommendations on how best to optimize the use of preventive diplomacy tools within the United Nations system and in cooperation with regional and subregional organizations and other actors.

Security Council consideration (September).

On 23 September [S/PV.6389], the Security Council held an open debate on ensuring the Council's effective role in maintaining international peace and security. It had before it a concept paper submitted by Turkey [S/2010/461]. The Secretary-General said that the Council and the UN Secretariat should move beyond the idea of a clear-cut sequence of peacemaking, peacekeeping and peacebuilding. Those tools should be deployed in an integrated fashion, not kept in separate silos. There was no quick fix for broken societies. The task demanded patience, resources and a long-term commitment. The UN core business needed to be helping people to solve their conflicts, not just serving as a band-aid to keep troubles in check. There was a need to further develop the peacebuilding architecture, empower the Peacebuilding Commission and Fund, and promote greater coherence among the many pieces of the UN system that made up the peacebuilding picture. There was also a need to expand

the work on prevention, in particular to improve the ability to read warning signs and trigger early action. The meeting was also addressed by Premier Wen Jiabao of China, President Yoweri Kaguta Museveni of Uganda, President Heinz Fischer of Austria, President Goodluck Ebele Jonathan of Nigeria, Chairman of the Presidency of Bosnia and Herzegovina Haris Silajdžić, President Ali Bongo Ondimba of Gabon, President Michel Sleiman of Lebanon, Prime Minister Naoto Kan of Japan, President Abdullah Gül of Turkey, as well as the Foreign Ministers of the Russian Federation, Brazil, the United Kingdom, Mexico and France, and the Secretary of State of the United States.

SECURITY COUNCIL ACTION

On 23 September [meeting 6389], following consultations among Security Council members, the President made statement **S/PRST/2010/18** on behalf of the Council:

The Security Council reaffirms its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security. The Council, in this regard, recalls its resolutions and the statements by its President in relation to preventive diplomacy, peacemaking, peacekeeping and peacebuilding.

The Council recognizes the progress made in many regions of the world towards building a more peaceful and stable environment. The Council, however, acknowledges the evolving challenges and threats to international peace and security, including armed conflicts, terrorism, the proliferation of weapons of mass destruction and small arms and light weapons, transnational organized crime, piracy, and drug and human trafficking.

The Council thus reaffirms that international peace and security now requires a more comprehensive and concerted approach. The Council also underlines the necessity to address the root causes of conflicts, taking into account that development, peace and security and human rights are interlinked and mutually reinforcing. To this end, the Council expresses its firm commitment to contribute to the enhancement of the effectiveness of the United Nations throughout the conflict cycle.

The Council welcomes the considerable progress made in refining and strengthening the United Nations preventive diplomacy, peacemaking, peacekeeping and peacebuilding capabilities in recent years, and pledges to continue to contribute to the adaptation of these tools to changing circumstances. The Council also underlines that the relationship between these tools is not always sequential and that it is necessary to use them in a comprehensive, integrated and flexible manner.

The Council stresses that the comprehensive and coherent use of preventive diplomacy, peacemaking, peacekeeping and peacebuilding tools is important in creating the conditions for sustainable peace. The Council undertakes to provide the necessary political support to ensure this overarching objective.

The Council also reiterates its strong support for the protection of civilians and reaffirms its conviction that

the protection of civilians in armed conflicts, particularly women and children, should be an important aspect of any comprehensive strategy to resolve conflicts. The Council further reiterates its opposition to impunity for serious violations of international humanitarian law and human rights law.

The Council calls upon Member States to resolve differences peacefully and draws particular attention to the importance of preventive diplomacy as a cost-effective and efficient way of crisis management and conflict resolution. The Council encourages and reaffirms its support for endeavours aimed at enhancing the preventive capacities of the Member States, the United Nations, and regional and subregional organizations. The Council stresses, in particular, the importance of developing early warning, assessment, mediation and response capabilities of these actors, as well as ensuring a sound coordination among them.

The Council pays tribute to the efforts undertaken by the Secretary-General in using his good offices, his Representatives, Special Envoys and mediators, as well as by regional and subregional organizations to help to facilitate durable and comprehensive settlements, and undertakes to continue to support their work.

The Council further commits to following closely existing and potential conflict situations that may affect international peace and security, engaging with parties undertaking preventive efforts, encouraging the steps taken to de-escalate tension and build confidence, and supporting efforts aimed at mobilizing the necessary expertise and capabilities available in and to the United Nations. The Council also recognizes the importance of enhancing efforts, including coordination among bilateral and multilateral donors, to ensure predictable, coherent and timely financial support to optimize the use of preventive diplomacy tools.

The Council underscores its commitment to continue to enhance the overall effectiveness of United Nations peacekeeping. In this regard, the Council reiterates its support to ongoing efforts, such as those of the General Assembly and the Secretariat, to bolster the effectiveness and efficiency of United Nations peacekeeping and to upgrade the United Nations capacity for successful planning, establishment, deployment, conduct, monitoring and evaluation, as well as transition and completion of peacekeeping operations, including those steps taken to speed the deployment of experts in policing and rule of law. The Council, in this regard, welcomes efforts by the Secretariat to advocate the development of partnerships among all stakeholders.

The Council recognizes that peacekeeping operations have become an increasingly complex undertaking, requiring an overarching political strategy for each mission, a deterrent posture consistent with their mandate, strong civilian and military leadership, adequate resourcing, as well as experienced, trained and equipped military, police and civilian personnel, with the ability to communicate effectively with local populations. The Council also acknowledges the need for improved military expertise and expresses in that context its intention to continue to look into the role of the Military Staff Committee.

The Council pays tribute to the invaluable role played by the troop- and police-contributing countries in keep-

ing and building a sustainable peace in many volatile parts of the world and reiterates its commitment to strengthen consultations with them, while encouraging Member States with the necessary capabilities to contribute more police, military and civilian personnel, including female personnel, to United Nations peacekeeping and political missions.

The Council emphasizes that effective peacebuilding requires an integrated and comprehensive approach based on coherence among political, security, development, human rights, humanitarian and rule of law objectives and that peacebuilding perspectives need to be considered starting from the first stages of planning and implementation of peacekeeping operations.

The Council underlines that sustainable peacebuilding also requires national ownership, the development of national capacities and the empowerment of people affected by conflict. The Council stresses the need for continued progress by the Secretary-General in fulfilling his agenda for action to improve United Nations peacebuilding efforts in order to better respond to the core needs and priorities identified by the countries concerned. The Council looks forward, in particular, to the outcome of the civilian capacity review.

The Council also stresses the importance of progress in refining roles and responsibilities for the key peacebuilding actors, and welcomes, in particular, the important role of the Peacebuilding Commission in promoting and supporting an integrated and coherent approach to peacebuilding. The Council reiterates its support for the work of the Commission and expresses its willingness to make greater use of its advisory role. The Council looks forward to considering the facilitators' report on the 2010 review of the Commission.

The Council recognizes that a comprehensive and integrated strategy for peacemaking, peacekeeping and peacebuilding should involve all relevant actors, taking into account the unique circumstances of each conflict situation. The Council further acknowledges that sustainable peace and security can best be achieved through effective collaboration among all concerned parties on the basis of their expertise.

The Council reiterates its commitment to strengthening its strategic partnerships with and support to regional and subregional organizations, consistent with Chapter VIII of the Charter, in conflict prevention, peacemaking, peacekeeping and peacebuilding. The Council also underlines that it should continue to strengthen its partnerships with all other relevant players both at the strategic level and on the ground, in particular the General Assembly, the Economic and Social Council, the Peacebuilding Commission, international financial institutions, such as the World Bank, and civil society.

The Council also reaffirms the important role of women in all aspects of the prevention and resolution of conflicts, as well as in peacekeeping and peacebuilding, and recognizes that a concerted and determined approach that addresses the root causes of conflicts also requires a systematic and comprehensive approach to women and peace and security issues. The Council, in this regard, looks forward to marking the 10th anniversary of resolution 1325(2000) by taking action on a

comprehensive set of indicators on the basis of recommendations of the Secretary-General.

The Council is fully aware of the responsibilities bestowed upon it by the Charter, and of the collective aspirations of the peoples of the world, which impel it to take effective action to maintain international peace and security and eradicate the scourge of war. The Council expresses its commitment to continue to fulfil its responsibilities in the most effective manner and in full cooperation with its partners. It further recognizes that successful accomplishment of this task requires a continuous process of reflection and adaptation of its practices in preventive diplomacy, peacemaking, peacekeeping and peacebuilding.

United Nations and regional organizations

Security Council consideration (January).

On 13 January [S/PV.6257], the Council held an open debate on cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security. The Council had before it a concept paper submitted by China [S/2010/9]. Prior to addressing the topic, the Council President and the Secretary-General expressed their grief at the devastating earthquake that had occurred in Haiti the day before. Turning to the topic, the Secretary-General said that hardly a crisis confronted the world community that did not require actors to cooperate at multiple levels—local, national, regional and global—in the search for solutions. That was why the relationship between the United Nations and regional organizations was so important. In Africa, the United Nations was cooperating closely with the African Union (AU) and the subregional economic communities; in Europe, the United Nations would continue to develop its wide-ranging relationship with the EU and with such partners as the Organization for Security and Cooperation in Europe in the Balkans and elsewhere. In the Americas, the United Nations had a strong history of cooperation with regional and subregional bodies on Haiti and Honduras, and more recently on climate change and in combating organized crime. In the Middle East, Asia and the Pacific, the United Nations was working with regional bodies on issues as varied as Afghanistan, Iraq, Fiji, disaster relief and drug trafficking, and on building up the capacities of such regional partners as the League of Arab States and the Organization of the Islamic Conference. Improvement was needed in areas such as coordination and communication among respective intergovernmental bodies and secretariats, and better clarity in mediation arrangements. Peacekeeping deployments needed to strike the right balance between flexibility and efficiency, and increased cooperation on peacebuilding was recommended. Success would be measured not in terms of process or mechanisms,

but in real improvements in the lives of those most in need. Representatives of 11 regional and subregional organizations, as well as 14 Council members, addressed the meeting.

SECURITY COUNCIL ACTION

On 13 January [meeting 6257], following consultations among Security Council members, the President made statement **S/PRST/2010/1** on behalf of the Council.

The Security Council recalls its previous relevant resolutions and the statements by its President which underscore the importance of developing effective partnerships between the United Nations and regional and subregional organizations, in accordance with the Charter of the United Nations and the relevant statutes of the regional and subregional organizations.

The Council recalls the purposes and principles of the Charter, reiterates its primary responsibility under the Charter for the maintenance of international peace and security, and further recalls that cooperation with regional and subregional organizations in matters relating to the maintenance of international peace and security, consistent with Chapter VIII of the Charter, can improve collective security.

The Council expresses its intention to consider further steps to promote closer and more operational cooperation between the United Nations and regional and subregional organizations in the fields of conflict early warning, prevention, peacemaking, peacekeeping and peacebuilding, and to ensure the coherence, synergy and collective effectiveness of their efforts. In this regard, it welcomes the strong cooperation initiatives already existing between the United Nations and regional organizations.

The Council commends the ongoing efforts and contributions made by the Secretariat to consolidate partnerships with regional and subregional organizations and welcomes the convening of the Secretary-General's retreat with heads of regional and other organizations on 11 and 12 January 2010. The Council expresses its intention to hold informal interactive dialogues with regional and subregional organizations in the future.

The Council reaffirms its commitment to the peaceful settlement of disputes, acknowledges the important contribution of regional and subregional organizations to the peaceful settlement of local disputes and preventive diplomacy, as they are well positioned to understand the root causes of many conflicts and other security challenges. The Council underlines the importance of utilizing the existing and potential capabilities of regional and subregional organizations in this regard, including by encouraging countries in the region to resolve differences peacefully through dialogue, reconciliation, consultation, negotiation, good offices, mediation and judicial settlement of disputes. The Council is resolved to strengthen United Nations support for the peaceful settlement of disputes through improved interaction and cooperation with regional and subregional organizations.

The Council invites the Secretariat and all regional and subregional organizations that have a capacity for peacekeeping to enhance their working relations and to further explore how their collaboration could better contribute to the fulfilment of United Nations mandates and goals, so as to ensure a coherent framework for peacekeeping. The Council underlines the importance of regional and subregional organizations enhancing their peacekeeping capabilities and the value of international support to their efforts, in particular to the African Union, in terms of the 2006 United Nations-African Union Ten-Year Capacity-Building Programme for the African Union.

The Council recognizes the role that regional and subregional organizations can play in post-conflict peacebuilding, recovery, reconstruction and development processes and affirms the importance of interaction and cooperation between the Peacebuilding Commission and regional and subregional organizations. The Council encourages the Commission to continue to work in close consultation with regional and subregional organizations, with a view to ensuring more consistent and integrated strategies for post-conflict peacebuilding and recovery.

The Council recognizes the need for close cooperation with regional and subregional organizations, as appropriate, for the coherent and effective implementation of its resolutions, including those on thematic issues applicable to a wide range of conflict situations.

The Council encourages the Secretariat and regional and subregional organizations to further explore information-sharing on their respective capabilities and lessons learned in maintaining international peace and security and to continue to compile best practices, in particular in the field of mediation, good offices and peacekeeping. The Council also encourages the strengthening of cooperation and dialogue among regional and subregional organizations in this regard.

Security Council consideration (May). At the Council meeting of 4 May [S/PV.6306] on cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security, the High Representative for Foreign Affairs and Security Policy of the European Union, Catherine Ashton, briefed the Council on the EU commitment to an active partnership with the United Nations in promoting peace, protecting the vulnerable and helping people to live in safety and dignity. Council members welcomed the EU contributions to capacity-building in Africa and expressed their support for the cooperation between the United Nations and regional and subregional entities. They welcomed the EU support for the efforts of the United Nations in maintaining international peace and security, since the two organizations shared common goals and principles, such as the promotion of human rights, the rule of law, and development.

Security Council consideration (October). On 22 October [S/PV.6409], the Council held an open

debate on peace and security in Africa. By statement **S/PRST/2010/21** (see p. 113), the Council stressed the need for enhancing regular interaction, coordination and consultation between the United Nations and the AU on matters of mutual interest.

Intercultural dialogue for peace and security

Security Council consideration (May). On 26 May [S/PV.6322], the Council held an open debate on intercultural dialogue for peace and security. The Council had before it a concept paper [S/2010/248] submitted by Lebanon. The Secretary-General said that intercultural dialogue was crucial in preventing and ending conflicts. It could defuse tensions and keep situations from escalating; promote reconciliation in the aftermath of conflict; and introduce moderate voices into polarized debates. Prime Minister Saad Hariri of Lebanon said that dialogue stemmed from recognition of identities and respect for religious and cultural diversity. At the same time, those values must not be expressed in hostility towards others, leading to the drawing of religious and cultural borders. Fourteen Council members addressed the debate.

Conflict prevention

The General Assembly, by **decision 64/563** of 13 September, deferred consideration of the item entitled "Prevention of armed conflict" and included it in the draft agenda of its sixty-fifth (2010) session. On 24 December, the Assembly, by **decision 65/544**, decided that the item would remain for consideration during its resumed sixty-fifth (2011) session.

Conflict diamonds

Kimberley Process. The Kimberley Process [YUN 2000, p. 76], at its eighth annual session (Jerusalem, 1–4 November) continued its work relating to the Kimberley Process Certification Scheme (KPCS), which was established in 2003 [YUN 2003, p. 55] to stop the trade in conflict diamonds from fuelling armed conflict, protect the legitimate diamond industry and ensure implementation of UN resolutions on trade in conflict diamonds. As at 4 November, KPCS had 49 members, including the 27 members of the EU, which participated as a single entity represented by the European Commission, thus representing 75 countries. In accordance with General Assembly resolution 64/109 [YUN 2009, p. 40], Israel, on 8 December, transmitted to the Secretary-General the 2010 Kimberley Process report [A/65/607] in its capacity as Chair of KPCS.

According to the report, since the inception of KPCS there had been a dramatic improvement in the secu-

rity situation in several diamond-producing countries to which the Process contributed significantly, notably in Angola, the Democratic Republic of the Congo (DRC), Liberia and Sierra Leone and some of their neighbouring countries. The only current case of conflict diamonds was in Côte d'Ivoire. Trade in Ivorian diamonds was prohibited by the Process rules and by a Security Council embargo. The Kimberley Process welcomed the application by Swaziland to become a participant and decided that its application would be considered as accepted without further plenary approval, once the Participation Committee had verified and approved Swaziland's final implementation of the Process's minimum requirements in its domestic system. The Participation Committee expressed its concern regarding non-compliance with the KPCS minimum requirements by Venezuela and Lebanon and called on those countries to comply with their commitments to the KPCS.

During the first half of 2010, the Kimberley Process Monitor to Marange (Zimbabwe) conducted two visits to the region, followed in August by a review mission led by Liberia and consisting of Australia, Ghana, India, Namibia, South Africa, the United States, the World Diamond Council, Global Witness and Green Advocates, in order to assess the overall compliance of Zimbabwe with KPCS minimum standards with regard to diamonds mined in the Marange region. As at December, the findings of the review team and its implications for Zimbabwe's request to restore unsupervised diamond exports under the Process were still being discussed.

Statistics formed an integral part of monitoring, and participants were required to submit statistics on a quarterly basis. As at 4 November, three participants (Malaysia, New Zealand, Venezuela) had not complied with all of the KPCS statistical requirements. As at December, the members of the Working Group on Statistics had completed 48 country analyses for 2009, with the remaining one (United States) yet to be completed.

Through the Working Group of Diamond Experts, the Process continued its work of footprinting diamonds from Guinea, Liberia and Sierra Leone in order to bolster the capacity of the West African Kimberley Process authorities to address potential contamination of their own productions by sanctioned Ivorian diamonds. The scientific Sub-Group on Characterization and Identification of Rough Diamonds of the Working Group of Diamond Experts was conducting preparatory work and scientific research on origin determination of sanctioned diamonds from Côte d'Ivoire as mandated by Security Council resolution 1893(2009) [YUN 2009, p. 186]; however, no diamond exports for scientific research under the exemption regime had been realized.

Being voluntary, the capacity of the Kimberley Process to withstand future challenges rested upon the goodwill and scope of commitment by participating Governments to apply the KPCS minimum standards, said the report. The rights and labour standards of alluvial artisanal diamond miners remained a challenge. The absence of organized structure for those miners posed a challenge to the Kimberley Process, as the miners were largely unregistered and operated in conditions that made them vulnerable to buyers. A further issue of concern was the gradual increase of cross-border online sales of diamonds, which had proved increasingly difficult to monitor. As for its next session, the DRC, the Vice-Chair for 2010, would succeed Israel as Kimberley Process Chair, with effect from 1 January 2011, and the position of the Vice-Chair would be decided by Kimberley Process participants according to the internal procedures.

(For information on the Security Council Committee established pursuant to resolution 1572(2004), which monitored the embargo on the import of rough diamonds from Côte d'Ivoire, and its Expert Group, see p. 195.)

GENERAL ASSEMBLY ACTION

On 16 December [meeting 68], the General Assembly adopted **resolution 65/137** [draft: A/65/L.52 & Add.1] without vote [agenda item 32].

The role of diamonds in fuelling conflict: breaking the link between the illicit transaction of rough diamonds and armed conflict as a contribution to prevention and settlement of conflicts

The General Assembly,

Recognizing that the trade in conflict diamonds continues to be a matter of serious international concern, which can be directly linked to the fuelling of armed conflict, the activities of rebel movements aimed at undermining or overthrowing legitimate Governments and the illicit traffic in and proliferation of armaments, especially small arms and light weapons,

Recognizing also the devastating impact of conflicts fuelled by the trade in conflict diamonds on the peace, safety and security of people in affected countries, and the systematic and gross human rights violations that have been perpetrated in such conflicts,

Noting the negative impact of such conflicts on regional stability and the obligations placed upon States by the Charter of the United Nations regarding the maintenance of international peace and security,

Recognizing that continued action to curb the trade in conflict diamonds is imperative,

Noting with appreciation that the Kimberley Process, as an international initiative led by the Governments of participant States, has pursued its deliberations on an inclusive basis involving concerned stakeholders, including producing, exporting and importing States, the diamond industry and civil society, as well as applicant States and international organizations,

Recalling that the elimination of conflict diamonds from legitimate trade is the primary objective of the Kimberley Process, and stressing the need to continue its activities in order to achieve this objective,

Calling for the consistent implementation of commitments made by Kimberley Process participant States,

Acknowledging that the diamond sector is an important catalyst for promoting economic and social development, which are necessary for poverty reduction and meeting the requirements of the Millennium Development Goals in many producing countries, particularly in developing countries,

Bearing in mind the positive benefits of the legitimate diamond trade to producing countries, and underlining the need for continued international action to prevent the problem of conflict diamonds from negatively affecting the trade in legitimate diamonds, which makes a critical contribution to the economies of the producing, exporting and importing States,

Noting that the vast majority of rough diamonds produced in the world are from legitimate sources,

Recalling the Charter and all the relevant resolutions of the Security Council related to conflict diamonds, and determined to contribute to and support the implementation of the measures provided for in those resolutions,

Recalling also Security Council resolution 1459(2003) of 28 January 2003, in which the Council strongly supported the Kimberley Process Certification Scheme as a valuable contribution against trafficking in conflict diamonds,

Welcoming the important contribution of the Kimberley Process, which was initiated by African diamond-producing countries,

Noting with satisfaction that the implementation of the Kimberley Process Certification Scheme continues to have a positive impact in reducing the opportunity for conflict diamonds to play a role in fuelling armed conflict and would help to protect legitimate trade and ensure the effective implementation of the relevant resolutions on trade in conflict diamonds,

Acknowledging that lessons learned from the Kimberley Process may be useful for the work of the Peacebuilding Commission in its consideration of the countries included in its agenda, as appropriate,

Recalling its resolutions 55/56 of 1 December 2000, 56/263 of 13 March 2002, 57/302 of 15 April 2003, 58/290 of 14 April 2004, 59/144 of 15 December 2004, 60/182 of 20 December 2005, 61/28 of 4 December 2006, 62/11 of 26 November 2007, 63/134 of 11 December 2008 and 64/109 of 11 December 2009, in which it called for the development and implementation as well as a periodic review of proposals for a simple, effective and pragmatic international certification scheme for rough diamonds,

Welcoming, in this regard, the implementation of the Kimberley Process Certification Scheme in such a way as not to impede the legitimate trade in diamonds or impose an undue burden on Governments or industry, particularly smaller producers, nor hinder the development of the diamond industry,

Welcoming also the decision of forty-nine Kimberley Process Participants, representing seventy-five countries, including the twenty-seven members of the European Union represented by the European Commission, to address the problem of conflict diamonds by participating

in the Process and implementing the Kimberley Process Certification Scheme,

Noting the outcomes of the plenary meeting of the Kimberley Process hosted by Israel from 1 to 4 November 2010,

Welcoming the important contribution to fulfilling the purposes of the Kimberley Process that has been made and continues to be made by civil society organizations from across participant countries, and the diamond industry, in particular the World Diamond Council, which represents all aspects of the diamond industry in the Kimberley Process, to assist international efforts to stop the trade in conflict diamonds,

Welcoming also the voluntary self-regulation initiatives for the diamond industry announced by the World Diamond Council, and recognizing that a system of such voluntary self-regulation contributes, as described in the Interlaken Declaration of 5 November 2002 on the Kimberley Process Certification Scheme for Rough Diamonds, to ensuring the effectiveness of national systems of internal control for rough diamonds,

Recognizing that State sovereignty should be fully respected and that the principles of equality, mutual benefits and consensus should be adhered to,

Recognizing also that the Kimberley Process Certification Scheme, which came into effect on 1 January 2003, will be credible only if all Participants have requisite national legislation coupled with effective and credible internal systems of control designed to eliminate the presence of conflict diamonds in the chain of producing, exporting and importing rough diamonds within their own territories, while taking into account that differences in production methods and trading practices, as well as differences in institutional controls thereof, may require different approaches to meeting minimum standards,

Welcoming the efforts to improve the normative framework of the Kimberley Process through the elaboration of new rules and procedural norms to regulate the activities of its working bodies, Participants and observers and the streamlining of the procedures for preparation and adoption of the decisions and documents of the Kimberley Process, thereby enhancing the effectiveness of the Kimberley Process Certification Scheme,

1. *Reaffirms its strong and continuing support* for the Kimberley Process Certification Scheme and the Kimberley Process as a whole;

2. *Recognizes* that the Kimberley Process Certification Scheme can help to ensure the effective implementation of relevant resolutions of the Security Council containing sanctions on the trade in conflict diamonds and act as a mechanism for the prevention of future conflicts, and calls for the full implementation of existing Council measures targeting the illicit trade in rough diamonds, particularly conflict diamonds which play a role in fuelling conflict;

3. *Welcomes* the conditional admission of Swaziland to the Kimberley Process;

4. *Recognizes* the important contributions that the international efforts to address the problem of conflict diamonds, including the Kimberley Process Certification Scheme, have made to the settlement of conflicts and the consolidation of peace in Angola, Liberia and Sierra Leone;

5. *Notes* the efforts to further strengthen implementation of the minimum requirements of the Kimberley Pro-

cess, to review the implementation of import confirmation requirements and to examine the application of Kimberley Process Certification Scheme requirements in cross-border Internet sales;

6. *Also notes* the decision of the General Council of the World Trade Organization of 15 May 2003 granting a waiver with respect to the measures taken to implement the Kimberley Process Certification Scheme, effective from 1 January 2003 to 31 December 2006, and the decision of the General Council of 17 November 2006 granting an extension of the waiver until 31 December 2012;

7. *Takes note* of the report of the Chair of the Kimberley Process submitted pursuant to General Assembly resolution 64/109, and congratulates the participating Governments, the regional economic integration organization, the diamond industry and civil society organizations involved in the Process for contributing to the development, implementation and monitoring of the Kimberley Process Certification Scheme;

8. *Acknowledges* the progress made by Kimberley Process working groups, Participants and observers during 2010 in fulfilling the objectives set by the Chair to strengthen implementation of the peer review system, increase the transparency and accuracy of statistics, promote research into the traceability of diamonds, promote inclusiveness by broadening the level of involvement by Governments, industry and civil society in the Kimberley Process Certification Scheme, foster a sense of ownership by Participants, improve information and communication flows and enhance the capacity of the Certification Scheme to respond to emerging challenges;

9. *Notes* that the annual reporting process on Kimberley Process Certification Scheme implementation is the main comprehensive and regular source of information on the implementation provided by Participants, and calls upon Participants to submit consistent and substantive annual reports in order to conform to this requirement;

10. *Expresses appreciation* to Bangladesh, Belarus and India for receiving review visits, and welcomes the commitment of those countries to continuously open their certification systems to reviews and improvements;

11. *Acknowledges* the efforts of the Kimberley Process to strengthen implementation and enforcement, and in particular to ensure coordination of Kimberley Process actions in relation to the occurrence of fraudulent certificates, to apply vigilance and ensure the detection and reporting of shipments of suspicious origin and to facilitate the exchange of information in cases of infringement;

12. *Stresses* that the widest possible participation in the Kimberley Process Certification Scheme is essential, and encourages all Member States to contribute to the work of the Kimberley Process by seeking membership, participating actively in the Certification Scheme and complying with its undertakings, and welcomes the increased involvement of civil society organizations in the Process;

13. *Calls upon* the Participants of the Kimberley Process to continue to articulate and improve rules and procedures to further enhance the effectiveness of the Kimberley Process Certification Scheme, and notes with satisfaction the systematization of the work of the Process with respect to developing transparent and uniform rules and proce-

dures and improving the mechanism for consultations and coordination within the Process;

14. *Notes with appreciation* the willingness of the Kimberley Process to support and provide technical assistance to those Participants experiencing temporary difficulties in complying with the requirements of the Kimberley Process Certification Scheme;

15. *Also notes with appreciation* the continued cooperation of the Kimberley Process with the United Nations on the issue of diamonds from Côte d'Ivoire, in accordance with the administrative decision on sharing information with the United Nations, and the continued monitoring of the situation in that country on the basis of the reports of the United Nations Group of Experts on Côte d'Ivoire, originally established by the Security Council in its resolution 1584(2005) of 1 February 2005, and through liaison with Côte d'Ivoire, and encourages the continued cooperation between the Kimberley Process and the United Nations in addressing the issue of diamonds from Côte d'Ivoire, with the ultimate objective of meeting the preconditions for the lifting of United Nations sanctions on the trade in rough diamonds from Côte d'Ivoire;

16. *Encourages* the continued efforts of the Kimberley Process to strengthen implementation of the Kimberley Process Certification Scheme in West Africa, welcomes Guinea's efforts in this regard and Liberia's actions to respond to the continuing challenges to such implementation, and calls upon Member States that are Kimberley Process Participants to consider supporting Kimberley Process Certification Scheme implementation in West Africa;

17. *Acknowledges with appreciation* the adoption of the initiatives submitted by the Chair of the Kimberley Process concerning the cooperation of the Kimberley Process with the World Customs Organization, the establishment of the Sub-Working Group on Trade Facilitation and the establishment of the ad hoc committee for exploring the modalities of enhancing the efficiency of the Kimberley Process, with a view to providing administrative support for its activities;

18. *Acknowledges* the adoption by the plenary of the Kimberley Process of four additional administrative decisions, including on terms of reference for the Chair and the Vice-Chair of the Kimberley Process, procedures for the preparation and adoption of documents/decisions in the Kimberley Process, procedures for respecting confidentiality within the Kimberley Process, and the use of Kimberley Process certificates-based data;

19. *Notes with appreciation* the significant attention and effort devoted by the Kimberley Process to improving efforts related to enforcement, which led to the convening of an enforcement seminar, held on 24 June 2010 in Tel Aviv, Israel, and issuance of a corresponding report entitled "Diamonds without Borders: An Assessment of the Challenges of Implementing and Enforcing the Kimberley Process Certification Scheme", also notes with appreciation the active involvement of the World Customs Organization in the seminar, and notes that the cooperation between the Kimberley Process and the World Customs Organization underscores the need for international cooperation between national and international enforcement organizations;

20. *Notes with satisfaction* the progress of work performed on footprinting diamonds from Guinea, Liberia

and Sierra Leone in order to bolster the capacity of the West African Kimberley Process authorities to address potential contamination of their own production by sanctioned Ivorian diamonds and on updating of the footprint of Marange diamonds from Zimbabwe;

21. *Acknowledges with great appreciation* the important contribution that Israel, as Chair of the Kimberley Process in 2010, has made to the efforts to curb the trade in conflict diamonds, welcomes the selection of the Democratic Republic of the Congo as Chair, and takes note that the Process has decided to take the decision on the Vice-Chair for 2011 by written procedure;

22. *Requests* the Chair of the Kimberley Process to submit to the General Assembly at its sixty-sixth session a report on the implementation of the Process;

23. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "The role of diamonds in fuelling conflict".

Peacemaking and peacebuilding

Post-conflict peacebuilding

Security Council consideration (April). On 16 April [S/PV.6299], the Council held an open debate on post-conflict peacebuilding. It had before it a concept paper submitted by Japan [S/2010/167]. The Secretary-General, in his address to the Council, stated that three objectives of peacebuilding were to deliver peace dividends to conflict-affected people; to build State capacity; and to adopt a comprehensive approach that took into account political, security and social dimensions. The Chairperson of the Peacebuilding Commission, Peter Wittig (Germany), stated that the Commission would continue to explore measures to deepen UN collaboration with the main actors at the country level and monitor progress towards the attainment of critical peacebuilding objectives. Forty-seven speakers addressed the ensuing debate.

SECURITY COUNCIL ACTION

On 16 April [meeting 6299], following consultations among Security Council members, the President made statement **S/PRST/2010/7** on behalf of the Council:

The Security Council recalls the statements by its President, and emphasizes the critical importance of post-conflict peacebuilding as the foundation for building sustainable peace and development in the aftermath of conflict. The Council highlights the need for effective peacebuilding strategies to ensure durable peace and development.

The Council recognizes that sustainable peacebuilding requires an integrated approach, which strengthens coherence between political, security, development, human rights and rule of law activities. The Council recognizes the important role that the United Nations can play in supporting national authorities in the development of peacebuilding strategies that incrementally and

comprehensively address priority needs. The Council encourages international partners to align their support behind these strategies at the international, regional, national and local levels.

The Council reaffirms the importance of national ownership and the development of national capacity, and underscores that peacebuilding strategies should be considered in a country-specific context. In this regard, the Council recognizes the need for national authorities to take responsibility as soon as possible for reconstituting the institutions and functions of government, with a view to addressing all key peacebuilding needs. The Council emphasizes that support for democratic, transparent and accountable governance is essential in order to achieve durable peace.

The Council highlights the importance of the peaceful settlement of political disputes in a post-conflict State and addressing the sources of violent conflict as essential elements for achieving sustainable peace. The Council recognizes the importance of advancing the peace process and peaceful co-existence through inclusive dialogue, reconciliation and reintegration. The Council reaffirms that ending impunity is essential if a society recovering from conflict is to come to terms with past abuses committed against civilians affected by armed conflict and to prevent such abuses in the future. The Council underlines the importance of holding free, fair and transparent elections for sustainable peace.

The Council recognizes security sector reform as essential to the peacebuilding process and affirms that security sector reform should be nationally owned. Effective security sector reform requires developing a professional, effective and accountable security sector, in particular national police and military capacities under the civilian oversight of a democratic Government. The Council highlights the importance of a sector-wide approach for security sector reform, which enhances the rule of law, including through the establishment of independent justice and corrections systems. The Council requests the Secretary-General to include, where appropriate and mandated, in his reports on specific missions an indication of their progress in supporting national authorities towards achieving coordinated and comprehensive international support for nationally owned security sector reform programmes.

The Council recognizes the importance of pursuing political stability and security alongside socio-economic development for the consolidation of peace. The Council stresses the importance of delivering early peace dividends, including the provision of basic services, in order to help to instil confidence and commitment to the peace process. The Council recognizes that the reintegration of refugees, internally displaced persons and former combatants, in coordination with security sector reform and disarmament, demobilization and reintegration, should not be seen in isolation, but should be carried out in the context of a broader search for peace, stability and development, with special emphasis on the revival of economic activities. The Council notes in this regard that high levels of youth unemployment can be a major challenge to sustainable peacebuilding.

While recognizing the importance of developing State capacity, the Council also emphasizes the importance of increased attention and coherent policies for the reconstruction of conflict-affected communities and the empowerment of affected people, in particular vulnerable civilians, such as children, the elderly, refugees and internally displaced persons. The Council takes note of the need for assistance for victims. The Council, in accordance with its resolutions 1325(2000) and 1820(2008), underlines the key role that women and young persons can play in re-establishing the fabric of society, and stresses the need for their involvement in the development and implementation of post-conflict strategies in order to take account of their perspectives and needs.

The Council notes that drug trafficking, organized crime, terrorism, illegal trafficking in arms and trafficking in persons could constitute transnational threats with an impact on the consolidation of peace in countries emerging from conflict, and underlines the importance of increasing international and regional cooperation on the basis of common and shared responsibility to address them effectively.

The Council reiterates the importance of launching peacebuilding assistance at the earliest possible stage. The Council recognizes the critical role of the Peacebuilding Commission in addressing peacebuilding priorities, particularly by marshalling support and resources and improving planning and coordination for peacebuilding efforts. The Council further recognizes the need for greater coordination with the Commission and looks forward to the 2010 review of the Commission and the recommendations on how its role can be enhanced.

The Council recognizes the importance of enhancing coordination among relevant bilateral and multilateral donors to ensure predictable, coherent and timely financial support for post-conflict peacebuilding. The Council underscores that funding mechanisms for addressing immediate post-conflict needs, in particular the Peacebuilding Fund, should play a catalytic role, which should be followed by more substantial, longer-term finance as soon as possible for the recovery and reconstruction efforts. The Council encourages greater synergy between the Peacebuilding Fund and the Peacebuilding Commission.

The Council recognizes the need to broaden and deepen the pool of civilian experts, in particular experts from developing countries and women, to help to develop national capacity, and encourages Member States, the United Nations and other relevant partners to strengthen cooperation and coordination in building such capacities. The Council looks forward to the recommendations of the United Nations civilian capacity review in the report of the Secretary-General, to follow up his report on peacebuilding in the immediate aftermath of conflict.

The Council emphasizes the need for the United Nations system to strengthen strategic partnership with other international, regional and subregional organizations, as well as financial institutions, in particular by promoting coherence and coordination among their

plans and programmes. In this connection, the Council looks forward to further strengthening of the cooperation between the United Nations and the World Bank at both the headquarters and the field levels, and to the Secretary-General including in his follow-up report details of the steps that have been taken in generating more timely, predictable and accountable responses for the key peacebuilding sectors as requested.

Report of Secretary-General. Pursuant to presidential statement S/PRST/2009/23 [YUN 2009, p. 44], the Secretary-General in July issued a progress report [A/64/866-S/2010/386] on peacebuilding in the immediate aftermath of conflict. He noted that peacebuilding was primarily a national challenge and responsibility, but the international community, including the United Nations, had a critical role to play in supporting the national agenda. Progress had been made in leadership, civilian capacity, financing and increasing system-wide coherence, but there was still a long way to go. The strategic and management changes needed at UN Headquarters to enable it to deliver more effectively would take longer than one year to translate into real impact on the ground. In some areas, such as predictability of response and national capacity development, much greater efforts were required with and from international partners. Over the previous year, efforts had been made to better assist in bridging leadership gaps in field missions. Seasoned managers from across the UN system had been deployed more systematically at short notice, for short periods of time, to bridge those gaps. There had been improved support from UN Headquarters to resident coordinators and UN country teams, focusing particularly on countries facing complex political challenges that did not have a resident UN peacekeeping or political mission. The lack of pre-mandate commitment authority and access to predictable and adequate financial resources meant that ad hoc arrangements were needed to conduct complex exercises, as in Guinea-Bissau, the Central African Republic and Nepal, creating obstacles to the smooth and timely establishment of new missions, integration with others and implementation of their mandates. There continued to be a gap in national capacities to ensure a stable transition from conflict to sustainable peace and development: the inability of national and community-level actors to manage or resolve new or recurrent tensions that might spark renewed conflict. The UN had accelerated its work to address that gap, developing guidance and training programmes to reinforce national capacity in conflict management, from natural resources to implementation of peace agreements. The Peacebuilding Commission had strengthened its partnerships with international financial institutions and regional organizations, including practical steps to institutionalize its relationship with the AU.

Security Council consideration (October).

On 13 October, the Council held an open debate [S/PV.6396] on post-conflict peacebuilding in the immediate aftermath of conflict, where the Secretary-General presented his report (see above), noting that the ultimate test was how well the United Nations delivered on the ground and gave people signs of hope, beyond mere words and promises. There was a need for predictable financing. The UN and its national partners required sufficient and timely funding, especially in the middle of a crisis response. Women should be put at the heart of peacebuilding, not only because of their peacebuilding needs, but above all because of their capacities.

SECURITY COUNCIL ACTION

On 13 October [meeting 6396], following consultations among Security Council members, the President made statement **S/PRST/2010/20** on behalf of the Council:

The Security Council recalls the statements by its President on post-conflict peacebuilding, in particular the statements of 22 July 2009 and 16 April 2010, and reaffirms the critical importance of peacebuilding as the foundation for sustainable peace and development in the aftermath of conflict.

The Council welcomes the report of the Secretary-General of 16 July 2010 on progress being made towards implementing the agenda for action to improve the United Nations peacebuilding efforts set out in his report of 11 June 2009, as an important contribution towards a more effective and coherent international response to peacebuilding, and urges the Secretary-General and all relevant actors to intensify work in translating this into improved effectiveness of operations on the ground.

The Council reiterates the importance of national ownership of peacebuilding efforts and priorities. The Council stresses the need for mainstreaming support to national capacity development in all United Nations peacebuilding activities as a system-wide priority, and looks forward to the recommendations of the review of civilian capacity in early 2011.

The Council emphasizes the need for early and predictable support in priority areas of peacebuilding, including reform of the security sector, restoration of the rule of law, respect for human rights, ending impunity, combating the illicit arms trade, drug trafficking and transnational organized crime, voluntary return of refugees and internally displaced persons, supporting peace processes, provision of basic services, restoration of core government functions, management of natural resources, tackling youth unemployment and revitalization of the economy. The Council underscores the vital role of the United Nations in supporting national authorities in developing an early strategy, in close consultation with international partners, to address such priorities, as appropriate.

The Council reiterates its request to the Secretary-General to move forward with efforts to further clarify roles and responsibilities within the United Nations sys-

tem in core peacebuilding areas, strengthen capacities and ensure greater accountability in the delivery of assistance.

The Council welcomes and encourages more coordinated, coherent and integrated peacebuilding efforts, which includes forging stronger partnerships among Member States, regional and subregional organizations, the World Bank and other international financial institutions, other multilateral partners, civil society and the private sector with a focus on delivering greater impact and results on the ground.

The Council reaffirms the critical importance of timely, flexible and predictable funding for peacebuilding, and urges Member States and other partners to increase efforts towards achieving this goal, including through the replenishment of the Peacebuilding Fund and through multi-donor trust funds.

The Council stresses the importance of women's equal participation and full involvement in all efforts for the maintenance and promotion of peace and security, including peacebuilding. The Council reiterates the importance of addressing women's peacebuilding needs and their involvement in the development and implementation of post-conflict strategies. The Council, in this regard, underlines the importance of enhancing the mobilization of resources for initiatives that address women's peacebuilding needs, advance gender equality and empower women in peacebuilding contexts, and encourages Member States and other partners to render their support.

The Council takes note with appreciation of the report of the Secretary-General on women's participation in peacebuilding and looks forward to its consideration, including with the participation of relevant parts of the United Nations system, including the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women).

The Council welcomes the important role of the Peacebuilding Commission in promoting and supporting an integrated and coherent approach to peacebuilding, including women's participation. The Council reiterates its support for the work of the Commission, and expresses its willingness to make greater use of the advisory role of the Commission.

The Council requests the Secretary-General to brief the Council and the General Assembly by 13 October 2011 and to submit a report no later than 13 October 2012 on further progress made in implementing his agenda for action, giving particular emphasis on the impact this has made on the ground, including progress towards increasing the participation of women in peacebuilding, taking into consideration the views of the Peacebuilding Commission.

Disarmament, demobilization and reintegration

Special Committee on Peacekeeping Operations consideration. During its 2010 session [A/64/19], the Special Committee stressed that disarmament, demobilization and reintegration (DDR) programmes were crucial components of peacekeeping opera-

tions, and that their success depended upon the political will and concerted effort of all parties. It was crucial that DDR was firmly established within a political process and that all actors were prepared for a multi-year programme. The Special Committee recognized that DDR was an evolving field and that related programmes should be tailored to specific contexts to ensure consistency with national strategies and address the different needs of female and male ex-combatants and their dependants. It stressed that the civilian reintegration of ex-combatants posed particular challenges, requiring concerted efforts to help jump-start the economy in order to create employment for ex-combatants and the wider community. As a result, the Special Committee requested the Secretary-General to conduct a thorough review within the next year on how the United Nations approached the issue, and to make the appropriate linkages with the wider issues of the return and reintegration of the displaced and economic recovery, ensuring that they were consistent with national priorities.

Rule of law

Special Committee on Peacekeeping Operations consideration. The Special Committee [A/64/19] recognized that creating and sustaining stability in the aftermath of conflict required that the causes of the conflict be addressed and that local rule-of-law capacities be assessed, restored and enhanced from the beginning of a peacekeeping operation. The Special Committee recalled the importance of respect for the rule of law as a vital contribution to building peace and justice and ending impunity. It reiterated the need for greater clarity and specificity in UN peacekeeping mandates on rule-of-law issues and requested that, where mandated, DPKO continue to ensure that rule-of-law and transitional justice were integrated into the planning of peacekeeping operations. The Special Committee recognized the importance of rule-of-law assistance being provided to host countries from the very outset of the establishment of new peacekeeping missions. It reiterated the need to ensure cooperation and coordination among all relevant UN actors, including through the Rule of Law Coordination and Resource Group [YUN 2006, p. 48], in order to ensure a holistic and coherent UN approach.

Other peacebuilding issues

Special Committee on Peacekeeping Operations consideration. The Special Committee [A/64/19] reaffirmed the need for DPKO to plan and conduct UN peacekeeping activities in such a manner as to facilitate post-conflict peacebuilding, the prevention

of recurrence of armed conflicts and progress towards sustainable peace and development. The Special Committee underlined the importance of effective coordination between DPKO, the Department of Political Affairs, the Peacebuilding Support Office, UN funds, programmes and agencies and non-UN partners, particularly at the early stage of UN engagement in post-conflict situations. The Special Committee noted the efforts of the Security Council to improve its practices in order to ensure a successful transition from a peacekeeping operation to other configurations of UN presence. It underlined the need to formulate peacebuilding strategies and programmes that were integrated with host-nation strategies and programmes to ensure national ownership, and recommended that DPKO further explore opportunities for partnerships.

The Special Committee underlined the role of the Peacebuilding Commission in developing integrated peacebuilding strategies and marshalling resources for their implementation, ensuring fulfilment of mutual commitments on the part of stakeholders, enhancing coordination on the ground and promoting dialogue on cross-cutting issues. It recognized the need to support Governments in the delivery of critical recovery and peacebuilding requirements in immediate post-conflict environments.

Peacebuilding Commission

In accordance with Security Council resolutions 1645(2005) and 1646(2005) [YUN 2005, p. 94] and General Assembly resolution 60/180 [ibid.], the Peacebuilding Commission reported [A/65/701-S/2011/41] on its work during its fourth session, reviewing its activities from 1 July 2009 to 31 December 2010.

The fourth session coincided with the mandated five-year review of the UN peacebuilding architecture (see below). The Commission focused its activities on issues that were subsequently highlighted through the review recommendations, including strengthening partnerships with key regional and international actors, mobilizing resources, empowering youth, revitalizing the economy and providing support to political processes in the countries on its agenda—Burundi, Sierra Leone, Guinea-Bissau, the Central African Republic and Liberia, which was placed on the Commission's agenda in September. It was noted that the review should be a wake-up call to strengthen the collective resolve to deal with peacebuilding in a more comprehensive and determined way. The political momentum generated by the review, together with the Secretary-General's reports on peacebuilding in the immediate aftermath of conflict (see p. 53), on women's participation in peacebuilding (see p. 1166) and on the causes of conflict in Africa (see below), as well as the tenth anniversary of the Brahimi Panel report

on United Nations peace operations [YUN 2000, p. 83], had raised expectations of a more central contribution by the Commission to an evolving UN peacebuilding agenda. The Commission would focus on improving its effectiveness by generating better analyses and galvanizing action around critical and country-specific peacebuilding priorities; by improving its advice to the UN principal organs; by rationalizing its resource-mobilization efforts; and by strengthening partnerships with key operational bodies within the UN system, international financial institutions and regional actors. The Commission emphasized the need to reinforce the capacity of the Peacebuilding Support Office to support country configurations and facilitate its interaction with the field.

Review of peacebuilding architecture

On 19 July [A/64/868-S/2010/393], pursuant to General Assembly resolution 60/180 and Security Council resolution 1645(2005), the co-facilitators of the review—Ireland, Mexico and South Africa—presented a report that looked at the mixed experience with the four countries on the Peacebuilding Commission's agenda and brought a number of issues into relief: national ownership and capacity-building; developmental aspects of peacebuilding; the need for coherence and coordination; and the importance of the regional dimension. The report dealt with issues relating to the Commission's Organizational Committee and the potential for distinctive contributions by each of its membership streams. It envisaged a more solid relationship between the Organizational Committee and the country-specific configurations, while allowing for the necessary flexibility. It noted that the main focus of the Organizational Committee should remain on strategic thematic issues; on building partnerships within and outside the United Nations; and on developing mutual accountability frameworks. Regarding the country-specific configurations, the report considered the challenge of how to combine innovation and vibrancy with weight and solidity, and recommended adding a country dimension to the chairing role, so as to buttress the support available to the Chair. It also recommended the establishment of country-specific configuration liaison committees in the field. According to the report, interaction with the Security Council had been limited and fell short of the expectations of 2005. The potential existed, however, to create a new dynamic between a more forthcoming Security Council and a better performing Peacebuilding Commission. The Commission's relationships with the General Assembly and the Economic and Social Council also remained insufficiently developed, and the report recommended steps that might be taken. In that

regard, the report noted that the co-parenting role of the Assembly should be more visible and meaningful. The Economic and Social Council could consider adding peacebuilding themes to its annual session; it could facilitate interaction between the Commission and UN funds and programmes as well as with the specialized agencies; and more regular joint events could be scheduled. For its part, the Commission could take the initiative of regularly updating the Council on aspects of its work. Regarding partnerships, the report noted a growing sense of the importance of strengthening the relationship between the United Nations and the World Bank and suggested a more structured input by the Commission at World Bank headquarters.

SECURITY COUNCIL ACTION

On 29 October [meeting 6414], the Security Council unanimously adopted **resolution 1947(2010)**. The draft [S/2010/557] was prepared in consultations among Council members.

The Security Council,

Recalling its resolution 1645(2005) of 20 December 2005, in particular paragraph 27 thereof,

Reaffirming the importance of the peacebuilding work carried out by the United Nations and the need for sustained support and adequate resources for this work,

Recognizing the role of the Peacebuilding Commission as a dedicated intergovernmental advisory body to address the needs of countries emerging from conflict towards sustainable peace,

1. *Welcomes* the report submitted by the co-facilitators entitled “Review of the United Nations peacebuilding architecture”, which is based on extensive consultations with the United Nations membership and other stakeholders;

2. *Requests* all relevant United Nations actors to take forward, within their mandates and as appropriate, the recommendations of the report, with the aim of further improving the effectiveness of the Peacebuilding Commission;

3. *Recognizes* that the peacebuilding work of the United Nations requires sustained support and adequate resources to meet the challenges;

4. *Requests* the Peacebuilding Commission to reflect in its annual reports progress made in taking forward the relevant recommendations of the report;

5. *Calls for* a further comprehensive review five years after the adoption of the present resolution following the procedure as set out in paragraph 27 of resolution 1645(2005);

6. *Decides* to remain seized of the matter.

GENERAL ASSEMBLY ACTION

On 29 October [meeting 41], the General Assembly adopted **resolution 65/7** [draft: A/65/L.7] without vote [agenda items 13 & 115].

Review of the United Nations peacebuilding architecture

The General Assembly,

Recalling its resolution 60/180 of 20 December 2005, in particular paragraph 27 thereof,

Reaffirming the importance of the peacebuilding work carried out by the United Nations and the need for sustained support and adequate resources for this work,

Recognizing the role of the Peacebuilding Commission as a dedicated intergovernmental advisory body to address the needs of countries emerging from conflict towards sustainable peace,

1. *Welcomes* the report submitted by the co-facilitators entitled “Review of the United Nations peacebuilding architecture”, which is based on extensive consultations with the United Nations membership and other stakeholders;

2. *Requests* all relevant United Nations actors to take forward, within their mandates and as appropriate, the recommendations of the report, with the aim of further improving the effectiveness of the Peacebuilding Commission;

3. *Recognizes* that the peacebuilding work of the United Nations requires sustained support and adequate resources to meet the challenges;

4. *Requests* the Peacebuilding Commission to reflect in its annual reports progress made in taking forward the relevant recommendations of the report;

5. *Calls for* a further comprehensive review five years after the adoption of the present resolution following the procedure set out in paragraph 27 of resolution 60/180;

6. *Decides* to include at its sixty-fifth session, under the agenda item entitled “Report of the Peacebuilding Commission”, a review of progress made in taking forward the relevant recommendations of the report.

(For information on the activities of the Peacebuilding Commission in Burundi, the Central African Republic, Guinea-Bissau, Liberia and Sierra Leone, see PART ONE, Chapter II.)

Organizational Committee

The Peacebuilding Commission’s Organizational Committee held two formal meetings in 2010. At its first meeting on 27 January [PBC/4/OC/SR.1], the Committee elected for one year, beginning 1 January, the Chairperson and two Vice-Chairpersons of the Commission, as well as the Chairpersons of its country-specific configurations on Burundi, the Central African Republic, Guinea-Bissau and Sierra Leone. The Chairperson said that much progress had been made since the Peacebuilding Commission’s creation. In addition to the four countries on the Commission’s agenda, the Peacebuilding Fund was assisting 15 countries through more than 100 projects, with contributions from more than 40 countries. Through the country-specific configurations, the agenda countries had received concrete support even in difficult political circumstances.

At its second meeting on 16 September [PBC/4/OC/SR.2], the Chairperson drew attention to a letter dated 19 July [A/64/870-S/2010/389] from the President of the Security Council to the Chairperson of the Peacebuilding Commission, which conveyed the Council's support for the request from the Liberian Government that Liberia be placed on the agenda of the Peacebuilding Commission. The Chairperson said that on the basis of the Committee's decision to place Liberia on the Commission's agenda, and pursuant to General Assembly resolution 60/180 [YUN 2005, p. 94] and Security Council resolution 1645(2005) [ibid.], as well as the Commission's provisional rules of procedure, he understood that the Committee wished to establish a country-specific configuration on Liberia, with membership consisting, initially, of the members of the Committee, pending further consultations on additional members. The Committee also elected Jordan as Chairperson of the Commission's country-specific configuration on Liberia based upon prior informal consultations, as well as on the content of two letters to the Committee from Liberia and Jordan.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 14 December [meeting 51], the Economic and Social Council adopted **resolution 2010/36** [draft: E/2010/L.42] without vote [agenda item 1].

Membership of the Economic and Social Council in the Organizational Committee of the Peacebuilding Commission

The Economic and Social Council,

Recalling General Assembly resolution 60/180 of 20 December 2005 and Security Council resolution 1645(2005) of 20 December 2005, concurrently establishing the Peacebuilding Commission,

Recalling also, in particular, paragraphs 12 (b), 13 and 17 of General Assembly resolution 60/180 and Security Council resolution 1645(2005), establishing the institutional relationship between the Economic and Social Council and the Peacebuilding Commission,

Recalling further General Assembly resolution 63/145 of 18 December 2008, in which the Assembly, inter alia, invited other bodies with members elected to the Organizational Committee of the Peacebuilding Commission to adjust the term of office of their respective members so that the term of office of all members of the Organizational Committee could start on 1 January instead of 23 June,

Recalling Economic and Social Council resolutions 2006/3 of 8 May 2006 and 2008/38 of 19 December 2008 on the membership of the Council in the Organizational Committee,

Recognizing the important role to be performed by the Commission towards recovery, reintegration and reconstruction in countries emerging from conflict, particularly in Africa,

Recalling that due consideration is to be given to countries that have experienced post-conflict recovery in the composition of the Organizational Committee,

1. *Decides* that the distribution of the seven seats allocated to the Economic and Social Council on the Organizational Committee of the Peacebuilding Commission shall be as follows:

(a) One seat for each of the five regional groups, namely, African States, Asian States, Eastern European States, Latin American and Caribbean States and Western European and other States;

(b) In the election of members of the Council to the Organizational Committee whose term of office shall start on 1 January 2011, the two remaining seats shall be allocated to the regional group of African States;

2. *Also decides* that the established practice of the Council regarding members elected to its subsidiary bodies who are not able to complete their term of office shall apply to members elected to the Organizational Committee by the Council.

General Assembly action. On 22 December, the Assembly, pursuant to its resolutions 60/180 and 63/145 [YUN 2008, p. 56], elected Benin, Brazil, Indonesia, Tunisia and Uruguay as members of the Organizational Committee of the Peacebuilding Commission for a two-year term of office, beginning on 1 January 2011, to fill the vacancies occurring on the expiration of the terms of office of Benin, Chile, South Africa, Thailand and Uruguay (**decision 65/411**).

Security Council action. By a letter of 30 December [S/2010/690], the Security Council informed the Secretary-General that, following informal consultations, the Council had selected Gabon and Colombia as the two elected members of the Council to participate in the Organizational Committee for a one-year term, until the end of 2011.

Peacebuilding Fund

In response to General Assembly resolution 63/282 [YUN 2009, p. 49], the Secretary-General in September submitted the fourth annual report [A/65/353] on the Peacebuilding Fund, established in 2006 [YUN 2006, p. 58] as a mechanism for extending critical support at the early stages of a peace process.

The report reviewed the Fund's operations and activities from 1 July 2009 to 30 June 2010. As at 30 June 2010, the total portfolio of the Fund (including deposits and interest income) had grown to \$357.3 million. With an expanding donor base, which numbered 48, the Fund maintained its position as a global fund with one of the broadest donor bases of any multi-donor trust fund administered by the United Nations, and was acknowledged to be one of the key instruments for providing early support for peacebuilding. During the reporting period, the Fund allocated \$63.51 million in 16 countries on security sector reform; disarmament, demobilization and reintegration; youth employment; national reconciliation; good governance; and rule of law, up from \$43.94 million in 2008/2009. The Fund had 14 recipient UN

organizations in 2009. Following the revision of its terms of reference in 2009 [YUN 2009, p. 49], the Fund had improved efficiency with new management procedures and was shifting its focus to programme quality and better reporting of performance and impact. The goal was to enable the Fund to respond more effectively to the needs and challenges of post-conflict and post-crisis countries, thus preventing the risk of relapse into conflict.

Protection

Responsibility to protect

Report of Secretary-General. In a July report [A/64/864] updating Member States on the responsibility to protect, submitted pursuant to General Assembly resolution 63/308 [YUN 2009, p. 50], the Secretary-General addressed matters that were raised in the annex to his 2009 report [ibid.] and subsequently debated in the General Assembly [ibid.].

He noted that the political dialogue on how best to implement the responsibility to protect was off to a good start, although a number of implementation issues would require a continuing conversation among the Member States, the UN system and civil society organizations. The Secretary-General's Special Adviser on the Prevention of Genocide, Francis M. Deng, and the Special Adviser responsible for the conceptual, political and institutional development of the responsibility to protect, Edward C. Luck, had distinct but closely related responsibilities. Both sets of tasks needed to be pursued with vigour. It was essential to maintain the distinct elements of those two sets of responsibilities and to ensure the close working relationship of the two Special Advisers on the common elements of their activities, for example by employing common methodologies whenever possible. Ways needed to be considered to institutionalize the collaboration between the two Special Advisers, including options for a joint office. If situations of genocide, war crimes, ethnic cleansing or crimes against humanity persisted, and if national authorities were manifestly failing to protect their populations from those crimes, the Secretary-General would ask the Special Advisers to convene an urgent meeting of key Under-Secretaries-General to identify a range of multilateral policy options—whether by the United Nations or by Chapter VIII regional arrangements—for preventing such mass crimes and for protecting populations. The United Nations needed world-class early warning and assessment capacities, as called for by the 2005 World Summit Outcome [YUN 2005, p. 48], in order to ensure that it was not left with a choice between doing nothing and taking ill-informed action. The Secretary-General noted that his strategy for implementing the responsibility to protect

called for an early and flexible response tailored to the circumstances of each case.

Protection of civilians in armed conflict

Security Council consideration (July). On 7 July [S/PV.6354], the Council held an open debate on the protection of civilians in armed conflict. The Secretary-General told the Council that it must broaden its focus to the causes creating the “huge common challenge” of non-combatants remaining targeted around the world. While the conduct of hostilities and their immediate consequences needed to remain a major focus, addressing that alone would mean treating symptoms rather than causes. He drew attention to such root causes as lack of good governance, competition for scarce resources and other factors such as ethnicity. Climate change, desertification and land disputes could be additional drivers of conflict, and a lack of effective security and rule-of-law mechanisms could exacerbate the problems. The Under-Secretary-General for Humanitarian Affairs, John Holmes, and the United Nations High Commissioner for Human Rights, Navanethem Pillay, addressed the day-long debate, along with delegates from 39 countries and the EU.

Report of Secretary-General. Pursuant to Security Council resolution 1894(2009) [YUN 2009, p. 60], the Secretary-General in November submitted a report [S/2010/579] on the protection of civilians in armed conflict, wherein he provided an update on progress made in enhancing compliance by parties to conflict with international law; compliance by non-State armed groups; protection by UN peacekeeping and other missions; humanitarian access; and accountability for violations of the law.

On enhancing compliance with international law, the Secretary-General urged Member States, UN actors and international and non-governmental organizations to support data collection and analysis of the human costs of explosive weapons. That was essential to deepening the understanding of the humanitarian impact of such weapons and to developing policies and practices that would strengthen the implementation of international humanitarian and human rights law. On enhancing compliance by non-State armed groups, a comprehensive approach would involve an increased understanding of the motivations of specific groups and their incentives to comply with international law, as well as strategies for engaging such groups to seek improved protection for civilians and safe humanitarian access to those in need. Member States should avoid introducing measures that inhibited humanitarian actors in their efforts to engage armed groups for humanitarian purposes. On the protection of civilians by UN peacekeeping and other operations, in advance of the drawdown of

those operations, the Security Council, or Member States, should articulate benchmarks relating to the protection of civilians. The Council should establish a mechanism to measure progress against such benchmarks. Donor States were encouraged to anticipate and respond to increased funding requirements for the humanitarian and development actors that remained. On humanitarian access, the Security Council was urged to enhance accountability for grave instances of delays or denials of access for humanitarian operations, as well as attacks against humanitarian workers, including by referring the situation to the International Criminal Court (icc) or encouraging domestic prosecutions. On enhancing accountability, among other recommendations, the Secretary-General encouraged States to sign and ratify the Rome Statute of the icc.

Security Council consideration (November).

At a day-long debate on 22 November [S/PV.6427], the Security Council discussed the protection of civilians in armed conflict, including the report of the Secretary-General. Speakers included the Under-Secretary-General for Humanitarian Affairs, Valerie Amos, the Under-Secretary-General for Peacekeeping Operations, Alan Le Roy, the United Nations High Commissioner for Human Rights, Navanethem Pillay, and the Director-General of the International Committee of the Red Cross, Yves Daccord.

Ms. Amos said that any positive developments in the effort to protect civilians had been outweighed by the failures of parties to conflict to abide by their international legal obligation to protect civilians. Where humanitarian actors were unable to promote compliance with the law, the Council needed to do more to enforce, including by following through on the willingness to respond to conflict in which civilians were targeted or humanitarian assistance deliberately obstructed. Improved compliance with international humanitarian and human rights law would remain elusive without full acceptance of the need to engage with non-State armed groups. Experience showed that lives could be saved by engaging armed groups in order to seek compliance with international humanitarian law in their combat operations and general conduct, to gain safe access for humanitarian operations, or to dissuade them from using certain types of weapons. Mr. Daccord said that the reality on the ground was often dismal compared to the progress in policy and doctrine because of the lack of respect for international humanitarian law by State and non-State actors, coupled with the prevailing culture of impunity. The increase in non-State armed groups compounded that challenge. When armed actors were motivated by crime or banditry, it was harder to talk to them about their obligation to protect civilians. The constant evolution in the means and methods of warfare was another factor. Waging battle in densely

populated urban areas, sometimes with highly explosive weapons, was just one example. True consensus on the meaning of protection was hard to achieve. It was essential to have clarity and transparency on the objectives of different actors, be they civilian or military, and to distinguish between them. It was also important to distinguish between physical protection—which humanitarian actors could not provide—and protection by promoting compliance with the law.

Some 55 speakers focused on the Secretary-General's five core challenges, with attention drawn to the quandary of enhancing compliance with international law by non-State armed groups. The point was made that engaging with them could confer unintended legitimacy on violent perpetrators of terrorism.

SECURITY COUNCIL ACTION

On 22 November [meeting 6427], following consultations among Security Council members, the President made statement **S/PRST/2010/25** on behalf of the Council:

The Security Council reaffirms its commitment regarding the protection of civilians in armed conflict, to the continuing and full implementation, in a mutually reinforcing manner, of all previous relevant resolutions and statements by its President, including resolutions 1265(1999), 1296(2000), 1325(2000), 1612(2005), 1674(2006), 1738(2006), 1820(2008), 1882(2009), 1888(2009), 1889(2009) and 1894(2009), noting, in particular, that resolution 1894(2009) marked a significant step in providing guidance to ensure the effective protection of civilians on the ground.

The Council takes note with appreciation of the report of the Secretary-General of 11 November 2010 on the protection of civilians in armed conflict and the recommendations contained therein.

The Council recalls that on 15 March 2002 an aide-memoire was adopted, as a practical tool that provides a basis for improved analysis and diagnosis of key protection issues. The Council adopts the updated aide-memoire contained in the annex to the present statement by its President and stresses the need to continue its use on a more systematic and consistent basis.

The Council recognizes that States bear the primary responsibility to respect and ensure the human rights of all individuals within their territory and subject to their jurisdiction as provided for by relevant international law.

The Council reaffirms that parties to armed conflict bear the primary responsibility to take all feasible steps to ensure the protection of affected civilians and urges parties to armed conflict to meet their basic needs and give attention to the specific needs of women and children, refugees, internally displaced persons, as well as other civilians who may have specific vulnerabilities, including persons with disabilities and older persons.

The Council emphasizes that the promotion of peace processes and the achievement of sustainable peace and development as well as respect for human rights and the

rule of law are of utmost importance for the long-term protection of civilians.

The Council remains committed to addressing the impact of armed conflict on civilians, in particular women and children. The Council expresses its deep regret that civilians continue to account for the vast majority of casualties in situations of armed conflict, including as a result of deliberate targeting, indiscriminate or disproportionate attacks and sexual and gender-based violence, as well as other acts that violate applicable international law. The Council demands that all relevant parties immediately put an end to such practices and reaffirms its readiness to adopt appropriate measures.

The Council notes with concern the humanitarian impact of conflict, in or near densely populated areas, and calls upon parties to armed conflict to give protection to the civilian population in accordance with applicable international humanitarian law.

The Council reiterates its strong condemnation of all violations of applicable international law and demands that parties to armed conflict comply strictly with the obligations applicable to them under international humanitarian, human rights and refugee law, as well as implement all relevant decisions of the Council. The Council emphasizes in this context the responsibility of States to comply with their relevant obligations to end impunity and notes that the fight against impunity for the most serious crimes of international concern has been strengthened through prosecution of these crimes in national, international and 'mixed' criminal courts and tribunals, commissions of inquiry, as well as specialized chambers in national tribunals. The Council takes note of the stocktaking of international criminal justice undertaken at the first Review Conference of the Rome Statute of the International Criminal Court, held in Kampala from 31 May to 11 June 2010. The Council also draws attention to the full range of justice and reconciliation mechanisms, including truth and reconciliation commissions, national reparation programmes and institutional reforms.

The Council recognizes the needs of civilians under foreign occupation and stresses further, in this regard, the responsibilities of the occupying Power in full compliance with international humanitarian law.

The Council reiterates the importance for all, within the framework of humanitarian assistance, of upholding and respecting the humanitarian principles of humanity, neutrality, impartiality and independence. The Council condemns and calls for the cessation of all acts of violence and other forms of intimidation deliberately directed at humanitarian personnel as such and calls upon all parties to conflict to comply with the obligations applicable to them under international humanitarian law to respect and protect humanitarian personnel and relief consignments. The Council underlines in this respect the importance of continuing the systematic monitoring and analysis of constraints on humanitarian access.

The Council stresses the importance of achieving durable solutions for refugees and internally displaced persons, in particular their voluntary, safe and dignified return, or local integration or resettlement.

The Council welcomes the proposals, conclusions and recommendations on the protection of civilians included in the report of the Special Committee on Peacekeeping Operations. The Council stresses the importance of ensuring engagement by senior mission leadership on the protection of civilians, with a view to ensuring that all mission components and all levels of the chain of command are properly informed of and involved in the mission's protection mandate and their relevant responsibilities. The Council welcomes progress made by the Secretary-General in elaborating a conceptual framework, outlining resource and capability requirements and developing operational tools for the implementation of protection of civilians mandates. The Council emphasizes the importance of improving predeployment training for peacekeeping personnel on the protection of civilians. The Council encourages troop- and police-contributing countries to make full use of and provide feedback on these important materials.

The Council underlines that, in order to carry out their mandate, missions must communicate effectively with local communities and have the capacity to do so. The Council underlines, in this context, the importance of taking into account gender sensitivities and of making full use of all the tools available to the mission, in particular its public information and civil affairs components, such as civil affairs officers, community liaison interpreters and radio.

The Council reaffirms its practice of requiring benchmarks to measure and review progress made in the implementation of peacekeeping mandates, underlines the importance of clear benchmarks in the context of drawdown in peacekeeping missions, and stresses the importance of including indicators of progress regarding the protection of civilians in such benchmarks for relevant missions.

The Council recognizes the need for systematic monitoring and reporting on progress in protecting civilians in armed conflict. The Council further reiterates its request to the Secretary-General to develop guidance for peacekeeping and other relevant missions on the reporting of the protection of civilians in armed conflict. The Council reiterates its request to the Secretary-General to include in his reports on country-specific situations more comprehensive and detailed information relating to the protection of civilians in armed conflict.

The Council notes the practice of briefings to members of the Council by the Office for the Coordination of Humanitarian Affairs of the Secretariat on behalf of the United Nations humanitarian community.

The Council takes note of the Montreux Document on pertinent international legal obligations and good practices for States related to operations of private military and security companies during armed conflict.

The Council emphasizes that all civilians affected by armed conflict, including those suffering losses as a result of lawful acts under international law, deserve assistance and recognition in respect of their inherent dignity as human beings.

The Council requests the Secretary-General to submit his next report on the protection of civilians by May 2012.

ANNEX

Protection of civilians in armed conflict**Aide-memoire****For the consideration of issues pertaining to the protection of civilians in armed conflict**

Enhancing the protection of civilians in armed conflict is at the core of the work of the Security Council for the maintenance of peace and security. In order to facilitate the Council's consideration of protection of civilians concerns in a given context, including at the time of the establishment or renewal of peacekeeping mandates, in June 2001 members of the Council suggested that an aide-memoire, listing the relevant issues, be drafted in cooperation with the Council. On 15 March 2002, the Council adopted the aide-memoire as a practical guide for its consideration of protection of civilians issues and agreed to review and update its contents periodically. It was subsequently updated and adopted as an annex to the presidential statement of 15 December 2003.

This is the fourth edition of the aide-memoire and is based on the previous deliberations of the Council on the protection of civilians, including resolutions 1265(1999), 1296(2000), 1674(2006), 1738(2006) and 1894(2009). It is the result of consultation between the Council and the Office for the Coordination of Humanitarian Affairs, as well as between the Office and concerned United Nations departments and agencies, and other relevant humanitarian organizations.

The aide-memoire is intended to facilitate the Council's consideration of issues relevant to the protection of civilians in armed conflict. To this end, it highlights primary objectives for Council action; offers, on the basis of the Council's past practice, specific issues for consideration in meeting those objectives; and provides, in the addendum, a selection of agreed language from Council resolutions and presidential statements that refer to such concerns.

Bearing in mind that each peacekeeping mandate has to be elaborated on a case-by-case basis, the aide-memoire is not intended as a blueprint for action. The relevance and practicality of the various measures described has to be considered and adapted to the specific conditions in each situation.

Most frequently, civilians are caught in circumstances of dire need where a peacekeeping operation has not been established. Such situations may require urgent attention by the Council. The present aide-memoire may, therefore, also provide guidance in circumstances where the Council may wish to consider action outside the scope of a peacekeeping operation.

I. General protection concerns pertaining to the conflict-affected population**A. Protection of, and assistance to, the conflict-affected population****Parties to armed conflict to take the necessary measures to protect and meet the basic needs of the conflict-affected population**

Issues for consideration:

- Stress the responsibility of parties to armed conflict to respect, protect and meet the basic needs of civilian populations within their effective control.

- Condemn, and call for the immediate cessation of, acts of violence or abuses committed against civilians in situations of armed conflict in violation of applicable international humanitarian law and human rights law.
- Call for strict compliance by parties to armed conflict with applicable international humanitarian law and human rights law, including with regard to:
 - The prohibition against violence to life and person, in particular murder, mutilation, cruel treatment and torture; enforced disappearances; outrages upon personal dignity; rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, and any other form of sexual violence.
 - The prohibition against arbitrary deprivation of liberty; corporal punishment; collective punishment; and the passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court, affording all judicial guarantees which are generally recognized as indispensable.
 - The prohibition against the taking of hostages.
 - The prohibition against ordering the displacement of the civilian population for reasons related to the conflict, unless the security of the civilians involved or imperative military reasons so demand.
 - The prohibition against the recruitment or the active use of children in hostilities by parties to armed conflict in violation of applicable international law.
 - The prohibition against slavery and the slave trade in all their forms and uncompensated or abusive forced labour.
 - The prohibition against wilfully impeding relief supplies as provided for under international humanitarian law.
 - The prohibition of persecution on political, religious, racial or gender grounds.
 - The prohibition of any adverse distinction in the application of international humanitarian law and human rights law based on race, colour, sex, language, religion or belief, political or other opinion, national or social origin, wealth, birth or other status.
 - The obligation to respect and protect, to whichever party they belong, the wounded and sick, to take all possible measures, particularly after an engagement, to search for and collect the wounded and sick and to provide, to the fullest extent practicable and with the least possible delay, the medical care and attention required by their condition without distinction on any grounds other than medical ones.
- Call upon all parties to ensure access for relevant organizations, as applicable, to all prisons and places of detention.
- Mandate United Nations peacekeeping and other relevant missions authorized by the Security Council, where appropriate and on a case-by-case basis, to contribute to the protection of the civilian population, particularly those under imminent threat of physical violence, within their zones of operation. In doing so, request:

- That the protection of civilians is prioritized in decisions about the use of available capacity and resources, including information and intelligence resources, in the implementation of mandates.
 - The development of clear guidelines/directives as to what missions can do to protect civilians, including practical protection measures such as intensified and systematic patrolling in potential volatile areas, joint protection teams or early warning cells.
 - Systematic coordination, between the civil and military components of the mission and with humanitarian actors, in order to consolidate expertise on the protection of civilians.
 - That missions communicate with the civilian population to raise awareness and understanding about their mandate and activities and to collect reliable information on violations of international humanitarian law and human rights abuses perpetrated against civilians.
- Request that United Nations peacekeeping and other relevant missions develop comprehensive protection strategies in consultation with United Nations country teams and other relevant actors.
 - Request that reports of the Secretary-General on country-specific situations include information on the protection of civilians.
 - Request that United Nations peacekeeping and other relevant missions develop benchmarks and indicators of progress regarding the protection of civilians to measure specific developments in the implementation of their protection mandates.
 - Request troop- and police-contributing countries to ensure the provision of appropriate training to heighten the awareness and responsiveness to protection concerns of their personnel participating in United Nations peacekeeping and other relevant missions authorized by the Security Council to protect civilians.
 - Urge relevant regional and/or subregional bodies to develop and implement policies, activities and advocacy for the benefit of civilians affected by armed conflict.

B. Displacement

Parties to armed conflict and other relevant actors to refrain from, and take the necessary measures to prevent and respond to, the displacement of the civilian population

Issues for consideration:

- Condemn, and call for the immediate cessation of, displacement in violation of applicable international humanitarian law and human rights law.
 - Call for strict compliance by parties to armed conflict with applicable international humanitarian law, human rights law and refugee law, including with regard to:
 - The prohibition against deportation, forcible transfer or displacement of the civilian population, in whole or in part, unless the security of the civilians concerned or imperative military reasons so demand.
 - The obligation, in case of displacement, to ensure to the greatest practicable extent that the civilians concerned are received under satisfactory conditions of shelter, hygiene, health, safety and nutrition and that members of the same family are not separated, and that basic needs are met during displacement.
 - The right to freedom of movement and to leave one's country and seek asylum.
 - The right to non-refoulement under the Convention relating to the Status of Refugees, the protection of which does not extend to any person with respect to whom there are serious reasons for considering that she or he has been guilty of acts contrary to the purposes and principles of the United Nations.
- Underline the primary responsibility of States to respect and maintain the security and civilian character of camps for refugees and internally displaced persons, including disarming armed elements, separating combatants, curbing the flow of small arms in camps and preventing recruitment by armed groups in and around camps.
 - Mandate United Nations peacekeeping and other relevant missions authorized by the Security Council to take all feasible measures to ensure security in and around such camps and for their inhabitants.
 - Request that reports of the Secretary-General on country-specific situations include the protection of displaced persons as a specific aspect of the report.
 - Urge relevant regional and/or subregional bodies to develop and implement policies, activities and advocacy for the benefit of internally displaced persons and refugees.

Durable solutions for refugees and internally displaced persons, including safe, voluntary and dignified return and reintegration

Issues for consideration:

- Call for strict compliance by parties to armed conflict with applicable international humanitarian law, refugee law and human rights law, including with regard to:
 - Respect for the right of refugees and displaced persons to voluntary return in safety and dignity to their homes.
 - Respect for the property rights of refugees and displaced persons, without adverse distinction on the basis of gender, age or other status.
- Stress in relevant resolutions the importance of achieving durable solutions for refugees and displaced persons, including voluntary, safe and dignified return, and of ensuring their full participation in the planning and management of these solutions. Call upon all parties concerned to create the conditions conducive to allowing the voluntary, safe, dignified and sustainable return, local integration or resettlement of refugees and displaced persons.
- Call upon all parties concerned to ensure non-discriminatory treatment of returning refugees and internally displaced persons.

- Call upon all parties concerned to ensure the participation of refugees and internally displaced persons and inclusion of their needs, including their right to voluntary, safe and dignified return and reintegration, in all peace processes, peace agreements and post-conflict recovery and reconstruction planning and programmes.
- Encourage United Nations peacekeeping and other relevant missions authorized by the Security Council, as appropriate and on a case-by-case basis, to support domestic mechanisms for addressing housing, land and property issues or their establishment by national authorities.
- Encourage United Nations peacekeeping and other relevant missions authorized by the Security Council, as appropriate and on a case-by-case basis, to prevent the illegal appropriation and confiscation of land and property belonging to refugees and internally displaced persons and to ensure the protection of returning refugees and internally displaced persons.

C. Humanitarian access and safety and security of humanitarian workers

Parties to armed conflict to agree to and facilitate relief operations that are humanitarian and impartial in character and to allow and facilitate rapid and unimpeded passage of relief consignments, equipment and personnel

Issues for consideration:

- Condemn, and call for the immediate removal of, impediments to humanitarian access in violation of applicable international humanitarian law.
- Call for strict compliance by parties to armed conflict with applicable international humanitarian law, including:
 - The prohibition against using starvation of civilians as a method of warfare by depriving them of objects indispensable to their survival, including wilfully impeding relief supplies as provided for under applicable international humanitarian law.
 - Agreeing to relief actions which are humanitarian and impartial in character and conducted without any adverse distinction.
- Call for strict compliance by parties to armed conflict and third States with their obligations under applicable international humanitarian law to allow and facilitate the rapid and unimpeded passage of relief consignments, equipment and personnel subject to their right to prescribe technical arrangements, including search, under which such passage is permitted.
- Mandate United Nations peacekeeping and other relevant missions authorized by the Security Council, where appropriate and as requested, to facilitate the provision of humanitarian assistance.

Parties to armed conflict to respect and protect humanitarian workers and facilities

Issues for consideration:

- Condemn, and call for the immediate cessation of, attacks deliberately targeting humanitarian workers.

- Call for strict compliance by parties to armed conflict with applicable international humanitarian law, including the duty to respect and protect relief personnel and installations, material, units and vehicles involved in humanitarian assistance.
- Mandate United Nations peacekeeping and other relevant missions authorized by the Security Council to contribute, as requested and within capabilities, to the creation of the security conditions necessary for the provision of humanitarian assistance.
- Encourage the Secretary-General to bring to the attention of the Security Council situations in which humanitarian assistance is denied as a consequence of violence directed against humanitarian personnel and facilities.
- Request that States include key provisions of the Convention on the Safety of United Nations and Associated Personnel and the Optional Protocol thereto, such as those regarding the prevention of attacks against members of United Nations operations, the criminalization of such attacks and the prosecution or extradition of offenders, in future as well as, if necessary, in existing status-of-forces, status-of-mission and host country agreements negotiated with the United Nations.

D. Conduct of hostilities

Parties to armed conflict to take all feasible precautions to spare civilians from the effects of hostilities

Issues for consideration:

- Condemn, and call for the immediate cessation of, all acts of violence or abuses committed against civilians in violation of applicable international humanitarian law and human rights law.
- Call for strict compliance by parties to armed conflict with applicable international humanitarian law, including the prohibitions against:
 - Directing attacks against the civilian population or against individual civilians not taking a direct part in hostilities.
 - Directing attacks against civilian objects.
 - Launching an attack that is indiscriminate, i.e., of a nature to strike military objectives and civilians or civilian objects without distinction.
 - Launching an attack which may be expected to cause incidental loss of life or injury to civilians or damage to civilian objects or a combination thereof which would be excessive in relation to the concrete and direct military advantage anticipated.
 - Directing attacks against personnel, installations, material, units or vehicles involved in a humanitarian assistance or peacekeeping mission in accordance with the Charter of the United Nations, as long as they are entitled to the protection given to civilians or civilian objects under international humanitarian law.
 - Utilizing the presence of a civilian or other protected person to render certain points, areas or military forces immune from military operations.
 - Rape and other forms of sexual violence.

- Directing attacks against buildings dedicated to religion, education, art, science or charitable purposes, historical monuments, hospitals and places where the sick and wounded are collected, provided they are not military objectives.
 - Directing attacks against buildings, material, medical units and transport, and personnel using the distinctive emblems of the Geneva Conventions in conformity with international law.
 - Destroying or seizing the property of the adversary unless required by military necessity.
 - Using starvation of civilians as a method of warfare by depriving them of objects indispensable to their survival, including wilfully impeding relief supplies as provided for under applicable international humanitarian law.
- Request regular reporting by United Nations peacekeeping and other relevant missions authorized by the Security Council on concrete steps taken to ensure the protection of the civilian population in the conduct of hostilities and on measures to ensure accountability for violations of applicable international humanitarian law.

E. Small arms and light weapons, mines and explosive remnants of war

Protection of the civilian population through the control of, and reduction in the availability of, illicit small arms and light weapons

Issues for consideration:

- Express concern at the detrimental impact of the proliferation of arms, in particular small arms, on the security of civilians by fuelling armed conflict, and request the mission to monitor the presence of arms among the civilian population.
 - Request States and regional and subregional organizations to adopt measures to curb and reduce illicit trafficking in small arms and light weapons, such as voluntary collection and destruction; effective stockpile management; arms embargoes; sanctions; and legal measures against corporate actors, individuals and entities involved in such activities.
 - Encourage strengthened practical cooperation between United Nations peacekeeping and other relevant missions authorized by the Security Council aimed at monitoring and preventing the cross-border movement of small arms and light weapons.
 - Mandate United Nations peacekeeping and other relevant missions authorized by the Security Council to collect and dispose of or secure illicit and/or surplus small arms and light weapons as well as surplus ammunition stockpiles.
 - Consider imposing arms embargoes and other measures aimed at preventing the sale or supply of arms and related materiel of all types to parties to armed conflict that commit violations of applicable international law.
 - Encourage strengthened practical cooperation among relevant sanctions monitoring groups of the Security Council, peacekeeping and other relevant missions authorized by the Council and States.
- Request the establishment of a baseline arms inventory as well as arms marking and registration systems in situations where a United Nations arms embargo coincides with disarmament, demobilization and reintegration efforts.

Protection of the civilian population through the marking, clearance, removal or destruction of mines and explosive remnants of war, including cluster munition remnants

Issues for consideration:

- Call upon parties to armed conflict, after the cessation of active hostilities and as soon as feasible, to mark, clear, remove or destroy mines and explosive remnants of war in affected territories under their control, prioritizing areas affected by mines and explosive remnants of war which are assessed to pose serious humanitarian risk.
- Call upon parties to armed conflict to record and retain information on the use of mines and explosive ordnance or the abandonment of explosive ordnance, to facilitate rapid marking and clearance, removal or destruction of mines and explosive remnants of war and risk education, and to provide the relevant information to the party in control of, and civilian populations in, the territory.
- Call upon parties to armed conflict to take all feasible precautions in the territory under their control affected by mines and explosive remnants of war to protect the civilian population, in particular children, including issuing warnings, undertaking risk education, marking, fencing and monitoring territory affected by mines and explosive remnants of war.
- Call upon parties to armed conflict to protect United Nations peacekeeping and other relevant missions authorized by the Security Council, as well as humanitarian organizations, from the effects of mines and explosive remnants of war and to make available information on the location of mines and explosive remnants of war that they are aware of in the territory where the mission/organizations are or will be operating.
- Call upon parties to armed conflict, States and other relevant actors to provide technical, financial, material or human resources assistance to facilitate the marking, clearance, removal or destruction of mines and explosive remnants of war.
- Call upon parties to armed conflict, States and other relevant actors to provide assistance for the care, rehabilitation and economic and social reintegration of victims of explosive remnants of war and their families and communities.

F. Compliance, accountability and the rule of law

Compliance by parties to armed conflict with applicable international humanitarian law and human rights law

Issues for consideration:

- Call upon parties to armed conflict to take appropriate measures to respect and ensure respect for international humanitarian law and human rights law, including by:

- Enforcing appropriate military disciplinary measures and upholding the principle of command responsibility.
 - Training troops on applicable international humanitarian law and human rights law.
 - Vetting armed and security forces to ensure that personnel have a reliably attested record of not having been involved in violations of international humanitarian law or human rights law.
- Consider applying targeted and graduated measures against parties to armed conflict that commit violations of applicable international humanitarian law and human rights law.
 - Stress that the support of United Nations peacekeeping and other relevant missions to military operations led by national armed forces is strictly conditioned on the compliance of those armed forces with international humanitarian, human rights and refugee law and on joint planning of such operations.
 - Call upon United Nations peacekeeping and other relevant missions to intercede with national armed forces if elements of the latter receiving support from the mission are suspected of committing violations of international humanitarian, human rights and refugee law and, if the situation persists, to withdraw the mission's support.
 - Request the mission to provide military training, including in the area of human rights, international humanitarian law, child protection and the prevention of gender-based and sexual violence, to the armed forces.

Accountability for persons suspected of genocide, crimes against humanity, war crimes or serious violations of human rights law

Issues for consideration:

- Stress the importance of ending impunity for criminal violations of applicable international humanitarian law and human rights law as part of a comprehensive approach to seeking sustainable peace, justice, truth and national reconciliation.
- Call upon States to comply with their obligations to investigate, search for, prosecute or extradite persons suspected of committing genocide, war crimes, crimes against humanity or other serious violations of human rights law.
- Stress the need for the exclusion of, and reject any form of, or endorsement of, amnesty for genocide, crimes against humanity, war crimes or other serious violations of human rights in conflict resolution processes and ensure that no such amnesty previously granted is a bar to prosecution before any United Nations-created or assisted court.
- Mandate United Nations peacekeeping and other relevant missions authorized by the Security Council to promote, in cooperation with relevant States, the establishment of effective arrangements for investigating and prosecuting violations of international humanitarian law or other serious violations of human rights law.

- Request the cooperation of States and United Nations peacekeeping and other relevant missions authorized by the Security Council in the apprehension and surrender of alleged perpetrators of genocide, crimes against humanity, war crimes or other serious violations of human rights law.
- Consider the establishment, in situations where local judicial mechanisms are overwhelmed, of ad hoc judicial mechanisms at the national or international level to investigate and prosecute war crimes and serious violations of human rights law.
- Consider the referral of situations involving genocide, crimes against humanity or war crimes to the International Criminal Court.

Protection of civilians through the restoration and enforcement of the rule of law, disarmament, demobilization and reintegration programmes and security sector reforms

Issues for consideration:

- Call upon States to ensure equal protection under the law and equal access to justice for victims of violations of international humanitarian law and human rights law, including women and children, and to take the necessary measures to ensure the protection of victims and witnesses.
- Mandate United Nations peacekeeping and other relevant missions authorized by the Security Council to support restoration of the rule of law, including the provision of assistance in monitoring, restructuring and reforming the justice sector.
- Request the rapid deployment of qualified and well-trained international civilian police, justice and corrections experts as a component of United Nations peacekeeping and other relevant missions authorized by the Security Council.
- Call upon States and regional and subregional organizations to provide technical assistance for local police, judiciary and penitentiaries (e.g., mentoring, legislative drafting).
- Stress the importance of permanently disarming, demobilizing and reintegrating former combatants of national and foreign armed groups and assisting the victims in conflict-affected communities.
- Stress the importance of security sector reform and urge all international partners to support the efforts to professionalize and ensure the civilian oversight of the national security forces and the police.

Build confidence and enhance stability by promoting truth and reconciliation mechanisms

Issues for consideration:

- Mandate the establishment of appropriate, locally adapted mechanisms for truth and reconciliation (e.g., technical assistance, funding and reintegration of civilians within communities).
- Request, where appropriate, the establishment by the Secretary-General of commissions of inquiry and similar measures with regard to situations involving genocide, war crimes, crimes against humanity or serious violations of human rights law.

G. Media and information

Protection of journalists, other media professionals and associated personnel

Issues for consideration:

- Condemn, and call for the immediate cessation of, attacks against journalists, media professionals and associated personnel operating in situations of armed conflict.
- Call for compliance by parties to armed conflict with applicable international humanitarian law and respect for the civilian status of journalists, media professionals and associated personnel as well as their equipment and installations.
- Demand that States take all necessary steps to prosecute those responsible for attacks against journalists, media professionals and associated personnel in violation of applicable international humanitarian law.

Counter occurrences of speech used to incite violence

Issues for consideration:

- Condemn, and call for the immediate cessation of, incitements to violence against civilians in situations of armed conflict.
- Demand that States bring to justice individuals who incite or otherwise cause such violence.
- Impose targeted and graduated measures in response to media broadcasts inciting genocide, crimes against humanity, war crimes or other serious violations of human rights law.
- Mandate United Nations peacekeeping and other relevant missions authorized by the Security Council to promote the establishment of media monitoring mechanisms to ensure effective monitoring, reporting and documenting of any incidents, origins and contents that incite ‘hate media’.

Promote and support accurate management of information on the conflict

Issues for consideration:

- Urge parties to armed conflict to respect the professional independence of journalists, media professionals and associated personnel.
- Encourage United Nations peacekeeping and other relevant missions authorized by the Security Council to include a mass-media component that can disseminate information about international humanitarian law and human rights law while also giving objective information about the activities of the United Nations.
- Request relevant actors to provide technical assistance to States in drafting and enforcing anti-hate speech legislation.

II. Specific protection concerns arising from Security Council discussions on children affected by armed conflict

Parties to armed conflict to take the necessary measures to meet the specific protection, health, education and assistance needs of children

Issues for consideration:

- Condemn, and call for the immediate cessation of, violations and abuses committed against children in situations of armed conflict, including the recruit-

ment or active use in hostilities of children by parties to armed conflict in violation of applicable international law; the killing or maiming of children; rape and other grave sexual abuse of children; abduction of children; attacks against schools or hospitals; and denial of humanitarian access for children.

- Call for strict compliance by parties to armed conflict with applicable international humanitarian law and human rights law relating to children affected by armed conflict.
- Call upon relevant parties to develop and implement concrete time-bound action plans to halt recruitment and use of children, in close collaboration with United Nations peacekeeping missions, United Nations country teams and the Special Representative of the Secretary-General for Children and Armed Conflict.
- Call upon all parties concerned to implement the recommendations of the Security Council Working Group on Children and Armed Conflict.
- Include specific provisions for the protection of children in the mandates of United Nations peacekeeping and other relevant missions authorized by the Security Council.
- Request that reports of the Secretary-General on country-specific situations include the protection of children as a specific aspect of the report.
- Call upon all parties concerned to ensure that the protection, rights and well-being of children affected by armed conflict are specifically integrated into peace processes, peace agreements and post-conflict recovery and reconstruction planning and programmes, including measures for family tracing and reunification, the rehabilitation and reintegration of separated children, and the release and reintegration of children associated with armed forces and groups.
- Urge States, United Nations entities, regional and subregional organizations and other concerned parties to take appropriate measures to control illicit subregional and cross-border activities harmful to children, as well as other violations and abuses committed against children in situations of armed conflict in violation of applicable international law.
- Urge relevant regional and/or subregional bodies to develop and implement policies, activities and advocacy for the benefit of children affected by armed conflict.

III. Specific protection concerns arising from Security Council discussions on women affected by armed conflict

Parties to armed conflict and other relevant actors to refrain from, and take the necessary measures to prevent and respond to, sexual violence

Issues for consideration:

- Condemn, and call for the immediate cessation of, acts of sexual violence committed in the context of, and associated with, armed conflict.
- Call for strict compliance by parties to armed conflict with the rules of international humanitarian law and human rights law prohibiting rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization or any other form of sexual violence.

- Call upon parties to armed conflict to take appropriate measures to refrain from, prevent and protect all persons from all forms of sexual violence, including by:
 - Enforcing appropriate military disciplinary measures and upholding the principle of command responsibility.
 - Training troops on the categorical prohibition of all forms of sexual violence.
 - Debunking myths that fuel sexual violence.
 - Vetting armed and security forces to ensure that personnel have a reliably attested record of not having been involved in the perpetration of rape and other forms of sexual violence.
 - Evacuating to safety civilians under imminent threat of sexual violence.
- Request that reports of the Secretary-General on country-specific situations include sexual violence as a specific aspect of the report, including, to the extent possible, disaggregated data as to gender and age of victims; and request the development of mission-specific strategies and plans of action for preventing and responding to sexual violence, as part of a broader protection of civilians strategy.
- Urge relevant regional and/or subregional bodies to develop and implement policies, activities and advocacy for the benefit of civilians affected by sexual violence.
- Request troop- and police-contributing countries to deploy higher numbers of women peacekeepers or police, and to ensure the provision of appropriate training to their personnel participating in United Nations peacekeeping and other relevant missions on the protection of civilians, including women and children, and the prevention of sexual violence in conflict and post-conflict situations.

Parties to armed conflict to take the necessary measures to meet the specific protection, health and assistance needs of women and girls

Issues for consideration:

- Condemn, and call for the immediate cessation of, violations and abuses committed against women and girls in situations of armed conflict.
- Call for strict compliance by parties to armed conflict with applicable international humanitarian law and human rights law relating to the protection of women and girls affected by armed conflict.
- Call upon all parties concerned to ensure that the protection, rights and well-being of women and girls affected by armed conflict are specifically integrated into all peace processes, peace agreements and post-conflict recovery and reconstruction planning and programmes.
- Include specific provisions for the protection of women and girls in the mandates of United Nations peacekeeping and other relevant missions authorized by the Security Council.
- Request that reports of the Secretary-General on country-specific situations include the protection of women and girls as a specific aspect of the report.
- Urge relevant regional and/or subregional bodies to develop and implement policies, activities and advocacy for the benefit of women and girls affected by armed conflict.

Equal participation and full involvement of women in the prevention and resolution of armed conflict

Issues for consideration:

- Urge States, United Nations entities, regional and subregional organizations and other concerned parties to ensure increased representation of women at all decision-making levels in national, regional and international institutions and mechanisms for the prevention, management and resolution of conflict.
- Call upon all actors involved in negotiating and implementing peace agreements to adopt a gender perspective, including by considering:
 - The needs of women and girls during repatriation and resettlement and for rehabilitation, reintegration and post-conflict reconstruction.
 - Measures that support local women's peace initiatives and indigenous processes for conflict resolution, and that involve women in the implementation mechanisms of peace agreements.
 - Measures that ensure the protection of, and respect for, the human rights of women and girls, particularly as they relate to the constitution, the electoral system, the police and the judiciary.
- Urge the Secretary-General and his Special Envoys to ensure the participation of women in discussions pertinent to the prevention and resolution of conflict, the maintenance of peace and security, and post-conflict peacebuilding, and encourage all parties to such talks to facilitate the equal and full participation of women at all decision-making levels.
- Ensure that Security Council missions take into account gender considerations and the rights of women and girls, including through consultation with local and international women's groups.
- Urge troop- and police-contributing countries to expand the role, numbers and contribution of women in United Nations operations, and especially among military observers and civilian police.

Sexual exploitation and abuse

Issues for consideration:

- Urge humanitarian and development organizations to take appropriate action to prevent sexual exploitation and abuse by their personnel, including predeployment and in-theatre awareness training and, in the case of United Nations actors, to promote and ensure compliance, including by civilian staff of United Nations peacekeeping and other relevant missions, with the Secretary-General's bulletin on special measures for protection from sexual exploitation and sexual abuse.
- Urge troop- and police-contributing countries to take appropriate action to prevent sexual exploitation and abuse by their personnel, including predeployment and in-theatre awareness training to promote and ensure compliance with the Secretary-General's bulletin on special measures for protection from sexual exploitation and sexual abuse.
- Urge troop- and police-contributing countries to ensure full accountability in cases of sexual exploitation and abuse involving their personnel and to report to the Secretary-General on action taken.

An addendum to the statement provided a selection of agreed language.

Special political missions

Roster of 2010 political missions and offices

As at 31 December 2010, 12 UN political and peacebuilding missions and offices were in operation: 6 in Africa, 4 in Asia and the Pacific, and 2 in the Middle East.

On 16 December, the Security Council requested the Secretary-General to establish the United Nations Office in Burundi (BNUB), which was to replace the United Nations Integrated Office in Burundi (BINUB), for an initial period of 12 months beginning on 1 January 2011.

On 29 September, the Council extended the mandate of the United Nations Integrated Peacebuilding Office in Sierra Leone (UNIPSIL) until 15 September 2011. On 23 November, due to continuing instability and fragility of the political situation, the Council extended the mandate of the United Nations Integrated Peacebuilding Office in Guinea-Bissau (UNIOGBIS) until 31 December 2011. On 14 December, the Council welcomed the recommendations of the Secretary-General to extend the mandate of the United Nations Integrated Peacebuilding Office in the Central African Republic (BINUCA) for a one-year period until 31 December 2011, taking into consideration the withdrawal of the United Nations Mission in the Central African Republic and Chad (MINURCAT) from the north-east of the Central African Republic.

With regard to Asia and the Pacific, the Council on 22 March extended the mandate of the United Nations Assistance Mission in Afghanistan (UNAMA) until 23 March 2011 and, on 5 August, extended the mandate of the United Nations Assistance Mission for Iraq (UNAMI) until 31 July 2011. The Council on 15 September renewed the mandate of the United Nations Mission in Nepal (UNMIN) to 15 January 2011, and decided that its mandate would terminate on that day.

(For information on financing of UN political and peacebuilding missions, see PART FIVE, Chapter II.)

UNPOS

United Nations Political Office for Somalia

Established: 15 April 1995.

Mandate: To promote a lasting peace and stability in Somalia through the implementation of the Djibouti Peace Agreement and to facilitate coordination of international support.

Special Representative of the Secretary-General: Augustine Mahiga (Tanzania).

Strength: 47 international civilian staff, 11 local civilian staff.

UNSCO

Office of the United Nations Special Coordinator for the Middle East Peace Process

Established: 1 October 1999.

Mandate: To act as the focal point for the UN contribution to the peace process and to enhance UN humanitarian and development assistance.

Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority: Robert H. Serry (Netherlands).

Strength: 29 international civilian staff, 29 local civilian staff.

UNOWA

United Nations Office for West Africa

Established: 29 November 2001.

Mandate: To enhance the contribution of the United Nations towards the achievement of peace and security in West Africa.

Special Representative of the Secretary-General: Said Djinnit (Algeria).

Strength: 15 international civilian staff, 10 local civilian staff, 4 military advisers.

UNAMA

United Nations Assistance Mission in Afghanistan

Established: 28 March 2002.

Mandate: To assist the Government and the people of Afghanistan in laying the foundations for sustainable peace and development.

Special Representative of the Secretary-General: Staffan de Mistura (Sweden).

Strength: 359 international civilian staff, 1,643 local civilian staff, 12 military observers, 4 police, 56 UN Volunteers.

UNAMI

United Nations Assistance Mission for Iraq

Established: 14 August 2003.

Mandate: To promote political dialogue, assist the Government and the Independent High Electoral Commission in electoral processes, promote human rights, regional dialogue, and reconstruction and development.

Special Representative of the Secretary-General: Ad Melkert (Netherlands).

Strength (staff based in Iraq, Jordan and Kuwait): 350 international civilian staff, 463 local civilian staff, 222 troops, 13 military observers.

BINUB

United Nations Integrated Office in Burundi

Established: 1 January 2007.

Mandate: To support the Government in its efforts towards peace and stability, focusing on peace consolidation and democratic governance; disarmament, demobilization and reintegration; security sector reform; promotion and protection of human rights and measures to end impunity; and donor and UN agency coordination.

Executive Representative of the Secretary-General: Charles Petrie (United Kingdom/France).

Strength: 95 international civilian staff, 244 local civilian staff, 4 military observers, 43 UN Volunteers.

UNMIN

United Nations Mission in Nepal

Established: 23 January 2007.

Mandate: To support the peace process by monitoring the management of arms and armed personnel of the Nepal Army and the Maoist Army; assisting the parties, through a Joint Monitoring Coordinating Committee, in implementing the agreement on the management of arms and armed personnel; assisting in the monitoring of ceasefire agreements; and providing technical assistance to the Election Commission.

Representative of the Secretary-General: Karin Landgren (Sweden).

Strength: 39 international civilian staff, 125 local civilian staff, 72 military observers, 19 UN Volunteers.

UNSCOL

Office of the United Nations Special Coordinator for Lebanon

Established: 16 February 2007.

Mandate: To represent the Secretary-General politically and coordinate UN work in Lebanon.

Special Coordinator for Lebanon: Michael C. Williams (United Kingdom).

Strength: 18 international civilian staff, 58 local civilian staff.

UNRCCA

United Nations Regional Centre for Preventive Diplomacy for Central Asia

Established: 10 December 2007.

Mandate: To liaise with Governments of the region and other parties on preventive diplomacy issues; monitor and analyse the situation on the ground and provide the Secretary-General with information related to conflict prevention; maintain contact with regional organizations; and support the UN system

in promoting an integrated approach to preventive development and humanitarian assistance.

Special Representative of the Secretary-General: Miroslav Jenča (Slovakia).

Strength: 7 international civilian staff, 13 local civilian staff.

UNIPSIL

United Nations Integrated Peacebuilding Office in Sierra Leone

Established: 1 October 2008.

Mandate: To provide political support for resolving tensions and threats of potential conflict; monitor and promote human rights, democratic institutions and the rule of law, including efforts to counter transnational organized crime and drug trafficking; consolidate good governance reforms, with a focus on anti-corruption instruments; support decentralization and the enactment of legislation; and support the Peacebuilding Commission and the Peacebuilding Fund.

Executive Representative of the Secretary-General: Michael von der Schulenburg (Germany).

Strength: 33 international civilian staff, 32 local civilian staff, 6 UN Volunteers.

BINUCA

United Nations Integrated Peacebuilding Office in the Central African Republic

Established: 1 January 2010.

Mandate: Support the implementation of the transition process, conflict prevention and humanitarian assistance; stabilization of the security situation; extension of State authority; and promotion and protection of human rights.

Representative of the Secretary-General: Sahle-Work Zewde (Ethiopia).

Strength: 52 international civilian staff, 54 local civilian staff, 5 military advisers, 6 police, 4 UN Volunteers.

UNIOGBIS

United Nations Integrated Peacebuilding Office in Guinea-Bissau

Established: 1 January 2010.

Mandate: To assist the Peacebuilding Commission in its engagement with Guinea-Bissau; support efforts to consolidate constitutional rule, enhance political dialogue and promote national reconciliation, respect for the rule of law and human rights; assist in strengthening the capacity of national institutions; and support security sector reform.

Representative of the Secretary-General: Joseph Mutaboba (Rwanda).

Strength: 55 international civilian staff, 39 local civilian staff, 1 military adviser.

Threats to international peace and security

International terrorism

Security Council consideration (February). On 24 February [S/PV.6277], following a briefing by the Executive Director of the United Nations Office on Drugs and Crime, the Council adopted presidential statement **S/PRST/2010/4** (see p. 1251), by which it called on States to continue to condemn all terrorist acts, irrespective of their motivation, whenever and by whomsoever committed, as well as the incitement of terrorism.

Security Council consideration (September). On 27 September [S/PV.6390], the Security Council held a debate on threats to international peace and security caused by terrorist acts. The Council had before it a concept note submitted by Turkey [S/2010/462]. The Secretary-General told the Council that countering terrorism demanded a broad approach. That included measures to deprive terrorists of financial resources and mobility, and to prevent them from acquiring and using weapons of mass destruction; education, development, intercultural dialogue and conflict prevention to address conditions conducive to the spread of terrorism; a better understanding of the reasons people were drawn to violence; the strengthening of the legal regime; and better ways to share information and best practices by establishing national focal points and regional networks, and mobilizing civil society, the private sector and the media. Speakers included the Foreign Ministers of Austria, Brazil, Gabon, Nigeria, Turkey and Uganda; the United Kingdom Secretary of State for Foreign and Commonwealth Affairs; and the United States Secretary of State.

SECURITY COUNCIL ACTION

On 27 September [meeting 6390], following consultations among Security Council members, the President made statement **S/PRST/2010/19** on behalf of the Council:

The Security Council reaffirms its primary responsibility for the maintenance of international peace and security, in accordance with the Charter of the United Nations.

The Council notes with concern that terrorism continues to pose a serious threat to international peace and security, the enjoyment of human rights and the social and economic development of all Member States and undermines global stability and prosperity, and that this threat has become more diffuse, with an increase, in various regions of the world, of terrorist acts, including those motivated by intolerance or extremism, and expresses its determination to combat this threat.

The Council condemns terrorism in all its forms and manifestations, reaffirms that any terrorist acts are criminal and unjustifiable regardless of their motivations, whenever and by whomsoever committed, and reaffirms that terrorism cannot and should not be associated with any religion, nationality or ethnic group.

The Council recognizes the important accomplishments made in the fight against terrorism and also acknowledges that gaps remain in the overall fight against this scourge, urges all Member States and the United Nations system to address them, and stresses the need to ensure that counter-terrorism remains a priority on the international agenda.

The Council reaffirms the importance of all its resolutions and the statements by its President on terrorism, in particular resolutions 1373(2001) and 1624(2005), as well as other applicable international counter-terrorism instruments, stresses the need for their full implementation, and calls for enhanced cooperation in this regard.

The Council renews its call upon all Member States to become parties, as a matter of urgency, to the relevant international conventions and protocols, whether or not they are parties to regional conventions on the matter, and to fully implement their obligations under those to which they are parties, and commends the technical assistance provided by the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime in this regard.

The Council recognizes that terrorism will not be defeated by military force, law enforcement measures and intelligence operations alone, and underlines the need to address the conditions conducive to the spread of terrorism, including but not limited to the need to strengthen efforts for the successful prevention and peaceful resolution of prolonged conflicts and the need to promote the rule of law, the protection of human rights and fundamental freedoms, good governance, tolerance and inclusiveness to offer a viable alternative to those who could be susceptible to terrorist recruitment and to radicalization leading to violence.

The Council recognizes in this regard that development, peace and security and human rights are interlinked and mutually reinforcing, and underlines the international effort to eradicate poverty and promote sustained economic growth, sustainable development and global prosperity for all.

The Council emphasizes that continuing international efforts to enhance dialogue and broaden understanding among civilizations in an effort to prevent the indiscriminate targeting of different religions and cultures can help to counter the forces that fuel polarization and extremism and will contribute to strengthening the international fight against terrorism, and in this respect appreciates the positive role of the Alliance of Civilizations and other similar initiatives.

The Council reaffirms its profound solidarity with the victims of terrorism and their families, stresses the importance of assisting victims of terrorism and providing them and their families with support to cope with their loss and grief, recognizes the important role that victims and survivor networks play in countering terrorism, including by bravely speaking out against violent and

extremist ideologies, and in this regard welcomes and encourages the efforts and activities of Member States and the United Nations system, including the Counter-Terrorism Implementation Task Force, in this field.

The Council reiterates its call upon Member States to enhance their cooperation and solidarity, particularly through bilateral and multilateral arrangements and agreements to prevent and suppress terrorist attacks, and encourages Member States to strengthen cooperation at the regional and subregional levels, particularly through regional and subregional mechanisms and coordination and cooperation at the operational level.

The Council reaffirms that Member States must ensure that any measures taken to combat terrorism comply with all their obligations under international law, in particular international human rights, refugee and humanitarian law, underscores that effective counter-terrorism measures and respect for human rights, fundamental freedoms and the rule of law are complementary and mutually reinforcing and are an essential part of a successful counter terrorism effort, and notes the importance of respect for the rule of law so as to effectively combat terrorism.

The Council underlines that safe havens provided to terrorists continue to be a significant concern and recalls that all Member States must cooperate fully in the fight against terrorism in order to find, deny safe haven to and bring to justice, on the basis of the principle of extradite or prosecute, any person who supports, facilitates, participates or attempts to participate in the financing, planning, preparation or commission of terrorist acts or provides safe havens.

The Council encourages Member States to develop and maintain an effective and rule of law-based national criminal system with provisions for judicial criminal cooperation regarding extradition and mutual legal assistance, in particular to expedite, simplify and give priority to extradition and mutual legal assistance requests in terrorism-related cases and to implement international and regional best practices in the field of extradition and mutual legal assistance, consistent with international law, in particular international human rights, refugee and humanitarian law.

The Council reminds Member States of their obligation to ensure, in conformity with international law, that refugee status is not abused by the perpetrators, organizers or facilitators of terrorist acts.

The Council reminds Member States of their obligation to prevent the movement of terrorist groups by, inter alia, effective border controls, and in this context calls upon Member States to exchange information expeditiously and improve cooperation among competent authorities to prevent the movement of terrorists and terrorist groups to and from their territories, the supply of weapons for terrorists and financing that would support terrorists.

The Council reiterates the obligation of Member States to refrain from providing any form of support, active or passive, to entities or persons involved in or associated with terrorist acts, including by suppressing the recruitment of members of terrorist groups, consistent with international law, and eliminating the supply of weapons to terrorists.

The Council also reiterates the obligations of Member States pursuant to resolution 1540(2004), such as the obligation to refrain from providing any form of support to non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery.

The Council reiterates the obligation of Member States to prevent and suppress the financing of terrorist acts and criminalize the wilful provision or collection, by any means, directly or indirectly, of funds by their nationals or in their territories with the intention that the funds should be used, or in the knowledge that they are to be used, to carry out terrorist acts.

The Council expresses concern at the increase in incidents of kidnapping and hostage-taking, in some areas of the world with a specific political context, with the aim of raising funds or gaining political concessions.

The Council reiterates its condemnation in the strongest terms of the incitement to terrorist acts and its repudiation of attempts at the justification or glorification of terrorist acts that may incite further terrorist acts, and recognizes the importance that Member States act cooperatively to prevent terrorists from exploiting technology, communications and resources to incite support for terrorist acts.

The Council considers sanctions an important tool in countering terrorism, remains committed to ensuring that fair and clear procedures exist for placing individuals and entities on sanctions lists and for removing them, as well as for granting humanitarian exemptions, and recalls in this context the adoption of resolutions 1822(2008) and 1904(2009), including the appointment of an Ombudsperson and other procedural improvements in the Al-Qaida and Taliban sanctions regime.

The Council reiterates its concern regarding the increasing connection, in many cases, between terrorism and transnational organized crime, illicit drugs, money-laundering and illegal arms trafficking, emphasizes the need to enhance the coordination of efforts at the national, subregional, regional and international levels in order to strengthen a global response to this serious challenge and threat to international peace and security, and encourages the United Nations Office on Drugs and Crime to continue its work in this regard, in collaboration with other relevant United Nations entities.

The Council recognizes the importance of the support of local communities, the private sector, civil society and the media for increasing awareness about the threats of terrorism and more effectively tackling them.

The Council acknowledges the technical and other counter-terrorism-related capacity-building assistance that United Nations entities and subsidiary bodies have provided to Member States, recognizes that some Member States lack the capacity to implement the Council's counter-terrorism and related resolutions and notes with concern that terrorist groups and other criminal organizations seek to exploit such lack of capacity.

The Council underlines in this regard the importance of capacity-building and technical assistance with a view to increasing the capabilities of Member States for an effective implementation of its resolutions, encourages

the Security Council Committee established pursuant to resolution 1373(2001) concerning counter-terrorism (the Counter-Terrorism Committee) and its Executive Directorate to continue to work with Member States, at their request, to assess and facilitate technical assistance, in particular in close cooperation within the Counter-Terrorism Implementation Task Force, as well as with all bilateral and multilateral technical assistance providers, and welcomes the focused and regional approach of the Counter-Terrorism Committee Executive Directorate aimed at addressing the counter-terrorism needs of each Member State and region.

The Council reiterates the need to enhance the ongoing cooperation between the committees with counter-terrorism mandates established pursuant to its resolutions 1267(1999), 1373(2001) and 1540(2004) and their respective groups of experts, notes the importance of the ongoing interaction and dialogue of the committees with all Member States for their effective cooperation, encourages the committees to continue to pursue a transparent approach, and recalls its resolution 1904(2009), in which it requests the Secretary-General to make the necessary arrangements for the groups of experts to be co-located as soon as possible.

The Council reiterates its strong support for the adoption by the General Assembly of the United Nations Global Counter-Terrorism Strategy of 8 September 2006 and the institutionalization of the Counter-Terrorism Implementation Task Force, in accordance with Assembly resolution 64/235, to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system, and the full participation, within their mandates, of relevant subsidiary bodies of the Council in the work of the Task Force and its working groups, and welcomes the adoption by the Assembly of resolution 64/297.

The Council encourages Member States to make every effort to conclude the negotiations on the draft comprehensive convention on international terrorism.

Measures to eliminate international terrorism

In 2010, the United Nations strengthened its efforts to combat and eliminate international terrorism. The General Assembly, having considered the Secretary-General's report [A/65/175 & Add.1,2] on measures to eliminate international terrorism, the report of the Ad Hoc Committee established by General Assembly resolution 51/210 [A/65/37] and the report of the Chairperson of the Working Group established by the Sixth (Legal) Committee at the Assembly's sixty-fifth session [A/C.6/65/L.10], requested, by its **resolution 65/34** of 6 December (see p. 1331), that the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime (UNODC) continue enhancing UN capabilities in preventing terrorism. It recognized, in the context of the United Nations Global Counter-Terrorism Strategy [YUN 2006, p. 66] and Security Council resolution 1373(2001) [YUN 2001, p. 61], the Branch's role in assisting States in becoming parties

to and implementing the international conventions and protocols relating to terrorism, and in strengthening international cooperation mechanisms in criminal matters related to terrorism.

In **resolution 65/62** of 8 December on measures to prevent terrorists from acquiring weapons of mass destruction (see p. 535), the Assembly urged Member States to strengthen measures to prevent terrorists from acquiring such weapons, their means of delivery, and materials and technologies related to their manufacture.

In **resolution 65/221** of 21 December (see p. 714), on protection of human rights and fundamental freedoms while countering terrorism, the Assembly expressed concern at the occurrence of violations of human rights and fundamental freedoms, as well as of international refugee and humanitarian law, committed in the context of countering terrorism.

Communication. On 10 December [A/65/622-S/2010/634], Iran, in identical letters to the Secretary-General, the General Assembly President and the Security Council President, said that in two separate terrorist attacks in Tehran on 29 November, two prominent Iranian physicists were targeted, resulting in the death of one of the physicists and serious injuries to the other and his wife. Another Iranian scientist was assassinated on 12 January.

Counter-Terrorism Committee

In 2010, the Committee established pursuant to Security Council resolution 1373(2001) [YUN 2001, p. 61], known as the Counter-Terrorism Committee (CTC), held 14 formal meetings and four informal meetings. The Chairman of CTC submitted on 17 February and 12 July its work programmes for the periods from 1 January to 30 June [S/2010/89] and 1 July to 31 December [S/2010/366]. CTC was assisted in its work by the Counter-Terrorism Committee Executive Directorate (CTED).

On 31 January [S/2010/2], the Security Council announced that it had elected Ertuğrul Apakan (Turkey) as Chairman of CTC for the period ending 31 December 2010. On 20 December [S/2010/664], the Secretary-General informed the Council of his intention to extend the appointment of Mike Smith (Australia) as CTED Executive Director until 31 December 2011. The Council took note of that intention on 23 December [S/2010/665].

Briefing by CTC Chairman (May). Reporting to the Security Council on 11 May [S/PV.6310], the Chairman of CTC said that stocktaking had allowed CTC to enhance its regular dialogue with Member States and identify areas where the implementation of resolution 1373(2001) was inadequate. CTC had continued to conduct visits to Member States as a fundamental component of its efforts to monitor and promote the

implementation of resolution 1373(2001). Along with comprehensive visits, CTED conducted shorter and targeted visits focused on one or two aspects of resolution 1373(2001). CTC and CTED had worked to enhance their dialogue with Member States, donors and beneficiaries on the facilitation of technical assistance. CTC continued to look for opportunities to match current and potential donors with recipients so as to enhance cooperation between the donor community and recipient States. In its dialogue with Member States, CTC had included discussion of their efforts to implement resolution 1624(2005) [YUN 2005, p. 102], which called on States to combat terrorism, including by prohibiting incitement to commit terrorist acts. To date, 108 States had submitted reports to CTC on their implementation of the resolution. CTC would continue to encourage those States that had not done so to submit the relevant information.

Report of CTC Chairman (November). Pursuant to resolution 1805(2008) [YUN 2008, p. 71], the Chairman of CTC in November presented a report [S/2010/569] that summarized CTED achievements from 2008 to 2010 and offered recommendations as to how CTED might better assist States in implementing resolutions 1373(2001) and 1624(2005). The report concluded that CTED had continued to evolve in response to the needs and wishes of CTC and as its comparative advantage in the crowded international counter-terrorism field had become clearer. That comparative advantage lay, in part, in the fact that CTC and CTED, as subsidiary organs of the Security Council, carried the Council's full weight and authority. CTED was thus able to promote the importance of instituting counter-terrorism measures; help give legitimacy to such action internationally, regionally and nationally; and encourage Governments to work with their neighbours so that their common counter-terrorism defences were as effective as possible. Moreover, as a body of technical experts, CTED, working in close cooperation with partner organizations, was able to offer sensible, impartial advice in a field that was fraught with practical difficulties. In view of the ongoing and evolving threat posed to Member States by terrorism, such work would continue to be important and relevant.

Briefing by CTC Chairman (November). The Chairman of CTC briefed the Security Council on 15 November [S/PV.6424]. The Chairman said that since his briefing in May, CTC had tried to make better use of the thematic discussions it organized on such issues as crimes that funded terrorism and facilitating the provision of technical assistance to Member States. The discussions had proved to be highly useful in helping to understand the issues in greater depth and consider possible concrete steps that CTC could take. CTC had increased its dialogue and cooperation with other international and regional organizations and contin-

ued the practice of hearing briefings from international and regional organizations and UN bodies.

CTED review (December). Pursuant to resolution 1805(2008) [YUN 2008, p. 71], by which the Security Council decided to conduct a comprehensive consideration of CTED, the CTC Chairman, in December, submitted a report [S/2010/616] on the work of CTED. The report concluded that during the mandate period, CTED had fulfilled the tasks assigned by CTC, as set out in the CTC and CTED work programmes. CTC welcomed the measurable achievements of CTED, in particular its deepening dialogue with Member States in all regions, executing a more proactive strategy to facilitate technical assistance, and engaging in close collaboration and cooperation with its international, regional and subregional partner organizations and Counter-Terrorism Implementation Task Force entities. CTC believed that a renewal of the CTED mandate for a further three-year period would greatly serve CTC in enhancing the capacities of Member States to implement the resolutions of the Security Council.

Briefing by CTC Chairman (December). Briefing the Security Council on 20 December [S/PV.6457], the CTC Chairman stated that CTC should continue its strategic, focused and more transparent approach. That would help better monitor the full implementation of the relevant resolutions, identify the specific needs of each region or Member State, and enable CTC to interact and cooperate more intensively with all Member States. CTC was urged to dwell more on specific issues, such as incitement to terrorism and prevention. Capacity-building was a challenge for many countries and CTC would need to continue to focus on it.

Extension of CTED mandate. On 20 December, the Security Council, in resolution 1963(2010) (see below), extended CTED's mandate until 31 December 2013 and decided to conduct an interim review by 30 June 2012.

SECURITY COUNCIL ACTION

On 20 December [meeting 6459], the Security Council unanimously adopted **resolution 1963(2010)**. The draft [S/2010/645] was submitted by France, Japan, Nigeria, Turkey, the United Kingdom and the United States.

The Security Council,

Reaffirming that terrorism in all its forms and manifestations constitutes one of the most serious threats to international peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivations, whenever and by whomsoever committed, and remaining determined to contribute further to enhancing the effectiveness of the overall effort to fight this scourge on a global level,

Reaffirming also that terrorism cannot and should not be associated with any religion, nationality, civilization or group,

Noting with concern that terrorism continues to pose a serious threat to international peace and security, the enjoyment of human rights and the social and economic development of all Member States and undermines global stability and prosperity, and that this threat has become more diffuse, with an increase, in various regions of the world, of terrorist acts, including those motivated by intolerance or extremism, expressing its determination to combat this threat, and stressing the need to ensure that counter-terrorism remains a priority on the international agenda,

Recognizing that terrorism will not be defeated by military force, law enforcement measures and intelligence operations alone, and underlining the need to address the conditions conducive to the spread of terrorism, as outlined in pillar I of the United Nations Global Counter-Terrorism Strategy, including but not limited to the need to strengthen efforts for the successful prevention and peaceful resolution of prolonged conflict and the need to promote the rule of law, the protection of human rights and fundamental freedoms, good governance, tolerance and inclusiveness to offer a viable alternative to those who could be susceptible to terrorist recruitment and to radicalization leading to violence,

Expressing concern at the increase in incidents of kidnapping and hostage-taking committed by terrorist groups, in some areas of the world with a specific political context, with the aim of raising funds or gaining political concessions,

Reiterating the obligation of Member States to prevent and suppress the financing of terrorist acts and criminalize the wilful provision or collection, by any means, directly or indirectly, of funds by their nationals or in their territories with the intention that the funds should be used, or in the knowledge that they are to be used, to carry out terrorist acts,

Reaffirming the obligation of Member States to freeze without delay funds and other financial assets or economic resources of persons who commit or attempt to commit terrorist acts or participate in or facilitate the commission of terrorist acts, of entities owned or controlled directly or indirectly by such persons, and of persons and entities acting on behalf of or at the direction of such persons and entities, including funds derived or generated from property owned or controlled directly or indirectly by such persons and associated persons and entities,

Reaffirming also the obligation of Member States to prohibit their nationals or any persons and entities within their territories from making any funds, financial assets or economic resources or financial or other related services available, directly or indirectly, for the benefit of persons who commit or attempt to commit or facilitate or participate in the commission of terrorist acts, of entities owned or controlled, directly or indirectly, by such persons, and of persons and entities acting on behalf of or at the direction of such persons,

Reiterating the obligation of Member States to prevent the movement of terrorist groups by, inter alia, effective border controls and, in this context, to exchange information expeditiously and improve cooperation among competent authorities to prevent the movement of terrorists and terrorist groups to and from their territories, the supply of weapons for terrorists and financing that would support terrorists,

Underlining that safe havens provided to terrorists continue to be a significant concern and that all Member States must cooperate fully in the fight against terrorism in order to find, deny safe haven to and bring to justice, on the basis of the principle of extradite or prosecute, any person who supports, facilitates, participates or attempts to participate in the financing, planning, preparation or commission of terrorist acts or provides safe havens,

Recognizing that development, peace and security and human rights are interlinked and mutually reinforcing, and underlining the international effort to eradicate poverty and promote sustained economic growth, sustainable development and global prosperity for all,

Emphasizing that continuing international efforts to enhance dialogue and broaden understanding among civilizations in an effort to prevent the indiscriminate targeting of different religions and cultures can help to counter the forces that fuel polarization and extremism, and will contribute to strengthening the international fight against terrorism, and in this respect appreciating the positive role of the Alliance of Civilizations and other similar initiatives,

Reaffirming that Member States must ensure that any measures taken to combat terrorism comply with all their obligations under international law, in particular international human rights, refugee and humanitarian law,

Reaffirming its call upon all States to become parties to the international counter-terrorism conventions and protocols as soon as possible, whether or not they are parties to regional conventions on the matter, and to fully implement their obligations under those to which they are parties,

Reiterating its call upon Member States to enhance their cooperation and solidarity, particularly through bilateral and multilateral arrangements and agreements to prevent and suppress terrorist attacks, and encouraging Member States to strengthen cooperation at the regional and sub-regional levels,

Expressing concern at the increased use, in a globalized society, by terrorists of new information and communication technologies, in particular the Internet, for the purposes of recruitment and incitement as well as for the financing, planning and preparation of their activities,

Recognizing the importance that Member States act co-operatively to prevent terrorists from exploiting technology, communications and resources to incite support for terrorist acts,

Recognizing also the importance of the support of local communities, the private sector, civil society and the media for increasing awareness about the threats of terrorism and more effectively tackling them,

Expressing its profound solidarity with the victims of terrorism and their families, stressing the importance of assisting victims of terrorism and providing them and their families with support to cope with their loss and grief, recognizing the important role that victims and survivor networks play in countering terrorism, including by bravely speaking out against violent and extremist ideologies, and in this regard welcoming and encouraging the efforts and activities of Member States and the United Nations system, including the Counter-Terrorism Implementation Task Force, in this field,

Recalling its resolution 1373(2001) of 28 September 2001, by which it established the Counter-Terrorism Com-

mittee, and recalling also its resolution 1624(2005) of 14 September 2005 and its other resolutions concerning threats to international peace and security caused by terrorist acts,

Recalling in particular its resolutions 1535(2004) of 26 March 2004, 1787(2007) of 10 December 2007 and 1805(2008) of 20 March 2008, which pertain to the Counter-Terrorism Committee Executive Directorate,

Welcoming the efforts of the Counter-Terrorism Committee to pursue a more strategic and transparent approach to its work, to seek to raise the visibility of its work within the wider United Nations and counter-terrorism community and to streamline its working methods, all of which have led to increased effectiveness, and urging that these efforts be intensified,

Noting with appreciation the continuing emphasis of the Counter-Terrorism Committee Executive Directorate on the guiding principles of cooperation, transparency and even-handedness, and welcoming the increased regional and subregional approaches of the Executive Directorate to and thematic focus in its work, including in identifying and addressing technical assistance needs, as it continues to intensify its outreach efforts,

Underscoring the central role of the United Nations in the global fight against terrorism, and welcoming the adoption by the General Assembly of the United Nations Global Counter-Terrorism Strategy of 8 September 2006, the institutionalization of the Counter-Terrorism Implementation Task Force in accordance with Assembly resolution 64/235 of 24 December 2009, which will further enhance the efforts of the Task Force to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system, including in the field, and the call for the enhanced engagement of Member States with the work of the Task Force,

1. *Underlines* that the overarching goal of the Counter-Terrorism Committee is to ensure the full implementation of resolution 1373(2001), and recalls the crucial role of the Counter-Terrorism Committee Executive Directorate in supporting the Committee in the fulfilment of its mandate;

2. *Decides* that the Executive Directorate shall continue to operate as a special political mission under the policy guidance of the Counter-Terrorism Committee for the period ending 31 December 2013, and further decides to conduct an interim review by 30 June 2012;

3. *Welcomes and endorses* the recommendations contained in the report of the Counter-Terrorism Committee to the Security Council for its comprehensive consideration of the work of the Executive Directorate;

4. *Urges* the Executive Directorate to continue to strengthen its role in facilitating technical assistance for the implementation of resolution 1373(2001) aimed at increasing the capabilities of Member States and regions in the fight against terrorism by addressing their counter-terrorism needs, in close cooperation within the Counter-Terrorism Implementation Task Force, as well as with bilateral and multilateral assistance providers, and welcomes the focused and regional approach of the Executive Directorate to this work;

5. *Encourages* the Executive Directorate, in close cooperation within the Task Force and its relevant working groups, to focus increased attention on resolution 1624(2005) in its dialogue with Member States to develop,

in accordance with their obligations under international law, strategies which include countering incitement of terrorist acts motivated by extremism and intolerance and in facilitating technical assistance for its implementation, as called for in resolution 1624(2005) and in the United Nations Global Counter-Terrorism Strategy;

6. *Also encourages* the Executive Directorate to arrange meetings with Member States in various formats, with their consent, including for the purpose of considering advising, as appropriate, on the development of comprehensive and integrated national counter-terrorism strategies and the mechanisms to implement them that include attention to the factors that lead to terrorist activities, in accordance with their obligations under international law, and in close cooperation within the Task Force and its working groups, with a view to ensuring coherence and complementarity of efforts and to avoid any duplication;

7. *Further encourages* the Executive Directorate to interact, as appropriate and in consultation with the Counter-Terrorism Committee and relevant Member States, with civil society and other relevant non-governmental actors in the context of its efforts to support the efforts of the Committee to monitor the implementation of resolutions 1373(2001) and 1624(2005);

8. *Stresses* the importance of a tailored dialogue among the Executive Directorate, the Counter-Terrorism Committee and Member States, and encourages the Committee and the Executive Directorate to continue to arrange meetings involving counter-terrorism officials from Member States and relevant international, regional and subregional organizations, with a thematic or regional focus relevant to the implementation of resolutions 1373(2001) and 1624(2005);

9. *Urges* the Executive Directorate also to intensify its cooperation with relevant international, regional and subregional organizations with a view to enhancing the capacity of Member States to fully implement resolutions 1373(2001) and 1624(2005) and to facilitating the provision of technical assistance;

10. *Reminds* that effective counter-terrorism measures and respect for human rights are complementary and mutually reinforcing and are an essential part of a successful counter-terrorism effort, notes the importance of respect for the rule of law so as to effectively combat terrorism, and thus encourages the Executive Directorate to further develop its activities in this area, to ensure that all human rights issues relevant to the implementation of resolutions 1373(2001) and 1624(2005) are addressed consistently and even-handedly, including, as appropriate, on country visits that are organized with the consent of the Member State visited;

11. *Highlights* the importance of the Counter-Terrorism Committee/Executive Directorate work programme, and in this context looks forward to the holding of a special meeting, open to the wider membership, to commemorate the tenth anniversary of the adoption of resolution 1373(2001) and the establishment of the Committee;

12. *Directs* the Executive Directorate to produce an updated global implementation survey of resolution 1373(2001) by 30 June 2011 and in advance of the above-mentioned meeting that, inter alia:

—Assesses the evolution of risks and threats and the impact of the implementation;

- Identifies gaps in the implementation;
- Proposes new practical ways to implement the resolution;

13. *Also directs* the Executive Directorate to produce a global implementation survey of resolution 1624(2005) by 31 December 2011 that, inter alia:

- Assesses the evolution of risks and threats and the impact of the implementation;
- Identifies gaps in the implementation;
- Proposes new practical ways to implement the resolution;

14. *Requests* the Counter-Terrorism Committee to report orally, through its Chair, to the Security Council at least every one hundred and eighty days on the overall work of the Committee and the Executive Directorate and, as appropriate, in conjunction with the reports of the Chairs of the Security Council Committee established pursuant to resolution 1267(1999) and the Security Council Committee established pursuant to resolution 1540(2004), and urges the Chair of the Counter-Terrorism Committee to continue the practice of providing informal briefings, including with a regional or thematic focus, for all interested Member States;

15. *Encourages* the Executive Directorate to continue to report to the Counter-Terrorism Committee, on a regular basis or when the Committee so requests, through oral and/or written briefings on the work of the Executive Directorate, including its visits to Member States, the conduct of workshops and other activities;

16. *Reiterates* the need to enhance the ongoing cooperation between the Counter-Terrorism Committee, the Committee established pursuant to resolution 1267(1999) and the Committee established pursuant to resolution 1540(2004), as well as their respective groups of experts, including through, as appropriate, enhanced and systematized information-sharing, and coordination on visits to countries and participation in workshops, on technical assistance, on relations with international and regional organizations and agencies and on other issues of relevance to all three Committees, expresses its intention to provide guidance to the Committees on areas of common interest in order to better coordinate counter-terrorism efforts, and recalls its resolution 1904(2009) of 17 December 2009, in which it requests the Secretary-General to make the necessary arrangements for the groups of experts to be co-located as soon as possible;

17. *Encourages* the Executive Directorate to continue joint activities, in cooperation with the Analytical Support and Sanctions Monitoring Team of the Committee established pursuant to resolution 1267(1999), the group of experts of the Committee established pursuant to resolution 1540(2004) and the United Nations Office on Drugs and Crime, to assist Member States in their efforts to comply with their obligations under the relevant resolutions, including by organizing regional and subregional workshops;

18. *Welcomes and encourages* the Executive Directorate's continued active participation in and support of all relevant activities under the United Nations Global Counter-Terrorism Strategy, including within the Counter-Terrorism Implementation Task Force and its working groups, established to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system.

Reports of States. Between February and December, the Chairman of CTC transmitted to the Council President reports submitted by Member States on action they had taken or planned to take to implement resolutions 1373(2001) and 1624(2005). Reports were submitted by Panama [S/2010/68], the Democratic People's Republic of Korea [S/2010/139], Kyrgyzstan [S/2010/328], Palau [S/2010/348], Oman [S/2010/545], Uruguay [S/2010/572] and Micronesia [S/2010/695].

Nuclear and radiological terrorism

The General Conference of the International Atomic Energy Agency (IAEA), at its fifty-fourth session (Vienna, 14–18 September), adopted resolution GC(54)/RES/8 on nuclear security, including measures to protect against nuclear and radiological terrorism, in which it called on Member States to maintain the highest possible standards of security and physical protection of nuclear materials and facilities, and provide the necessary support to international efforts to enhance nuclear security through bilateral, regional and international arrangements. It called on States parties to the Convention on the Physical Protection of Nuclear Material to ratify the Amendment to the Convention and encouraged them to act in accordance with the objectives and purposes of the Amendment until such time as it entered into force, and encouraged States that had not done so to adhere to the Convention and adopt its Amendment. The Amendment would make it legally binding for States parties to protect nuclear facilities and material in peaceful domestic use, storage and transport; it provided for expanded State cooperation regarding rapid measures to locate and recover stolen or smuggled nuclear material, mitigate any radiological consequences of sabotage, and prevent and combat related offences. The Amendment would enter into force when ratified by two thirds of the States parties to the Convention.

Global Counter-Terrorism Strategy

Review of implementation

Report of Secretary-General. In accordance with resolution 62/272 [YUN 2008, p. 65], the Secretary-General in June submitted a report [A/64/818 & Corr.1] on the activities of the UN system in implementing the United Nations Global Counter-Terrorism Strategy. The General Assembly had adopted the Strategy in 2006 by resolution 60/288 [YUN 2006, p. 66].

The Secretary-General noted that while knowledge of the work of the UN system in the area of counter-terrorism had increased, especially among key practitioners, there was a need for an in-depth knowledge of the Strategy in order to translate into action provisions on national, regional and global

levels. Member States and the 30 entities composing the Counter-Terrorism Implementation Task Force were urged to increase their efforts and cooperation in that regard. While recognizing that the primary responsibility of implementation lay with Member States, the Strategy underlined the need for collective action at the regional level, particularly through the efforts of regional and subregional organizations. The Task Force welcomed continued partnership with civil society and the private sector in raising awareness and promoting implementation of the Strategy. Implementation would not be complete without the conclusion of a comprehensive convention on international terrorism, and Member States would need to reach an agreement and conclude the convention. Inputs from 14 Member States and nine regional, subregional and other organizations on implementation of the Strategy were annexed to the report. Two addenda contained input from two Member States [A/64/818/Add.1] and a regional organization [A/64/818/Add.2].

General Assembly consideration. On 8 September [A/64/PV.116 & 117], the General Assembly conducted the second review of the Global Counter-Terrorism Strategy. The day-long debate was addressed by the President of the Assembly, Ali Abdussalam Treki (Libyan Arab Jamahiriya), and by 43 Government delegations and observers. The first review had been conducted in 2008 [YUN 2008, p. 63].

GENERAL ASSEMBLY ACTION

On 8 September [meeting 117], the General Assembly adopted **resolution 64/297** [draft: A/64/L.69] without vote [agenda item 115].

The United Nations Global Counter-Terrorism Strategy

The General Assembly,

Reaffirming the United Nations Global Counter-Terrorism Strategy, contained in General Assembly resolution 60/288 of 8 September 2006, and recalling Assembly resolution 62/272 of 5 September 2008, which called for, inter alia, an examination in two years of progress made in the implementation of the Strategy and for consideration to be given to updating it to respond to changes, as provided for in those resolutions,

Recalling its resolution 64/235 of 24 December 2009 on the institutionalization of the Counter-Terrorism Implementation Task Force,

Also recalling the pivotal role of the General Assembly in following up the implementation and the updating of the Strategy,

Renewing its unwavering commitment to strengthening international cooperation to prevent and combat terrorism in all its forms and manifestations,

Recognizing that international cooperation and any measures undertaken by Member States to prevent and combat terrorism must fully comply with their obligations under international law, including the Charter of the United Na-

tions, in particular the purposes and principles thereof, and relevant international conventions and protocols, in particular human rights law, refugee law and international humanitarian law,

Convinced that the General Assembly is the competent organ, with universal membership, to address the issue of international terrorism,

Mindful of the need to enhance the role of the United Nations and the specialized agencies, within their mandates, in the implementation of the Strategy,

Underlining the fact that the Counter-Terrorism Implementation Task Force should continue to carry out its activities within the framework of its mandate, with policy guidance offered by Member States through interaction with the General Assembly on a regular basis,

1. *Reiterates its strong and unequivocal condemnation* of terrorism in all its forms and manifestations, committed by whomever, wherever and for whatever purposes, as it constitutes one of the most serious threats to international peace and security;

2. *Reaffirms* the United Nations Global Counter-Terrorism Strategy and its four pillars, which constitute an ongoing effort, and calls upon Member States, the United Nations and other appropriate international, regional and subregional organizations to step up their efforts to implement the Strategy in an integrated manner and in all its aspects;

3. *Takes note* of the report of the Secretary-General entitled "United Nations Global Counter-Terrorism Strategy: activities of the United Nations system in implementing the Strategy";

4. *Also takes note* of the measures that Member States and relevant international, regional and subregional organizations have adopted within the framework of the Strategy, as presented in the report of the Secretary-General and at the second biennial review of the Strategy, on 8 September 2010, all of which strengthen cooperation to fight terrorism, including through the exchange of best practices;

5. *Reaffirms* the primary responsibility of Member States to implement the Strategy, while further recognizing the need to enhance the important role that the United Nations, including the Counter-Terrorism Implementation Task Force, plays, in coordination with other international, regional and subregional organizations, as appropriate, in facilitating and promoting coordination and coherence in the implementation of the Strategy at the national, regional and global levels and in providing assistance, upon request by Member States, especially in the area of capacity-building;

6. *Encourages* civil society, including non-governmental organizations, to engage, as appropriate, in efforts to enhance the implementation of the Strategy, including through interaction with Member States and the United Nations system;

7. *Calls upon* the United Nations entities involved in supporting counter-terrorism efforts to continue to facilitate the promotion and protection of human rights and fundamental freedoms, as well as due process and the rule of law, while countering terrorism;

8. *Calls upon* States that have not done so to consider becoming parties in a timely manner to the existing international conventions and protocols against terrorism, and upon all States to make every effort to conclude a comprehensive convention on international terrorism, and recalls

the commitments of Member States with regard to the implementation of General Assembly and Security Council resolutions relating to international terrorism;

9. *Notes with appreciation* the continued contribution of United Nations entities and subsidiary bodies of the Security Council to the Counter-Terrorism Implementation Task Force;

10. *Underlines*, in that regard, the importance of greater cooperation among United Nations entities and of the work of the Counter-Terrorism Implementation Task Force to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system, as well as the need to continue promoting transparency and to avoid duplication in their work;

11. *Reaffirms* the need for enhanced dialogue among the counter-terrorism officials of Member States to promote international, regional and subregional cooperation and wider dissemination of knowledge of the Strategy in order to counter terrorism, and in that regard recalls the role of the United Nations system, in particular the Counter-Terrorism Implementation Task Force, in promoting international cooperation and capacity-building as elements of the Strategy;

12. *Welcomes* the progress achieved towards finalizing the institutionalization of the Counter-Terrorism Implementation Task Force, in accordance with resolution 64/235;

13. *Calls for* the enhanced engagement of Member States with the work of the Counter-Terrorism Implementation Task Force;

14. *Encourages* the Counter-Terrorism Implementation Task Force to develop a comprehensive website in order to ensure that its work is made accessible to a wider audience;

15. *Requests* the secretariat of the Counter-Terrorism Implementation Task Force to interact with Member States, including by providing quarterly briefings and comprehensive reports on the current and future work of the Task Force, in order to ensure transparency and to enable Member States to assess the work being undertaken by the Task Force and provide policy guidance and feedback on Strategy implementation efforts;

16. *Requests* the Secretary-General to submit to the General Assembly at its sixty-sixth session, no later than April 2012, a report on progress made in the implementation of the Strategy, which could contain suggestions for its future implementation by the United Nations system, as well as on progress made in the implementation of the present resolution;

17. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "The United Nations Global Counter-Terrorism Strategy" in order to undertake, by June 2012, an examination of the report of the Secretary-General requested in paragraph 16 above, as well as the implementation of the Strategy by Member States, and to consider updating the Strategy to respond to changes.

Terrorist attacks in 2010

In 2010, terrorist attacks continued worldwide, resulting in the deaths of hundreds of innocent civilians and injuries to many others. Those attacks were condemned by the Security Council, Member States and

the Secretary-General, who called for increased efforts to combat the threat they posed to international peace and security.

Afghanistan

On 25 October, the Security Council, by a press statement [SC/10070], condemned the terrorist attack against the United Nations operations centre in the western city of Herat on 23 October. While no casualties among the UN staff were reported, the Council regretted that a number of security guards were wounded.

Iran

On 16 July, the Security Council, by a press statement [SC/9986], condemned the terrorist attacks that occurred on that day in Zahedan, causing numerous deaths and injuries.

On 15 December [SG/SM/13321], the Secretary-General condemned the suicide bombing at a mosque in Chabahar, directed at mourners commemorating the holy day of Ashura, which had reportedly left scores of people dead and many more injured.

Iraq

On 11 May [SG/SM/12884], the Secretary-General condemned the wave of terrorist bombings and other attacks on 10 May that reportedly claimed the lives of over 100 people and injured many more, mostly civilians.

On 10 November, the Security Council, by a press statement [SC/10081], condemned a recent spate of terrorist attacks in which scores of civilians lost their lives and hundreds more were wounded. The attacks deliberately targeted locations where civilians congregated, including Christian and Muslim places of worship.

Nigeria

On 4 October, the Security Council, by a press statement [SC/10048], condemned the terrorist bombings that occurred in Abuja on 1 October, causing numerous deaths and injuries.

Pakistan

On 3 September [SG/SM/13085], the Secretary-General condemned the terrorist bombings in the cities of Lahore and Quetta, which deliberately targeted Shiite Muslims and killed or injured scores of civilians.

On 5 November [SG/SM/13236], the Secretary-General condemned the terrorist attacks on two mosques in the north-west of Pakistan, which had reportedly left more than 70 people dead, including children.

On 28 December [SG/SM/13332], the Secretary-General said that he was appalled by the terrorist attack that took place on the morning of 25 December outside a World Food Programme distribution centre in the town of Khar, in the Bajur region, reportedly killing 45 people and injuring many others.

Russian Federation

On 29 March, the Security Council, by a press statement [SC/9895], condemned the terrorist attacks that occurred in Moscow on that day, causing numerous deaths and injuries.

On 13 September, the Security Council, by a press statement [SC/10025], condemned the terrorist attack that occurred in Vladikavkaz on 9 September, causing numerous deaths and injuries.

Uganda

On 12 July, the Security Council, by a press statement [SC/9980], condemned the terrorist attacks that occurred in Kampala on 11 July, causing numerous deaths and injuries.

Peacekeeping operations

In 2010, the General Assembly and the Security Council continued to oversee the management and operation of UN peacekeeping missions. The Department of Peacekeeping Operations (DPKO) continued to implement the recommendations of the Special Committee on Peacekeeping Operations, whose mandate was to review the whole question of peacekeeping operations in all their aspects.

Security Council consideration (February). The Council on 12 February [S/PV.6270] held an open debate on transition and exit strategies for UN peacekeeping operations. It had before it a concept paper [S/2010/67] submitted by France. The Secretary-General told the Council that a peacekeeping mission required a good entrance, which meant that its very mandate should address the root causes of conflict. It meant charting a path out of violence through a solid and sustainable peace process; articulating a clear goal that could be jointly owned by national stakeholders and the international community; and allocating in a timely manner enough human and material resources—including, if necessary, the rapid deployment of standing police and other civilian capacities. Exits needed to be equally well considered from the very outset of a mission. In assessing whether and when a peacekeeping operation should be drawn down, one needed to look at the strength of national governance structures, including for security and the rule of law, consider the prospects for socio-economic

recovery, examine the risk that a country could backslide into conflict, and ask whether the security guarantee provided by uniformed peacekeepers was still needed. A key lesson of the 1990s was the need for some type of follow-on presence to protect gains and build durable peace.

The Under-Secretary-General for Peacekeeping Operations and the Under-Secretary-General for Field Support stressed that exit and transition strategies could be anticipated sooner than they currently were. Council members shared the view that transition and exit strategies should be planned at an early stage.

SECURITY COUNCIL ACTION

On 12 February [meeting 6270], following consultations among Security Council members, the President made statement **S/PRST/2010/2** on behalf of the Council:

The Security Council reaffirms the statement by its President of 5 August 2009 and its continued commitment to enhance further the overall effectiveness of United Nations peacekeeping.

The Council stresses, in particular, its commitment 'regularly to assess, in consultation with other stakeholders, the strength, mandate and composition of peacekeeping operations with a view to making the necessary adjustments where appropriate, according to progress achieved or changing circumstances on the ground'. The Council stresses that the overarching objective should be to achieve success by creating the conditions for sustainable peace on the ground, thereby allowing for reconfiguration or withdrawal of the United Nations peacekeeping mission.

The Council underlines that an advanced peace process is an important factor in achieving successful transition from a peacekeeping operation to other configurations of United Nations presence. It also highlights the importance of a host State protecting its population, managing political disputes peaceably and providing for basic services and long-term development.

The Council recognizes the importance of supporting political processes and national institutions, in particular for the rule of law, security and peacebuilding assistance, at the earliest stage. In this regard, the Council reiterates the urgency of improving United Nations peacebuilding efforts and achieving a coordinated United Nations approach in-country, as highlighted in the statement by its President of 22 July 2009 and in the report of the Secretary-General on peacebuilding in the immediate aftermath of conflict.

The Council underlines the importance of national ownership, constructive dialogue and partnership between national authorities and the international community in helping to address priority peacebuilding needs and the underlying causes of recurring instability.

Further improvement can be made in Council practice, supported by the Secretariat, to ensure successful transitions, by developing clear, credible and achievable mandates, to be matched by appropriate resources. The Council:

- Undertakes, whenever possible, to include in peacekeeping mandates a desired outcome of the implementation of mandated tasks and a clear prioritization of tasks to achieve it, reflecting the need to create favourable conditions for sustainable peace;
- Stresses the importance of an appropriate level of military expertise for the decisions of the Council;
- Stresses the need for precise and clear recommendations to be made available by the Secretariat, at least a month before mandate renewals, on the content of the mandate and any necessary adjustments, taking into account developments on the ground and the views of the host country, relevant troop- and police-contributing countries and other parties, as appropriate;
- Requests the Secretariat to plan military, police and other peacebuilding tasks in phases with clear objectives and taking into account local conditions that should be attained to allow mission success and transition from a peacekeeping operation, taking also into account the recent lessons learned from transitions to integrated peacebuilding offices;
- Recognizes the utility of strategic workplans and will consider extending their use in peacekeeping operations. Progress in achieving priority tasks laid down in Council resolutions should be measured, as appropriate, through benchmarks that can be easily monitored by the Council;
- Recognizes the importance of ensuring that mandated peacebuilding tasks are implemented as early as possible in a peacekeeping operation in coordination with the United Nations country team and with due respect for security concerns and the priorities of the host Government, taking into account pre-existing programmes and policies implemented before the inception of the operation. In this regard, the Council reaffirms the need to fully implement the integrated mission planning process and also notes the importance of the integrated strategic frameworks. The Council also notes the importance of the civilian capacities review currently being undertaken by the Peacebuilding Support Office;
- Undertakes to enhance coordination with the Peacebuilding Commission and looks forward to the 2010 review of the Commission and the recommendations on how its role can continue to be enhanced;
- Welcomes the adoption by the Security Council Working Group on Peacekeeping Operations of its programme of work, and commends, in particular, its decision to address key lessons learned from past and current missions about the successful implementation of transition strategies, with a view to improving Council practice;
- Recalls the necessity to take into account the protection of civilians in situations of armed conflict, as and when mandated, throughout the life cycle of United Nations peacekeeping and other relevant missions, in line with Council resolution 1894(2009).

The Council commits to regularly monitoring progress and achievement of the different stages of a given peacekeeping operation. The Council stresses the importance of maintaining an efficient reporting and information collection system.

The Council reaffirms its belief that United Nations peacekeeping is a unique global partnership that draws together the contributions and commitment of the entire United Nations system. The Council is committed to strengthening this partnership and acknowledges the key role of the Special Committee on Peacekeeping Operations of the General Assembly and the Fifth Committee of the Assembly in that regard. The Council recognizes the need for continuous review of the military planning, police, judicial, rule of law and institution-building capabilities of the Secretariat to ensure their effective utilization and coordination.

The Council recognizes the contribution of regional and subregional organizations to transition. The Council calls upon all Member States and subregional, regional and international partners to promote coherence and coordination of their peacebuilding plans and programmes with those of the United Nations peacekeeping operation and the wider United Nations presence on the ground.

The Council undertakes to provide the political support necessary to ensure the effective implementation of peace processes in order to promote the success of United Nations peacekeeping operations.

The Council stresses the importance of considering early peacebuilding in its own deliberations and of ensuring coherence between peacemaking, peacekeeping and peacebuilding to achieve effective transition strategies. The Council looks forward to discussing further the implementation of this integrated approach and requests the Secretary-General to intensify his efforts in this regard.

The Council remains committed to improving further the overall effectiveness of United Nations peacekeeping, including through the recognition and enhancement of linkages with wider peacebuilding efforts, and will conduct a further review of progress in this regard in late 2010.

Security Council consideration (August). On 6 August [S/PV.6370], the Council held a debate on peacekeeping operations, where Alain Le Roy, the Under-Secretary-General for Peacekeeping Operations, reminded the Council that as at 31 July, almost 120,000 peacekeepers had been deployed, among them 84,000 military, 13,000 police officers, and 22,000 civilians. There were nearly 100,000 people in uniform, in addition to 22,000 civilians. There had been a drawdown of the United Nations Mission in the Central African Republic and Chad and the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), but they were still at a significant level. The Organization had moved from a period of surge to a period of consolidation. It was at a plateau in consolidation because there was no new peacekeeping operation on the way. The consolidation phase would be used to improve efficiency in areas such as planning, oversight, drafting strategies for protection of civilians and robust peacekeeping—in brief,

the reform agenda. The Force Commanders of the United Nations Mission in Liberia, MONUSCO, the United Nations Mission in the Sudan, the United Nations Stabilization Mission in Haiti, and the Head of Mission and Chief of Staff of the United Nations Truce Supervision Organization also addressed the meeting.

Communications. On 23 February [A/64/721], Australia and Uruguay transmitted to the General Assembly a summary of the workshop on the protection of civilians in peacekeeping operations (New York, 19 January) co-hosted by the two countries.

On 4 June [A/64/811-S/2010/307], Indonesia and Slovakia transmitted to the Secretary-General the outcome of the International Workshop on the Role of the United Nations in Multidimensional Peacekeeping Operations and Post-Conflict Peacebuilding: Towards an ASEAN Perspective (Jakarta, Indonesia, 29–30 March), co-chaired by the two countries.

On 22 July [A/64/871-S/2010/397], Portugal transmitted to the Secretary-General the summary and main conclusions of the seminar, “United Nations peacekeeping and peacebuilding: enhancing interaction between the Security Council, the Secretariat, troop- and police-contributing countries and host countries” (Portugal, 8–10 July).

On 16 August [A/64/907], Brazil transmitted to the General Assembly the concept note and summary of the seminar, “A new horizon for UN peacekeeping: perspectives from the South” (Rio de Janeiro, 16–18 June).

General aspects of UN peacekeeping

Strengthening operational capacity

The Special Committee on Peacekeeping Operations, at its 2010 substantive session [A/64/19], stated that a sound interaction and better understanding must be maintained among the Security Council, the Secretariat and the troop-contributing countries in order to devise clear, unambiguous and achievable mandates and to mobilize the necessary resources and information capacity to achieve the mandates. The Special Committee welcomed practical steps taken by the Security Council and its Working Group on Peacekeeping Operations to deepen engagement with troop- and police-contributing countries in the early phase of mandate drafting and throughout mission deployment. The Special Committee took note of the work of the Secretariat on developing a comprehensive capability-driven approach to improve overall performance in the field. It encouraged the Secretariat to continue its work in that regard, in cooperation with troop- and police-contributing countries, and to report back to the Committee.

Strategies for complex peacekeeping operations

The Special Committee on Peacekeeping Operations [A/64/19] took note of the DPKO/Department of Field Support (DFS) non-paper entitled “A New Partnership Agenda: Charting the New Horizon for United Nations Peacekeeping” [YUN 2009, p. 74] and encouraged the Secretariat to further engage with Member States, particularly troop- and police-contributing countries, on matters relating to peacekeeping operations. The Special Committee addressed issues relating to peacebuilding and the Peacebuilding Commission; disarmament, demobilization and reintegration; security sector reform; the rule of law; gender and peacekeeping; children and peacekeeping; and HIV/AIDS and other health-related issues.

The Special Committee welcomed the implementation of quick-impact projects by peacekeeping operations, which made an important contribution to the implementation of mandates by addressing the immediate needs of local populations and building support for peacekeeping missions, their mandates and peace processes. It stressed the importance of implementing other mandated tasks such as support to the restoration and extension of State authority, support to political processes and protection of civilians under imminent threat of violence.

Safety and security

The Special Committee [A/64/19] condemned the killing of UN peacekeeping personnel and all acts of violence against such personnel, which constituted a major challenge to UN field operations. The Special Committee urged States to become parties to the Convention on the Safety of United Nations and Associated Personnel [YUN 1994, p. 1288] and its Optional Protocol [YUN 2005, p. 1420]. The Special Committee took note of the progress made in developing the Joint Operations Centres and Joint Mission Analysis Centres in DPKO-led field missions, and underlined the importance of efforts to make them fully effective. The Special Committee noted with concern that some deployed troop formations were being stretched to cover geographic areas that exceeded their capacities. Such practices not only threatened the safety and security of those troops, but also adversely affected their performance, discipline, command and control, and capacity to implement the mandate.

Conduct and discipline

The Special Committee [A/64/19] reaffirmed the need to ensure that all peacekeeping personnel functioned in a manner that preserved the image, credibility, impartiality and integrity of the United Nations.

It emphasized that misconduct was unacceptable and had a detrimental effect on the fulfilment of mandates, in particular with respect to the relations between UN peacekeeping personnel and the population of host countries. The Special Committee emphasized that the same standards of conduct must be applied to all categories of UN peacekeeping personnel. Violations of those standards would result in appropriate action within the authority of the Secretary-General, while criminal and disciplinary responsibility in respect of members of national contingents would depend on the national law of the Member State concerned. It reiterated that troop-contributing countries bore the primary responsibility for maintaining discipline among their contingents.

Sexual exploitation and abuse in UN peacekeeping operations

Report of Secretary-General. Pursuant to General Assembly resolution 57/306 [YUN 2003, p. 1237], the Secretary-General in February submitted a report [A/64/669] on special measures for protection from sexual exploitation and sexual abuse, presenting data on allegations of such incidents in the UN system during 2009. There were 112 allegations of abuse involving DPKO and DFS personnel, marking an increase from 83 in 2008. Of that number, 51 were considered “egregious” forms of sexual exploitation and abuse, namely sexual exploitation and abuse of minors, including rape. A total of 66 allegations involved non-consensual sex. The most notable increase occurred in the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC), for which the Office of Internal Oversight Services (OIOS) reported 59 allegations in 2009 compared with 40 in 2008. In the United Nations Stabilization Mission in Haiti (MINUSTAH), the United Nations Mission in Liberia (UNMIL) and the United Nations Mission in the Sudan (UNMIS), there was also an increase of reported allegations, while incidents reported in the United Nations Operation in Côte d’Ivoire (UNOCI) decreased in 2009 compared with 2008. The United Nations Integrated Office in Burundi (BINUB) and the United Nations Mission in the Central African Republic and Chad (MINURCAT) reported two allegations each in 2009, and the African Union-United Nations Hybrid Operation in Darfur (UNAMID) reported three allegations in 2009 compared with none in 2008. On the other hand, the United Nations Interim Force in Lebanon (UNIFIL) and the United Nations Mission in Nepal (UNMIN) did not report any incidents, compared with one and two, respectively, in 2008.

Investigations involving 39 UN peacekeeping personnel had been completed as at 31 December 2009. Of those involving military personnel, 8 cases had

been substantiated; among civilian personnel, 8 cases; and among police and corrections personnel, 5 cases.

The Secretary-General also reported on measures to address the problem, including the activities of the Task Force on Protection from Sexual Exploitation and Abuse and the DFS Conduct and Discipline Unit and Teams.

Special Committee on Peacekeeping Operations consideration. The Special Committee [A/64/19] underlined the gravity of all acts of sexual and gender-based violence, including sexual exploitation and abuse, and stressed the importance of addressing the needs of victims. It underlined the importance of continued and strengthened efforts to implement the policy of zero tolerance of sexual exploitation and abuse in UN peacekeeping operations. Stressing the importance of eliminating all forms of misconduct, the Special Committee remained concerned about new cases of misconduct reported, including sexual exploitation and abuse, and about the number of outstanding allegations awaiting investigation, and encouraged efforts to address the backlog. The Special Committee recalled the adoption of General Assembly resolution 62/214 [YUN 2007, p. 1519], containing the United Nations Comprehensive Strategy on Assistance and Support to Victims of Sexual Exploitation and Abuse by United Nations Staff and Related Personnel. In that regard, the Special Committee welcomed the report of the Secretary-General [YUN 2009, p. 76] and the progress made, and called for the continued implementation of the strategy.

Cooperation with troop-contributing countries

The Special Committee [A/64/19] stressed the need to enhance the relationship between those who planned, mandated and managed UN peacekeeping operations and those who implemented the operations’ mandates, with troop-contributing countries involved early and fully in all aspects and stages of operations. The Special Committee underlined the importance of developing triangular cooperation between troop- and police-contributing countries, the Secretariat and the Security Council. It requested that the Secretariat produce pre-deployment threat assessments and make them available to potential troop-contributing countries, and encouraged reconnaissance visits of potential troop- and police-contributing countries to new missions. The Special Committee believed that pre-deployment visits for military contributions and formed police units were an important step in the process of force generation. The Special Committee recommended that guidelines for such visits be improved and measures taken to ensure that they were adequately performed.

Cooperation with regional organizations

The Special Committee [A/64/19] reaffirmed the important contribution that regional arrangements and agencies could make to peacekeeping, in accordance with Chapter VIII of the UN Charter. It welcomed positive developments in the field of cooperation with regional arrangements or agencies and encouraged the Secretariat to strengthen those linkages, such as the one with the AU. The Special Committee requested the Secretariat to identify the most important lessons learned from the cooperation between the United Nations and regional arrangements, including the AU and the EU, in peacekeeping issues and to include them in its reports and recommendations.

Women in peacekeeping

With respect to gender and peacekeeping, the Special Committee [A/64/19] emphasized the importance of full and effective implementation of Security Council resolutions 1325(2000) [YUN 2000, p. 1113], 1820(2008) [YUN 2008, p. 1265], 1888(2009) [YUN 2009, p. 1137] and 1889(2009) [ibid., p. 1141] on women and peace and security, and of all General Assembly resolutions on the elimination of all forms of violence against women.

The Special Committee acknowledged the important role of women in the prevention and resolution of conflicts and in peacebuilding, and stressed the importance of their equal participation and full involvement in all peace and security efforts. It reiterated its concern at the low proportion of women among UN peacekeeping staff at Headquarters and in the field, and encouraged DPKO and Member States to increase the participation of women in all aspects and at all levels of UN peacekeeping operations, and to implement and promote gender perspectives in peacekeeping activities.

On 27 April, by presidential statement **S/PRST/2010/8** on women and peace and security (see p. 1160), the Council welcomed the appointment of Margot Wallström (Sweden) as the Special Representative of the Secretary-General on Sexual Violence in Conflict and reiterated its support of her mandate.

On 26 October, by presidential statement **S/PRST/2010/22** on women and peace and security (see p. 1161), the Council reiterated its condemnation of all violations of international law committed against women and girls in situations of armed conflict and post-conflict situations, including rape, other forms of sexual and gender-based violence and killing and maiming.

On 16 December [S/PV.6453], by **resolution 1960(2010)** (see p. 1164), the Council called on parties to armed conflict to commit to combating sexual violence.

Security Council Working Group on Peacekeeping Operations

On 9 August, the Chairman of the Security Council Working Group on Peacekeeping Operations submitted to the Council a report [S/2010/424] covering its work since the beginning of the year. Meeting four times on 26 March, 10 May, 24 May and 2 June, the Working Group discussed civilian and military capacity gaps, and coordination and partnership for capacity development. The report summarized discussions, with the participation of 30 countries and organizations, including troop- and police-contributing countries, the Bureau of the Special Committee on Peacekeeping Operations, regional organizations and other stakeholders.

On 29 December, the Chairman of the Working Group submitted to the Council a report [S/2010/696] on the Working Group's activities in 2009 and 2010, including its meetings of 22 October, 3 November and 10 December, during which the Working Group addressed civilian and military capacity gaps and mandated peacebuilding tasks.

Oversight activities

Oros reported in February [A/64/326 (Part II)] on its peacekeeping oversight activities in 2009. The Office issued 214 oversight reports related to peace operations, which accounted for 46 per cent of all Oros recommendations for the year. They underscored the need for the United Nations to develop a formal internal control framework to ensure that risks were managed consistently and systematically through focused control processes. In 2009, the Office issued 92 audits covering various focus areas—including financial management, human resources management, strategic management and governance, safety and security, information technology, logistics, procurement and contracts, programmes and projects, and properties and facilities. Audit reports issued in 2009 contained 909 recommendations, including 328 recommendations aimed at strengthening internal controls to mitigate identified high risks. Of all recommendations issued, 98 per cent were accepted, and as at 31 December 2009, 40 per cent of the recommendations addressing high risks had been implemented.

During 2009, 104 investigation reports related to peacekeeping operations were issued to programme managers. The Oros Investigations Division began implementing its investigation learning programme, designed to raise awareness and know-how of UN personnel involved with investigations and to hone the skills of the Division's personnel. Two of the seven modules that had been developed—on investigating sexual harassment and on investigating sexual exploitation and abuse—were presented at Headquarters and in the field.

Comprehensive review of peacekeeping

Special Committee on Peacekeeping Operations

As requested by the General Assembly in resolution 63/280 [YUN 2009, p. 79], the Special Committee on Peacekeeping Operations and its Working Group continued their comprehensive review of the whole question of peacekeeping operations in all their aspects.

The Special Committee held its 2010 substantive session from 22 February to 19 March [A/64/19]. It discussed guiding principles, definitions and implementation of mandates, restructuring of peacekeeping, safety and security, conduct and discipline, strengthening operational capacity, strategies for complex peacekeeping operations, cooperation with troop-contributing countries, cooperation with regional arrangements, enhancement of African peacekeeping capabilities, best practices, training, personnel and financial matters, among other issues.

GENERAL ASSEMBLY ACTION

On 21 May [meeting 89], the General Assembly, on the recommendation of the Fourth (Special Political and Decolonization) Committee [A/64/407/Add.1], adopted **resolution 64/266** without vote [agenda item 33].

Comprehensive review of the whole question of peacekeeping operations in all their aspects

The General Assembly,

Recalling its resolution 2006(XIX) of 18 February 1965 and all other relevant resolutions,

Recalling in particular its resolution 63/280 of 8 May 2009,

Affirming that the efforts of the United Nations in the peaceful settlement of disputes, including through its peacekeeping operations, are indispensable,

Convinced of the need for the United Nations to continue to improve its capabilities in the field of peacekeeping and to enhance the effective and efficient deployment of its peacekeeping operations,

Considering the contribution that all States Members of the United Nations make to peacekeeping,

Noting the widespread interest in contributing to the work of the Special Committee on Peacekeeping Operations expressed by Member States, in particular troop-contributing countries,

Bearing in mind the continuous necessity of preserving the efficiency and strengthening the effectiveness of the work of the Special Committee,

1. *Welcomes* the report of the Special Committee on Peacekeeping Operations;

2. *Endorses* the proposals, recommendations and conclusions of the Special Committee, contained in paragraphs 15 to 228 of its report;

3. *Urges* Member States, the Secretariat and relevant organs of the United Nations to take all steps necessary to implement the proposals, recommendations and conclusions of the Special Committee;

4. *Reiterates* that those Member States that become personnel contributors to the United Nations peacekeeping operations in years to come or participate in the future in the Special Committee for three consecutive years as observers shall, upon request in writing to the Chairman of the Special Committee, become members at the following session of the Special Committee;

5. *Decides* that the Special Committee, in accordance with its mandate, shall continue its efforts for a comprehensive review of the whole question of peacekeeping operations in all their aspects and shall review the implementation of its previous proposals and consider any new proposals so as to enhance the capacity of the United Nations to fulfil its responsibilities in this field;

6. *Requests* the Special Committee to submit a report on its work to the General Assembly at its sixty-fifth session;

7. *Decides* to include in the provisional agenda of its sixty-fifth session the item entitled "Comprehensive review of the whole question of peacekeeping operations in all their aspects".

On 10 December, the Assembly, by **decision 65/520**, took note of the report of the Fourth Committee on the comprehensive review of the whole question of peacekeeping operations [A/65/424]. On 24 December, the Assembly, by **decision 65/544**, decided that the item "Comprehensive review of the whole question of peacekeeping operations in all their aspects" would remain for consideration during its resumed sixty-fifth (2011) session.

Aviation safety

Pursuant to requests by the Special Committee on Peacekeeping Operations in 2009 and 2010, the Secretary-General in May [A/64/768] updated Member States on the status and developments in the area of aviation safety in UN peacekeeping, including administrative and safety arrangements related to the management and use of military utility helicopters in peacekeeping missions. The report reflected the measures undertaken by the UN Secretariat to ensure effective implementation of the existing frameworks in the field in order to achieve operational responsiveness and flexibility. The administrative and safety frameworks that underpinned the management and use of military aircraft were both comprehensive and robust. Problems with the execution of relevant policies and procedures concerning the use of military utility helicopters remained the exception rather than the rule, and the United Nations was committed to ensuring that all relevant frameworks were implemented effectively.

Operations in 2010

As at 31 December, there were 15 peacekeeping missions in operation—7 in Africa, 1 in the Americas, 2 in Asia, 2 in Europe and the Mediterranean and 3 in the Middle East.

Africa

In Africa, the Security Council extended the mandates of the United Nations Mission for the Referendum in Western Sahara (MINURSO) until 30 April 2011; the United Nations Mission in Liberia (UNMIL) until 30 September 2011; the United Nations Mission in the Sudan (UNMIS) until 30 April 2011; and the African Union-United Nations Hybrid Operation in Darfur (UNAMID) until 31 July 2011. The Council renewed the mandate of the United Nations Operation in Côte d'Ivoire (UNOCI) three times—until 31 May 2010, until 30 June 2010 and until 30 June 2011. It extended the mandate of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) until 30 June 2010 and decided that—in view of the new phase that had been reached in the country—it should henceforward bear the title of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) and be deployed until 30 June 2011. The United Nations Mission in the Central African Republic and Chad (MINURCAT) completed its mandate on 31 December 2010, in accordance with Security Council resolution 1923(2010) and at the request of the Chadian Government, which pledged full responsibility for protecting civilians on its territory.

Americas

In the Americas, the Security Council extended the mandate of the United Nations Stabilization Mission in Haiti (MINUSTAH) until 15 October 2011.

Asia

In Asia, the United Nations Military Observer Group in India and Pakistan (UNMOGIP), established in 1949, continued to monitor the ceasefire in Jammu and Kashmir. The Security Council extended the mandate of the United Nations Integrated Mission in Timor-Leste (UNMIT) until 26 February 2011. It extended the authorization of the International Security Assistance Force (ISAF) in Afghanistan until 13 October 2011.

Europe and the Mediterranean

The Council extended the United Nations Peacekeeping Force in Cyprus (UNFICYP) twice—

to 15 December 2010 and to 15 June 2011. The United Nations Interim Administration Mission in Kosovo (UNMIK) remained in place. On 18 November, the Council authorized the Member States acting through or in cooperation with the European Union to establish, for a further 12-month period, a multinational stabilization force (EUFOR) in Bosnia and Herzegovina.

Middle East

Three long-standing operations continued in the Middle East. The United Nations Truce Supervision Organization (UNTSO) continued to monitor ceasefires, supervise armistice agreements and assist other peacekeeping operations in the region. The Security Council extended the mandate of the United Nations Disengagement Observer Force (UNDOF) to 31 December 2010 and to 30 June 2011, and that of the United Nations Interim Force in Lebanon (UNIFIL) to 31 August 2011.

Roster of 2010 operations

UNTSO

United Nations Truce Supervision Organization

Established: May 1948.

Mandate: To monitor ceasefires, supervise armistice agreements, prevent isolated incidents from escalating and assist other peacekeeping operations in the region.

Strength: 149 military observers, 88 international civilian staff, 127 local civilian staff.

UNMOGIP

United Nations Military Observer Group in India and Pakistan

Established: January 1949.

Mandate: To supervise the ceasefire between India and Pakistan in Jammu and Kashmir.

Strength: 44 military observers, 24 international civilian staff, 48 local civilian staff.

UNFICYP

United Nations Peacekeeping Force in Cyprus

Established: March 1964.

Mandate: To prevent the recurrence of fighting between the two Cypriot communities and to contribute to the maintenance and restoration of law and order and a return to normal conditions.

Strength: 854 troops, 68 police, 39 international civilian staff, 114 local civilian staff.

UNDOF

United Nations Disengagement Observer Force

Established: June 1974.

Mandate: To supervise the ceasefire between Israel and the Syrian Arab Republic and the disengagement of Israeli and Syrian forces in the Golan Heights.

Strength: 1,045 troops, 41 international civilian staff, 103 local civilian staff.

UNIFIL

United Nations Interim Force in Lebanon

Established: March 1978.

Mandate: To restore peace and security and assist the Lebanese Government in ensuring the return of its effective authority in the area; expanded in 2006 to include monitoring the cessation of hostilities between Hizbullah and Israel, supporting the deployment of the Lebanese armed forces throughout southern Lebanon, helping to ensure humanitarian access to civilian populations and the return of displaced persons, and assisting the Government in securing its borders to prevent the entry of unauthorized arms or materiel.

Strength: 11,961 troops, 337 international civilian staff, 659 local civilian staff.

MINURSO

United Nations Mission for the Referendum in Western Sahara

Established: April 1991.

Mandate: To monitor and verify the implementation of a settlement plan for Western Sahara and assist in the holding of a referendum in the Territory.

Strength: 29 troops, 207 military observers, 6 police, 99 international civilian staff, 164 local civilian staff, 19 UN Volunteers.

UNMIK

United Nations Interim Administration Mission in Kosovo

Established: June 1999.

Mandate: To help ensure conditions for a peaceful and normal life for all inhabitants of Kosovo and advance regional stability in the Western Balkans.

Strength: 8 military observers, 8 police, 146 international civilian staff, 232 local civilian staff, 28 UN Volunteers.

UNMIL

United Nations Mission in Liberia

Established: September 2003.

Mandate: To support the implementation of the 2003 ceasefire agreement and the peace process; protect UN staff, facilities and civilians; support humanitarian and human rights activities; and assist in national security reform, including national police training and formation of a new, restructured military.

Strength: 7,938 troops, 131 military observers, 1,323 police, 445 international civilian staff, 979 local civilian staff, 221 UN Volunteers.

UNOCI

United Nations Operation in Côte d'Ivoire

Established: April 2004.

Mandate: To facilitate the implementation of the 2003 peace agreement; contribute to the consolidation of the stability of the country, to the electoral process and the identification of the population, and to other peace-related tasks.

Strength: 7,569 troops, 186 military observers, 1,316 police, 389 international civilian staff, 737 local civilian staff, 267 UN Volunteers.

MINUSTAH

United Nations Stabilization Mission in Haiti

Established: June 2004.

Mandate: To provide support in ensuring a secure and stable environment; support the constitutional and political process; assist in maintaining the rule of law, public safety and public order; promote and protect human rights; and support the political process, promoting an inclusive political dialogue and national reconciliation.

Strength: 8,744 troops, 3,240 police, 510 international civilian staff, 1,214 local civilian staff, 234 UN Volunteers.

UNMIS

United Nations Mission in the Sudan

Established: March 2005.

Mandate: To support the implementation of the 2005 Comprehensive Peace Agreement between the Government of the Sudan and the Sudan People's Liberation Movement/Army; facilitate and coordinate humanitarian assistance and the return of refugees and internally displaced persons; assist with demining; and protect and promote human rights. The mandate was expanded in 2006 to support implementation of the 2006 Darfur Peace Agreement and the 2004 N'djamena Agreement on Humanitarian Ceasefire on the Conflict in Darfur.

Strength: 9,300 troops, 480 military observers, 636 police, 966 international civilian staff, 2,837 local civilian staff, 489 UN Volunteers.

UNMIT

United Nations Integrated Mission in Timor-Leste

Established: August 2006.

Mandate: To build capacity in the governance, justice and security sectors; provide law enforcement and public security; assist the Government in organizing elections; strengthen human rights mechanisms; and complete investigations into cases of serious human rights violations.

Strength: 35 military observers, 1,482 police, 372 international civilian staff, 894 local civilian staff, 173 UN Volunteers.

UNAMID

African Union-United Nations Hybrid Operation in Darfur

Established: July 2007.

Mandate: To contribute to the protection of civilians, contribute to security for humanitarian assistance, monitor and verify implementation of agreements, assist an inclusive political process, contribute to the promotion of human rights and the rule of law, and monitor and report on the situation along the borders with Chad and the Central African Republic.

Strength: 17,220 troops, 247 military observers, 4,977 police, 1,101 international civilian staff, 2,775 local civilian staff, 548 UN Volunteers.

MINURCAT

United Nations Mission in the Central African Republic and Chad

Established: September 2007.

Mandate: To contribute to the protection of civilians, promote human rights and the rule of law, and promote regional peace. MINURCAT completed its mandate on 31 December 2010.

Strength: 3 troops, 277 international civilian staff, 504 local civilian staff, 123 UN Volunteers.

MONUSCO

United Nations Organization Stabilization Mission in the Democratic Republic of Congo

Established: July 2010.

Mandate: To protect civilians and to provide support to the Government in stabilization and peace consolidation.

Strength: 714 military observers, 17,129, troops, 1,262 police, 964 international civilian staff, 2,805 local civilian staff, 599 UN Volunteers.

Financial and administrative aspects of peacekeeping operations

The General Assembly considered a number of issues related to financial and administrative aspects of UN peacekeeping operations, including the financial performance of UN peacekeeping operations, the support account for peacekeeping operations, funds for closed missions, financial reports and audited financial statements, management and financing of the United Nations Logistics Base at Brindisi, Italy, restructuring, UN police capacities, personnel matters, criminal accountability of UN staff and experts on mission, welfare and recreational needs of peacekeeping staff, death and disability, and training.

(For information on those issues, see below.)

Financing

Expenditures for UN peacekeeping operations from 1 July 2009 to 30 June 2010 [A/65/5 (Vol. II)] rose by 7 per cent, from \$7,120.6 million in the previous fiscal year to \$7,616.1 million. Total assessments rose by 12.8 per cent, from \$7,060.5 million to \$7,963.2 million. The increase was mainly due to UNAMID, MINURCAT, MONUC, MINUSTAH and support for AMISOM, which was partially offset by decreases in UNMIK, UNIFIL, UNMIL, and UNOMIG. Unpaid assessments pertaining to active peacekeeping missions decreased by 4.4 per cent, from \$954.0 million to \$912.2 million. Unpaid assessments for closed missions decreased marginally, from \$556.1 million to \$543.2 million. Therefore, the overall level of unpaid assessments decreased from \$1,510.1 million to \$1,455.4 million.

Available cash for active peacekeeping missions as at 30 June totalled \$1,803.9 million, while liabilities reached \$2,134.6 million. For closed missions, available cash totalled \$423.7 million, while liabilities were \$185.2 million. Closed missions with cash surpluses remained the only available lending source for active missions. During the reporting period, the United Nations Peace Forces provided loans of \$30.0 million to MINURSO (\$12.0 million), UNOMIG (\$3.0 million) and UNMIT (\$15.0 million). Total loans outstanding amounted to \$22.8 million.

Notes of Secretary-General. In January [A/C.5/64/15], the Secretary-General, further to the information provided in 2009 [YUN 2009, p. 83] on approved resources for peacekeeping operations from 1 July 2009 to 30 June 2010, including requirements for the United Nations Logistics Base (UNLB) at Brindisi, Italy, and the support account for peacekeeping operations, provided information on further financing actions taken by the General Assembly at the main part of its sixty-fourth session in respect

of UNOMIG, support for AMISOM and the support account for peacekeeping operations, for a total of \$7,869,219,100.

In April [A/C.5/64/17], in accordance with General Assembly resolution 49/233 A [YUN 1994, p. 1338], the Secretary-General submitted to the Fifth (Administrative and Budgetary) Committee information on the proposed budgetary requirements of each peacekeeping operation, including budget levels for UNLB and the support account for peacekeeping operations, for 1 July 2010 to 30 June 2011, by category, with the exception of MINURCAT and MINUSTAH, with the aggregate total resource requirements amounting to \$6,987,237,100.

In June [A/C.5/64/18], the Secretary-General submitted to the Fifth Committee a note reflecting the resources to be approved by the Assembly in respect of each peacekeeping mission, including the prorated shares of the support account for peacekeeping operations and UNLB.

In July [A/C.5/64/19], the Secretary-General submitted information on approved resources for peacekeeping operations for 1 July 2010 to 30 June 2011, including requirements for UNLB and the support account for peacekeeping operations, amounting to \$7,264,350,500.

Financial performance

In February [A/64/643], the Secretary-General submitted an overview report on the financing of UN peacekeeping operations: budget performance for the period from 1 July 2008 to 30 June 2009 and the budget for 1 July 2010 to 30 June 2011. During the former period, total expenditure amounted to \$7,098.1 million, against an approved budget of \$7,302.2 million, exclusive of voluntary contributions in kind. The budget for peacekeeping operations for the latter period was estimated at \$8,361.9 million. In March [A/64/702], the Secretary-General provided additional information in response to the recommendations of the Board of Auditors contained in its report [A/64/5 (Vol. II)] on UN peacekeeping operations for the period ended 30 June 2009 [YUN 2009, p. 82].

In May [A/64/753], the Advisory Committee on Administrative and Budgetary Questions (ACABQ) noted the continuous increase and strengthening of staffing and non-staffing resources as a result of successive reforms as well as on a regular annual basis. The Committee said that resource levels and management structures should be kept under review with a view to reassigning, redeploying and reducing resources in order to streamline the backstopping of peacekeeping operations.

Peacekeeping support account

The Secretary-General's performance report on the budget of the support account for peacekeeping operations for the period from 1 July 2008 to 30 June 2009 [A/64/611 & Add.1] reported expenditures for that period amounting to \$271,963,600 against approved resources of \$282,401,900, resulting in unutilized resources totalling \$10,438,300. That unutilized balance was attributable to under-expenditure in respect of post and non-post resources, in particular under official travel and other supplies, services and equipment, offset by additional requirements under the general temporary assistance category of expenditures. The Secretary-General recommended that the General Assembly apply the unencumbered balance of \$1,959,200 to support account requirements for the period from July 2010 through June 2011; and apply the remaining unencumbered balance of \$7,094,800, comprising interest income (\$2,383,000), other miscellaneous income (\$1,379,400) and cancellations of prior-period obligations (\$3,332,400), to the support account requirements for the period from July 2010 to June 2011.

In March [A/64/697 & Add.1,2], the Secretary-General submitted the budget for the support account for peacekeeping operations for the period from 1 July 2010 to 30 June 2011, amounting to \$313,891,800. It provided for 1,314 posts, comprising 1,245 continuing posts and 73 new posts.

Pursuant to resolutions 62/250 [YUN 2008, p. 87], 62/265 [YUN 2008, p. 546] and 63/280 [YUN 2009, p. 79], the Secretary-General reported [A/64/572 & Corr.1] on the implementation of the strengthening of the DPKO Office of Military Affairs and its impact on the organization and capacities of the Office. The strengthened Office was capable of providing increased strategic direction, oversight and situational awareness; had developed a limited mission start-up, surge and crisis response capability; and had the full functionality to facilitate the cessation of Strategic Military Cell operations by the target date of 30 June 2010. Notwithstanding those improvements, the Office had yet to develop its ability to enhance strategic military expertise in DPKO through better continuity and staff support. Justification for the continuation of the resources approved by resolution 62/250 and any required adjustments would be reflected in the budget for the support account for peacekeeping operations for the period from 1 July 2010 to 30 June 2011.

The Independent Audit Advisory Committee in February submitted its comments [A/64/652] on the proposed budget for OIOS under the support account for peacekeeping operations for 1 July 2010 to 30 June 2011.

In May [A/64/753], ACABQ provided its observations and recommendations on the Secretary-General's performance report on the budget of the support

account for peacekeeping operations for 1 July 2008 to 30 June 2009 (see above) and the proposed budget for the support account for peacekeeping operations from 1 July 2010 to 30 June 2011 (see p. 88). Its recommendations involved reductions totalling \$4,528,100 gross (\$4,190,700 net), as detailed in the report. Accordingly, it recommended that the Assembly approve a total amount of \$366,396,700 gross (\$336,923,500 net) for the support account for the period from 1 July 2010 to 30 June 2011, which included \$309,363,700 for the staffing and non-staffing resources for the support account and \$57,033,000 for enterprise resource planning. ACABQ also recommended approval of 41 of the 73 additional posts proposed by the Secretary-General in his March report on the support account budget.

With regard to a proposal in the Secretary-General's February report on the performance report for the period from 1 July 2008 to 30 June 2009 (see p. 88), the Advisory Committee recommended that the Assembly apply the total amount of \$9,054,000, comprising the unencumbered balance of \$1,959,200 in respect of the financial period from July 2008 through June 2009, and the total amount of \$7,094,800, comprising interest income (\$2,383,000), other income (\$1,379,400) and cancellation of prior-period obligations (\$3,332,400), to the support account requirements for the period from 1 July 2010 to 30 June 2011.

ACABQ recommended that the excess of the authorized level of the Peacekeeping Reserve Fund in respect of the financial period ended 30 June 2009 in the amount of \$4,303,500 be applied to the support account requirements for the period from 1 July 2010 to 30 June 2011.

Regarding the Office of Military Affairs, ACABQ recommended approval of three of the General Service (Other level) posts out of the four proposed for the Office. It requested the Secretary-General to provide further analysis and justification for the proposal to reclassify to civilian posts three seconded officer posts at the P-4 level.

General Assembly consideration. On 24 June, the Assembly had before it the Secretary-General's reports on the performance of the budget of the support account for peacekeeping operations for the period from 1 July 2008 to 30 June 2009 [A/64/611 & Add.1] and on the budget for the support account for peacekeeping operations for the period from 1 July 2010 to 30 June 2011 [A/64/697 & Add.1,2]; the Secretary-General's report on the comprehensive analysis of the DPKO Office of Military Affairs [A/64/572 & Corr.1]; and the report of the Independent Audit Advisory Committee on the proposed OIOS budget under the support account for peacekeeping operations for the period from 1 July 2010 to 30 June 2011 [A/64/652], as well as the related ACABQ report [A/64/753].

GENERAL ASSEMBLY ACTION

On 24 June [meeting 101], the General Assembly, on the recommendation of the Fifth Committee [A/64/820], adopted **resolution 64/271** without vote [agenda item 146].

Support account for peacekeeping operations

The General Assembly,

Recalling its resolutions 45/258 of 3 May 1991, 47/218 A of 23 December 1992, 48/226 A of 23 December 1993, 55/238 of 23 December 2000, 56/241 of 24 December 2001, 56/293 of 27 June 2002, 57/318 of 18 June 2003, 58/298 of 18 June 2004, 59/301 of 22 June 2005, 60/268 of 30 June 2006, 61/245 and 61/246 of 22 December 2006, 61/256 of 15 March 2007, 61/279 of 29 June 2007, 62/250 of 20 June 2008 and 63/287 of 30 June 2009, its decisions 48/489 of 8 July 1994, 49/469 of 23 December 1994 and 50/473 of 23 December 1995 and its other relevant resolutions,

Having considered the reports of the Secretary-General on the performance of the budget of the support account for peacekeeping operations for the period from 1 July 2008 to 30 June 2009 and on the budget for the support account for peacekeeping operations for the period from 1 July 2010 to 30 June 2011, the report of the Secretary-General on the comprehensive analysis of the Office of Military Affairs in the Department of Peacekeeping Operations and the report of the Independent Audit Advisory Committee on the proposed budget of the Office of Internal Oversight Services under the support account for peacekeeping operations for the period from 1 July 2010 to 30 June 2011, as well as the related report of the Advisory Committee on Administrative and Budgetary Questions,

Recognizing the importance of the United Nations being able to respond and deploy rapidly to a peacekeeping operation upon adoption of a relevant resolution of the Security Council, within thirty days for traditional peacekeeping operations and ninety days for complex peacekeeping operations,

Recognizing also the need for adequate support during all phases of peacekeeping operations, including the liquidation and termination phases,

Mindful that the level of the support account should broadly correspond to the mandate, number, size and complexity of peacekeeping missions,

1. *Takes note* of the report of the Secretary-General on the budget for the support account for peacekeeping operations for the period from 1 July 2010 to 30 June 2011 and the report of the Independent Audit Advisory Committee on the proposed budget of the Office of Internal Oversight Services under the support account for peacekeeping operations for the period from 1 July 2010 to 30 June 2011;

2. *Reaffirms* its role in carrying out a thorough analysis and approval of human and financial resources and policies with a view to ensuring the full, effective and efficient implementation of all mandated programmes and activities and the implementation of policies in this regard;

3. *Also reaffirms* that the Fifth Committee is the appropriate Main Committee of the General Assembly entrusted with responsibility for administrative and budgetary matters;

4. *Further reaffirms* rule 153 of its rules of procedure;

5. *Reaffirms* that the support account funds shall be used for the sole purpose of financing human resources and non-human resource requirements for backstopping and supporting peacekeeping operations at Headquarters, and that any changes in this limitation require the prior approval of the General Assembly;

6. *Also reaffirms* the need for adequate funding for the backstopping of peacekeeping operations, as well as the need for full justification for that funding in support account budget submissions;

7. *Emphasizes* the importance of interaction and coordination with troop-contributing countries;

8. *Recalls* section I, paragraph 6, of resolution 55/238, paragraph 11 of resolution 56/241, paragraph 19 of resolution 61/279 and paragraph 22 of resolution 62/250, and requests the Secretary-General to make further concrete efforts to ensure proper representation of troop-contributing countries in the Department of Peacekeeping Operations and the Department of Field Support of the Secretariat, taking into account their contribution to United Nations peacekeeping;

9. *Reaffirms* the need for effective and efficient administration and financial management of peacekeeping operations, and urges the Secretary-General to continue to identify measures to increase the productivity and efficiency of the support account;

10. *Notes* that the overall benefits of the restructuring of the Department of Peacekeeping Operations and the Department of Field Support remain to be fully assessed, and in this regard requests the Secretary-General to continue to make every effort to enhance the capacity of the Organization to manage and sustain peacekeeping operations;

11. *Recognizes* the significant role of the Police Division of the Department of Peacekeeping Operations in contributing to peacekeeping operations, including their peacebuilding efforts, and the increase in the policing dimension in a number of operations;

12. *Requests* the Secretary-General to include an assessment of the level of the post of Police Adviser in the context of his report on the support account for peacekeeping operations for the period from 1 July 2011 to 30 June 2012;

13. *Emphasizes* that support functions should be scalable to the size and scope of peacekeeping operations;

14. *Reiterates its request* to the Secretary-General to review the level of the support account on a regular basis, taking into consideration the number, size and complexity of peacekeeping operations;

15. *Requests* the Secretary-General to ensure the full implementation of the relevant provisions of General Assembly resolutions 59/296 of 22 June 2005, 60/266 of 30 June 2006, 61/276 of 29 June 2007 and 64/269 of 24 June 2010, and other relevant resolutions;

16. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions, subject to the provisions of the present resolution, and requests the Secretary-General to ensure their full implementation;

17. *Recalls its request* to the Secretary-General in section III, paragraph 3, of its resolution 61/275 of 29 June 2007;

18. *Requests* the Secretary-General to fill all vacancies in an expeditious manner;

19. *Decides* to maintain, for the financial period from 1 July 2010 to 30 June 2011, the funding mechanism for the support account used in the current period, from 1 July 2009 to 30 June 2010, as approved in paragraph 3 of its resolution 50/221 B of 7 June 1996;

Financial performance report for the period from 1 July 2008 to 30 June 2009

20. *Takes note* of the report of the Secretary-General on the performance of the budget of the support account for peacekeeping operations for the period from 1 July 2008 to 30 June 2009;

Budget estimates for the financial period from 1 July 2010 to 30 June 2011

21. *Approves* the support account requirements in the amount of 356,033,000 United States dollars for the financial period from 1 July 2010 to 30 June 2011, inclusive of the amount of 57,033,000 dollars for the enterprise resource planning project previously approved by the General Assembly in its resolution 64/243 of 24 December 2009, including 1,241 continuing posts and 21 new temporary posts listed in annex I to the present resolution, and 134 continuing positions and 29 new general temporary assistance positions listed in annex II, as well as their related post and non-post requirements;

Financing of the budget estimates

22. *Decides* that the requirements for the support account for peacekeeping operations for the financial period from 1 July 2010 to 30 June 2011 shall be financed as follows:

(a) The unencumbered balance in the total amount of 1,959,200 dollars in respect of the financial period from 1 July 2008 to 30 June 2009, to be applied to the resources required for the financial period from 1 July 2010 to 30 June 2011;

(b) The total amount of 7,094,800 dollars, comprising interest income of 2,383,000 dollars, other miscellaneous income of 1,379,400 dollars and cancellation of prior-period obligations of 3,332,400 dollars, to be applied to the resources required for the financial period from 1 July 2010 to 30 June 2011;

(c) The amount of 4,303,500 dollars representing the excess of the authorized level of the Peacekeeping Reserve Fund in respect of the financial period ended 30 June 2009, to be applied to the resources required for the financial period from 1 July 2010 to 30 June 2011;

(d) The balance of 342,675,500 dollars to be prorated among the budgets of the active peacekeeping operations for the financial period from 1 July 2010 to 30 June 2011;

(e) The net estimated staff assessment income of 29,007,800 dollars, comprising the amount of 29,322,700 dollars for the financial period from 1 July 2010 to 30 June 2011 and the decrease of 314,900 dollars in respect of the financial period ended 30 June 2009, to be set off against the balance referred to in subparagraph (d) above, to be prorated among the budgets of the individual active peacekeeping operations.

ANNEX I

A. Support account posts to be established for the period from 1 July 2010 to 30 June 2011

Organizational unit		Number of posts	Post level	Function	Status
Department of Peacekeeping Operations					
Office of the Under-Secretary-General	Front Office	1	P-4	Programme Officer	New
		1	P-4	Field Safety Officer	New
	Executive Office	1	P-2	Associate Administrative Officer	New
Office of Military Affairs	Office of the Military Adviser	1	GS (OL)	Administrative Assistant	New
Office of Rule of Law and Security Institutions	Disarmament, Demobilization and Reintegration Section	1	P-3	Programme Officer	New
	Criminal Law and Judicial Advisory Service	1	P-5	Senior Policy Officer	New
	Police Division	1	P-4	Criminal Information Analysis Officer	New
	Office of the Assistant Secretary-General/Security Sector Reform Unit	1	P-3	Programme Officer	GTA conversion
Policy, Evaluation and Training Division	Partnerships Team	1	P-5	Senior Partnerships Liaison Officer, Brussels	New
		1	GS (OL)	Administrative Assistant, Brussels	New
	Peacekeeping Best Practices Section	1	P-4	Civil Affairs Officer	New
	SUBTOTAL	11			
Department of Field Support					
Office of the Under-Secretary-General	Front Office	1	P-5	Senior Programme Officer	New
	Conduct and Discipline Unit	1	P-3	Programme and Coordination Officer	New
	SUBTOTAL	2			
Department of Management					
Office of the Under-Secretary-General	Executive Office	1	P-3	Administrative Officer	New
	Office of Programme, Accounts Division Planning, Budget and Accounts	1	P-3	Finance Officer	New
	Peacekeeping Financing Division	1	P-3	Finance and Budget Officer	New
Office of Human Resources Management	Human Resources Policy Service	1	P-4	Legal Officer, Nairobi	New
		1	P-3	Legal Officer, Nairobi	New
	SUBTOTAL	5			
Office of Internal Oversight Services					
Internal Audit Division	United Nations Support Office for the African Union Mission in Somalia	1	P-5	Chief Resident Auditor	New
		1	P-3	Auditor	New
		1	NGS	Auditing Assistant	New
	SUBTOTAL	3			
	TOTAL	21			

Note: The specific assignment of the new posts for the period from 1 July 2010 to 30 June 2011 is set out in the report of the Secretary-General (A/64/697) and referenced in the report of the Advisory Committee on Administrative and Budgetary Questions (A/64/753).

Abbreviations: GS (OL), General Service (Other level); NGS, National General Service; GTA, General Temporary Assistance.

B. Support account redeployment, reassignment and reclassification of posts for the period from 1 July 2010 to 30 June 2011

Redeployments

Department of Peacekeeping Operations/Office of the Under-Secretary-General/Situation Centre

Redeployment of 1 post (P-5 Senior Security Coordination Officer) to the Office of the Chief of Staff

Department of Field Support/Field Personnel Division/Field Central Review Body

Redeployment of 4 posts (1 P-4 Human Resources Officer, 1 P-3 Human Resources Officer and 2 GS (OL) Human Resources Assistants) to the United Nations Logistics Base

Department of Field Support/Logistics Support Division/Specialist Support Service/Engineering Section

Redeployment of 1 post (P-3 Environmental Officer) to Office of the Director

Office of Internal Oversight Services/Internal Audit Division

Redeployment of 1 post (P-3 Resident Auditor) from the United Nations Interim Administration Mission in Kosovo to the United Nations Stabilization Mission in Haiti

Office of Internal Oversight Services/Investigations Division

Redeployment of 1 post (P-4 Resident Investigator) from the United Nations Integrated Mission in Timor-Leste to the African Union-United Nations Hybrid Operation in Darfur

Reassignments

Department of Field Support/Office of the Under-Secretary-General/Office of the Assistant Secretary-General

Reassignment of 1 post (P-4 Administrative Management Officer) to the Audit and Board of Inquiry Team (P-4 Board of Inquiry Officer)

Reclassifications

Department of Peacekeeping Operations/Office of the Under-Secretary-General/Public Affairs Section

Reclassification of 1 post (P-2 Associate Public Affairs Officer to P-3 Public Affairs Officer)

Department of Management/Office of Programme Planning, Budget and Accounts/Peacekeeping Financing Division

Reclassification of 1 post (P-3 Finance and Budget Officer to P-4 Finance and Budget Officer)

Reclassification of 1 post (P-4 Finance and Budget Officer to P-5 Chief of Section)

Department of Management/Office of Programme Planning, Budget and Accounts/Treasury

Reclassification of 1 post (P-3 Cashier to P-4 Cashier)

ANNEX II

**Support account general temporary assistance positions
to be established for the period from 1 July 2010 to 30 June 2011**

Organizational unit		Number of positions	Position level	Function ^a	Status	
Department of Peacekeeping Operations						
Office of the Under-Secretary-General	Front Office	1	P-4	Organizational Resilience Officer	New	
		—	8 months P-4	Field Safety Officer	New	
	Executive Office	1	GS (OL)	Administrative Assistant	New	
		—	4 months P-3	Administrative Officer	—	
—		4 months GS (OL)	Administrative Assistant	—		
1		P-3	Internal Communications Officer	New		
Office of Operations	Public Affairs Section	1	P-3	Internal Communications Officer	New	
	Africa I Division	1	P-4	Coordination Officer	Continuation	
		1	GS (OL)	Team Assistant	Continuation	
	Africa II Division	1	D-1	Principal Officer	New	
		1	P-4	Political Affairs Officer	New	
		1	P-3	Political Affairs Officer	New	
		1	P-3	Military Maritime Officer	New	
	1	GS (OL)	Administrative Assistant	New		
Office of Rule of Law and Security Institutions	Criminal Law and Judicial Advisory Service	1	P-3	Corrections Officer	New	
		1	P-4	Judicial Officer	New	
Office of Military Affairs	Current Military Operations Service	1	GS (OL)	Administrative Assistant	New	
	Military Planning Section	1	GS (OL)	Administrative Assistant	New	
Policy, Evaluation and Training Division	Peacekeeping Best Practices Section	2	P-3	Coordination Officer	Continuation	
	Integrated Training Service	1	P-4	Child Protection Adviser	Continuation	
		1	P-4	Training Officer	Continuation	
		1	P-3	Training Officer	Continuation	
		2	P-4	Training Coordination Officer	New	
	Partnerships Team	1	P-5	Senior Coordination Officer	Continuation	
		1	P-4	Coordination Officer	Continuation	
		1	GS (OL)	Team Assistant	Continuation	
	SUBTOTAL		24			
	Department of Field Support					
Office of the Under-Secretary-General	Front Office	1	D-1	Team Leader	New	
		1	P-5	Senior Support Officer	New	
		1	P-4	Planning Officer	New	
		1	GS (OL)	Administrative Assistant	New	
Field Personnel Division	Recruitment, Outreach and Career Development Section	12	P-3	Occupational Group Manager	Continuation	
		4	GS (OL)	Occupational Group Assistant	Continuation	
	Quality Assurance and Information Management Section	1	P-3	Human Resources Officer	Continuation	
Logistics Support Division	Air Transport Section	1	P-3	Air Transport Officer	Continuation	
	Specialist Support Service	1	P-3	Asset Management Officer	Continuation	
	1	P-3	Water Engineer	Continuation		
	1	P-3	Boundary Analyst	New		
SUBTOTAL		25				
Department of Management						
Office of the Under-Secretary-General	Headquarters	1	GS (OL)	Training and Analysis Assistant	Continuation	
	Committee on Contracts	1	P-4	Capacity Development Officer	Continuation	
Office of Programme Planning, Budget and Accounts	Financial Information Operations Service	1	P-2	Information Systems Officer	Continuation	
		1	GS (OL)	Information Systems Assistant	Continuation	
	Accounts Division	1	P-4	Information Systems Officer	Continuation	
		1	P-4	Policy Guidance and Training Officer	Continuation	
		1	P-4	Strategic Deployment Stocks Officer	Continuation	
		3	GS (OL)	Finance Assistant	Continuation	
	Treasury	1	GS (OL)	Benefits Assistant	New	
		1	P-3	Finance Officer	Continuation	
		1	P-2	Associate Finance Officer	New	
		1	P-3	Finance and Budget Officer	Continuation	
Peacekeeping Financing Division	1	P-3	Finance and Budget Officer	Continuation		

Organizational unit		Number of positions	Position level	Function ^a	Status	
Office of Human Resources Management	Strategic Planning and Staffing Division	—	6 months P-4	Human Resources Officer	Continuation	
	Human Resources Information Systems Section (New York)	1	P-4	Data Warehouse Project Manager	Continuation	
		1	GS (OL)	IMIS Help Desk Assistant	Continuation	
	Human Resources Information Systems Section (Bangkok)	1	P-4	Chief, Inspira Centre of Excellence	Continuation	
		1	P-3	Career Portal Analyst	Continuation	
		1	P-3	Development and Production Support Analyst	Continuation	
		1	P-2	Associate Applications Support Officer	Continuation	
		1	GS (OL)	Database Administrator	Continuation	
		1	GS (OL)	Administrative Assistant	Continuation	
		6	GS (OL)	Customer Support Representative	Continuation	
		1	GS (PL)	Customer Support Representative	Continuation	
	Learning, Development and Human Resources Services Division	1	P-3	Human Resources Officer	Continuation	
		1	P-3	Human Resources Officer	Continuation	
		1	GS (OL)	Human Resources Assistant	Continuation	
	Human Resources Policy Service	1	P-3	Legal Officer	Continuation	
		1	P-2	Legal Officer	Continuation	
Office of Central Support Services	Office of the Assistant Secretary-General	1	P-3	Administrative Officer	Continuation	
	Procurement Division	3	GS (OL)	Procurement Assistant	Continuation	
		1	P-3	Procurement Officer	New	
		2	P-3	Procurement Officer	New	
	Facilities and Commercial Services Division	1	P-2	Associate Records Management Officer	Continuation	
		1	P-3	Office Space Planning Officer	Continuation	
SUBTOTAL		44				
Office of Internal Oversight Services						
Investigations Division	New York	1	P-5	Senior Investigator	Continuation	
		3	P-4	Investigator	Continuation	
		2	P-3	Investigator	Continuation	
		1	GS (OL)	Administrative Assistant	Continuation	
		1	GS (OL)	Office Assistant	Continuation	
		1	GS (OL)	Information Technology Assistant	Continuation	
Investigations Division	Nairobi	1	D-1	Deputy Director	Continuation	
		1	P-5	Senior Investigator	Continuation	
		1	P-4	Forensic Investigator	Continuation	
		3	P-4	Investigators	Continuation	
		6	P-3	Investigators	Continuation	
		1	GS (OL)	Administrative Assistant	Continuation	
		3	GS (OL)	Investigation Assistant	Continuation	
		1	D-1	Deputy Director	Continuation	
		1	P-5	Senior Investigator	Continuation	
		1	P-4	Investigator	Continuation	
Investigations Division	Vienna	1	P-4	Forensic Investigator	Continuation	
		7	P-3	Investigator	Continuation	
		1	GS (PL)	Investigation Assistant	Continuation	
		1	GS (OL)	Investigation Assistant	Continuation	
		1	GS (OL)	Information Technology Assistant	Continuation	
		1	P-4	Investigator	Continuation	
		1	P-4	Investigator	Continuation	
		2	P-3	Investigator	Continuation	
		1	P-4	Investigator	Continuation	
		1	P-3	Investigator	Continuation	
Investigations Division	UNOCI	1	NGS	Administrative Assistant	Continuation	
		1	P-4	Investigator	Continuation	
		2	P-3	Investigator	Continuation	
		1	P-4	Investigator	Continuation	
		1	P-4	Investigator	Continuation	
		1	P-3	Investigator	Continuation	
		1	NGS	Administrative Assistant	Continuation	
		1	P-4	Investigator	Continuation	
		2	P-3	Investigator	Continuation	
		1	NGS	Administrative Assistant	Continuation	
Internal Audit Division	New York	1	P-4	Information and Communications Technology Auditor	New	
		UNSOA	1	P-4	Auditor	New
SUBTOTAL		53				
Executive Office of the Secretary-General						
		—	6 months GS (OL)	Administrative Assistant	Continuation	
		—	6 months GS (OL)	Administrative Assistant	Continuation	
SUBTOTAL		—				

Organizational unit	Number of positions	Position level	Function ^a	Status
Office of the United Nations Ombudsman and Mediation Services	1	P-4	Case Officer	New
	1	GS (OL)	Administrative Assistant	New
SUBTOTAL	2			
Ethics Office	1	P-3	Ethics Officer	Continuation
	1	GS (OL)	Administrative Assistant	Continuation
SUBTOTAL	2			
Office of Legal Affairs				
General Legal Division	1	P-4	Legal Officer	Continuation
Office of the Legal Counsel	—	6 months P-4	Legal Officer	New
SUBTOTAL	1			
Office of Information and Communications Technology				
Infrastructure Management Service	1	P-4	Information Systems Officer	Continuation
	4	P-3	Information Systems Officer	Continuation
	2	GS (OL)	Information Systems Assistant	Continuation
Field Systems Service	2	P-3	Information Systems Assistant	Continuation
	2	P-4	Project Manager	Continuation
SUBTOTAL	11			
Advisory Committee on Administrative and Budgetary Questions	1	P-4	Administrative Officer	New
SUBTOTAL	1			
TOTAL	163	positions (of which 29 are new) and 40 person-months (positions of less than 12 months duration) ^b		

Abbreviations: GS (OL), General Service (Other level); GS (PL), General Service (Principal level); NGS, National General Service; MONUC, United Nations Organization Mission in the Democratic Republic of the Congo; UNMIL, United Nations Mission in Liberia; UNMIS, United Nations Mission in the Sudan; MINUSTAH, United Nations Stabilization Mission in Haiti; UNOCI, United Nations Operation in Côte d'Ivoire; UNSOA, United Nations Support Office for the African Union Mission in Somalia.

^aThe specific assignment of the general temporary assistance positions is set out in the report of the Secretary-General (A/64/697) and referenced in the report of the Advisory Committee on Administrative and Budgetary Questions (A/64/753).

^bPerson-months are indicated in the column titled "position level".

Funds for closed missions

A report of the Secretary-General [A/64/605] provided information on the updated financial position of 22 closed peacekeeping missions as at 30 June 2009. The net cash surplus in the accounts of 17 closed missions available for credit to Member States as at that date amounted to \$213,843,000. That amount did not include loans totalling \$28,816,000 owed by two closed missions—the United Nations Support Mission in Haiti/United Nations Transition Mission in Haiti/United Nations Civilian Police Mission in Haiti (\$7,366,000) and the United Nations Mission in the Central African Republic (\$3,450,000)—and by two active peacekeeping missions—MINURSO (\$16,000,000) and UNOMIG (\$2,000,000)—which remained unpaid. Five of the 22 closed missions reflected cash deficits totalling \$86,648,000, owing to outstanding payments of assessed contributions. The Secretary-General proposed that two thirds of the adjusted net available cash balance as at 30 June 2009, in the amount of \$291,900, be returned to the Government of Kuwait. The Secretary-General recommended that the General Assembly approve retention of the cash balance of \$213,551,100 available in 17 closed missions, in the light of the experience as regarded cash requirements of the Organization during the 2008/2009 and 2009/2010 financial periods.

ACABQ in February provided its comments [A/64/659 & Corr.1] on the Secretary-General's report. With respect to the disposition of the \$213,551,100, it cited financial regulation 5.3 of the United Nations Financial Regulations and Rules, which provided that appropriations should remain available for 12 months following the end of the financial period to which they related, to the extent that they were required to discharge obligations in respect of goods supplied and services rendered in the financial period, and to liquidate any other outstanding legal obligation. The regulation also stated that the balance of the appropriations should be surrendered. ACABQ reiterated its view that it was for the General Assembly to decide on the disposition of such balances—a point stressed by the Chair of the Advisory Committee in her briefing of the Fifth Committee on 3 May [A/C.5/64/SR.28].

On 24 June, the General Assembly deferred consideration of both reports until its sixty-fifth session (**decision 64/548 B**).

Also on 24 June, by **decision 64/558**, the Assembly decided to return two thirds of the credits available in the account of the United Nations Iraq-Kuwait Observation Mission to the Government of Kuwait in the amount of \$291,900. It also decided to continue to consider the updated financial position of closed peacekeeping missions during its sixty-fifth (2010) session.

Accounts and auditing

At its resumed sixty-fourth (2010) session, the General Assembly considered the financial report and audited financial statements for UN peacekeeping operations for the period from 1 July 2008 to 30 June 2009 [A/64/5 (Vol. II)]; the Secretary-General's report on the implementation of the recommendations of the Board of Auditors concerning UN peacekeeping operations for the financial period ended 30 June 2009 [A/64/702]; the ACABQ report on the Board of Auditors report on the accounts of the UN peacekeeping operations for the financial period ended 30 June 2009 [A/64/708]; and the oral statement by the Chair of the Advisory Committee [A/C.5/64/SR.28].

GENERAL ASSEMBLY ACTION

On 24 June [meeting 101], the General Assembly, on the recommendation of the Fifth Committee [A/64/547/Add.1], adopted **resolution 64/268** without vote [agenda item 129].

Financial reports and audited financial statements, and reports of the Board of Auditors

The General Assembly,

Recalling its resolutions 63/246 B of 30 June 2009 and 64/227 of 22 December 2009,

Having considered the financial report and audited financial statements for the twelve-month period from 1 July 2008 to 30 June 2009 and the report of the Board of Auditors on United Nations peacekeeping operations, the report of the Secretary-General on the implementation of the recommendations of the Board of Auditors concerning United Nations peacekeeping operations for the financial period ended 30 June 2009, the report of the Advisory Committee on Administrative and Budgetary Questions on the report of the Board of Auditors on the accounts of the United Nations peacekeeping operations for the financial period ended 30 June 2009, and the oral statement by the Chair of the Advisory Committee,

1. *Accepts* the audited financial statements of the United Nations peacekeeping operations for the period from 1 July 2008 to 30 June 2009;

2. *Takes note* of the observations and endorses the recommendations contained in the report of the Board of Auditors;

3. *Recalls* its resolutions 48/216 A to D of 23 December 1993, and emphasizes the importance of coordination among the Board of Auditors, the Secretary-General and the Advisory Committee on Administrative and Budgetary Questions in reviewing the timelines of the issuance of respective reports related to the agenda item on financial reports and audited financial statements, and reports of the Board, to ensure proper consideration by the Advisory Committee and the General Assembly, and requests the Secretary-General, the Advisory Committee and, through the Advisory Committee, the Board, to include the result of the coordination in their respective reports submitted to the Assembly at its sixty-fifth session;

4. *Takes note* of the observations and endorses the recommendations, excluding paragraph 31, contained in the report of the Advisory Committee and in the oral statement by the Chair of the Advisory Committee;

5. *Commends* the Board of Auditors for the quality of its report and the streamlined format thereof;

6. *Takes note* of the report of the Secretary-General on the implementation of the recommendations of the Board of Auditors concerning United Nations peacekeeping operations for the financial period ended 30 June 2009;

7. *Notes with concern* the significant number of reiterated recommendations from previous years in the report of the Board of Auditors, and in this context emphasizes the need to strengthen administrative and institutional measures to address the root causes of recurring issues and to minimize the ageing of the Board's previous recommendations;

8. *Also notes with concern* the recurrence of problems previously identified by the Board of Auditors in regard to the management of expendable and non-expendable property;

9. *Requests* the Secretary-General to ensure the full implementation of the recommendations of the Board of Auditors and the related recommendations of the Advisory Committee in a prompt and timely manner, subject to the provisions of the present resolution;

10. *Also requests* the Secretary-General to strengthen internal controls in the management of expendable and non-expendable property, strategic deployment stocks and other assets to ensure adequate safeguards that would prevent waste and financial loss to the Organization;

11. *Further requests* the Secretary-General to continue to indicate an expected time frame for the implementation of the recommendations of the Board of Auditors and the priorities for their implementation, including the office holders to be held accountable and the measures taken in that regard;

12. *Recalls* section D of its resolution 64/259 of 29 March 2010, and requests the Secretary-General to ensure that managers are effectively held accountable for the implementation of the recommendations of the Board of Auditors through the identification of priorities, clear time frames and an assessment of actions taken in that regard, in the context of the assessment of managers' performance mechanisms, and to report thereon in the context of the report of the Secretary-General on the implementation of the recommendations of the Board;

13. *Requests* the Secretary-General to provide, in the next report on the implementation of the recommendations of the Board of Auditors concerning United Nations peacekeeping operations, a full explanation for the delays in the implementation of all outstanding recommendations of the Board, the root causes of the recurring issues and the measures to be taken;

14. *Recognizes* the value of the observations and recommendations with regard to the efficiency of the administration and management of United Nations peacekeeping operations, including the financial procedures, the accounting systems and the internal financial controls, without compromising the quality of the financial audit, and supports the continuation of these efforts.

Management of peacekeeping assets

UN Logistics Base

The General Assembly, at its resumed sixty-fourth (2010) session, considered the performance report on the budget of the United Nations Logistics Base (UNLB) at Brindisi, Italy, for the period from 1 July 2008 to 30 June 2009 [A/64/575]. Expenditure totalled \$44,336,700 gross (\$40,933,400 net) against an appropriation of \$45,769,000 gross (\$42,295,600 net), resulting in an unencumbered balance of \$1,432,300.

The value of strategic deployment stock activities for the period from 1 July 2008 to 30 June 2009 amounted to \$131.9 million and included the \$81.2 million rolled over from the prior-period fund balance and \$50.7 million corresponding to the shipment of strategic deployment stocks at replacement values to peacekeeping and special political missions. The amount of \$70.2 million was rolled over into the 2009/2010 fund balance. The Secretary-General requested that the Assembly decide on the treatment of the unencumbered balance of \$1,432,300 with respect to the period from 1 July 2008 to 30 June 2009; and on the treatment of other income for the period ended 30 June 2009 amounting to \$3,412,000 from interest income (\$2,905,300), other/miscellaneous income (\$241,200) and cancellation of prior-period obligations (\$265,500).

The Assembly also considered the proposed UNLB budget for 1 July 2010 to 30 June 2011 [A/64/698], amounting to \$72,017,800 and providing for 127 international staff and 279 national staff.

In May [A/64/660/Add.12], ACABQ evaluated the Secretary-General's proposed budget and recommended a reduction of \$3,847,200 in the proposed UNLB budget for the period from 1 July 2010 to 30 June 2011, and that the Assembly appropriate \$68,170,600.

GENERAL ASSEMBLY ACTION

On 24 June [meeting 101], the General Assembly, on the recommendation of the Fifth Committee [A/64/820], adopted **resolution 64/270** without vote [agenda item 146].

Financing of the United Nations Logistics Base at Brindisi, Italy

The General Assembly,

Recalling section XIV of its resolution 49/233 A of 23 December 1994 and its resolution 62/231 of 22 December 2007,

Recalling also its decision 50/500 of 17 September 1996 on the financing of the United Nations Logistics Base at Brindisi, Italy, and its subsequent resolutions thereon, the latest of which was resolution 63/286 of 30 June 2009,

Recalling further its resolution 56/292 of 27 June 2002 concerning the establishment of the strategic deployment

stocks and its subsequent resolutions on the status of the implementation of the strategic deployment stocks, the latest of which was resolution 63/286,

Having considered the reports of the Secretary-General on the financing of the United Nations Logistics Base and the related report of the Advisory Committee on Administrative and Budgetary Questions,

Reiterating the importance of establishing an accurate inventory of assets,

1. *Notes with appreciation* the facilities provided by the Government of Italy to the United Nations Logistics Base at Brindisi, Italy, and by the Government of Spain to the secondary active telecommunications facility at Valencia, Spain;

2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions, subject to the provisions of the present resolution, and requests the Secretary-General to ensure their full implementation;

3. *Takes note* of paragraph 22 of the report of the Advisory Committee, and approves the amalgamation of four Tenant Units, namely, the Regional Aviation Safety Office, the Strategic Air Operations Centre, the Geographic Information System Centre and the Engineering Standards and Design Centre, as proposed by the Secretary-General;

4. *Also takes note* of paragraphs 24 and 51 of the report of the Advisory Committee, and decides to establish the Justice and Corrections Standing Capacity, consisting of five international posts (one P-5, two P-4, two P-3) and one national General Service post;

5. *Further takes note* of paragraph 27 of the report of the Advisory Committee, and decides to relocate the Field Central Review Board, consisting of three international posts (one P-4 and two P-3) and two national General Service posts, to the United Nations Logistics Base;

6. *Recalls* paragraph 50 of the report of the Advisory Committee, and decides to approve fourteen new posts for the Standing Police Capacity, comprising one post at the P-5 level, three posts at the P-4 level, eight posts at the P-3 level and two posts at the Field Service level;

7. *Requests* the Secretary-General to strengthen the management of the strategic deployment stocks in order to ensure that the United Nations Logistics Base issues items on a first-in, first-out basis to avoid possible deterioration and obsolescence of the stocks;

8. *Also requests* the Secretary-General to ensure the full implementation of the relevant provisions of its resolutions 59/296 of 22 June 2005, 60/266 of 30 June 2006, 61/276 of 29 June 2007 and 64/269 of 24 June 2010, as well as other relevant resolutions;

Financial performance report for the period from 1 July 2008 to 30 June 2009

9. *Takes note* of the report of the Secretary-General on the financial performance of the United Nations Logistics Base for the period from 1 July 2008 to 30 June 2009;

Budget estimates for the period from 1 July 2010 to 30 June 2011

10. *Approves* the cost estimates for the United Nations Logistics Base amounting to 68,170,600 United States dollars for the period from 1 July 2010 to 30 June 2011;

Financing of the budget estimates

11. *Decides* that the requirements for the United Nations Logistics Base for the period from 1 July 2010 to 30 June 2011 shall be financed as follows:

(a) The unencumbered balance and other income in the total amount of 4,844,300 dollars in respect of the financial period ended 30 June 2009 to be applied against the resources required for the period from 1 July 2010 to 30 June 2011;

(b) The balance of 63,326,300 dollars to be prorated among the budgets of the active peacekeeping operations for the period from 1 July 2010 to 30 June 2011;

(c) The estimated staff assessment income of 5,066,400 dollars, comprising the amount of 5,136,500 dollars for the period from 1 July 2010 to 30 June 2011 and the decrease of 70,100 dollars in respect of the period from 1 July 2008 to 30 June 2009, to be offset against the balance referred to in subparagraph (b) above, to be prorated among the budgets of the individual active peacekeeping operations;

12. *Also decides* to consider at its sixty-fifth session the question of the financing of the United Nations Logistics Base at Brindisi, Italy.

Restructuring issues

Special Committee on Peacekeeping Operations consideration. The Special Committee, at its 2010 session [A/64/19], stressed the need for greater involvement of troop- and police-contributing countries in early planning and monitoring of the missions in which they were deployed. It noted the increase in complex peacekeeping operations, and that the Security Council had mandated peacekeeping operations that included activities beyond the traditional tasks of monitoring and reporting. It therefore stressed the need for DPKO and DFS to be efficiently structured, adequately staffed and effectively coordinated.

The Special Committee reiterated the importance of preserving unity of command in missions at all levels, as well as coherence in policy and strategy and clear command structures—in the field and up to and including at Headquarters. It welcomed the initiatives outlined in the Secretary-General's report on strengthening the capacity of the United Nations to manage and sustain peacekeeping operations [YUN 2009, p. 93].

Global field support strategy. In January [A/64/633], the Secretary-General submitted a report on the global field support strategy, whose core objectives were to expedite and improve support for peacekeeping, including critical early peacebuilding; expedite and improve support for peacemaking, electoral assistance, mediation support and conflict prevention; strengthen resource stewardship and accountability while achieving greater efficiencies and economies of scale; and improve the safety and living conditions of staff.

ACABQ in April submitted its comments [A/64/660] on the report.

In February and March, the Secretary-General promulgated two bulletins [ST/SGB/2010/1 & 2] establishing the functions and organizational structure of DPKO and DFS, respectively.

General Assembly consideration. In June, the Assembly considered previous reports of the Secretary-General on the overview of the financing of the UN peacekeeping operations [YUN 2008, p. 86 & YUN 2009, p. 83]; on national professional officers [YUN 2008, p. 1626]; on the welfare and recreation needs of all categories of personnel and detailed implications [YUN 2009, p. 97]; on the progress of training in peacekeeping [ibid., p. 98]; on the comprehensive review of the compensation of death and disability benefits to military contingents, formed police units, military observers and civilian police officers [ibid., p. 101]; on the status of cases for death and disability for formed police units, military contingents, civilian police officers and military observers processed and currently in process, and comprehensive review of the administrative and payment arrangement for such cases [YUN 2008, p. 101]; on special measures for protection from sexual exploitation and sexual abuse [YUN 2009, p. 76]; on the comprehensive report of conduct and discipline, including full justification of all posts [YUN 2008, p. 77] and on peacekeeping best practices [YUN 2007, p. 87]; on the report on the activities of OIOS in 2007 [YUN 2008, p. 81], as well as the note by the Secretary-General thereon [ibid., p. 82]; on the OIOS report on peacekeeping operations [YUN 2009, p. 78] and on the related ACABQ reports [YUN 2008, p. 87, YUN 2009, p. 83].

The Assembly also considered the Secretary-General's current reports on the overview of the financing of the UN peacekeeping operations (see p. 88), on the global field support strategy (see p. 97) and on special measures for protection from sexual exploitation and sexual abuse (see p. 82); and the OIOS report on peacekeeping operations (see p. 83) and the related ACABQ report (see p. 1486).

GENERAL ASSEMBLY ACTION

On 24 June [meeting 101], the General Assembly, on the recommendation of the Fifth Committee [A/64/820], adopted **resolution 64/269** without vote [agenda item 146].

Cross-cutting issues

The General Assembly,

Recalling its resolutions 49/233 A of 23 December 1994, 49/233 B of 31 March 1995, 51/218 E of 17 June 1997, 57/290 B of 18 June 2003, 58/315 of 1 July 2004, 59/296 of 22 June 2005, 60/266 of 30 June 2006 and 61/276 and 61/279 of 29 June 2007,

Having considered the reports of the Secretary-General on the overview of the financing of the United Nations

peacekeeping operations, on national professional officers, on the welfare and recreation needs of all categories of personnel and detailed implications, on the progress of training in peacekeeping, on the comprehensive review of the compensation of death and disability benefits to military contingents, formed police units, military observers and civilian police officers, on the status of cases for death and disability for formed police units, military contingents, civilian police officers and military observers processed and currently in process, and comprehensive review of the administrative and payment arrangement for such cases, on special measures for protection from sexual exploitation and sexual abuse, on the comprehensive report of conduct and discipline including full justification of all posts and on peacekeeping best practices, the report on the activities of the Office of Internal Oversight Services for the period from 1 January to 31 December 2007, as well as the note by the Secretary-General thereon, the report of the Office of Internal Oversight Services on peacekeeping operations and the related reports of the Advisory Committee on Administrative and Budgetary Questions,

Having also considered the reports of the Secretary-General on the overview of the financing of the United Nations peacekeeping operations, on the global field support strategy and on special measures for protection from sexual exploitation and sexual abuse, the report of the Office of Internal Oversight Services on peacekeeping operations, as well as the related report of the Advisory Committee,

General

1. *Reaffirms* its resolutions 57/290 B, 59/296, 60/266 and 61/276, and requests the Secretary-General to ensure the full implementation of their relevant provisions;

2. *Appreciates* the efforts of all peacekeeping personnel in the field and at Headquarters;

3. *Takes note* of the reports of the Secretary-General on the overview of the financing of the United Nations peacekeeping operations, the global field support strategy and special measures for protection from sexual exploitation and sexual abuse, as well as the related report of the Advisory Committee on Administrative and Budgetary Questions;

4. *Also takes note* of the report of the Office of Internal Oversight Services on peacekeeping operations;

5. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee, subject to the provisions of the present resolution, and requests the Secretary-General to ensure their full implementation;

I

Budget presentation and financial management

1. *Reaffirms* that the Fifth Committee is the appropriate Main Committee of the General Assembly entrusted with responsibilities for administrative and budgetary matters;

2. *Takes note* of paragraph 3 of the report of the Advisory Committee on Administrative and Budgetary Questions, and stresses that the General Assembly has the sole authority to approve the implementation of recommendations of the Advisory Committee pertaining to peacekeeping;

3. *Reaffirms* paragraphs 21 to 25 of its resolution 64/259 of 29 March 2010;

4. *Reiterates* that the delegation of authority on the part of the Secretary-General should be in order to facilitate the better management of the Organization, but stresses that the overall responsibility for management of the Organization rests with the Secretary-General as the Chief Administrative Officer;

5. *Affirms* the need for the Secretary-General to ensure that the delegation of authority to the Department of Peacekeeping Operations and the Department of Field Support and field missions is in strict compliance with relevant resolutions and decisions, as well as relevant rules and procedures of the General Assembly on this matter;

6. *Stresses* that heads of departments report to and are accountable to the Secretary-General;

7. *Reiterates* the importance of strengthened accountability in the Organization and of ensuring greater accountability of the Secretary-General to Member States, inter alia, for the effective and efficient implementation of legislative mandates and the use of human and financial resources;

8. *Takes note* of paragraphs 12 and 14 of the report of the Advisory Committee, and emphasizes that all field missions shall be provided with adequate resources for the effective and efficient discharge of their respective mandates and that the transition of peacekeeping operations to peacebuilding may entail a change in resource requirements;

9. *Welcomes* the improvements that have been made in the timeliness and quality of budget proposals for peacekeeping operations, and encourages the Secretary-General to further intensify his efforts to that end through enhanced coordination and cooperation among missions, the Department of Field Support, the Department of Peacekeeping Operations, the Department of Management and the Department for General Assembly and Conference Management of the Secretariat;

10. *Reaffirms* that budget submissions should reflect management improvements and efficiency gains to be achieved and should present future strategies in that regard;

11. *Stresses* the importance of further steps by the Secretary-General towards improving budget presentations and making more accurate forecasts;

12. *Appreciates* the improved presentation by the Secretary-General of efficiency gains in peacekeeping budgets;

13. *Requests* the Secretary-General to intensify his efforts to achieve economies of scale within and between field missions without undermining their operational requirements and the implementation of their respective mandates and to report thereon in the context of the overview report;

14. *Also requests* the Secretary-General to report to the General Assembly at the main part of its sixty-fifth session on measures to address the impact of exchange rate fluctuations in the presentation of peacekeeping budgets and the management of peacekeeping accounts;

15. *Notes with concern* the significant amount of prior-period obligations cancelled by several missions, and reiterates its request that the Secretary-General improve control over obligations;

II

Human resources

1. *Reaffirms* section VII of its resolution 61/276, and its resolution 63/250 of 24 December 2008;
2. *Decides* to revert to the establishment of minimum welfare and recreation standards, as described in paragraphs 62 to 82 of the report of the Secretary-General, at the second part of its resumed sixty-fifth session;
3. *Also decides* to increase the level of compensation for death for all categories of uniformed personnel to 70,000 United States dollars;
4. *Expresses deep concern* about delays in the settlement of claims in respect of death and disability, and requests the Secretary-General to take urgent measures to eliminate the existing backlog of death and disability claims pending for more than three months and to report on the progress made to the General Assembly at the second part of its resumed sixty-fifth session;
5. *Reiterates its request* to the Secretary-General to settle death and disability claims as soon as possible, but not later than three months from the date of submission of a claim;
6. *Reaffirms* its resolution 52/177 of 18 December 1997, and requests the Secretary-General to ensure that, accordingly, all uniformed personnel deployed in peacekeeping operations shall continue to be eligible for death and disability compensation during the entire period of their deployment;

III

Operational requirements

1. *Notes* that fuel is a major item of expenditure and that its management is vulnerable to serious risk of fraud and abuse;
2. *Reiterates its request* to the Secretary-General to make the fullest possible use of facilities and equipment at the United Nations Logistics Base at Brindisi, Italy, in order to minimize the costs of procurement for field missions;
3. *Notes* the increase in aircraft rental costs, particularly for rotary wing aircraft, and requests the Secretary-General to continue his efforts to achieve economies of scale and efficiencies in air operations through better planning and optimal use of available resources without undermining safety and operational requirements and rotation and troop deployment cycles;
4. *Underlines* the need for the United Nations to improve management of its ground transportation in order to achieve maximum operational efficiency, and urges the Secretary-General to accelerate his efforts in this regard;
5. *Recalls* paragraph 72 of the report of the Advisory Committee on Administrative and Budgetary Questions, and requests the Secretary-General to provide detailed information on the measures undertaken to mitigate the environmental impact of peacekeeping missions in the context of his next overview report;
6. *Reaffirms* the provisions of section XVIII of its resolution 61/276;
7. *Stresses* the need for expedited and flexible procedures for the implementation of quick-impact projects with a view to ensuring the fulfilment of the mandate established in section XVIII of resolution 61/276;

IV

Conduct and discipline

1. *Recognizes* the shared responsibility, within their respective competencies, of United Nations organizations and agencies and troop-contributing countries to ensure that all personnel are held accountable for sexual exploitation and related offences committed while serving in humanitarian and peacekeeping operations;
2. *Underlines* the great importance it attaches to the elimination of misconduct, including sexual exploitation and sexual abuse, calls for full implementation of the United Nations zero-tolerance policy, stresses the importance of the measures put in place in this regard, and requests the Secretary-General to strengthen efforts for the prevention, prompt investigation, enforcement of disciplinary action and assistance to victims of sexual exploitation and abuse;
3. *Requests* the Secretary-General to take all necessary measures to prevent unsubstantiated allegations of misconduct from damaging the credibility of any United Nations peacekeeping operation and to ensure that appropriate steps are taken to maintain and restore the image and credibility of any peacekeeping mission, troop-contributing country or United Nations peacekeeping personnel in cases where allegations of misconduct are ultimately legally unproven;
4. *Strongly urges* Member States to take all appropriate measures to ensure that crimes by United Nations officials and experts on mission do not go unpunished and that the perpetrators of such crimes are brought to justice;

V

Other

Notes with concern the status of liabilities and reimbursements to troop-contributing and police-contributing countries for their troops, formed police units, contingent-owned equipment and self-sustainment, emphasizes the importance of the full settlement of those liabilities, and in this regard urges all Member States to pay their assessed contributions on time, in full and without conditions;

VI

Global field support strategy

Reaffirming the general principles underlying the financing of United Nations peacekeeping operations, as stated in General Assembly resolutions 1874(S-IV) of 27 June 1963, 3101(XXVIII) of 11 December 1973 and 55/235 of 23 December 2000,

1. *Recognizes* the challenges faced by the Organization in providing logistical, administrative and information and communications technology support for peacekeeping operations, and expresses its appreciation for the efforts made by the Secretary-General to present an integrated approach to enable more timely mission start-up and deployment and to improve quality, efficiency and economy of scale in the delivery of services to field missions;
2. *Also recognizes* the need for timely mission start-up and deployment and to improve the quality and effectiveness of service delivery to field missions;
3. *Notes with interest* the overall concept of the global field support strategy, which outlines a broad and useful

framework for improving the efficiency and effectiveness of service delivery to field missions and the better use of resources, including through the provision of common services;

4. *Underlines* the central role of Headquarters in strategic policymaking and oversight of relevant rules, regulations and procedures while seeking efficiency and effectiveness in the delivery of support to field missions;

5. *Emphasizes* the importance of preserving unity of command in missions at all levels as well as coherence in policy and strategy and clear command structures in the field, up to and including at Headquarters;

6. *Also emphasizes* the need for the Secretary-General to closely consult with Member States, in particular troop-contributing countries, in the implementation of the global field support strategy in the light of the decisions taken in the present resolution;

7. *Further emphasizes* that the implementation of the global field support strategy will improve the operational effectiveness of field missions;

8. *Decides* that, if a decision of the Security Council relating to the start-up phase or expansion phase of peacekeeping operations results in the need for expenditure, the Secretary-General is authorized, with the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions, to enter into commitments up to 100 million dollars from the available balance of the Peacekeeping Reserve Fund and that the cumulative total of outstanding commitment authority in respect of the start-up or expansion phase of peacekeeping operations should not exceed the total level of the Peacekeeping Reserve Fund at any one time, and accordingly decides to amend the Financial Regulations and Rules of the United Nations by substituting the words "the balance of the Peacekeeping Reserve Fund, and not to exceed 100 million United States dollars" for the words "50 million United States dollars" in financial regulation 4.6 and by substituting the words "100 million dollars" for the words "50 million dollars" in financial regulation 4.8;

9. *Also decides* that, if a decision of the Security Council relating to the start-up phase or expansion phase of peacekeeping operations results in the need for expenditure, the Secretary-General is authorized, with the prior concurrence of the Advisory Committee, to enter into commitments up to 50 million dollars of the available balance of the stores available from the Organization's strategic deployment stocks and draw upon these, with the drawings from the stocks to be replenished when the initial appropriation is received;

10. *Affirms* the authority of the Fifth Committee to fully review the administrative structures, the staffing levels, including the number and level of posts established through the exercise of commitment authority, at the time of the presentation of the budget, with a view to making adjustments as necessary;

11. *Requests* the Secretary-General to submit proposals for a standardized funding model for the first year of peacekeeping operations for consideration by the General Assembly at the second part of its resumed sixty-fifth session, on the understanding that the model should not in any way derogate from the legislative role of the Assembly in the consideration and approval of budgets;

12. *Notes* the intention of the Secretary-General that global service packages will be configured and managed from the Global Service Centre at Brindisi and that regional service centres could in turn develop region-specific service packages;

13. *Recalls* its resolution 64/266 of 21 May 2010 and paragraph 101 of the report of the Advisory Committee, and requests the Secretary-General, in close consultation with troop-contributing countries, to further develop pre-defined modules and service packages to improve the quality and expedite the delivery of services to field missions, including civilian response capabilities;

14. *Recognizes* that delivering modularized service packages at the United Nations Logistics Base at Brindisi is aimed at enhancing the operational effectiveness of field missions, and stresses the importance of proceeding in this regard;

15. *Requests* the Secretary-General to further develop specific proposals in consultation with Member States, in particular troop-contributing countries, on functions and resources to be transferred to the Global Service Centre, in the context of the budget of the United Nations Logistics Base, for the consideration of the General Assembly at its sixty-fifth session, addressing the issues raised in paragraphs 108 to 110 of the report of the Advisory Committee, without prejudice to a decision of the Assembly at its sixty-fifth session;

16. *Stresses* that functions primarily involving interactions with Member States, particularly troop-contributing countries, will continue to be located at Headquarters;

17. *Reaffirms* its resolutions 60/121 A of 8 December 2005, 61/281 of 29 June 2007, 62/256 of 20 June 2008 and 63/291 of 30 June 2009, and decides to establish a regional service centre at the logistics hub at Entebbe, Uganda, with the functions proposed by the Secretary-General in his report;

18. *Recalls* paragraphs 119 and 120 of the report of the Advisory Committee and paragraph 79 of the report of the Secretary-General, and requests the Secretary-General to ensure the attainment of these projected benefits and to further identify subsequent annual benefits of the Regional Service Centre at Entebbe;

19. *Notes* that the concentration of missions in Central and Eastern Africa provides an opportunity to optimize the use of air assets through, inter alia, the establishment of a transportation and movements integrated control centre responsible for the planning and movement of personnel and cargo, and requests the Secretary-General to further develop and operationalize the concept in close consultation with Member States, in particular troop-contributing countries;

20. *Recalls* paragraphs 55 and 142 of the report of the Advisory Committee, and stresses that efforts to explore possibilities for economies and efficiencies in air operations should not undermine safety and operational requirements and rotation and troop deployment cycles;

21. *Stresses* the accountability and ultimate responsibility of Headquarters for the acquisition of air services and the provision of safety standards, bearing in mind current delegations of authority for procurement, without prejudice to any future decision that the General Assembly may take on this issue;

22. *Also stresses* that the establishment of a regional service centre must respect the principle of separate financial arrangements for missions and that its resources and the volume of its activities are scalable, reflecting the start-up, expansion, drawdown or closure of the field missions that it serves;

23. *Requests* the Secretary-General, when developing budget proposals for the missions to be served by a regional service centre, to reflect the posts, positions and related costs of a regional service centre in the respective budget proposals, including the results-based budgeting framework;

24. *Stresses* that the staffing of the global and regional service centres will be achieved mainly through redeployments from the Department of Field Support at Headquarters and from field missions;

25. *Requests* the Secretary-General to present more than one option for any future proposed regional service centre for the consideration and approval of the General Assembly;

26. *Decides* that the Regional Service Centre at Entebbe will be a family duty station, effective 1 July 2011, contingent on and without prejudice to any future decision taken by the General Assembly on the designation of duty stations as well as the consideration of criteria, including financial and administrative, for designating duty stations as family or non-family;

27. *Requests* the Secretary-General to provide an update on the implementation of the integrated human resources management framework to the General Assembly during its consideration of human resources management issues at its sixty-fifth session;

28. *Also requests* the Secretary-General, in consistency with the objectives of the global field support strategy, to take into account the risks involved in using single source or multifunctional contracts in developing further proposals related to logistics modules;

29. *Recalls* paragraph 159 of the report of the Advisory Committee, and in this regard requests the Secretary-General to submit an annual progress report on the implementation of the global field support strategy;

30. *Requests* the Secretary-General to entrust the Office of Internal Oversight Services with conducting an audit of the implementation of the global field support strategy and to submit a report thereon to the General Assembly at the second part of its resumed sixty-sixth session.

Global field support strategy. As requested by the General Assembly in resolution 64/269 (see p. 97), the Secretary-General in December submitted a progress report [A/65/643] on the global field support strategy, developed as a five-year process to transform the delivery of support services to UN field missions. The strategy aimed at improving the quality and effectiveness of service delivery in an integrated, accountable and transparent manner so that resources were used efficiently and effectively. The report reviewed the activities undertaken and results achieved during the first five months of the strategy: financial framework; predefined modules and service packages; service centres; and human resources framework. Given the early stage of implementation, a full picture was not

yet possible. Nonetheless, in the short time since the adoption of resolution 64/269 on 24 June, considerable progress had been made: the first service package, a module for a 200-person camp, was being defined in consultation with Member States and field missions; five functions had been identified for consideration by Member States to be transferred to the Global Service Centre at Brindisi; a regional service centre had been established in Entebbe, Uganda; the Global Field Support Strategy Steering Committee was fully functional; four functions were in full operation and delivering qualitative and quantitative benefits, involving posts transferred from regional missions; and the human resources framework was advancing in close coordination with the Office of Human Resources Management.

Results and impact of restructuring. In accordance with General Assembly resolution 63/287 [YUN 2009, p. 84], the Secretary-General in December reported [A/65/624 & Corr.1] on the results and impact of the restructuring and reforms of DPKO and DFS. The report also identified challenges, gaps and minor structural adjustments to consolidate the gains made. Feedback from Member States, the results of a 2010 survey of field missions and performance metrics, demonstrated that since approval of the restructuring in 2006, observable improvements had been achieved in the capacity of the Secretariat to mount, manage and sustain peacekeeping and other field operations. Perhaps most significantly, the creation of DFS had positioned mission support as a strategic enabler in the delivery of political, peacemaking, peacekeeping and peacebuilding mandates. The restructuring had also resulted in the evolution of two distinct business models: a strategic Headquarters model that delivered integrated strategic and operational guidance to field operations; and a service provider model that offered expertise in key areas of mandated activities. The two business models had produced successes through unity of command, integrated management structures, and shared policy development and evaluation and training resources.

Integrated operational teams. As requested by the Special Committee on Peacekeeping Operations [YUN 2009, p. 93], the Secretary-General in December reported [A/65/669] on the implementation of the integrated operational teams—the principal mechanism between DPKO and DFS to ensure services delivery. The report addressed the rationale for establishing the teams and their roles, functions and composition, and outlined measures taken to facilitate their implementation and related challenges. The teams were responsible for providing integrated operational and political guidance and support to field missions on day-to-day issues that cut across areas of expertise and for coordinating the Secretary-General's mission-

specific reporting obligations to the Security Council. Each team included political, military, police and support specialists, drawing on expertise from other areas as required. The teams' success had been attributed in large measure to the ability of DPKO and DFS to flexibly assign specialist officers across the teams to field missions or to projects in specialist areas to meet the constantly changing scenarios that peacekeeping operations presented. The regular convening of the integrated mission task forces by team leaders had provided a forum for the review of mission-specific issues to ensure harmonized direction and support to peacekeeping operations.

UN police capacities

Special Committee on Peacekeeping Operations consideration. At its 2010 session [A/64/19], the Special Committee noted with appreciation the review of the DPKO Police Division carried out since its previous report. The Committee noted the sustained increase of the police dimension in a number of missions and stressed the importance of maintaining an appropriate support capacity at Headquarters to ensure an adequate level of oversight and guidance to the field. It acknowledged the gaps in the capacities of the Police Division and stressed the importance of addressing them. The Special Committee took note of the approval of the revised policy on formed police units in UN peacekeeping operations and encouraged the Secretariat to implement the policy. It also recognized the growing need to build institutional police capacity in post-conflict environments, and welcomed the ongoing work by Member States, Interpol and the Secretariat.

Personnel matters

The Special Committee on Peacekeeping Operations [A/64/19] recognized the efforts made by DPKO and DFS with regard to balanced recruiting of staff. It urged the Secretary-General to ensure a fair representation of troop-contributing countries when selecting personnel for such staff positions, and requested him to ensure proper representation of troop-contributing countries in DPKO and DFS. The Special Committee expressed concern at the low proportion of women among UN peacekeeping staff, in particular women from developing countries, especially at the senior levels. It stressed that, in the recruitment process, women from certain countries, in particular developing countries, should be accorded equal opportunities, in conformity with relevant resolutions. The Special Committee reiterated its request to the Secretary-General to ensure equitable representation of Member States at the senior and policymaking levels of the Secretariat, especially those with inadequate representation.

Concerned about the high number of vacancies in peacekeeping missions, the Special Committee reiterated its request that the Secretariat accelerate the recruitment and approval process of personnel, including senior mission leadership. It reiterated its request to the Secretary-General to swiftly implement the decisions on contractual arrangements and harmonization of conditions of service [YUN 2008, p. 1622] as a means of dealing with the high vacancy issue. It also requested that he continue to ensure greater use of national staff in peacekeeping operations. The Special Committee underlined the importance of effective interaction between Headquarters and the field to ensure efficient communications and the safety of all peacekeeping personnel.

The Special Committee acknowledged that the interaction of UN military, police and civilian personnel with the local population was necessary for the efficiency and success of peacekeeping operations, and that language skills should constitute an important element of the selection and training processes. It therefore urged DPKO and DFS to make further efforts to recruit staff and experts on mission with language skills that were relevant to the mission area where they were to be deployed. Good command of the official language in the country should be taken into account.

Criminal accountability of UN staff and experts on mission

Report of Secretary-General. Pursuant to General Assembly resolution 64/110 [YUN 2009, p. 95], the Secretary-General in July submitted a report [A/65/185] on the criminal accountability of UN officials and experts on mission that provided information from Governments on the extent to which their laws established jurisdiction over serious crimes committed by their nationals while serving as UN officials or experts on mission, as well as information on cooperation among States and with the United Nations in the exchange of information and the facilitation of investigations and prosecution. As at 1 July, replies had been received from 18 States. The report also detailed recent Secretariat activities, including bringing credible allegations to the attention of the concerned State, UN support to Member States in the development of their domestic laws, and provision of training on UN standards of conduct before deployment and during a mission.

GENERAL ASSEMBLY ACTION

On 6 December [meeting 57], the General Assembly, on the recommendation of the Sixth Committee [A/65/464], adopted **resolution 65/20** without vote [agenda item 76].

Criminal accountability of United Nations officials and experts on mission

The General Assembly,

Recalling its resolution 59/281 of 29 March 2005, in which it endorsed the recommendation of the Special Committee on Peacekeeping Operations that the Secretary-General make available to the United Nations membership a comprehensive report on the issue of sexual exploitation and abuse in United Nations peacekeeping operations,

Recalling also that the Secretary-General, on 24 March 2005, transmitted to the President of the General Assembly a report of his Adviser concerning sexual exploitation and abuse by United Nations peacekeeping personnel,

Recalling further its resolution 59/300 of 22 June 2005, in which it endorsed the recommendation of the Special Committee on Peacekeeping Operations that a group of legal experts be established to provide advice on the best way to proceed so as to ensure that the original intent of the Charter of the United Nations can be achieved, namely that United Nations staff and experts on mission would never be effectively exempt from the consequences of criminal acts committed at their duty station, nor unjustly penalized without due process,

Recognizing the valuable contribution of United Nations officials and experts on mission towards the fulfilment of the principles and purposes of the Charter,

Reaffirming the need to promote and ensure respect for the principles and rules of international law,

Reaffirming also that the present resolution is without prejudice to the privileges and immunities of United Nations officials and experts on mission and the United Nations under international law,

Reaffirming further the obligation of United Nations officials and experts on mission to respect the national laws of the host State, as well as the right of the host State to exercise, where applicable, its criminal jurisdiction, in accordance with the relevant rules of international law and agreements governing operations of United Nations missions,

Deeply concerned by reports of criminal conduct, and conscious that such conduct, if not investigated and, as appropriate, prosecuted, would create the negative impression that United Nations officials and experts on mission operate with impunity,

Reaffirming the need to ensure that all United Nations officials and experts on mission function in a manner that preserves the image, credibility, impartiality and integrity of the United Nations,

Emphasizing that crimes committed by such persons are unacceptable and have a detrimental effect on the fulfilment of the mandate of the United Nations, in particular with respect to the relations between the United Nations and the local population in the host country,

Conscious of the importance of protecting the rights of victims of criminal conduct, as well as of ensuring adequate protection for witnesses, and recalling the adoption of its resolution 62/214 of 21 December 2007 on the United Nations Comprehensive Strategy on Assistance and Support to Victims of Sexual Exploitation and Abuse by United Nations Staff and Related Personnel,

Emphasizing the need to enhance international cooperation to ensure the criminal accountability of United Nations officials and experts on mission,

Recalling its resolution 61/29 of 4 December 2006, by which it established the Ad Hoc Committee on criminal accountability of United Nations officials and experts on mission,

Having considered at its previous sessions the report of the Group of Legal Experts established by the Secretary-General pursuant to its resolution 59/300 and the reports of the Ad Hoc Committee, as well as the note by the Secretariat and the reports of the Secretary-General on criminal accountability of United Nations officials and experts on mission,

Recalling its resolutions 62/63 of 6 December 2007, 63/119 of 11 December 2008 and 64/110 of 16 December 2009,

Recalling also its decision that, bearing in mind its resolutions 62/63 and 63/119, the consideration of the report of the Group of Legal Experts, in particular its legal aspects, taking into account the views of Member States and the information contained in the note by the Secretariat, shall be continued during its sixty-seventh session in the framework of a working group of the Sixth Committee,

Convinced of the continuing need for the United Nations and its Member States to urgently take strong and effective steps to ensure the criminal accountability of United Nations officials and experts on mission in the interest of justice,

1. *Takes note* of the report of the Secretary-General;
2. *Strongly urges* States to take all appropriate measures to ensure that crimes by United Nations officials and experts on mission do not go unpunished and that the perpetrators of such crimes are brought to justice, without prejudice to the privileges and immunities of such persons and the United Nations under international law, and in accordance with international human rights standards, including due process;

3. *Strongly urges* all States to consider establishing to the extent that they have not yet done so jurisdiction, particularly over crimes of a serious nature, as known in their existing domestic criminal laws, committed by their nationals while serving as United Nations officials or experts on mission, at least where the conduct as defined in the law of the State establishing jurisdiction also constitutes a crime under the laws of the host State;

4. *Encourages* all States to cooperate with each other and with the United Nations in the exchange of information and in facilitating the conduct of investigations and, as appropriate, the prosecution of United Nations officials and experts on mission who are alleged to have committed crimes of a serious nature, in accordance with their domestic laws and applicable United Nations rules and regulations, fully respecting due process rights, as well as to consider strengthening the capacities of their national authorities to investigate and prosecute such crimes;

5. *Also encourages* all States:

- (a) To afford each other assistance in connection with criminal investigations or criminal or extradition proceedings in respect of crimes of a serious nature committed by United Nations officials and experts on mission, including assistance in obtaining evidence at their disposal, in accordance with their domestic law or any treaties or other arrangements on extradition and mutual legal assistance that may exist between them;

- (b) In accordance with their domestic law, to explore ways and means of facilitating the possible use of information and material obtained from the United Nations for purposes of criminal proceedings initiated in their territory for the prosecution of crimes of a serious nature committed

by United Nations officials and experts on mission, bearing in mind due process considerations;

(c) In accordance with their domestic law, to provide effective protection for victims of, witnesses to, and others who provide information in relation to, crimes of a serious nature alleged to have been committed by United Nations officials and experts on mission and to facilitate access by victims to victim assistance programmes, without prejudice to the rights of the alleged offender, including those relating to due process;

(d) In accordance with their domestic law, to explore ways and means of responding adequately to requests by host States for support and assistance in order to enhance their capacity to conduct effective investigations in respect of crimes of a serious nature alleged to have been committed by United Nations officials and experts on mission;

6. *Requests* the Secretariat to continue to ensure that requests to Member States seeking personnel to serve as experts on mission make States aware of the expectation that persons who serve in that capacity should meet high standards in their conduct and behaviour and be aware that certain conduct may amount to a crime for which they may be held accountable;

7. *Urges* the Secretary-General to continue to take such other practical measures as are within his authority to strengthen existing training on United Nations standards of conduct, including through predeployment and in-mission induction training for United Nations officials and experts on mission;

8. *Reiterates* its decision that, bearing in mind its resolutions 62/63 and 63/119, the consideration of the report of the Group of Legal Experts, in particular its legal aspects, taking into account the views of Member States and the information contained in the note by the Secretariat, shall be continued during its sixty-seventh session in the framework of a working group of the Sixth Committee;

9. *Requests* the Secretary-General to bring credible allegations that reveal that a crime may have been committed by United Nations officials or experts on mission to the attention of the States against whose nationals such allegations are made and to request from those States an indication of the status of their efforts to investigate and, as appropriate, prosecute crimes of a serious nature, as well as the types of appropriate assistance that States may wish to receive from the Secretariat for the purposes of such investigations and prosecutions;

10. *Urges* States to provide to the Secretary-General at the appropriate time information on their handling of the credible allegations brought to their attention by the Secretary-General in accordance with paragraph 9 above;

11. *Requests* the United Nations, when its investigations into allegations suggest that crimes of a serious nature may have been committed by United Nations officials or experts on mission, to consider any appropriate measures that may facilitate the possible use of information and material for purposes of criminal proceedings initiated by States, bearing in mind due process considerations;

12. *Encourages* the United Nations, when allegations against United Nations officials or experts on mission are determined by a United Nations administrative investigation to be unfounded, to take appropriate measures, in the interests of the Organization, to restore the credibility and the reputation of such officials and experts on mission;

13. *Urges* the United Nations to continue cooperating with States exercising jurisdiction in order to provide them, within the framework of the relevant rules of international law and agreements governing activities of the United Nations, with information and material for purposes of criminal proceedings initiated by States;

14. *Emphasizes* that the United Nations, in accordance with the applicable rules of the Organization, should take no action that would retaliate against or intimidate United Nations officials and experts on mission who report allegations concerning crimes of a serious nature committed by United Nations officials and experts on mission;

15. *Takes note with appreciation* of the information provided by Governments in response to its resolutions 62/63, 63/119 and 64/110, and urges Governments to continue taking the measures necessary for the implementation of those resolutions, including their provisions addressing the establishment of jurisdiction, particularly over crimes of a serious nature, as known in their existing domestic criminal laws, committed by their nationals while serving as United Nations officials or experts on mission, as well as cooperation among States;

16. *Reiterates its request* to the Secretary-General to report to the General Assembly at its sixty-sixth session on the implementation of the present resolution, in particular with respect to paragraphs 3, 5 and 9 above, as well as any practical problems in its implementation, on the basis of information received from Governments and the Secretariat;

17. *Requests* the Secretary-General to include in his report information on the number and types of credible allegations and any actions taken by the United Nations and its Member States regarding crimes of a serious nature committed by United Nations officials and experts on mission;

18. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "Criminal accountability of United Nations officials and experts on mission".

Welfare and recreational needs

At its 2010 session [A/64/19], the Special Committee on Peacekeeping Operations reaffirmed the importance of welfare and recreation for peacekeeping personnel, bearing in mind that welfare and recreation contributed to strengthening morale and discipline. It believed that the provision of facilities related to welfare and recreation should be prioritized during the establishment of peacekeeping missions. In that regard, the Special Committee expressed its concern with deficiencies faced by the majority of missions in the area of welfare and recreation, as stated in the 2009 report of the Secretary-General [YUN 2009, p. 97], and looked forward to the consideration by the Fifth Committee of the report and its recommendations.

Death and disability

The Special Committee [A/64/19] expressed concern that the United Nations death and disability claims process for peacekeeping personnel was overly cumbersome, lengthy and lacking in transparency. It also noted that discrepancies existed between the

compensation benefits provided to experts on mission and those provided to members of contingents. The Special Committee in that context recalled section X of General Assembly resolution 61/276 [YUN 2007, p. 81], on death and disability claims, and requested the Secretary-General, in close consultation with troop-contributing countries, to prepare a new proposal to the General Assembly on the review of death and disability benefits.

Training

The Special Committee [A/64/19] reiterated the shared responsibility of Member States and the Secretariat in providing adequately trained personnel with the required professional background, expertise and capabilities according to UN standards. The Special Committee encouraged the Secretariat to facilitate capacity-building efforts through both the application of the “train the trainers” concept and the best use of available resources, including extensive capacity-building programmes led by multilateral and bilateral actors. With regard to the major findings of the strategic training needs assessment [YUN 2009, p. 98], it requested DPKO to identify the critical expertise and training required for peacekeepers and present its findings to the Special Committee by September 2010.

It took note of the ongoing work of the Integrated Training Service concerning the development of a set of minimum training standards and training modules, and welcomed the updating of those training materials with information on the prevention of sexual exploitation and abuse and on HIV/AIDS. The Special Committee requested DPKO to ensure the provision of adequate and updated gender-sensitivity training material to national and regional peacekeeping training centres. The Special Committee noted the sustained increase in the police dimension in a number of missions, and stressed the need to address shortfalls in standing force requirement in the field of police subject to consultations with Member States. The Special Committee welcomed the partnership between the Peace Operations Training Institute and the United Nations-mandated University for Peace, which enabled students to earn an Executive Master of Arts in peace operations through a blending of the Institute’s e-learning and the University’s classroom courses. While recognizing the important role played by non-United Nations partners in the provision of peacekeeping training, the Special Committee underscored the primary role of DPKO’s Division of Policy Evaluation and Training, together with Member States, in developing peacekeeping training standards and advice in the implementation of standards by training partners.

Africa

In 2010, the momentum for restoring durable peace and development in the conflict-torn regions of Africa was bolstered by concerted UN peacekeeping, peacebuilding and conflict prevention, notwithstanding the significant challenges faced. The United Nations increased its support of African peace efforts, particularly by helping develop Africa's institutional capacities to address conflicts and manage peacekeeping operations. To enhance its own efforts to better provide such assistance to Africa, and strengthen its partnership with the African Union (AU), the General Assembly, in June, established the United Nations Office to the African Union by integrating the mandates and functions of the four UN offices operating in Addis Ababa related to peace and security. In July, the Security Council held an open debate on "Optimizing the use of preventive diplomacy tools: prospects and challenges in Africa". It also formalized its consultative meeting with the AU Peace and Security Council to strengthen cooperation between the two organizations in conflict prevention and resolution and peacebuilding, and to find solutions to the challenge of financing AU peace activities. The Council also sent missions to the Democratic Republic of the Congo (DRC) as well as to Uganda and the Sudan to promote peace efforts in those countries. The Office of the Special Adviser on Africa took further steps to strengthen support for Africa's security and development.

At the subregional level, the United Nations continued work with countries in Central Africa and the Great Lakes region to confront threats to peace and security. In March, the Security Council discussed the impact of illicit arms trafficking on peace and security in Central Africa, and called on States in the region to establish mechanisms and regional networks to combat the illicit trafficking in those weapons. In August, the Council welcomed the Secretary-General's intention to establish a UN regional office for Central Africa in Libreville, Gabon, to pursue a common peace consolidation agenda in the subregion. The Standing Advisory Committee on Security Questions in Central Africa adopted, in April, the Central African Convention for the Control of Small Arms and Light Weapons, Their Ammunition, and All Parts and Components That Can Be Used for their Manufacture, Repair and Assembly (Kinshasa Convention), and the Implementation Plan in November.

In the DRC, significant progress was made towards implementing the provisions of the 23 March 2009

peace agreements, including planning for legislative and presidential elections. As a result, the United Nations reconfigured the mandate of the United Nations Organization Mission in the DRC, which was replaced by the United Nations Organization Integrated Mission, whose mandate was to operationalize the transition of security responsibilities to the Government and complete its withdrawal by 31 December. That momentum, however, suffered a setback between 30 July and 2 August, with attacks by rebel forces, including the systematic rape of at least 387 people in 13 villages in Walikale territory. In addition, some 923 houses and 42 shops were looted and 116 civilians abducted. In response, the Secretary-General dispatched the Assistant Secretary-General for Peacekeeping Operations and his Special Representative on Sexual Violence in Conflict to discuss the challenges faced by UN forces in the protection of civilians in the DRC. The Assistant Secretary-General made recommendations for enhancing that protection.

In Burundi, significant progress was made towards peace and stability. Despite the deep political divide, the country successfully held communal, presidential, legislative, senatorial and *collinaire* elections between 24 May and 7 September. Incumbent President Pierre Nkurunziza was re-elected with 91 per cent of the vote. In the light of progress made, the Secretary-General recommended that the United Nations Integrated Office in Burundi (BINUB), whose mandate was to expire on 31 December, be succeeded by a scaled-down UN presence, the United Nations Office in Burundi (BNUB), to support the Government's efforts in consolidating democracy and paving the way for sustainable development.

In the Central African Republic (CAR), concerted efforts continued to implement the recommendations of the 2008 inclusive political dialogue, particularly preparations for holding elections and moving forward the disarmament, demobilization and reintegration (DDR) process. The elections, scheduled for 16 May, had to be postponed, however, for technical and logistical reasons, thus forcing the National Assembly to amend the Constitution to allow the President and Assembly members to remain in office until elections could be held. The new date for the first round of the presidential and legislative elections was set as 23 January 2011, and a possible second round of presidential and legislative elections on 20 March

2011. Despite delays in the implementation of the DDR programme, progress was made in the development of a national reintegration strategy for former combatants. Meanwhile, the overall security situation in the country remained volatile owing to the ongoing internal rebellion in the north; the activities of road bandits and poachers; the lack of significant progress in DDR; the setbacks in the electoral process; and the presence of foreign rebel elements, including those associated with the Ugandan Lord's Resistance Army (LRA). The United Nations advanced its integration process, as its Integrated Peacebuilding Office in the Central African Republic was established on 1 January.

In the CAR and Chad, the improved security environment led to an agreement between the Secretariat and the Government of Chad according to which, effective 16 May, the mandate of the United Nations Mission in the Central African Republic and Chad (MINURCAT) for the protection of civilians, including for refugees, internally displaced persons (IDPs), returnees and host communities, would cease, and the Government of Chad would assume that responsibility and facilitate the delivery of humanitarian aid and the free movement of humanitarian personnel. Under a revised mandate, MINURCAT would continue to perform the tasks relating to the rule of law, human rights and civil affairs, and mine action assistance, and support the Government's efforts to achieve self-sustainability of the *Détachement intégré de sécurité* (DIS), established specifically to protect refugees, IDPs and vulnerable civilians, as a professional enforcement entity. A joint Chad/UN working group would develop a plan for the progressive handover to the Government of the administrative, financial and logistical support to DIS. MINURCAT left Chad on 15 December. Meanwhile, relations between the Governments of Chad and the Sudan improved significantly, with the signing of an agreement on 15 January to normalize their bilateral relations. They deployed a joint border force of 3,000 troops. In north-eastern CAR, the Secretary-General proposed that MINURCAT be authorized with a troop strength of 300 to secure the airport in Birao and provide limited extraction operations for humanitarian workers.

The Security Council sent a mission to Uganda to reiterate the Council's support to the improvement of relations among the countries of the region, encourage them to strengthen cooperation, and emphasize support for action against armed groups, particularly LRA.

West Africa showed renewed signs of progress in 2010 in the prevention and resolution of violent conflict and in peacebuilding processes leading to political stability. Despite occasional setbacks in some countries in the region and political fragility, the general trend by the end of the year was in a positive direction. United Nations involvement in guiding and assisting regional nations through mediation and logistical aid was continual, particularly through the United Na-

tions Office for West Africa (UNOWA). In addition, peacekeeping or peacebuilding missions participated in those efforts in Côte d'Ivoire, Liberia, Sierra Leone and Guinea-Bissau.

UNOWA endeavoured to work with regional and subregional efforts in support of peace and stability, especially with the Economic Community of West African States (ECOWAS) and the AU. In December, the Secretary-General recommended that the mandate of UNOWA be extended for a further period of three years, until the end of 2013. He also proposed that its renewed mandate focus on preventive diplomacy, addressing cross-border and cross-cutting threats to peace and security, promotion of good governance and gender, and partnership with regional organizations. The Security Council agreed with those recommendations.

The peace process in Côte d'Ivoire moved forward in 2010 through efforts to implement the 2007 Ouagadougou Political Agreement and its four supplementary accords, which dealt with identification of voters and election processes, reunification of the army, and restoration of State authority throughout the country. The United Nations Operation in Côte d'Ivoire (UNOCI) worked with the Government in providing logistical and technical support in preparing elections, and in assisting with disarmament and demobilization of ex-combatants and restoring State authority. The Security Council, in June, redefined the mandate of UNOCI, outlining the mission's responsibilities in monitoring armed groups, preventing hostilities, monitoring the borders, protecting civilians, monitoring the arms embargo, collecting illegal arms, promoting the peace process through public information, promoting human rights, and supporting humanitarian assistance. In regard to the electoral process, it was mandated to support the organization of free, fair and transparent elections, to monitor pre-election activities, and to contribute to identification of the population. Two rounds of presidential elections were held in late 2010. The first, on 31 October, left no candidate with a majority, and a second round was held on 28 November. The country's Independent Electoral Commission announced that Alassane Ouattara had been elected, defeating Laurent Gbagbo by 6 per cent. Shortly after the announcement of those results on 2 December, forces and militias loyal to Mr. Gbagbo and his political party resorted to violent attacks against communities believed to be strongholds for President Ouattara and against his headquarters in the capital. The uncompleted tasks of disarmament and reintegration of former combatants and reunification of the country contributed to a tense atmosphere as the year closed.

Progress was seen in Liberia, where the Government continued its efforts to improve governance and security, consolidate State authority, manage natural resources, address human rights issues, and build a better economy. Assistance in those efforts was

provided by the United Nations Mission in Liberia (UNMIL) and other international and regional organizations. UNMIL continued to support Liberia in the implementation of the 2003 Agreement on Ceasefire and Cessation of Hostilities. Liberia requested to be added to the agenda of the Peacebuilding Commission and, when accepted, specified rule of law, security sector reform and national reconciliation as priority areas to the Commission. UNMIL completed the third stage of its drawdown in May 2010, reducing its military personnel to 8,102 by year's end. In anticipation of the eventual withdrawal of UNMIL after elections, joint planning for the transition of security responsibilities from UNMIL to national authorities began. The security situation, while stable, was fragile as a result of disputes over land and resources, as well as ethnic and communal tensions.

Sierra Leone continued in 2010 to work towards the goals of peace consolidation and economic recovery, in line with the programme laid out in the President's Agenda for Change and in tandem with the Joint Vision of the United Nations Family for Sierra Leone, setting peacebuilding priorities for 2009–2012. The Government was assisted in its efforts to shift from peacekeeping efforts to focus on peacebuilding and development by the United Nations Integrated Peacebuilding Office in Sierra Leone. In September, the Security Council lifted the last remaining sanctions against Sierra Leone, affirming that the Government had fully re-established control over its territory and former rebel fighters had been disarmed and demobilized. The Special Court for Sierra Leone drew close to concluding its trials of those bearing the greatest responsibility for serious violations of humanitarian laws committed in the country since 1996. The trial of the former Liberian President, Charles Taylor, which opened in July 2009, remained the only case before the court, and closing arguments were scheduled for February 2011.

Guinea-Bissau encountered a setback on 1 April in its peace process and return to constitutional order, when elements within the armed forces, led by the Deputy Chief of General Staff, detained the Prime Minister and the Chief of General Staff and other senior military officers. They were released nine months later. An unprecedented violation of the UN premises on that date resulted in the extraction of the former Chief of Defence Staff, who had sought asylum at the United Nations Integrated Office in Guinea-Bissau (UNIOGBIS) headquarters. Despite those circumstances, the Mission and other organizations continued to work with the Government towards consolidating peace. The Peacebuilding Commission sent a delegation to Guinea-Bissau that made recommendations on ways the international community could assist the country to achieve stability, protect and provide basic services for its people, and increase

economic growth. Drug trafficking remained a concern.

Cameroon and Nigeria continued to cooperate in implementing the 2002 ruling of the International Court of Justice on the land and maritime boundary between the two countries through the Cameroon-Nigeria Mixed Commission. The Commission continued its work in determining the joint border, and its field work in demarcating the border. By the end of the year, the two countries agreed on 1,466 kilometres of the total length of an estimated 1,950 kilometre land boundary, not taking into account an additional section of 95 kilometres still being assessed. The Commission also adopted recommendations for the formulation of a "resource clause" on off-shore petroleum fields straddling the maritime boundary, paving the way for cross-boundary cooperation on oil and gas.

The situation in Guinea remained unsettled at the beginning of the year, due to the absence of President Moussa Dadis Camara, who remained in Morocco for medical treatment. Mr. Camara had established a National Council for Democracy and Development (CNDD) that ruled the country with a group of military officers, and in his absence, Vice President Sekouba Konaté served as interim President. In mid-January 2010, Mr. Camara and General Konaté met in Ouagadougou with President Blaise Compaoré of Burkina Faso, who acted as mediator in the political discussions on Guinea. A Joint Declaration issued at the end of the meeting set out a list of principles for planning a new government, including a return to civilian rule by elections within six months, and setting up a transitional government. The situation evolved in a generally positive direction following the Declaration. The United Nations joined regional organizations in assisting the transitional government through the process leading to presidential elections—the first democratic election in Guinea's history. The first round of elections was held on 27 June. After several postponements, a required run-off was held on 7 November. Provisional results were released shortly thereafter and were declared by the candidate Cellou Dalein Diallo to be fraudulent. On 3 December, however, the Supreme Court confirmed Alpha Condé as President-elect, and later Mr. Diallo announced he accepted the decision.

The political situation in Mauritania remained tense due to lack of progress in political discussions between the Government installed in 2009 and the opposition. The Special Representative for West Africa travelled to Mauritania to discuss the national dialogue process, insecurity and terrorism in the Sahel, and prospects for regional cooperation on those issues. The talks confirmed that mistrust between the Government and the opposition remained, and that there was no consensus on the terms of reference envisaged for national dialogue.

The opposition insisted on the need to implement the 2009 Dakar Framework Agreement, while the Government wanted no reference to that agreement.

The United Nations continued to work for lasting peace in the Horn of Africa. In the Sudan, the parties to the 2005 Comprehensive Peace Agreement (CPA) made progress on a number of fronts. National elections successfully conducted in April marked a milestone in CPA implementation. Discussions on holding the Southern Sudan and Abyei referendums continued, with the parties showing renewed commitment to negotiating the post-referendum process and structure. While preparations for the referendum in Southern Sudan, scheduled for January 2011, gained momentum with the establishment of the Southern Sudan Referendum Commission, arrangements for the Abyei referendum were behind schedule, exacerbating an already tense situation. In September, the Secretary-General appointed a panel to monitor both referendum processes.

The United Nations Mission in the Sudan (UNMIS) continued to support the resolution of core CPA issues. In April, the Security Council extended the mandate of UNMIS for another 12 months.

The commitment of the international community to CPA implementation and to a peaceful, comprehensive and inclusive resolution of the situation in Darfur was reaffirmed by a Security Council mission to the region in October. The Governments of the Sudan and Chad improved their relations by signing a protocol on border security, and in February and March, respectively, the Government of the Sudan signed separate agreements with the Justice and Equality Movement (JEM) and the newly formed Liberation and Justice Movement, setting parameters for peace negotiations. Earlier in the year, the elections in April were conducted without any major incidents, but afterwards violence flared up again, making May the deadliest month since the establishment of the African Union-United Nations Hybrid Operation in Darfur (UNAMID). Tribal conflict, displacements, criminality and human rights violations drove tens of thousands of Darfurians from their homes. In separate attacks in May and June in Darfur, five UNAMID peacekeepers were killed.

In July, the Security Council extended UNAMID's mandate for one year, and later strengthened the arms embargo to ensure that States provided the necessary end-user documentation to prevent breaches of prior resolutions when exporting arms to the Sudan.

With a view to enhancing civil society participation in the peace process, UNAMID and the Government of Qatar jointly organized in Doha in July the second conference of Darfur civil society representatives. In September, the Government of the Sudan endorsed a new political and security strategy for Darfur aimed at facilitating participation and enhancing local own-

ership of the peace process, to be supplemented by socio-economic development and support for the return of the some 2 million internally displaced persons (IDPs). In December, JEM agreed to resume negotiations with the Government on a ceasefire, while relations between the Government and the Sudan Liberation Army-Minni Minawi deteriorated to the point that Minni Minawi was declared an enemy of the Government.

The situation in Somalia remained volatile, despite progress in implementing the 2008 Djibouti Peace Agreement. In March, the Security Council condemned continuing violations of its arms embargoes on Somalia and Eritrea, and extended for 12 months the mandate of the Group monitoring embargo compliance. Through its newly renamed "Security Council Committee pursuant to resolutions 751(1992) and 1907(2009)", the Council oversaw the sanctions regime against both countries.

As the number of piracy attacks off the coast of Somalia continued to rise, together with related levels of violence, the Council intensified its efforts to enhance international and regional cooperation in bringing pirates to justice. The African Union Mission in Somalia (AMISOM) continued to support the transitional federal institutions in their efforts to stabilize the country; facilitate the provision of humanitarian assistance; and create conditions conducive to stabilization, reconstruction and development. In December, the Security Council extended its authorization for AMISOM until 30 September 2011, and approved a troop number of 12,000.

In June, Djibouti and Eritrea decided to resolve, through a negotiated settlement, their border conflict over Ras Doumeira and Doumeira Island, which had erupted in 2008. The administrative liquidation of the United Nations Mission to Ethiopia and Eritrea, which was terminated in 2008, continued. The Eritrea-Ethiopia Claims Commission completed its mandate.

Negotiations towards a lasting political settlement to the question of Western Sahara continued, but the two parties to the dispute concerning the Territory—Morocco and the Frente Polisario para la Liberación de Saguía el-Hamra y de Río de Oro (Frente Polisario)—remained far apart. The United Nations Mission for the Referendum in Western Sahara (MINURSO) monitored compliance with the 1991 ceasefire between the parties. The Security Council in April extended MINURSO's mandate for another year, until April 2011.

Promotion of peace in Africa

In 2010, the United Nations continued to work towards promoting sustainable peace and development

in Africa, mainly by increasing its support of African peace efforts through the development of Africa's institutional capacities to address conflicts and manage peacekeeping operations. To enhance its own efforts to better provide such support and strengthen its partnership with the African Union (AU), the General Assembly, in June, established the United Nations Office to the African Union by integrating the mandates and functions of the four UN offices operating in Addis Ababa related to peace and security. In July, the Security Council held an open debate on "Optimizing the use of preventive diplomacy tools: prospects and challenges in Africa". It also formalized its consultative meeting with the AU Peace and Security Council to strengthen cooperation between the two organizations in conflict prevention and resolution and peacebuilding, and to find solutions to the challenge of financing AU peace activities. The Council also sent missions to the Democratic Republic of the Congo (DRC) as well as to Uganda and the Sudan to promote peace efforts in those countries.

Conflict prevention and resolution

Security Council consideration. On 16 July [S/PV. 6360], the Security Council met to consider "Optimizing the use of preventive diplomacy tools: prospects and challenges in Africa". Nigeria, the Council Presidency, in a concept note [S/2010/371], said that the debate should consider how to achieve agreement on a coherent policy strategy for preventive diplomacy to complement the Organization's peacekeeping model in Africa; strategies for better resourcing preventive diplomacy activities; and how best to mobilize the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa to launch a concrete initiative, in partnership with key regional actors, for achieving optimal use of preventive diplomacy tools in pre-conflict situations. In presidential statement S/PRST/2010/14 (see p. 43) of the same date, Council members underlined the importance of engaging the potential and capacities and capabilities of the UN Secretariat, regional and subregional organizations as well as Governments in preventive diplomacy, and recognized the importance of enhancing efforts to ensure predictable, coherent and timely financial support to optimize the use of preventive diplomacy tools. The Council requested the Secretary-General to submit recommendations on how best to optimize the use of preventive diplomacy tools within the UN system and in cooperation with regional and subregional organizations and actors.

Working Group. The Ad Hoc Working Group on Conflict Prevention and Resolution in Africa, established in 2002 [YUN 2002, p. 93] to monitor the implementation of Security Council resolutions relating to its role in conflict prevention and resolution in

Africa, submitted a December report on its 2010 activities [S/2010/694]. On 18 June, the Group adopted its programme of work. On 20 July, it was briefed by the Under-Secretary-General for Political Affairs on the proposed establishment of a United Nations Office for Central Africa (see p. 118). Group members and the Under-Secretary-General exchanged views on streamlining the mandate of the proposed office, within the context of strengthening cooperation between the AU and the United Nations, and complementing the conflict resolution and prevention efforts of the Economic Community of Central African States and the International Conference on the Great Lakes Region, as well as other subregional organizations. On 16 August, the Group held an open interactive panel discussion on the role of conflict early warning mechanisms, especially how they could be optimally utilized, the challenges being faced, and how the United Nations and the international community could help the AU and its subregional organizations in making them function more effectively. The Group also held a panel discussion on 2 December on the strategic partnership between the AU and the United Nations on security sector reform. It was informed that AU member States had provided input at the subregional level to the security sector reform policy framework, which was in the final stages of consideration before being adopted.

On 21 December [S/2010/654], the Security Council agreed that the Group would continue its work until 31 December 2011.

Relationship between the United Nations and regional organizations

Cooperation between the AU and UN system

On 9 July, the Security Council and the AU Peace and Security Council held an informal consultative meeting in New York to review cooperation in conflict prevention and resolution, peacekeeping and peacebuilding, including the maintenance of constitutional order, the promotion of human rights, democracy and the rule of law. In the communiqué transmitted to the Security Council President [S/2010/392], it was indicated that members of both Councils would support national efforts in consolidating democratic governance and combating impunity, provide assistance by way of mediation and other conflict prevention strategies, and implement strategies for lasting regional peace and security. It was agreed that a consultative meeting should be held on a rotational basis annually, no later than the end of June; the agenda, agreed upon in advance, should be focused and allow for follow-up of previously agreed outcome points; the meetings should be substantive; and the host organization would be responsible for preparing and presenting the outcome document.

An addendum to the report [S/2010/392/Add.1] transmitted to the UN Security Council President the communiqué of the 2008 informal consultative meeting [YUN 2008, p. 110].

In his consolidated report on cooperation between the United Nations and regional organizations [A/65/382-S/2010/490], the Secretary-General reported that, in 2010, the Department of Political Affairs (DPA) deployed a liaison team with the Southern African Development Community in Gaborone, Botswana, to support conflict prevention and mediation activities, including the establishment and strengthening of the Community's conflict prevention desk and support in electoral assistance. He also reported on cooperation between the United Nations and the AU, especially on the activities of DPA, and the Departments of Peacekeeping Operations (DPKO) and Field Support (DFS).

United Nations Office to the African Union

The United Nations operated four separate entities in Addis Ababa with separately mandated responsibilities related to peace and security: the United Nations Liaison Office, the African Union Peacekeeping Support Team, the United Nations Planning Team for the African Union Mission in Somalia, and the Joint Support and Coordination Mechanism of the African Union-United Nations Hybrid Operation in Darfur. In an April report [A/64/762], the Secretary-General proposed the creation of a new office, the United Nations Office to the African Union (UNOAU), through consolidating the operation of the four separate entities. He explained that the proposed Office would enhance the partnership between the two organizations in peace and security, provide UN advice to the AU on both long-term capacity-building and short-term operational support, and streamline the UN presence in Addis Ababa to be more cost-effective and efficient. The Head of UNOAU would be at the Assistant Secretary-General level and report to the Secretary-General through DPA, keeping DPKO and DFS informed of daily administrative and management issues. It would comprise a Political Affairs Unit, which would liaise with and strengthen cooperation between the AU and the United Nations in peace and security, and provide technical advice and support in mediation, good offices and conflict prevention, elections, disarmament, demobilization and reintegration (DDR) and public information; an Operational Planning and Advisory Unit to provide technical advice and support in the areas of military and police operations, mine action and security-related issues; and an Administrative Planning and Advisory Unit to support the AU Commission in the development of its institutional and operational capacities.

The budget for UNOAU was estimated at \$10,642,000, comprising \$8,875,900 to be funded from the support account for peacekeeping operations for the period from 1 July 2010 to 30 June 2011, and \$1,766,100 to be funded from the 2010–2011 programme budget. It provided for 42 international staff, 22 national staff and one UN Volunteer.

The Advisory Committee on Administrative and Budgetary Questions (ACABQ), in a May report [A/64/792], welcomed the proposal to bring together the various activities to support the AU in peace and security under unified leadership. It recommended approval of the Assistant Secretary-General post for the Head of the new Office. In its view, however, the new Office lacked specificity. ACABQ recommended that a clear timetable and benchmarks to measure progress be developed, and that the Secretary-General report to the Assembly on progress achieved in the context of future budget submissions. ACABQ also considered the request for 32 of the 65 posts proposed for mission support to be disproportionate, and asked the Secretary-General to review those requirements and report to the Assembly's sixty-fifth (2010) session with a streamlined proposal, as well as a progress report addressing the gaps in the current proposal, taking into account the Committee's comments. ACABQ recommended that the Assembly approve \$7,672,300 for the support account for peacekeeping operations, in addition to the amount to be approved by the Assembly under the proposed support account budgets for the period from 1 July 2010 to 30 June 2011, and appropriate \$656,600 under the 2010–2011 programme budget.

GENERAL ASSEMBLY ACTION

On 24 June [meeting 101], the General Assembly, on the recommendation of the Fifth (Administrative and Budgetary) Committee [A/64/835], adopted **resolution 64/288** without vote [agenda items 132, 146, 161 & 163].

Financing of the United Nations Office to the African Union

The General Assembly,

Recalling its resolution 63/310 of 14 September 2009 on cooperation between the United Nations and the African Union,

Reaffirming the need to pursue and further strengthen the ongoing measures to improve the effectiveness and efficiency of United Nations and African Union cooperation,

Having considered the report of the Secretary-General on the budget for the United Nations Office to the African Union and the related report of the Advisory Committee on Administrative and Budgetary Questions,

1. *Takes note* of the report of the Secretary-General;
2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions, and requests the Secretary-General to ensure their full implementation;

3. *Decides* to approve the amount of 10,172,500 United States dollars, comprising 8,875,900 dollars for the period from 1 July 2010 to 30 June 2011 under the support account for peacekeeping operations and 1,296,600 dollars under the programme budget for the biennium 2010–2011;

Financing of the budget estimates

4. *Approves* the amount of 7,672,300 dollars for the United Nations Office to the African Union to be funded from the support account for peacekeeping operations, in addition to the amount proposed for the budget for the support account for the period from 1 July 2010 to 30 June 2011;

5. *Decides* to prorate the amount in paragraph 4 above among the budgets of the active peacekeeping operations for the period from 1 July 2010 to 30 June 2011;

6. *Also decides* to reduce by 3,903,100 dollars the amount proposed for the financing of support to the African Union Mission in Somalia for the period from 1 July 2010 to 30 June 2011;

7. *Further decides* to reduce by 6,872,500 dollars the amount proposed for the budget for the African Union–United Nations Hybrid Operation in Darfur for the period from 1 July 2010 to 30 June 2011;

8. *Approves* the establishment of two new posts (1 Assistant Secretary-General and 1 P-4) and the abolition of one post at the P-3 level (United Nations Liaison Office) under section 1 (Overall policymaking, direction and coordination) of the programme budget for the biennium 2010–2011;

9. *Decides* to appropriate a total amount of 187,100 dollars under the programme budget for the biennium 2010–2011 under section 1 (Overall policymaking, direction and coordination) (156,700 dollars), and under section 36 (Staff assessment) (30,400 dollars), to be offset by a corresponding amount under income section 1 (Income from staff assessment); the provision would represent a charge against the contingency fund;

10. *Also decides* to consider at its sixty-fifth session the financing arrangements for the United Nations Office to the African Union, under the item entitled “Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations”, in the context of the support account for peacekeeping operations for the period from 1 July 2011 to 30 June 2012.

Appointment. On 13 August [S/2010/434], the Security Council President informed the Secretary-General that Council members took note of his intention, conveyed on 6 August [S/2010/433], to appoint Zachary Muburi-Muita (Kenya) as the Head of UNOAU.

Support for AU peacekeeping operations

Report of Secretary-General. In October [A/65/510-S/2010/514], the Secretary-General submitted a progress report on support to AU peacekeeping operations authorized by the United Nations, as requested by the Security Council in presidential statement S/PRST/2009/26 [YUN 2009, p. 109]. The report examined the progress made in strengthening the strategic relationship between the United Nations and the AU, and described the operational relationship

between the two organizations, including initiatives to enhance institutional capacity. It also listed challenges in financing AU peace support operations and highlighted initiatives taken by the AU Commission to reform and enhance its financial management and accountability mechanisms, both in general and with respect to peace support operations.

According to the Secretary-General, over the previous year, communication and collaboration between the Security Council and the AU Peace and Security Council had improved, especially through the annual consultative meetings focusing on overall support by the United Nations for the ten-year capacity-building programme [YUN 2006, p. 119] and how best to enhance the predictability, sustainability and flexibility of financing the AU’s peace and security capability. The Secretariat was working closely with UNOAU (see p. 111) to expedite its full operationalization. The effects of the integration would need to be evaluated as the Office evolved, and the Secretariat would continue to explore further areas of adjustment to enhance its effectiveness.

At the strategic level, the Chairperson of the AU Commission, Jean Ping, and the Secretary-General convened the inaugural meeting of a joint task force on peace and security on 25 September, focused on furthering the strategic partnership on peace and security. At its 28 September meeting, the task force discussed strategic issues and country situations that affected the work of both organizations. In addition, as part of the framework for the 2010 Year of Peace and Security programme activities, a high-level retreat on the promotion of peace, security and stability (Cairo, Egypt, 26–28 August), attended by senior UN and AU officials together with partner organizations, discussed cross-cutting issues relevant to conflict prevention and resolution and peacebuilding, including unconstitutional changes of government; election-related violence and disputes; peace, justice and reconciliation; security sector reform; management of natural resources and wealth sharing; and challenges linked to the implementation of peace agreements.

The operational partnership between the two organizations in peace and security was realized through implementation of the framework for the AU ten-year capacity-building programme and support for the African peace and security architecture, as well as short- and medium- to long-term initiatives. The two organizations were also working together through various mechanisms in country-specific contexts. The greatest challenge facing the AU in enhancing its institutional capacity to undertake peacekeeping operations, however, was securing sustainable, predictable and flexible financing. AU peace support operations authorized by the Security Council were funded primarily through voluntary contributions, which did not ensure a suffi-

cient degree of predictability. Furthermore, relying on UN-assessed contributions for those operations was challenging, as it required a case-by-case authorization by the Security Council, after which the General Assembly determined the scope of the support package and level of assessed contributions. As part of its reform and restructuring efforts, the AU agreed with its partners on a joint financing arrangement to help the AU Commission recruit 133 staff to work on implementing the peace and security programme and reduce dependence on ad hoc, short-term recruitment. The AU Commission also undertook to mobilize resources from among its own members through increased assessment. In addition, as part of its 2010 Year of Peace and Security, the AU was seeking ways to creatively mobilize resources from the private sector and through public-private partnerships.

The Secretary-General observed that the extent to which the Secretariat could fully realize a meaningful strategic partnership with the AU Commission in the quest for regional peace and security would rest on clear guidance and direction from UN legislative bodies, and reiterated the need for the Security Council to enunciate its vision of that strategic partnership, without which efforts to work together would continue to be short-term, ad hoc, more complicated and costly. To ensure that substantive issues were addressed in the annual exchanges between the Security Council and the AU Peace and Security Council and ensure a preparatory and follow-up mechanism, the Secretary-General proposed that the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa could serve as an informal secretariat of the joint meetings, and establish a working group of experts to support consideration and discussion of matters of mutual interest on the agendas of both bodies. It was also critical that the efforts of the Secretariat and the AU Commission were complementary, with realistic benchmarks and timelines, and that the AU identified an interim mechanism to manage and sustain peace operations until the African Standby Force was operational. In addition to African efforts to broaden the resource base and encourage additional resource mobilization on the continent, efforts needed to be made to enhance contributions to the African Union Peace Fund and ensure their predictability and sustainability.

The Secretary-General said that he would submit within six months a report that would define the Secretariat's strategic vision for UN-AU cooperation in peace and security and examine the increasing variety of models for peacekeeping in Africa.

SECURITY COUNCIL ACTION

On 22 October [meeting 6409], following consultations among Security Council Members, the President made statement **S/PRST/2010/21** on behalf of the Council:

The Security Council recalls its previous relevant resolutions and the statements by its President which underscore the importance of developing effective partnerships between the United Nations and regional organizations, in particular the African Union, in accordance with the Charter of the United Nations and the relevant statutes of the regional organizations.

The Council reiterates its primary responsibility under the Charter for the maintenance of international peace and security, and recalls that cooperation with regional and subregional organizations in matters relating to the maintenance of international peace and security and consistent with Chapter VIII of the Charter can improve collective security.

The Council welcomes the continuing important efforts and enhanced peacekeeping role of the African Union and its subregional organizations, consistent with Council resolutions and decisions, to prevent, mediate and settle conflicts on the African continent, and, taking into account the increasing importance of conflict prevention, notes with appreciation the positive efforts made towards peace and security in Africa.

The Council recognizes that, in deploying peacekeeping operations authorized by the Council, the African Union is contributing towards the maintenance of international peace and security, in a manner consistent with the provisions of Chapter VIII of the Charter.

The Council recalls the statement by its President of 26 October 2009, in which it requested the Secretary-General to submit a progress report on United Nations support to the African Union when it undertakes peacekeeping operations authorized by the United Nations, following his report of 18 September 2009, which detailed ways in which effective support could be provided by the United Nations, including an assessment of the recommendations contained in the report of the African Union-United Nations panel on modalities for support to African Union peacekeeping operations.

The Council welcomes the progress report of the Secretary-General on support to African Union peacekeeping operations authorized by the United Nations.

The Council reaffirms the importance of and its commitment to strengthening its partnership with the Peace and Security Council of the African Union, consistent with Chapter VIII of the Charter, by reviewing the degree of cooperation between them with regard to conflict prevention and resolution, peacekeeping, peacebuilding, including the maintenance of constitutional order, the promotion of human rights, democracy and the rule of law in Africa, as stressed in the communiqués of their members, including that of 9 July 2010.

The Security Council reiterates the need for further enhancement of regular interaction, coordination and consultation between the United Nations and the African Union on matters of mutual interest. The Council welcomes in this regard the inaugural meeting of the United Nations-African Union Joint Task Force on Peace and Security, held in New York on 25 September 2010, and encourages the Task Force to focus on strategic and country-specific issues on the continent of interest to both organizations.

The Council welcomes the establishment, on 1 July 2010, of the United Nations Office to the African

Union, which integrates the mandates of the former United Nations Liaison Office to the African Union, the African Union Peacekeeping Support Team, the United Nations Planning Team for the African Union Mission in Somalia, and the support elements of the African Union-United Nations Hybrid Operation in Darfur Joint Support and Coordination Mechanism, as a concrete step in the strengthening of cooperation between the United Nations Secretariat and the African Union Commission.

The Council underscores the importance of expediting the implementation, in close consultation with other international partners, of the 2006 United Nations-African Union Ten-year Capacity-building Programme for the African Union focusing mainly on peace and security, in particular the operationalization of the African Standby Force and the Continental Early Warning System. The Council supports the ongoing efforts to strengthen the African Peace and Security Architecture and reiterates its call for the international community, particularly donors, to fulfil their commitments as endorsed in the 2005 World Summit Outcome.

The Council reiterates that regional organizations have the responsibility to secure human, financial, logistical and other resources for their organizations, including through contributions by their members and support from partners. The Council welcomes the valuable financial support provided by the African Union's partners towards its peacekeeping operations, including through the African Peace Facility, and calls upon all partners to render more support.

The Council reaffirms its resolution 1809(2008), in which it recognizes the need to enhance the predictability, sustainability and flexibility of financing for regional organizations when they undertake peacekeeping under a United Nations mandate.

The Council notes the observation of the Secretary-General in his report that, while the African Union is taking critical measures to enhance its institutional capacity to undertake peacekeeping operations with the support of United Nations and key partners, the issue of securing sustainable, predictable and flexible financing remains a key challenge. The Council expresses its determination to continue working, in accordance with its responsibilities under the Charter, towards a more predictable and sustainable solution to these funding challenges.

The Council notes the continuing efforts of the African Union to enhance its institutional capacity to enable it to effectively plan, manage and deploy peacekeeping operations.

The Council, in this regard, calls upon the African Union to work towards the implementation of a long-term and comprehensive capacity-building strategic framework in consultation with the United Nations and other international partners.

The Council notes the intention of the Secretary-General to submit a report within six months which will, *inter alia*, define the strategic vision of the Secretariat for United Nations-African Union cooperation in peace and security. The Council looks forward to this report, which should take into account the lessons learned from the various experiences, particularly in the African Union-United Nations Hybrid Operation in Darfur and the African Union Mission in Somalia.

African peacekeeping capacities

At its 2010 substantive session (New York, 22 February–19 March) [A/64/19], the Special Committee on Peacekeeping Operations discussed the enhancement of African peacekeeping capacities. The Committee underlined the need for a strategic and effective relationship between the United Nations and the AU in the context of peacekeeping operations, and re-emphasized the importance of increasing and enhancing AU capacity in conflict prevention, mediation and peacekeeping operations. There was a need for coherent and effective coordination of support provided by multiple stakeholders to the AU in peacekeeping capacity-building. The Committee emphasized the importance of implementing the joint action plan for UN support to the AU in peacekeeping and the AU ten-year capacity-building plan [YUN 2006, p. 340]. The Committee stressed the importance of strengthening the AU Peace and Security Architecture, and recognized the potential contribution of the African Standby Force to peace and security in Africa.

The Committee underlined the need to identify ways to address AU peacekeeping requirements at the continental level, and recommended the enhancement of an effective partnership with the AU to improve the planning, deployment and management of African peacekeeping operations. The Committee recognized the need to enhance the predictability, sustainability and flexibility of financing of peacekeeping operations undertaken under a UN mandate. It reaffirmed the need to strengthen training and logistics in Africa for effective and secure peacekeeping, so as to enhance UN-AU cooperation in peacekeeping and the deployment of UN peacekeeping missions in Africa, thereby supporting AU peacekeeping capacity-building and ensuring cost-effectiveness. The Committee therefore stressed the importance of close coordination between all international partners and donors supporting AU capacity-building, including through enhancing the effectiveness of training centres in Africa.

The Security Council, in presidential statement **S/PRST/2010/1** of 13 January (see p. 47), underlined the importance of regional and subregional organizations enhancing their peacekeeping capabilities and the value of international support to their efforts, in particular to the AU, in terms of the 2006 United Nations-African Union Ten-Year Capacity-Building Programme for the African Union.

Office of the Special Adviser on Africa

In 2010, the Office of the Special Adviser on Africa (OSAA), established by General Assembly resolution 57/7 [YUN 2002, p. 910], took further steps to strengthen international support for Africa's develop-

ment and security through its advocacy and analytical work; assist the Secretary-General in improving coherence and coordination of UN system support to Africa; and facilitate global intergovernmental deliberations on Africa, in particular relating to the New Partnership for Africa's Development [YUN 2001, p. 900].

In connection with the comprehensive review of the recommendations contained in the 1998 report of the Secretary-General on the causes of conflict and the promotion of durable peace and sustainable development in Africa [YUN 1998, p. 66], OSAA organized the civil society consultations on the comprehensive review of the recommendations contained in the report (Nairobi, 10–11 June), which brought together 30 participants from all over Africa.

Implementation of Secretary-General's 1998 recommendations on promotion of peace

In 2010, the General Assembly continued its consideration of the implementation of the recommendations contained in the 1998 report of the Secretary-General on the causes of conflict and the promotion of durable peace and sustainable development in Africa [YUN 1998, p. 66], as reported on by the Secretary-General [YUN 2009, p. 115].

GENERAL ASSEMBLY ACTION

On 8 February [meeting 70], the General Assembly adopted **resolution 64/252** [draft: A/64/L.39/Rev.1 & Add.1] without vote [agenda item 63 (b)].

Implementation of the recommendations contained in the report of the Secretary-General on the causes of conflict and the promotion of durable peace and sustainable development in Africa

The General Assembly,

Recalling the report of the Open-ended Ad Hoc Working Group on the Causes of Conflict and the Promotion of Durable Peace and Sustainable Development in Africa, its resolution 53/92 of 7 December 1998 and subsequent annual resolutions, including resolutions 60/223 of 23 December 2005, 61/230 of 22 December 2006, 62/275 of 11 September 2008 and 63/304 of 23 July 2009, as well as its resolutions 62/179 of 19 December 2007 and 63/267 of 31 March 2009 on the New Partnership for Africa's Development, and 59/213 of 20 December 2004, 61/296 of 17 September 2007 and 63/310 of 14 September 2009 on cooperation between the United Nations and the African Union,

Recalling also, in this context, Security Council resolutions 1809(2008) of 16 April 2008 on peace and security in Africa, 1325(2000) of 31 October 2000 and 1820(2008) of 19 June 2008 on women and peace and security, 1366(2001) of 30 August 2001 on the role of the Council in the prevention of armed conflicts, 1612(2005) of 26 July 2005 on children and armed conflict, 1625(2005) of 14 September 2005 on strengthening the effectiveness of the role of the

Council in conflict prevention, particularly in Africa, and 1631(2005) of 17 October 2005 on cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security,

Recalling further the 2005 World Summit Outcome, through which world leaders reaffirmed their commitment to addressing the special needs of Africa, and its resolution 60/265 of 30 June 2006,

Recalling the political declaration on Africa's development needs adopted at the high-level meeting on Africa's development needs on 22 September 2008,

1. *Takes note* of the progress report of the Secretary-General on the implementation of the recommendations contained in his report on the causes of conflict and the promotion of durable peace and sustainable development in Africa, and welcomes recent developments in addressing such causes and other efforts in conflict prevention, peacemaking, peacekeeping and post-conflict peacebuilding undertaken by African countries, African regional organizations and the United Nations system;

2. *Reaffirms* the need to strengthen the synergy between Africa's economic and social development programmes and its peace and security agenda;

3. *Also reaffirms* its commitment to the full and speedy implementation of the provisions of the political declaration on Africa's development needs;

4. *Further reaffirms* its request that the Secretary-General submit to the General Assembly at its sixty-fifth session a report in accordance with paragraph 24 of resolution 63/304.

Report of Secretary-General. In response to General Assembly resolution 63/304 [YUN 2009, p. 112], the Secretary-General submitted a July report [A/65/152-S/2010/526] on implementation of the recommendations contained in his 1998 report on the causes of conflict and the promotion of durable peace and sustainable development in Africa [YUN 1998, p. 66]. According to the report, the previous decade had witnessed outstanding improvements in Africa, especially institutional progress. The overall improvement in the security landscape was one of the consequences of the significant progress in governance, democratization and leadership and the holding of reasonably transparent elections. The continent had also experienced significant economic growth and made substantial improvements in social development, although results varied from country to country. The previous decade had also witnessed progress in macroeconomic fiscal policies and structural reforms, including better management of debt and substantial debt relief. The continent continued to face the challenge of creating productive and decent employment and improving the quality of life of its people. The increased appointment of mediators and their effectiveness in emerging or ongoing conflicts had a positive impact on peacemaking, and the establishment of the Panel of the Wise responded to the call in the 1998 report for the appointment of special mediators and pre-empted the possible pro-

liferation of mediators with overlapping mandates. At the regional level, the regional economic communities had evolved their own early warning and conflict prevention systems.

Since 1998, the exponential increase in peacekeeping operations was a testament to the commitment of the General Assembly and the Security Council to addressing the consequences of armed conflict in Africa and their preparedness to authorize the necessary resources, and reflected the increasing commitment of African institutions to exercise their influence, such as the engagement of ECOWAS in conflict resolution in West Africa and the AU in Darfur, and of individual countries as well, as illustrated by the engagement of Ethiopia, Mozambique and South Africa in Burundi. International support for the development of the African Peace and Security Architecture, and the African Standby Force in particular, was essential if Africa was to have the capacity to respond to the continent's security challenges. UN agencies continued to promote peacebuilding, with initiatives aimed at strengthening policy coherence, including the integrated mission planning process, the peacebuilding contact group, and the peace and security cluster of the regional coordination mechanism to support the AU in the reconstruction and development of post-conflict countries.

The Secretary-General said that whereas the impact of violent conflicts and poverty in Africa should not be underestimated, it was necessary to engage with the continent in a new way that recognized the rapid changes it was undergoing. The United Nations needed to acknowledge its limitations, assess its comparative advantages and establish appropriate partnerships to enhance the capacity of regional organizations as leading actors in peace, relief and development. It was time to revisit the effectiveness of its strategies, assess the impact of current policies, map out the actors and institutions critical to mobilizing resources to meet the remaining challenges, and take advantage of new opportunities. The Secretary-General undertook to engage the UN system, through the United Nations Inter-Agency Task Force on Africa, to reflect on approaches to many of the issues raised in the report and to further consult with relevant partners.

Security Council missions to Africa

In 2010, the Security Council authorized two missions to Africa: one to the Democratic Republic of the Congo (DRC) (13–16 May), and the other to Uganda and the Sudan (4–10 October).

The Mission to the DRC, led by Gérard Araud (France), had as its central objective to discuss the mandate and configuration of the United Nations

Organization Mission in the Democratic Republic of the Congo and the future of the UN presence in the country. On 19 May [S/PV.6317], the Council considered the mission's report [S/2010/288] (see p. 123).

The mission to Uganda and the Sudan, led by Ruhakana Rugunda (Uganda), Mark Lyall Grant (United Kingdom) and Susan Rice (United States), aimed to support Uganda's contribution to the African Union Mission in Somalia; express its encouragement regarding the improvement of relations among countries of the region and increased regional cooperation in addressing the security challenges posed by the Lord's Resistance Army; and discuss the status of implementation of Sudan's Comprehensive Peace Agreement [YUN 2005, p. 301]. On 14 October [S/PV.6397], the Council considered the mission's report [S/2011/7] (see p. 247).

Central Africa and Great Lakes region

Great Lakes region

International Conference on Great Lakes Region

The International Conference on the Great Lakes Region convened a mini-summit on 1 February, on the sidelines of the African Union (AU) summit in Addis Ababa, during which the Secretary-General's Special Envoy for the Great Lakes Region, former President Olusegun Obasanjo of Nigeria, and his co-facilitator, former President Benjamin Mkapa of the United Republic of Tanzania, presented their final report on the progress and remaining challenges with regard to the implementation of the 23 March Agreements [YUN 2009, p. 120], and the security and humanitarian situation in the eastern Democratic Republic of the Congo (DRC).

The Conference also organized a special summit meeting on the illegal exploitation of natural resources on 15 December, in Lusaka, Zambia. The Conference adopted the Lusaka Declaration, in which Central African leaders expressed concern about the negative impact of the illegal exploitation of natural resources, depriving states of resources needed to fight poverty and aggravating environmental degradation; committed themselves to fighting it through national, regional and international legal means; and approved six tools to curb it: a regional certification mechanism, harmonization of national legislation, a regional database on mineral flows, formalization of the artisanal mining sector, promotion of the extractive industry transparency initiative, and a whistle-blowing mechanism.

Illicit arms trafficking

On 19 March [S/PV.6288], the Security Council met to discuss the impact of illicit arms trafficking on peace and security in the Central African region. In a concept paper [S/2010/143] submitted by Gabon, it was indicated that the direct threat of the use of light weapons was forcing millions of persons to flee their homes, resulting in a growing number of refugees and displaced persons in Angola, Gabon, Cameroon, the Central African Republic, Chad and Uganda, and was encouraging the recruitment of child soldiers and sexual violence against women and girls. As part of the measures to limit the impact, Central African countries had decided to elaborate a binding legal instrument, which was to be considered at the thirtieth meeting of the United Nations Standing Advisory Committee on Security Questions in Central Africa in April (see p. 118). It was hoped that the Council would monitor developments in the illicit trade in arms in the subregion and discuss innovative measures for combating and eradicating the phenomenon.

SECURITY COUNCIL ACTION

Also on 19 March [meeting 6288], following consultations among Security Council members, the President made statement **S/PRST/2010/6** on behalf of the Council:

The Security Council reaffirms the statements by its President of 24 September 1999, 31 August 2001, 31 October 2002 and 29 June 2007, and its resolution 1209(1998) of 19 November 1998, welcomes all initiatives taken by Member States following the adoption by the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects and takes note of the process towards an arms trade treaty.

The Council is gravely concerned about the illicit manufacture, transfer and circulation of small arms and light weapons and their excessive accumulation and uncontrolled spread in many regions of the world, particularly in the subregion of Central Africa, which have a wide range of humanitarian and socio-economic consequences, in particular for the security of civilians, by fuelling armed conflict, which in turn exacerbates the risks of gender-based violence and recruitment of child soldiers and poses a serious threat to peace, reconciliation, safety, security, stability and sustainable development at the local, national, regional and international levels.

The Council, while acknowledging the right of all States to manufacture, import, export, transfer and retain conventional arms for self-defence and security needs consistent with international law and the Charter of the United Nations, underlines the vital importance of effective regulations and controls of the transparent trade

in small arms and light weapons in order to prevent their illegal diversion and re-export.

The Council reiterates that Member States should comply with existing arms embargoes and export bans and take the steps necessary to effectively implement these measures imposed by the Council in its relevant resolutions.

The Council is alarmed that illicit transfers of small arms and light weapons in contravention of arms embargoes and export bans to or by criminal organizations or other irresponsible actors, including those suspected of engaging in terrorist acts, are linked with illicit trafficking in drugs, illegal exploitation of natural resources and illicit trade in such resources. The Council encourages all Member States that have not yet done so to accede to, ratify and implement the United Nations Convention against Transnational Organized Crime and the Protocols thereto, including the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition.

The Council welcomes the various initiatives that are currently under way within the subregion, notes the efforts to establish a subregional register of small arms and encourages the Central African countries to take the measures necessary to build up the capacity of the Economic Community of Central African States through the establishment of a subregional register of arms dealers as well as the elaboration of a subregional legally binding instrument on the control of small arms and light weapons, their ammunition and all equipment that might serve for their manufacture.

The Council reaffirms the importance of addressing illicit arms trafficking, in particular of small arms and light weapons, through an approach of common and shared responsibility, and encourages the States of the subregion to fully implement relevant measures adopted at the national, subregional, regional and international levels and to consider appropriate steps in this regard.

The Council calls upon the States of the subregion to strengthen efforts to establish mechanisms and regional networks among their relevant authorities for information-sharing to combat the illicit circulation of and trafficking in small arms and light weapons. The Council also stresses the need for the States of the subregion to strengthen their cooperation, including through regional and subregional organizations, in particular the African Union, in order to identify and take appropriate measures against individuals and entities that engage in illegal trafficking in small arms and light weapons in the Central African subregion.

The Council emphasizes the need for national authorities in the subregion to fully participate in the practical implementation of the Programme of Action adopted on 20 July 2001 by the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, and the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons adopted on 8 December 2005 and encourages Central African countries to regularly submit national reports to the Secretary-General, in accordance with the above-mentioned instruments.

The Council encourages the Economic Community of Central African States to assist Central African countries in ensuring the effective implementation of arms embargoes imposed by the Council and, in this context, to establish measures such as inquiries into illicit arms trafficking routes, follow-up of possible violations and co-operation in border monitoring, in consultation with the countries concerned. In this regard, the Council encourages the committees in charge of monitoring arms embargoes in Central African countries and neighbouring countries, consistent with their mandates, to continue to include in their annual reports a substantive section on the implementation of arms embargoes and on possible violations of the measures reported to the committees, with recommendations, as appropriate, for strengthening the effectiveness of arms embargoes. This information could also be shared with the International Weapons and Explosives Tracking System of the International Criminal Police Organization (INTERPOL).

The Council encourages the committees in charge of monitoring arms embargoes in Central African countries and neighbouring countries, consistent with their mandates, to establish channels of communication with the Economic Community of Central African States and its member States, and with the United Nations Standing Advisory Committee on Security Questions in Central Africa.

The Council supports the action of the United Nations missions present in the subregion, consistent with their mandates, to assist disarmament processes within the framework of disarmament, demobilization and re-integration programmes, and calls upon international partners to assist the Central African countries to build and strengthen their capacities to set up and implement measures relating to the prevention of the illicit proliferation of small arms and light weapons, and the security and management of stockpiles of arms, especially small arms and light weapons.

The Council recognizes the importance of the forthcoming Fourth Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, to be held in June 2010, and encourages Member States, including those in the subregion of Central Africa, to fully cooperate with the Chair to ensure a successful outcome of the meeting.

The Council encourages Member States to undertake vigorous actions aimed at restricting the supply of small arms and light weapons and ammunition to areas of instability in Central Africa.

The Council requests the Secretary-General to take into account in his biennial report, as a follow-up, the content of the present statement.

UN Office for Central Africa

Note of Security Council President. On 30 August [S/2010/457], the Security Council President informed the Secretary-General that Council members welcomed his intention to establish a UN Regional Office for Central Africa, in Libreville, Gabon [YUN 2009, p. 117], for a period of two years, with a review

of its mandate after 18 months. They would welcome regular information about the activities of the Office, its impact on the ground, and an initial report six months after it became fully operational.

Report of Secretary-General. In an October report on estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council [A/65/328/Add.3], the Secretary-General stated that the Regional Office for Central Africa would facilitate the development of a holistic approach to peace and security challenges and support regional efforts to address cross-cutting issues of concern, and strengthen the peace and security mechanisms of the Economic Community of Central African States (ECCAS) and other subregional organizations in order to foster subregional cooperation and integration. A regional presence afforded the opportunity to design and implement a UN regional integrated approach to peace and security in partnership with other humanitarian and development bodies. The proposed office would also support the vision of the International Conference on the Great Lakes Region to help transform the area into one with sustainable peace and security, enhance the coherence of the work of the UN presence in the subregion, and work with regional countries to address problems of impunity and human rights abuses.

The Office would reach out to UN agencies, funds and programmes on the ground in the pursuit of a common peace consolidation agenda. Administrative, financial and logistical support would be co-ordinated by the Department of Field Support. The Office was expected to start up after 1 January 2011, and would be headed by a Special Representative of the Secretary-General. Resource requirements were estimated at \$3,505,200 net (\$3,760,300 gross).

ACABQ, in December [A/65/602], stated that the structure of the Office needed to be streamlined to make it more cost effective, and recommended a number of staff and operational adjustments and that the overall proposed requirement be reduced to reflect those adjustments.

The Assembly, in section XIII of **resolution 65/259** of 24 December (see p. 1433), endorsed ACABQ's recommendations.

Standing Advisory Committee on Security Questions

At its thirtieth meeting (Kinshasa, DRC, 26–30 April) [A/65/517-S/2010/534], the Standing Advisory Committee on Security Questions in Central Africa adopted the “Central African Convention for the Control of Small Arms and Light Weapons, Their Ammunition, and All Parts and Components

That Can Be Used for their Manufacture, Repair and Assembly” (Kinshasa Convention).

The Secretary-General provided a summary [A/65/176] of the outcome of the Committee’s twenty-ninth [YUN 2009, p. 567] and thirtieth meetings to the General Assembly’s sixty-fifth (2010) session.

At its thirty-first meeting (Brazzaville, Congo, 15–19 November) [A/65/717-S/2011/53], the Standing Advisory Committee adopted the Implementation Plan for the Kinshasa Convention, and recommended that the ECCAS Secretary-General develop a sub-regional programme of priority activities as soon as the Convention entered into force.

The Assembly, in resolution 65/84 (see below), welcomed the adoption of the Convention and called for support for its implementation.

GENERAL ASSEMBLY ACTION

On 8 December [meeting 60], the General Assembly, on the recommendation of the First (Disarmament and International Security) Committee [A/65/411], adopted **resolution 65/84** without vote [agenda item 98 (f)].

Regional confidence-building measures: activities of the United Nations Standing Advisory Committee on Security Questions in Central Africa

The General Assembly,

Recalling its previous relevant resolutions, in particular resolution 64/61 of 2 December 2009,

Recalling also the guidelines for general and complete disarmament adopted at its tenth special session, the first special session devoted to disarmament,

Bearing in mind the establishment by the Secretary-General on 28 May 1992 of the United Nations Standing Advisory Committee on Security Questions in Central Africa, the purpose of which is to encourage arms limitation, disarmament, non-proliferation and development in the subregion,

Reaffirming that the purpose of the Standing Advisory Committee is to conduct reconstruction and confidence-building activities in Central Africa among its member States, including through confidence-building and arms limitation measures,

Convinced that the resources released by disarmament, including regional disarmament, can be devoted to economic and social development and to the protection of the environment for the benefit of all peoples, in particular those of developing countries,

Considering the importance and effectiveness of confidence-building measures taken on the initiative and with the participation of all States concerned and taking into account the specific characteristics of each region, since such measures can contribute to regional stability and to international peace and security,

Convinced that development can be achieved only in a climate of peace, security and mutual confidence both within and among States,

Recalling the Brazzaville Declaration on Cooperation for Peace and Security in Central Africa, the Bata Declaration for the Promotion of Lasting Democracy, Peace and Development in Central Africa and the Yaoundé Declaration on Peace, Security and Stability in Central Africa,

Bearing in mind resolutions 1196(1998) and 1197(1998), adopted by the Security Council on 16 and 18 September 1998 respectively, following its consideration of the report of the Secretary-General on the causes of conflict and the promotion of durable peace and sustainable development in Africa,

Emphasizing the need to strengthen the capacity for conflict prevention and peacekeeping in Africa, and welcoming the close cooperation established between the United Nations and the Economic Community of Central African States for that purpose,

1. *Reaffirms* its support for efforts aimed at promoting confidence-building measures at the regional and sub-regional levels in order to ease tensions and conflicts in Central Africa and to further sustainable peace, stability and development in the subregion;

2. *Reaffirms* the importance of disarmament and arms limitation programmes in Central Africa carried out by the States of the subregion with the support of the United Nations, the African Union and other international partners;

3. *Welcomes* the adoption by the States members of the United Nations Standing Advisory Committee on Security Questions in Central Africa on 30 April 2010 of the Central African Convention for the Control of Small Arms and Light Weapons, Their Ammunition and All Parts and Components That Can Be Used for Their Manufacture, Repair and Assembly, called the Kinshasa Convention, and encourages interested countries to provide financial support for its implementation;

4. *Also welcomes* the holding in Kinshasa on 24 and 25 April 2010 of the subregional meeting on small arms and light weapons;

5. *Further welcomes* the active participation of several ministers of States members of the Standing Advisory Committee at the Fourth Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, held in New York from 14 to 18 June 2010;

6. *Encourages* the States members of the Standing Advisory Committee to carry out the programmes of activities adopted at their ministerial meetings;

7. *Also encourages* the States members of the Standing Advisory Committee to continue their efforts to render the early-warning mechanism for Central Africa fully operational as an instrument for analysing and monitoring the political situation in the subregion within the framework of the prevention of crises and armed conflicts, and requests the Secretary-General to provide the assistance necessary for its smooth functioning;

8. *Appeals* to the international community to support the efforts undertaken by the States concerned to implement disarmament, demobilization and reintegration programmes;

9. *Also appeals* to the international community to support the efforts undertaken by the States members of the Standing Advisory Committee under the plan for implementation of the Kinshasa Convention;

10. *Requests* the Secretary-General and the Office of the United Nations High Commissioner for Refugees to continue to assist the countries of Central Africa in tackling the problems of refugees and displaced persons in their territories;

11. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to continue to provide their full assistance for the proper functioning of the Subregional Centre for Human Rights and Democracy in Central Africa;

12. *Reminds* the States members of the Standing Advisory Committee of the commitments they undertook at the adoption of the Declaration on the Trust Fund of the United Nations Standing Advisory Committee on Security Questions in Central Africa (Libreville Declaration) on 8 May 2009, and invites those States members of the Committee that have not already done so to contribute to the Trust Fund;

13. *Urges* other Member States and intergovernmental and non-governmental organizations to support the activities of the Standing Advisory Committee effectively through voluntary contributions to the Trust Fund;

14. *Expresses its satisfaction* to the Secretary-General for his support for the revitalization of the activities of the Standing Advisory Committee, and requests him to continue to provide the assistance needed to ensure the success of its regular biannual meetings;

15. *Also expresses its satisfaction* to the Secretary-General for his support for the establishment of a United Nations regional office for Central Africa, and welcomes its endorsement by the Security Council;

16. *Urges* the States members of the Standing Advisory Committee, in accordance with Security Council resolution 1325(2000) of 31 October 2000, to include a gender component in the various meetings of the Committee relating to disarmament and international security;

17. *Calls upon* the Secretary-General to submit to the General Assembly at its sixty-sixth session a report on the implementation of the present resolution;

18. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "Regional confidence-building measures: activities of the United Nations Standing Advisory Committee on Security Questions in Central Africa".

Democratic Republic of the Congo

In 2010, as the DRC celebrated its fiftieth anniversary of independence, the situation was mixed. While significant progress had been achieved in the implementation of the 23 March Agreements and preparations made for presidential and local elections in 2011, the country continued to face serious difficulties posed by the interrelated challenges of providing security for the population and eliminating the threat of armed groups, fighting impunity and establishing conditions and infrastructure for sustainable development. As the DRC entered a new phase of its transition towards peace consolidation, early in the year, the Secretary-General sent a technical assessment mission to deter-

mine the size and scope of the continued UN role in the country. The mission identified certain critical tasks to be completed before the forces of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) could draw down without triggering a relapse into instability and made proposals for MONUC's phased withdrawal. Based on the technical mission's assessment and recommendations, the Security Council also sent a mission to the DRC to discuss the mandate and configuration of MONUC and the future of the UN presence there. As a result of the missions' recommendations, the Council, in May, decided to reconfigure MONUC, to be known, from 1 July, as the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), and to authorize the withdrawal of 2,000 military personnel.

Between 30 July and 2 August, however, attacks by the Forces démocratiques de libération du Rwanda (FDLR) and Mayi-Mayi Checka elements, including the systematic rape of at least 387 people in 13 villages in Walikale territory, cast a shadow over the prospects for peace over the country. The Council, on 17 September, condemned the attacks and urged the Government to ensure a swift and fair prosecution of perpetrators. The Secretary-General dispatched the Assistant Secretary-General for Peacekeeping Operations and his Special Representative on Sexual Violence in Conflict to discuss the challenges faced by UN forces in the protection of civilians in the DRC. The Assistant Secretary-General made a number of recommendations for enhancing that protection. MONUSCO also launched in September Operation Shop Window to put pressure on the armed groups and to support the Government in capturing the perpetrators. Several alleged leaders of the mass rapes were arrested. The Special Representative visited the country again in October, and highlighted the nexus between the illicit exploitation of natural resources by armed elements and patterns of sexual violence. She also brought to the Council's attention reports of rapes, killings and looting by the Forces armées de la République démocratique du Congo (FARDC) soldiers and called for an investigation.

In December, the General Assembly approved the financing for MONUSCO.

Political and security developments

Report of Secretary-General (March). In a March report on MONUC [S/2010/164], submitted in response to Security Council resolution 1906(2009) [YUN 2009, p. 126], the Secretary-General said that, despite important gains made in 2009 in addressing the presence of foreign and Congolese armed groups in the eastern DRC, those groups remained a source

of insecurity and general instability in the Kivus and parts of Orientale Province. FDLR continued reprisal attacks against civilians, and elements of the national security institutions continued to be responsible for serious human rights violations. A new operation entitled “Amani Leo” was launched against FDLR to consolidate military gains and restore State authority in areas freed from armed groups. In the Uélé districts in Orientale Province, attacks by the Lord’s Resistance Army (LRA) against civilians continued, and military operations targeting that group made little progress. In Equateur Province, preparations for the local and general elections continued to face delays. In terms of implementation of the 23 March Agreements [YUN 2009, p. 120], while there was some progress, the overall implementation remained slow. Three former armed groups, namely the Congrès national pour la défense du peuple (CNDP), the Patriotes résistants congolais (PARECO) and the Mouvement d’union pour le développement national, completed their transformation into political parties. The legal and administrative procedures for the transformation of four other armed groups were being finalized. The provisions of the Agreements relating to the passage of an amnesty law, release of prisoners, and support to the CNDP war wounded were implemented.

The signature, on 17 February, of a Tripartite Agreement between the DRC, Rwanda and the Office of the United Nations High Commissioner for Refugees (UNHCR) outlining the legal and operational framework for the voluntary repatriation of refugees from both countries was an important step forward. Steps were also taken to operationalize local reconciliation committees, whose terms of reference and organizational structures were being finalized. Implementation of several key provisions of the 23 March Agreements, however, remained pending. CNDP and former armed groups were concerned that the Government did not respect the spirit and letter of the Agreements regarding their political integration when they were not included in the Cabinet reshuffle announced by the Government on 19 February. In addition, CNDP elements established and maintained new parallel administrations and tax collection posts in parts of North Kivu. Furthermore, little progress was made to integrate the armed groups into the proximity police force in the Kivus.

The draft Integrated Strategic Framework, initiated in 2009 [ibid., p. 126] by MONUC and the UN country team, identified four key strategic goals: addressing ongoing conflicts, stabilizing the conflict-affected areas, consolidating peace across the DRC and making development viable. The Secretary-General’s Special Representative for the DRC, Alan Doss, briefed DRC authorities and international partners on the Framework’s objectives on 2 February, and troop- and police-contributing countries on 16 February. Nationwide,

the country continued to face significant challenges to the consolidation of peace resulting from the weak capacities of State institutions, particularly with respect to the rule of law and security situations, slow socio-economic recovery, corruption and impunity. Opposition parties were concerned about the shrinking political space, continuing human rights violations and impunity. The limited progress in building a professional and integrated Congolese army and security services hindered the consolidation of peace. Moreover, preparations for local and general elections scheduled for 2011 were encountering delays.

Technical assessment mission

To carry out the remaining tasks set out in paragraph 2 of Security Council resolution 1906(2009), namely, to further develop the benchmarks and determine the modalities of a reconfiguration of MONUC’s mandate, in particular the tasks to be accomplished before MONUC could envisage drawing down without triggering a relapse into instability, the Secretary-General dispatched a multidisciplinary technical assessment mission to the DRC from 22 February to 5 March.

The assessment mission identified several critical tasks to be accomplished by MONUC, the UN country team, the Government and bilateral partners. To protect civilians, the first task should be to neutralize the threat posed by FDLR, LRA and residual Congolese armed groups. The mission recommended the completion of the disarmament, demobilization, repatriation, resettlement or reintegration of foreign armed groups operating in the DRC, focusing on the voluntary repatriation of FDLR combatants and dependents, and establishing a regional cross-border approach for LRA; the completion of the DDR of all pending caseloads of Congolese combatants throughout the country, as well as support to the national reintegration process for former combatants; and the conclusion of the joint FARDC-MONUC military operations in the Kivus and Orientale Province when the Government and MONUC determined that the residual threat had been reduced to a level where it could be contained independently by the national rule-of-law and security institutions. The reduction of the threat would be measured by a significant decrease in violence and attacks against civilians, as well as human rights abuses, specifically a significant decrease in levels of sexual and gender-based violence, the end of recruitment and use of children in the armed groups and the absence of new displacements.

As MONUC drew down from the conflict-affected provinces, the Government would have to ensure that adequate measures were taken to prevent any security hiatus that could put at risk the civilian population. The second critical task should therefore be to build a professional FARDC core force of up to 20 battalions,

complemented by a similar core police capacity, which could progressively assume law-and-order enforcement responsibilities in full respect for international human rights law. Such capacities should progressively assume the security role currently filled by MONUC.

The third critical task was to establish effective State authority in the areas freed from armed groups to allow the sustainable return and reintegration of refugees and internally displaced persons (IDPs). The capacity of the DRC public administration, policing, judicial and correctional systems needed to be developed to a sustainable level to allow the independent monitoring of human rights, contribute to ending impunity and allow the establishment of an effective prison system fully respecting international standards.

The other critical tasks identified by the technical assessment mission were full implementation of the 23 March Agreements; addressing the illegal exploitation of natural resources; establishing effective community-based mechanisms for resolving land-related and other intercommunal disputes associated with returns of IDPs and refugees, including a transitional justice process; completing the voluntary repatriation of the Congolese refugees from neighbouring countries; and the conduct, by the Congolese authorities, of credible and peaceful national elections in 2011.

The United Nations should remain ready to continue to support Congolese electoral authorities in the voter registration process and for local elections and consider a request by the Congolese electoral authorities for logistical support for national elections.

MONUC drawdown and reconfiguration. Taking into account the remaining security challenges in the conflict-affected provinces of the Kivus and Orientale, and the relative stability that had been sustained in the rest of the country, the technical assessment mission came to the conclusion that the continued significant presence of the MONUC force was essential in those provinces, and that the other eight provinces offered an opportunity to independently maintain law and order, protect civilians, and sustain effective security arrangements without a MONUC military presence. On that basis, the mission conducted a troop-to-task analysis and prepared a draft drawdown plan, which envisaged the withdrawal of MONUC over a three-year period if the security situation continued to improve and there was steady progress towards the accomplishment of the critical tasks identified by the mission. Under the plan, MONUC would have no direct military role outside of the three conflict-affected provinces in the east, and Kinshasa.

In the first phase of the drawdown, which could start immediately, MONUC could withdraw from Bas-Congo, Kinshasa (Province), Equateur and Bandundu, but maintain a small military unit in Kinshasa to protect UN personnel and facilities. The Mission's

reserve force based in the east would protect UN personnel and assets and, if requested, support FARDC and the National Police in provinces beyond the Kivus and Orientale. Stage two of the drawdown could start in the second half of 2010, and involve the complete withdrawal of MONUC forces from Kasai Oriental, Kasai Occidental and Katanga. Stage three would involve a steady reduction of troops from Maniema, Orientale, and North and South Kivu Provinces, as the ongoing military operations were successfully concluded, effective State authority was established in areas freed from the armed groups, and the build-up of an army core force progressed. Stage four could bring MONUC force levels down to some 5,000 troops when a DRC core force became operational. The full withdrawal could be completed once the Government and the United Nations agreed that the conditions for complete withdrawal, without risking renewed instability, were in place. The mandate should reflect the new realities on the ground, and build the capacity of national security and rule-of-law institutions to a sustainable level. It should also reflect the need to prioritize the protection of civilians; recognize the different needs of the different regions of the country; give national institutions the space to operate independently where they could; allow MONUC to focus on critical tasks with a clear strategic objective and exit strategy, while paying attention to peacebuilding needs; and set the ground for the progressive transition to a UN presence that focused more on peacebuilding and development as local conditions allowed.

MONUC would consist of a military support component headed by the Force Commander, a rule-of-law and protection component headed by a Deputy Special Representative, and a stabilization and peace consolidation component headed by a Deputy Special Representative. The military support component would be deployed in North and South Kivu, Orientale and Maniema Provinces to protect civilians and facilitate humanitarian access, help create a secure environment for the return of IDPs and refugees, and support FARDC operations. The Force headquarters and a small military presence would remain in Kinshasa. The two civilian components (rule of law and protection, and stabilization and peace consolidation) would maintain a presence throughout the country.

On 3 March, those proposals were presented to the Government, which indicated that the MONUC drawdown should be completed by 30 August 2011. A joint coordination mechanism would be established as part of the semi-annual review process, the first of which would take place in September. MONUC and the Government identified urgent tasks to be accomplished, including the successful completion of military operations against FDLR and LRA, as well as residual Congolese armed groups in the Kivus and Orientale province; deployment of trained and equipped FARDC

battalions to take over the MONUC security role; and establishment of State authority. The Government said that the training and equipping of FARDC would continue through bilateral arrangements, but asked MONUC to train and equip 20 police battalions.

The Secretary-General recommended that the Mission's mandate be extended for a further 12 months, and that the Security Council authorize the immediate implementation of the first phase of the draw-down through the withdrawal of up to 2,000 troops by 30 June, and endorse the modalities and timelines for successive drawdown phases within the framework of the periodic joint reviews. The Government should agree on specific benchmarks for measuring progress towards accomplishing the agreed urgent tasks and define the specific end state under which it would declare that threats from FDLR, LRA and Congolese armed forces had been sufficiently reduced. Concerning the Government's request for training 20 national police battalions, the Secretary-General recommended that MONUC contribute to the training and development of three battalions in the next mandate period, and develop, with the Ministry of Defence, a package for training and equipping the three military police battalions. MONUC would establish UN prosecution support cells, including an advisory and training capacity, to assist FARDC military justice authorities to combat grave human rights violations.

Security Council consideration. On 13 April [S/PV.6297], the Security Council met to consider the Secretary-General's report, during which it was briefed by the Secretary-General's Special Representative and head of MONUC. The Council took no action on the report at that meeting.

Security Council mission

Having agreed to send a mission to the DRC from 13 to 16 May, the Security Council, in letters of the President of 14 April and 4 May [S/2010/187 & Add.1] conveying its intention to the Secretary-General, said that the mission's central objective was to discuss the MONUC mandate and configuration and the future of the UN presence in the DRC.

On 19 May [S/PV.6317], the Council was briefed by Gérard Araud (France), leader of the mission to the DRC. He said that although the situation in the DRC had evolved over the past 10 years and progress had been made, it remained fragile, and the humanitarian and human rights situations were worrisome. Any change in the UN presence in the country would have to be undertaken cautiously on the basis of the situation on the ground so as to avoid creating new instability. Security sector reform was a key challenge. The lack of an effective republican army was, according to President Joseph Kabila, the greatest failure of the

international community and his own Government. The Congolese authorities confirmed their desire to professionalize the army through bilateral cooperation, while calling for MONUC support in training the police force and strengthening the judicial system. MONUC was also expected to provide logistical support for the elections scheduled for the coming months.

The mission conveyed to the Congolese authorities that MONUC would not remain in the DRC indefinitely, and while the Council needed to aim for a transition that would restore Congolese sovereignty over the entire country, it would have to be prepared in cooperation with the Congolese authorities through dialogue and a common analysis of the situation. The Council was ready to support the Congolese authorities in security sector reform and implementation of the zero-tolerance policy against impunity. The mission issued a separate report on the discussions held with the Congolese authorities [S/2010/288].

The Council considered the Secretary-General's report on MONUC again on 28 May [S/PV.6324], and adopted resolution 1925(2010) (see below), which, *inter alia*, changed MONUC to the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO).

SECURITY COUNCIL ACTION

On 28 May [meeting 6324] the Security Council unanimously adopted **resolution 1925(2010)**. The draft [S/2010/256] was submitted by France, Gabon, Uganda, and the United Kingdom.

The Security Council,

Recalling its previous resolutions and the statements by its President concerning the Democratic Republic of the Congo,

Reaffirming its commitment to the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo,

Acknowledging the progress made in the Democratic Republic of the Congo, considering the challenges that it has had to overcome during the past fifteen years,

Stressing the primary responsibility of the Government of the Democratic Republic of the Congo for ensuring security in its territory and protecting its civilians with respect for the rule of law, human rights and international humanitarian law, stressing the urgency of implementing comprehensive security sector reform and of achieving, as appropriate, the disarmament, demobilization and reintegration of Congolese armed groups and the disarmament, demobilization, repatriation, resettlement and reintegration of foreign armed groups for the long-term stabilization of the Democratic Republic of the Congo, considering the need to create the security conditions for ensuring sustainable economic development, and stressing the importance of the contribution made by international partners in these fields,

Stressing also the significant security challenges in the Democratic Republic of the Congo, in particular in the

Kivu and Orientale Province, posed by the continued presence of armed groups, the ongoing need to establish effective State authority, the possible resurgence of conflicts as internally displaced persons and refugees return and the continued illegal exploitation of natural resources, and determined to avoid a security vacuum that could trigger renewed instability in the country,

Encouraging the countries of the Great Lakes region to maintain a high level of commitment to jointly promote peace and stability in the region, including through existing regional mechanisms, and to intensify their efforts on regional economic development,

Stressing that the Goma and Nairobi processes as well as the agreements of 23 March 2009 have contributed to stabilizing the situation in the eastern part of the Democratic Republic of the Congo, and urging all parties to fully abide by those agreements,

Recognizing the importance of supporting peacebuilding efforts in order to consolidate and achieve further progress in the stabilization of the country, and stressing the need for sustained international support to ensure early recovery activities and lay the foundations for sustainable development,

Emphasizing that the linkage between the illicit exploitation of and trade in natural resources and the proliferation of and trafficking in arms is among the major factors fueling and exacerbating conflicts in the Great Lakes region, urging all States, particularly those in the region, to implement fully the measures set out in its resolution 1896(2009) of 30 November 2009, reiterating its determination to continue to closely monitor the implementation of and compliance with the measures set out in resolution 1896(2009), and urging all States to take legal action, where appropriate, in accordance with those measures, against the leaders of the Forces démocratiques de libération du Rwanda residing in their countries,

Supporting the efforts of the Government of the Democratic Republic of the Congo to finalize the electoral calendar for local, general and presidential elections within the constitutional framework, with a view to consolidating democracy and promoting the rule of law,

Remaining greatly concerned by the humanitarian and human rights situation in areas affected by armed conflicts, condemning, in particular, the targeted attacks against the civilian population, widespread sexual violence, the recruitment and use of child soldiers and extrajudicial executions, and stressing the urgent need for the Government of the Democratic Republic of the Congo, in cooperation with the United Nations and other relevant actors, to end violations of human rights and international humanitarian law, fight impunity and bring the perpetrators to justice and provide medical, humanitarian and other assistance to victims,

Welcoming the commitments made by the Government of the Democratic Republic of the Congo to hold accountable those responsible for atrocities in the country, noting the cooperation of the Government with the International Criminal Court, and stressing the importance of actively seeking to hold accountable those responsible for war crimes and crimes against humanity in the country and of regional cooperation to this end,

Recalling its resolutions 1325(2000) of 31 October 2000 and 1888(2009) of 30 September 2009 on women and

peace and security, its resolution 1894(2009) of 11 November 2009 on the protection of civilians in armed conflict and its resolution 1882(2009) of 4 August 2009 on children and armed conflict, and recalling the conclusions of the Security Council Working Group on Children and Armed Conflict pertaining to parties to the armed conflict in the Democratic Republic of the Congo,

Condemning all attacks against United Nations peacekeepers and humanitarian personnel, regardless of the perpetrators, and emphasizing that those responsible for such attacks must be brought to justice,

Commending the valuable contribution that the United Nations Organization Mission in the Democratic Republic of the Congo has made to the recovery of the Democratic Republic of the Congo from conflict and to the improvement of the country's peace and security,

Emphasizing the importance of the continued support of the United Nations and the international community for the long-term security and development of the Democratic Republic of the Congo,

Having considered the report of the Secretary-General of 30 March 2010, and sharing the view that the Democratic Republic of the Congo is now entering a new phase of its transition towards peace consolidation and that a strong partnership between the United Nations and the Government of the Democratic Republic of the Congo to face these challenges is needed,

Aware of the persistent challenges to the stability of the Democratic Republic of the Congo, and determining that the situation in the Democratic Republic of the Congo continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to extend the mandate of the United Nations Organization Mission in the Democratic Republic of the Congo until 30 June 2010, and also decides that, in view of the new phase that has been reached in the Democratic Republic of the Congo, the United Nations mission in that country shall, as from 1 July 2010, bear the title of United Nations Organization Stabilization Mission in the Democratic Republic of the Congo;

2. *Decides also* that the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo shall be deployed until 30 June 2011, and authorizes that the Mission shall comprise, in addition to the appropriate civilian, judiciary and correction components, a maximum of 19,815 military personnel, 760 military observers, 391 police personnel and 1,050 personnel of formed police units;

3. *Authorizes* the withdrawal of up to 2,000 United Nations military personnel by 30 June 2010 from areas where the security situation permits;

4. *Authorizes* the Mission, while concentrating its military forces in the east of the country, to keep a reserve force capable of redeploying rapidly elsewhere in the country;

5. *Emphasizes* that the Government of the Democratic Republic of the Congo bears primary responsibility for security, peacebuilding and development in the country, and encourages the Government to remain fully committed to protecting the population through the establishment of professional and sustainable security forces, to promote non-military solutions as an integral part of the overall solution for reducing the threat posed by Congolese and foreign

armed groups and to restore full State authority in the areas freed from armed groups;

6. *Decides* that future reconfigurations of the Mission should be determined on the basis of the evolution of the situation on the ground and on the achievement of the following objectives to be pursued by the Government of the Democratic Republic of the Congo and the United Nations mission:

- (i) The completion of the ongoing military operations in the Kivus and Orientale Province, resulting in minimizing the threat of armed groups and restoring stability in sensitive areas;
- (ii) An improved capacity of the Government of the Democratic Republic of the Congo to effectively protect the population through the establishment of sustainable security forces with a view to progressively taking over the security role of the Mission;
- (iii) The consolidation of State authority throughout the territory, through the deployment of Congolese civil administration, in particular the police, territorial administration and rule of law institutions in areas freed from armed groups;

7. *Encourages* enhanced dialogue and partnership between the Government of the Democratic Republic of the Congo and the United Nations mission in the country, decides to keep under continuous review the strength of the Mission on the basis of assessments by the Secretary-General and by the Government as provided to the Secretary-General on progress towards the implementation of the objectives presented in paragraph 6 above, and to that end requests the Secretary-General to report on those assessments regularly to the Security Council, through the reports mentioned in paragraph 20 below, to enable the Council to make informed decisions and seize opportunities for reconfiguration;

8. *Commends* the improvements in the relations between the Democratic Republic of the Congo and the neighbouring countries since 2009, calls upon all countries, in particular those in the region, to join their efforts to ensure sustainable peace consolidation in the eastern part of the Democratic Republic of the Congo, notably with regard to paragraph 6 (i) above and the fight against the illegal exploitation of natural resources, and urges the Governments of the Democratic Republic of the Congo and Rwanda to continue to work together and to agree on a clear set of end-state objectives on the Forces démocratiques de libération du Rwanda, within the framework of a multidimensional approach;

9. *Calls upon* the United Nations system, along with international partners, to focus its efforts on helping the Government of the Democratic Republic of the Congo to consolidate the conditions to ensure effective protection of civilians and sustainable development in the Democratic Republic of the Congo, requests the Secretary-General to continue to coordinate all the activities of the United Nations system in the country through continued cooperation between the Mission and the United Nations country team under the authority of his Special Representative for the Democratic Republic of the Congo, and encourages the international and donor community to support the activities of the country team;

10. *Encourages* the United Nations country team, along with international partners, to support the efforts of the Government of the Democratic Republic of the Congo on peace consolidation and development activities in order to provide long-term stability in the country;

11. *Emphasizes* that the protection of civilians must be given priority in decisions about the use of available capacity and resources, and authorizes the Mission to use all necessary means, within the limits of its capacity and in the areas where its units are deployed, to carry out its protection mandate as set out in paragraphs 12 (a) to (k) and (t) below;

12. *Decides* that the Mission shall have the following mandate in this order of priority:

Protection of civilians

(a) To ensure the effective protection of civilians, including humanitarian personnel and human rights defenders, under imminent threat of physical violence, in particular violence emanating from any of the parties engaged in the conflict;

(b) To ensure the protection of United Nations personnel, facilities, installations and equipment;

(c) To support the efforts of the Government of the Democratic Republic of the Congo to ensure the protection of civilians from violations of international humanitarian law and human rights abuses, including all forms of sexual and gender-based violence, to promote and protect human rights and to fight impunity, including through the implementation of the Government's "zero-tolerance policy" with respect to discipline and human rights and humanitarian law violations committed by elements of the security forces, in particular the newly integrated elements;

(d) To support national and international efforts to bring perpetrators to justice, including by establishing prosecution support cells to assist the military justice authorities of the Armed Forces of the Democratic Republic of the Congo in prosecuting persons arrested by the Armed Forces;

(e) To work closely with the Government of the Democratic Republic of the Congo to ensure the implementation of its commitments to address serious violations against children, in particular the finalization of the action plan to release children present in the Armed Forces of the Democratic Republic of the Congo and to prevent further recruitment, with the support of the monitoring and reporting mechanism;

(f) To implement the United Nations system-wide protection strategy in the Democratic Republic of the Congo, operationalizing it with the Mission's protection strategy built on best practices, and extend useful protection measures, such as the joint protection teams, community liaison interpreters, joint investigation teams, surveillance centres and women's protection advisers;

(g) To support the efforts of the Government of the Democratic Republic of the Congo, along with international partners and neighbouring countries, to create an environment conducive to the voluntary, safe and dignified return of internally displaced persons and refugees, or voluntary local integration or resettlement;

(h) To support the efforts of the Government of the Democratic Republic of the Congo to bring the ongoing military operations against the Forces démocratiques de libération du Rwanda, the Lord's Resistance Army and

other armed groups to completion, in compliance with international humanitarian, human rights and refugee law and the need to protect civilians, including through the support of the Armed Forces of the Democratic Republic of the Congo in jointly planned operations, as set out in paragraphs 21 to 23 and 32 of resolution 1906(2009) of 23 December 2009;

(i) To support, including through its political mediation efforts, the completion of activities of disarmament, demobilization and reintegration of Congolese armed groups or their effective integration in the army, which would remain subject to prior adequate training and equipment;

(j) To support activities of disarmament, demobilization, repatriation, resettlement and reintegration of members of foreign armed groups, including the Forces démocratiques de libération du Rwanda and the Lord's Resistance Army, and support strategies towards a sustainable solution of the issue of the Forces démocratiques de libération du Rwanda, including repatriation, reinsertion or resettlement in other areas, or judicial prosecution as appropriate, with the help of all countries, especially those in the region;

(k) To coordinate strategies with other United Nations missions in the region for enhanced information-sharing in the light of the attacks by the Lord's Resistance Army and, at the request of the Government of the Democratic Republic of the Congo, may provide logistical support for regional military operations conducted against the Lord's Resistance Army in the Democratic Republic of the Congo, in compliance with international humanitarian, human rights and refugee law and the need to protect civilians;

Stabilization and peace consolidation

(l) Taking fully into account the leading role of the Government of the Democratic Republic of the Congo, to support, in close cooperation with other international partners, the efforts of the Congolese authorities to strengthen and reform security and judicial institutions;

(m) In line with the relevant legislation on the reform of the Armed Forces of the Democratic Republic of the Congo and the army reform plan presented in January 2010, to assist the Government of the Democratic Republic of the Congo, along with international and bilateral partners, in strengthening its military capacity, including military justice and military police, in particular by harmonizing efforts and facilitating exchanges of information and lessons learned and, as the Government requests it, assist in the training of the Armed Forces and military police battalions, support military justice institutions and mobilize donors to provide equipment and other required resources;

(n) To support the reform of the police led by the Government of the Democratic Republic of the Congo, including by providing training to battalions of the Congolese National Police and mobilizing donors to provide basic supplies, recalling the urgent need for the Congolese authorities to adopt the appropriate legal framework;

(o) To develop and implement, in close consultation with the Congolese authorities and in accordance with the Congolese strategy for justice reform, a multi-year joint United Nations justice support programme in order to develop the criminal justice chain, the police, the judiciary and prisons in conflict-affected areas and a strategic programmatic support at the central level in Kinshasa;

(p) To support, in close cooperation with other international partners, the efforts of the Government of the Democratic Republic of the Congo to consolidate State authority in the territory freed from armed groups through the deployment of trained Congolese National Police, and to develop rule of law institutions and territorial administration, with respect to the Government's Stabilization and Reconstruction Plan and the International Security and Stabilization Support Strategy;

(q) To provide technical and logistical support for the organization of national and local elections, upon explicit request from the Congolese authorities and within the limits of its capacities and resources;

(r) With respect to the urgent need to fight illegal exploitation of and trade in natural resources in the Democratic Republic of the Congo, to support the efforts of the Government of the Democratic Republic of the Congo and enhance its capabilities, along with international partners and neighbouring countries, to prevent the provision of support to armed groups, in particular support derived from illicit economic activities and illicit trade in natural resources, and consolidate and assess, jointly with the Government, the pilot project of bringing together all State services in five trading counters in North and South Kivu in order to improve the traceability of mineral products;

(s) To assist the Government of the Democratic Republic of the Congo in enhancing its demining capacity;

(t) To monitor the implementation of the measures imposed by paragraph 1 of resolution 1896(2009), in cooperation, as appropriate, with the Governments concerned and with the Group of Experts on the Democratic Republic of the Congo established pursuant to resolution 1533(2004) of 12 March 2004, seize or collect any arms or related materiel whose presence in the Democratic Republic of the Congo violates the measures imposed by paragraph 1 of resolution 1896(2009) and dispose of them as appropriate, and provide assistance to the competent customs authorities of the Democratic Republic of the Congo in implementing the provisions of paragraph 9 of resolution 1896(2009);

13. *Urges* the international community and donors to support the Mission in the disarmament, demobilization, repatriation, resettlement and reintegration activities referred to in paragraph 12 (j) above, and calls upon the Government of the Democratic Republic of the Congo and neighbouring States to remain engaged in the process;

14. *Calls upon* the Government of the Democratic Republic of the Congo to build on its cooperation with the Special Representative of the Secretary-General for Children and Armed Conflict and the Special Representative of the Secretary-General on Sexual Violence in Conflict;

15. *Requests* the Secretary-General to take the measures necessary to ensure full compliance of the Mission with the United Nations zero-tolerance policy on sexual exploitation and abuse and to keep the Council informed if cases of such conduct occur;

16. *Encourages* the Mission to ensure regular interaction with the civilian population to raise awareness and understanding about its mandate and activities;

17. *Calls upon* the Mission to collect information on potential threats against the civilian population as well as reliable information on violations of international humanitarian and human rights law, and to bring them to the attention of the authorities as appropriate;

18. *Demands* that all armed groups, in particular the Forces démocratiques de libération du Rwanda and the Lord's Resistance Army, immediately cease all forms of violence and human rights abuse against the civilian population in the Democratic Republic of the Congo, in particular gender-based violence, including rape and other forms of sexual abuse;

19. *Commends* the contribution of troop- and police-contributing countries and donors to the United Nations Organization Mission in the Democratic Republic of the Congo, and calls upon Member States to pledge and provide the remaining force enablers required for the mission;

20. *Requests* the Secretary-General to report by 11 October 2010, 21 January 2011 and 13 May 2011 on the progress on the ground, in particular in the light of the assessment discussions with the Congolese authorities mentioned in paragraph 7 above, and on the implementation of the present resolution with a view to progressively adapting the United Nations presence in the Democratic Republic of the Congo, and recalling the statement by its President of 5 August 2009, requests the Secretary-General to provide in those reports an indication of progress towards achieving a coordinated United Nations approach in-country, and, in particular, on critical gaps to achieving peacebuilding objectives alongside the mission;

21. *Demands* that all parties cooperate fully with the operations of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo and that they ensure the security of, as well as unhindered and immediate access for, United Nations and associated personnel in carrying out their mandate, throughout the territory of the Democratic Republic of the Congo, and requests the Secretary-General to report without delay any failure to comply with these demands;

22. *Requests* the Secretary-General to elaborate the concept of operations and rules of engagement of the Mission in line with the provisions of the present resolution and to report on this to the Council and troop-contributing countries;

23. *Decides* to remain actively seized of the matter.

Security Council statement. In an 18 August press statement [SC/10010], the Security Council President said that Council members condemned the attacks on MONUSCO peacekeepers in Kirumba, resulting in the deaths of three Indian soldiers and leaving at least six others wounded. They encouraged the Government to ensure that the perpetrators were swiftly brought to justice, reiterated their full support for MONUSCO, and demanded that all parties cooperate with its operations.

Sexual violence

Security Council statement. In a 26 August press statement [SC/10016-AFR/2030], Security Council members expressed outrage at the recent case of mass rape in eastern DRC, allegedly perpetrated by FDLR and Mayi-Mayi elements; demanded that all parties to armed conflict immediately cease all forms of sexual violence and human rights abuses; and called upon the

Government to swiftly investigate those attacks and ensure that the perpetrators were brought to justice. Council members welcomed the Secretary-General's decision to dispatch the Assistant Secretary-General for Peacekeeping Operations to the DRC to ascertain the facts and circumstances surrounding the incident and assess what more could be done to ensure more effective protection of civilians. They also welcomed his instruction to his Special Representative on Sexual Violence in Conflict to coordinate the UN response and follow-up.

Security Council consideration. On 7 September [S/PV.6378], the Security Council met to discuss the situation concerning the DRC. Assistant Secretary-General for Peacekeeping Operations Atul Khare said that from 28 August to 2 September he visited Goma, Walikale, Lubonga and Luvingi, where the systematic rapes had occurred, and Kirumba, where three Indian peacekeepers had been killed on 18 August (see above). He reported that FDLR forces had a strong and active presence in the Kibua area. On 25 July, FARDC units were redeployed to Walikale. On 30 July, the Office for the Coordination of Humanitarian Affairs (OCHA) area office received unconfirmed information about possible attacks by FDLR in Mpofi. An unconfirmed case of rape in Mpofi was also reported on 30 July. Following further reported attacks on 31 July, and subsequent patrols on 2 August in Kibua, however, no reports of rape were made to MONUC peacekeepers. The first report of 15 rape victims seeking attention at the International Medical Corps-supported health centre was received on 5 August; by 13 August, the number had increased to 68. MONUSCO deployed a joint protection team on the Mpofi-Kibua axis, and a human rights investigation team from 25 August to 2 September to interview victims and witnesses.

Some 242 persons, including 28 minors, were systematically raped in 13 villages between 30 July and 2 August. The inhabitants of Luvingi, which recorded 103 rapes, the largest number, reported that the perpetrators arrived in their village on 30 July. The Mayi-Mayi Cheka leader, the so-called "Colonel" Mayele, and "Colonel" Sarafim of FDLR, claimed that they had come to protect Luvingi, to participate in the reintegration process, and only wanted to rest in the village. Many villagers ran away on seeing the FDLR, but returned when they were led to understand that the FDLR had decided to integrate with FARDC—a trap that became evident only later. Rape victims sought medical attention only after they were certain that the perpetrators had left the area, because severe punishments were inflicted on people who tried to escape. While the State, its army and police force were primarily responsible for protecting civilians, the United Nations had also failed, as its actions had not been adequate.

The Assistant Secretary-General said that in North Kivu, the Walikale-to-Pinga road was an important trans-shipment route for minerals and other natural resources. The armed groups often wore clothes identical to FARDC uniforms, making it difficult for the villagers as well as UN peacekeepers to distinguish them. According to the Assistant Secretary-General, improving relations with the community and providing better and institutionalized information-gathering mechanisms were essential. It had been decided that more evening patrols should be undertaken, and more random and spot-check patrols. MONUSCO was considering ways to improve radio communications, and efforts were under way to install a high-frequency repeater in Luvungi. The Assistant Secretary-General recommended that the Council encourage such high-frequency installations in the remaining 27 company operating bases, and consider the imposition of targeted sanctions on leaders of the group, including those outside the country, if a chain of command was proven.

The Assistant Secretary-General also reported on incidents of rape in other areas, such as in Uvira and other regions of North and South Kivu, including Mubi, Shabunda and Mwenga. In Shabunda, at least 130 cases of rape were reportedly committed between 1 and 20 August. As that region was not connected by road, MONUSCO evacuated the more serious cases by helicopter and deployed protection cluster teams, led by UNHCR, using its air assets. He stated that the recent spike in violence had demonstrated the need for a cautious approach regarding the next steps in the configuration of the Mission.

Margot Wallström, Special Representative of the Secretary-General on Sexual Violence in Conflict, said that many survivors were permanently traumatized, unable to return to the fields to earn an income, resulting in increased poverty, isolation and despair. Women lived in fear of men carrying guns, often clad in uniform. They could not distinguish protector from tormentor. Humanitarian actors were struggling to provide essential services to the survivors, but many of them had not come forward to receive medical treatment because of fear. Rape was increasingly selected as the weapon of choice in the eastern DRC, with numbers reaching endemic proportions. It was essential to be more keenly attuned to indicators, including the movements of armed groups, their proximity to civilian centres, patterns of looting and pillage, their actions to block off access to certain areas, and the concerns of local women about the security situation. The UN response should be examined, including that of its peacekeepers on the ground. To perform more effectively, peacekeepers should receive training, knowledge and tools. In that regard, the Special Representative's Office would help launch, in June, a new tool entitled, "Addressing conflict-related sexual violence—An analytical in-

ventory of peacekeeping practice", which would provide a knowledge base to help peacekeepers translate their obligations to preventing sexual violence into action and give examples of early warning systems, patrols tailored to women's mobility patterns, community liaison techniques and other tactics that illustrated a gradual shift from best intentions to best practice. The Organization should also examine the nexus between the illicit exploitation of natural resources, the continuing operations of illegal armed groups and the high levels of violence against civilians. The Government should address impunity and strengthen the rule of law, particularly in the context of sexual violence. The Special Representative reiterated the offer to deploy a team of experts on the rule of law, to support the Government in that regard. The Council should also take action, beginning with the commanders of the armed groups responsible for the atrocities, and use other measures at its disposal, including blacklisting individuals and entities, as well as imposing sanctions and other targeted measures. The Special Representative indicated her intention to return to the DRC by the end of September to engage all stakeholders and to listen to the survivors.

SECURITY COUNCIL ACTION

On 17 September [meeting 6387], following consultations among Security Council members, the President made statement **S/PRST/2010/17** on behalf of the Council:

The Security Council reiterates its strong condemnation of the mass rapes which occurred in the east of the Democratic Republic of the Congo in late July and August 2010, and, reaffirming its resolutions 1820(2008), 1882(2009), 1888(2009), 1894(2009) and 1925(2010) and recalling its statements to the press of 26 August and 8 and 9 September 2010, the Council urges the Government of the Democratic Republic of the Congo to ensure a swift and fair prosecution of the perpetrators of these terrible crimes and to inform the Council on measures taken to this end. The Council expresses its readiness to consider all appropriate actions, including targeted measures against the perpetrators.

The Council stresses the primary responsibility of the Government of the Democratic Republic of the Congo for ensuring security in its territory and protecting its civilians with respect for the rule of law, human rights and international humanitarian law.

The Council calls upon the Government of the Democratic Republic of the Congo to condemn these atrocities and to provide effective assistance to the victims of sexual abuse and to support efforts undertaken by all relevant stakeholders, including civil society, to protect and assist the victims and to prevent further violence.

The Council reiterates its urgent call to the Government of the Democratic Republic of the Congo, in cooperation with the United Nations and other relevant actors, to put an end to impunity; in particular, those bearing responsibility for gross human rights violations must be held to account. The Council is determined to

support the Congolese authorities in addressing the root causes of the above incidents.

The Council stresses that the fight against impunity is an integral part of the urgently needed reform of the security sector. It encourages the Congolese authorities to pursue their efforts, with the support of relevant multilateral and bilateral donors and the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, within its current mandate, to strengthen the country's military capacity, to reinforce the training and equipment of the Congolese National Police and to enhance the capacities of the justice and corrections systems.

The Council takes note with interest of the recommendations made by the Department of Peacekeeping Operations of the Secretariat to enhance efforts to protect and defend civilians and improve the Mission's impact in the Democratic Republic of the Congo.

The Council underlines the need for the Mission to improve relations with communities, including through better information-gathering mechanisms and communication tools. In that regard, the Council urges the Mission to pursue efforts to enhance its regular interaction with the civilian population to strengthen confidence and raise awareness and understanding about its mandate and activities. It draws attention to the importance of increased community liaison, increased patrolling and appropriate communications equipment in areas where these are needed.

The Council supports the launch by the Mission and the United Nations country team of a sensitization campaign, including through Radio Okapi, to encourage victims of sexual violence to report it and to seek treatment and legal assistance.

The Council reaffirms its resolve to eliminate all forms of violence against women and children during and after armed conflict. It supports the work of the Special Representative of the Secretary-General on Sexual Violence in Conflict, and encourages her to regularly interact with the Sexual Violence Unit of the Mission to coordinate United Nations response and monitor the implementation of the Comprehensive Strategy on Combating Sexual Violence in the Democratic Republic of the Congo. The Council looks forward to her trip to the country later in September and requests a briefing upon her return.

The Council requests a briefing by the Secretary-General on the strategy of the Mission for the protection of civilians and the overall challenges that the Mission faces in implementing this strategy. The Council continues to support a comprehensive approach to the protection of civilians and to ensuring peace and security in the region, in particular efforts to accelerate effective disarmament, demobilization and reintegration of Congolese armed groups and disarmament, demobilization, repatriation, resettlement and reintegration of foreign armed groups, to fight against the illegal exploitation of natural resources and to establish effective State authority and strengthen the rule of law in conflict-affected areas.

Report of Special Representative. On 14 October [S/PV.6400], the Special Representative of the Secretary-General on Sexual Violence in Conflict reported to the Security Council on her second visit to the DRC (28 September–6 October). She said that Callixte

Mbarushimana, Executive Secretary of FDLR, one of the rebel groups implicated in the atrocities, had been arrested in Paris under an International Criminal Court warrant, as well as Ignace Murwanashyaka and Straton Musoni, who had been detained by Germany on war crimes charges. That was in addition to Lieutenant "Colonel" Sadoke Kokunda Mayele of the Mayi-Mayi Cheka rebel group, who had been handed over by the group to national authorities. Further information was available on the ringleaders in Kibua-Mpofi, and more arrests were to follow. The Special Representative urged the Government to ensure an exemplary process of justice in the Mayele case and a timely and comprehensive investigation into the mass rapes. The Special Representative urged the Council to escalate the focus on crimes of sexual violence in the work of the Committee established pursuant to resolution 1533(2004) concerning the DRC, which should consider including "Colonel" Serafim of the FDLR in its sanctions list. The Special Representative was also concerned about the ongoing FARDC military operations in Walikale territory and the implications for the protection of civilians. Although the troops were deployed to implement the President's moratorium on mining in the area and to reassert Government control, MONUSCO had provided information that rapes, killings and looting had been perpetrated by FARDC soldiers. The possibility that the same communities brutalized in July and August by FDLR and Mayi-Mayi elements were also suffering at the hands of FARDC troops was unacceptable. She called on the Government to investigate such allegations swiftly and hold any perpetrators accountable. It should deploy the national police to Walikale to ensure security of an investigation team and a deeper police presence in high-risk zones. UN peacekeepers should continue to monitor and report on rapes and other exactions and share that information with relevant MONUSCO civilian sections. As the mass rapes in Wakikale demonstrated the nexus between the illicit exploitation of natural resources by armed elements and patterns of sexual violence, the mass rapes in that area should be investigated from the angle of the competition over mining interests as one of the root causes of the conflict and sexual violence. European countries and other Member States should enact legislation requiring companies to disclose whether their products contained minerals sourced from the DRC. The Council should also ensure that MONUSCO's protection mandate was backed by adequate financial resources and other critical assets.

Further developments

Report of Secretary-General (October). In an October report [S/2010/512], the Secretary-General said that he had attended the celebration of the DRC's

fiftieth anniversary of independence. Most of the country remained relatively stable; however, violence by armed groups and military operations by FARDC against those groups continued, notably in the provinces of North and South Kivu and Orientale. Serious human rights violations by the armed groups and national security elements also continued. In North and South Kivu, military pressure continued to contribute to FDLR desertions and voluntary participation in the MONUSCO disarmament, demobilization, repatriation, resettlement and reintegration process. FARDC continued to face difficulties in holding ground, however, and several areas in Masisi, Rutshuru, Walikale, Shabunda and Mwenga were reoccupied by FDLR. Following the attacks by Mayi-Mayi Cheka elements in Walikale territory between 30 July and 2 August, MONUSCO launched, on 1 September, Operation Shop Window, aimed at putting pressure on the armed groups, improving protection of local populations, preventing the armed groups from pursuing their operations and supporting Government efforts to capture the perpetrators of the attack. The operation, completed on 18 September, led to the surrender of 27 Mayi-Mayi elements and the arrest of three others and one FDLR soldier. On 5 October, "Lieutenant Colonel" Mayele, who was alleged to have coordinated the attacks in Walikale territory, was arrested.

MONUSCO made protecting civilians its priority. It increased the staffing of the Joint Protection Teams in eastern DRC; began the establishment of provincial-level senior management groups for protection in North and South Kivu, with the aim of enhancing early-warning capabilities and monitoring the recommendations of the Joint Protection Teams; and supported the establishment of early warning centres in remote areas. Following the attacks in Walikale, it also installed additional high-frequency transmitters in the Luvungi area and was exploring ways of improving radio communications and the use of phones in areas where civilian protection was a concern. The Mission was also developing a database to compile information on reported acts of sexual violence, and continued to support the United Nations Population Fund to improve programme effectiveness indicators and data collection on sexual violence.

In other developments, on 9 August, the Independent Electoral Commission published a new electoral calendar in which the first-round presidential election was set for 27 November 2011. A second round, if required, would be held together with the provincial legislative elections on 26 February 2012. Senatorial and gubernatorial elections would be held in 2012 and local elections in 2013. A UN electoral needs assessment mission, which visited the country from 26 July to 10 August, recommended that MONUSCO and the international community increase financial and logistical support to the electoral process, and that lead

responsibility be transferred from MONUSCO to the United Nations Development Programme (UNDP).

MONUSCO continued its reconfiguration. In accordance with resolution 1925(2010) (see p. 123), it completed the withdrawal of 1,494 troops. In June, a joint MONUSCO-Government working-level national team was established in Kinshasa and agreed on terms of reference and a methodology for the joint assessment process. In July and August, the team visited 55 locations throughout eastern DRC. MONUSCO and the UN country team began development of a peace consolidation programme to support implementation of the structural reforms needed to give the Congolese State the capacity to project its authority nationwide, to strengthen the capacity of communities to respond to adverse shocks, and provide economic opportunities to unemployed young people and other high-risk groups, as well as deliver tangible peace dividends in the western provinces.

The Secretary-General observed that the continuing challenges indicated need for a fundamental review of the roles played by MONUSCO, the UN country team and other international partners. The joint assessments carried out by MONUSCO and the Government were a starting point and should be complemented by serious reflection and consultation among the Government, the United Nations, regional and international partners and Congolese civil society.

Security Council consideration. The Council met on 15 October [S/PV.6403] to consider the Secretary-General's report on MONUSCO. The Special Representative of the Secretary-General and head of MONUSCO told the Council that the best data available suggested that over 15,000 rapes had been committed in the eastern part of the DRC in 2009. Armed groups operated in many widely dispersed areas and it was not possible for MONUSCO to ensure full protection for all civilians. To approach that goal would require vastly greater force levels and resources. Government security forces had the primary responsibility to ensure security for all people of the Congo. The fundamental threat posed by the armed groups required a broader strategy, which had to include military pressure and address a daunting array of issues, such as better operational collaboration, lack of support to holding battalions to prevent the return of negative forces to cleared areas, and security sector reform, including training and operation of the military and civilian justice system.

Communication. On 26 October [S/2010/555], the DRC transmitted to the Council President a communiqué relating the attack by Mayi-Mayi elements on 23 October on a MONUSCO base in Rwindi, North Kivu. Eight of the assailants were killed and two others wounded. FARDC forces helped track down and capture a number of individuals who were in custody.

Year-end developments. In a later report [S/2011/20], the Secretary-General reported that MONUSCO continued to enhance security in communities affected by mass rapes and looting perpetrated between 30 July and 2 August, during the ongoing judicial investigations and in order to prevent reprisal attacks. It took additional measures to enhance the protection of civilians and support Congolese judicial efforts to hold perpetrators to account in connection with the Kibua-Mpofi attacks. In South Kivu, between 18 and 30 November, MONUSCO conducted Operation Protection Shield in the Baraka-Fizi-Minembwe area, in response to increased activity by FDLR and other armed groups, to deter activity by such groups and enhance the protection of local populations. The Mission also supported FARDC operations against FDLR in the Hauts Plateaux of Uvira, South Kivu, as well as in Mwenga, Walungu and Kalehe territories.

There were also unauthorized movements and desertions of former CNDP elements integrated into FARDC. On 29 October, in an apparent show of discontent, some 100 integrated former CNDP elements gathered near Kavumu airport, 40 kilometres from Bukavu in South Kivu. In consultation with FARDC, MONUSCO deployed a quick-reaction force to secure the airport. In a separate development, a number of integrated former CNDP elements boycotted the distribution of FARDC identification cards and uniforms in parts of North Kivu, protesting a lack of clarity about their military ranks. On 30 October, against that backdrop and in the face of continued expressions of dissatisfaction by signatory armed groups regarding the perceived failure of the Government to make progress on the implementation of the 23 March 2009 agreements, President Kabila signed a decree extending the Government's stabilization and reconstruction plan to June 2011, and reactivating the Comité national de suivi overseeing implementation of the agreements. On 23 November, the rapporteur général of the Comité met in Goma with representatives of armed group signatories, as well as with civil society and MONUSCO, to prepare for its relaunching.

In December, the political wings of CNDP and a faction of the Patriotes résistants congolais (PARECO) signed agreements to join the ruling political coalition, the Alliance pour la majorité présidentielle (AMP). In Orientale province, LRA attacks, involving looting and the abduction of civilians, continued. On 30 November, MONUSCO launched Operation Rudia Umbrella in Duru, Bangadi, Ngilima and Niangara in Haut Uélé to deter further LRA action, and establish several temporary forward bases from which to conduct extensive day and night patrols.

In political developments, from 10 to 14 December, the Union pour la démocratie et le progrès social

organized its first pre-election congress in Kinshasa and endorsed the candidacy of its Chair, Étienne Tshisekedi, for the presidential elections. In addition, on 14 December, the former Speaker of the National Assembly, Vital Kamerhe, announced his resignation from parliament and his intention to run for the presidency under a new opposition political party, the Union pour la nation congolaise (UNC). Since the promulgation on 28 July of the law establishing the Independent National Electoral Commission, no agreement had been reached by the National Assembly regarding the proposed list of nominees for the Board of the Commission. The announced review of the electoral law by parliament had not taken place, and the delimitation of electoral constituencies had not been completed. On 20 November, the Independent Electoral Commission launched the voter registration process in Maniema province.

On 12 November, the trial in the case of the killing, on 2 June, of human rights activist Floribert Chebeya Bahizire of the Congolese non-governmental organization Voix des Sans Voix and the disappearance of his driver, Fidèle Bazana Edadi, began before a military court in Kinshasa. Five of the eight accused national police officers appeared at the trial's first hearing. As the whereabouts of the three others were unknown, they were to be tried in absentia. Between 16 and 21 October, following preliminary findings published on 24 September, the United Nations Joint Human Rights Office further investigated the Kibua-Mpofi attacks of 30 July to 2 August. The investigations determined that at least 387 people, including 300 women, 23 men, 55 girls and 9 boys, had been raped by FDLR and Mayi-Mayi Cheka elements, as well as elements of a group formed the year before by an ex-CNDP officer and FARDC deserter, "Colonel" Emmanuel Nsengiyumva. Between 30 September and 10 October, a high-level panel convened by the Office of the United Nations High Commissioner for Human Rights visited the DRC to address the issue of reparations for victims of sexual violence. In mid-December, the panel submitted to the Government its report, aimed at complementing efforts to promote justice by providing assistance and support to victims, and to advance a national strategy on sexual violence with regard to reparations.

Since October, some 940 individuals, including 290 Rwandan and 315 Congolese FDLR combatants, including 17 "officers", had participated in the disarmament, demobilization, repatriation, resettlement and reintegration programme. Since the beginning of the year, 1,881 FDLR combatants had been demobilized, slightly fewer than the 1,997 demobilized in 2009. The demobilized "officers" had increased in number from 45 to 65, including higher-ranking commanders up to the level of "Colonel". A total of 2,323 individuals, including dependents, were repatriated

to neighbouring countries, most of them to Rwanda. On 5 October, MONUSCO launched preparations for a 45-day refresher basic training course for 500 national police personnel at the Munigi training centre in North Kivu. Intensive training continued for some 500 newly integrated police personnel at the Kapalata training centre. On 30 November, the DRC authorities launched a process to assess the strength and the capabilities of the police with the support of the Mission's police component. The Mission also worked with the European Union Police Mission in Kinshasa and other partners to establish an implementation body for the reform of the police, developed by the steering committee for police reform. On 7 October, the Military Prosecutor requested assistance in investigating the Kibua-Mpofi attacks. Consequently, from 14 to 17 October, MONUSCO, UNDP and other partners conducted training for 24 Congolese magistrates and police officers. FARDC investigators were deployed to Walikale with the support of MONUSCO, UNDP and other partners to collect witness and victim testimonies from 28 October to 29 November. In South Kivu, on 16 December, the Military Prosecutor requested assistance in investigating alleged attacks by FARDC elements in Shabunda and Uvira.

On 24 December, **by decision 65/544**, the General Assembly decided that the item on armed aggression against the DRC would remain for consideration during its resumed sixty-fifth (2011) session.

Arms embargo

The Security Council Committee on the DRC, established pursuant to resolution 1533(2004) [YUN 2004, p. 137] to review and monitor the arms embargo on armed groups imposed by resolution 1493(2003) [YUN 2003, p. 130], reported [S/2011/18] on its activities in 2010, during which it received 50 notifications and held three informal consultations. In August, the Committee promulgated its guidelines establishing its rules of internal procedures and specifying information Member States should provide in order to fulfil the notification requirement regarding the provision of military equipment or military cooperation to the DRC. It updated its list of individuals and entities subject to the measures imposed by paragraphs 13 and 15 of resolution 1595(2005) [YUN 2005, p. 553], as renewed by paragraph 3 of resolution 1896(2009) [YUN 2009, p. 132]. In December, the Committee added four individuals to the list of individuals and entities subject to the travel ban and assets freeze. The Committee received nine reports pursuant to resolution 1896(2009), by which the Council called on Member States to report on actions taken to implement the measures imposed in that resolution.

Group of Experts

The Group of Experts on the DRC, established pursuant to Security Council resolution 1533(2004) to gather and analyse information on flows of arms and related materiel, as well as on networks operating in violation of the measures imposed by paragraph 20 of resolution 1493(2003), submitted during the year an interim report [S/2010/252] and a final report [S/2010/596]. On 12 February [S/2010/93], Rwanda conveyed to the Council President additional information on members of FDLR and the Rally for Unity and Democracy and other individuals referred to in the Group's final 2009 report [YUN 2009, p. 132].

As requested by resolution 1896(2009), the Secretary-General, on 25 February [S/2010/99], appointed three experts to constitute the Group for a period ending on 30 November 2010; two additional experts on 22 April [S/2010/207]; and one expert on 25 June [S/2010/337] to replace a member who had resigned, as well as a new Coordinator of the Group.

Reports of Group of Experts. As requested by Council resolution 1896(2009), the Security Council Committee on the DRC submitted, in May [S/2010/252], the interim report of the Working Group, which confirmed its previous findings that rapid integration of armed groups into FARDC had introduced significant numbers of children into Government forces and that no important progress had been made to disarm and demobilize children. The Group also understood that no significant progress was made by the military justice authorities in prosecuting the cases concerning allegations of human rights abuses brought against five FARDC officers in 2009. The Group was investigating reports of arms and military equipment transfers or supplies to armed groups operating in eastern DRC. It conducted a case study of evidence showing that, from March 2009 to February 2010, several "UN certificates" were forged to facilitate the sale of Congolese gold to buyers located in regional States. The matter was referred to the UN Office of Internal Oversight Services, but preliminary investigation by the Group of Experts confirmed that all the documents in question were false. The Group also reviewed material on due diligence and natural resources, and was developing recommendations on guidelines for the exercise of due diligence by importers, processing industries and consumers of mineral products regarding the purchase, sourcing, acquisition and processing of mineral products from the DRC. While the focus was largely on the trade in cassiterite and tantalum, it was expected to expand to other minerals, including gold.

In its final report submitted in November [S/2010/596], the Group of Experts stated that the involvement of criminal networks within FARDC in the illegal exploitation of natural resources had created

a conflict of interest with the army's constitutional security mandate, leading to pervasive insubordination, competing chains of command, failure to actively pursue armed groups, amounting in certain cases to collusion, and neglect of civilian protection. Criminal involvement ranged from illegal taxation, protection rackets and indirect commercial control to more direct coercive control. Taken together, the consequences of that involvement by networks within FARDC were an important cause of insecurity and conflict in the eastern part of the country. Congolese armed groups, including the Forces patriotiques pour la libération du Congo, Mayi-Mayi Sheka and Alliance des patriots pour un Congo libre et souverain, continued to form coalitions among themselves and with foreign armed groups to attack FARDC and pillage mining sites and local populations. Some armed groups, such as Mayi-Mayi Cheka, were generated by criminal networks within FARDC that competed for control over mineral-rich areas. In addition, armed groups continued to tap into popular unease with the current status quo in the Kivus, including fear of unmanaged refugee returns, land grabs, politico-military marginalization and resentment caused by ongoing insecurity. Although armed groups had been forced to concede most of the main mining sites in the Kivus, they controlled smaller mines in more remote areas and increasingly relied on intermediaries and predatory attacks to profit from the mineral trade. Units of the former CNDP in FARDC had gained military control over most of the strategic areas rich in natural resources in the Kivus, presenting a challenge to their integration into FARDC.

The report also examined challenges to the transparency and traceability of mineral supply chains from eastern DRC, as well as an industry-led initiative for addressing the involvement of armed actors. After consultations, particularly with the Congolese Government, the Group presented two options for due diligence guidelines. The first provided guidance to importers, processors and consumers of minerals from eastern DRC on how to mitigate the risk of providing direct or indirect support to illegal armed groups and/or to individuals and entities that were subject to targeted sanctions. The second option provided guidance for mitigating the additional risks of providing direct or indirect support to criminal networks and perpetrators of serious human rights abuses within FARDC. Both options employed the same five-step risk-based due diligence approach developed by the Group and other stakeholders through a working group hosted by the Organization for Economic Cooperation and Development to develop due diligence guidance for responsible supply chains of minerals from conflict-affected and high-risk areas.

The Group recommended that the Council endorse its recommendations on guidelines for due diligence

to mitigate the risk of further exacerbating the conflict in eastern DRC; call upon Member States, in particular the DRC, neighbouring countries and countries whose companies were active in the DRC mining sector to incorporate the guidelines into national legislation, and on MONUSCO to pay attention to the risks of working with commanders known to be involved in the illegal exploitation of natural resources and to strengthen the Mission's information gathering around mining sites and important minerals trading centres; and mandate MONUSCO to strengthen its support of the DRC's justice system by including specific training of prosecutors in the investigation of economic crimes and provide the Mission with the capacity to support investigations by the Military Prosecutor's Office of economic crimes committed by FARDC personnel. The DRC Government should establish and support a mobile investigative economic crimes unit within the Military Prosecutor's Office; review and reinforce national legislation addressing the involvement of the military in economic activities, such as mining; ensure that Staff Headquarters imposed disciplinary sanctions on those implicated in land conflicts and the illegal exploitation of natural resources; identify, suspend and prosecute FARDC commanders using children as escorts or obstructing efforts to separate children from their ranks; conduct an independent evaluation and audit of the Coalition des patriotes résistants congolais (PARECO) programme, including weapons collected and their identifying marks, and give renewed consideration to the resettlement of foreign combatants to third countries; and cooperate with the United Nations and donors in the harmonization and coherence of security sector reform efforts.

In response to the reports, the Council extended the arms embargo and related sanctions until 30 November 2011 (see p. 134).

SECURITY COUNCIL ACTION

On 29 November [meeting 6432], the Security Council unanimously adopted **resolution 1952(2010)**. The draft [S/2010/597] was submitted by France.

The Security Council,

Recalling its previous resolutions, in particular resolutions 1807(2008) of 31 March 2008, 1857(2008) of 22 December 2008 and 1896(2009) of 30 November 2009, and the statements by its President concerning the Democratic Republic of the Congo,

Reaffirming its commitment to the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo as well as all States in the region,

Taking note of the interim report and the final report of the Group of Experts on the Democratic Republic of the Congo ("the Group of Experts") established pursuant to resolution 1771(2007) of 10 August 2007, whose mandate was extended pursuant to resolutions 1807(2008), 1857(2008) and 1896(2009), and of the recommendations

contained therein, and welcoming the collaboration between the Group of Experts and the Government of the Democratic Republic of the Congo, as well as other Governments in the region and other international forums,

Reiterating its serious concern regarding the presence of armed groups and militias in the eastern part of the Democratic Republic of the Congo, including the provinces of North and South Kivu and Orientale Province, which perpetuates a climate of insecurity in the whole region,

Demanding that all armed groups, in particular the Forces démocratiques de libération du Rwanda and the Lord's Resistance Army, immediately lay down their arms and cease their attacks against the civilian population, and demanding also that all the parties to the agreements of 23 March 2009 implement their commitments effectively and in good faith,

Reiterating its concern about the support received by illegal armed groups operating in the eastern part of the Democratic Republic of the Congo from regional and international networks,

Condemning the continuing illicit flow of weapons within and into the Democratic Republic of the Congo in violation of resolutions 1533(2004) of 12 March 2004, 1807(2008), 1857(2008) and 1896(2009), declaring its determination to continue to monitor closely the implementation of the arms embargo and other measures set out in its resolutions concerning the Democratic Republic of the Congo, and stressing the obligation of all States to abide by the notification requirements set out in paragraph 5 of resolution 1807(2008),

Recalling the linkage between the illegal exploitation of natural resources, illicit trade in such resources and the proliferation of and trafficking in arms as one of the major factors fuelling and exacerbating conflicts in the Great Lakes region of Africa,

Noting with great concern the persistence of human rights and humanitarian law violations against civilians in the eastern part of the Democratic Republic of the Congo, including the killing and displacement of significant numbers of civilians, the recruitment and use of child soldiers and widespread sexual violence, stressing that the perpetrators must be brought to justice, reiterating its firm condemnation of all violations of human rights and international humanitarian law in the country, and recalling all its relevant resolutions on women and peace and security, on children and armed conflict and on the protection of civilians in armed conflict,

Stressing the primary responsibility of the Government of the Democratic Republic of the Congo for ensuring security in its territory and protecting its civilians with respect for the rule of law, human rights and international humanitarian law,

Welcoming the ongoing efforts of the Democratic Republic of the Congo and the countries of the Great Lakes region to jointly promote peace and stability in the region, in particular in the context of the International Conference on the Great Lakes Region, and reiterating the importance of the Government of the Democratic Republic of the Congo and all Governments, particularly those in the region, taking effective steps to ensure that there is no support, in and from their territories, for the armed groups in the eastern part of the Democratic Republic of the Congo,

Supporting the commitment of the Government of the Democratic Republic of the Congo to rid the trade in natural resources of criminal networks, and welcoming the enhanced collaboration between the Government and the Group of Experts in this area,

Determining that the situation in the Democratic Republic of the Congo continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to renew until 30 November 2011 the measures on arms imposed by paragraph 1 of resolution 1807(2008), and reaffirms the provisions of paragraphs 2, 3 and 5 of that resolution;

2. *Decides also* to renew, for the period specified in paragraph 1 above, the measures on transport imposed by paragraphs 6 and 8 of resolution 1807(2008), and reaffirms the provisions of paragraph 7 of that resolution;

3. *Decides further* to renew, for the period specified in paragraph 1 above, the financial and travel measures imposed by paragraphs 9 and 11 of resolution 1807(2008), and reaffirms the provisions of paragraphs 10 and 12 of that resolution regarding the individuals and entities referred to in paragraph 4 of resolution 1857(2008);

4. *Calls upon* all States to implement fully the measures specified in the present resolution and to cooperate fully with the Security Council Committee established pursuant to resolution 1533(2004) in carrying out its mandate;

5. *Requests* the Secretary-General to extend, for a period expiring on 30 November 2011, the mandate of the Group of Experts established pursuant to resolution 1533(2004) and renewed by subsequent resolutions, with the addition of a sixth expert on natural resources issues, and requests the Group of Experts to fulfil its mandate as set out in paragraph 18 of resolution 1807(2008) and expanded by paragraphs 9 and 10 of resolution 1857(2008), and to report to the Council in writing, through the Committee, by 18 May 2011 and again before 17 October 2011;

6. *Requests* the Group of Experts to focus its activities in areas affected by the presence of illegal armed groups, including North and South Kivu and Orientale Province, as well as on regional and international networks providing support to illegal armed groups, criminal networks and perpetrators of serious violations of international humanitarian law and human rights abuses, including those within the national armed forces, operating in the eastern part of the Democratic Republic of the Congo, and requests further that the Group of Experts evaluate the impact of the due diligence guidelines referred to in paragraph 7 of the present resolution and continue its collaboration with other forums;

7. *Supports* taking forward the recommendations of the Group of Experts on guidelines for due diligence for importers, processing industries and consumers of Congolese mineral products, as set out in paragraphs 356 to 369 of section IX of the final report of the Group of Experts, to mitigate the risk of further exacerbating the conflict in the eastern part of the Democratic Republic of the Congo by providing direct or indirect support to:

—Illegal armed groups in the eastern part of the Democratic Republic of the Congo;

- Those found to have violated the asset freeze and travel ban on sanctioned individuals and entities, as renewed by paragraph 3 above;
- Criminal networks and perpetrators of serious violations of international humanitarian law and human rights abuses, including those within the national armed forces;

8. *Calls upon* all States to take appropriate steps to raise awareness of the due diligence guidelines referred to above, and to urge importers, processing industries and consumers of Congolese mineral products to exercise due diligence by applying the aforementioned guidelines, or equivalent guidelines, containing the following steps as described in the final report of the Group of Experts: strengthening company management systems, identifying and assessing supply chain risks, designing and implementing strategies to respond to identified risks, conducting independent audits, and publicly disclosing supply chain due diligence and findings;

9. *Decides* that the Committee, in determining whether to designate an individual or entity supporting the illegal armed groups in the eastern part of the Democratic Republic of the Congo through illicit trade in natural resources, pursuant to paragraph 4 (g) of resolution 1857(2008), should consider, among other things, whether the individual or entity has exercised due diligence consistent with the steps set out in paragraph 8 above;

10. *Calls upon* all States, especially those in the region, to take effective steps to ensure that there is no support, in and from their territories, for the illegal armed groups in the eastern part of the Democratic Republic of the Congo, welcoming the positive international developments in regard to addressing the risks posed by armed group leaders in the diasporas, and calls upon all States to take action, where appropriate, against leaders of the Forces démocratiques de libération du Rwanda and other illegal armed groups residing in their countries;

11. *Encourages* the Government of the Democratic Republic of the Congo to continue to take appropriate measures to address the threat of criminal networks within the Armed Forces of the Democratic Republic of the Congo involved in illegal economic activities, such as mining, undermining their capacity to protect civilians in the eastern part of the country;

12. *Calls upon* the Congolese authorities to continue their fight against impunity, especially against all perpetrators of human rights and international humanitarian law violations, including sexual violence, including those committed by any illegal armed groups or elements of the Armed Forces of the Democratic Republic of the Congo;

13. *Encourages* the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo to continue to share all relevant information with the Group of Experts, especially information on the recruitment and use of children and on the targeting of women and children in situations of armed conflict;

14. *Reiterates* its recommendation to the Government of the Democratic Republic of the Congo to promote stockpile security, accountability and management of arms and ammunition as an urgent priority, with the assistance of international partners as necessary, and to implement a national weapons marking programme in line with the stand-

ards established by the Nairobi Protocol for the Prevention, Control and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa and the Regional Centre on Small Arms;

15. *Urges* the international community to consider providing increased technical or other assistance to reinforce the Congolese justice institutions and support to strengthen the institutional capacity of the mining, law enforcement and border control agencies and institutions of the Democratic Republic of the Congo;

16. *Urges* the Mission to continue supporting the efforts of the Congolese authorities to strengthen their justice system, to consolidate the trading counters in North and South Kivu and to monitor the measures imposed by paragraph 1 above, as mandated in paragraphs 12 (o), (r) and (t) of resolution 1925(2010) of 28 May 2010;

17. *Encourages* enhanced cooperation between all States, particularly those in the region, the Mission and the Group of Experts, and encourages further all parties and all States to ensure cooperation with the Group of Experts by individuals and entities within their jurisdiction or under their control;

18. *Reiterates its demand*, expressed in paragraph 21 of resolution 1807(2008) and reaffirmed in paragraph 14 of resolution 1857(2008) and paragraph 13 of resolution 1896(2009), that all parties and all States, particularly those in the region, cooperate fully with the work of the Group of Experts and that they ensure the safety of its members and unhindered and immediate access, in particular to persons, documents and sites that the Group of Experts deems relevant to the execution of its mandate;

19. *Recommends* that all States, particularly those in the region, regularly publish full import and export statistics for natural resources, including gold, cassiterite, coltan, wolframite, timber and charcoal and enhance information-sharing and joint action at the regional level to investigate and combat regional criminal networks and armed groups involved in the illegal exploitation of natural resources;

20. *Calls upon* all States, particularly those in the region and those in which individuals and entities designated pursuant to paragraph 3 of the present resolution are based, to regularly report to the Committee on the actions they have taken to implement the measures imposed by paragraphs 1, 2 and 3 above and recommended in paragraph 8 above;

21. *Encourages* all States to submit to the Committee, for inclusion on its list of designees, individuals or entities that meet the criteria set out in paragraph 4 of resolution 1857(2008), as well as any entities owned or controlled, directly or indirectly, by the submitted individuals or entities or individuals or entities acting on behalf of or at the direction of the submitted entities;

22. *Decides* that, when appropriate and no later than 30 November 2011, it shall review the measures set forth in the present resolution, with a view to adjusting them, as appropriate, in the light of the security situation in the Democratic Republic of the Congo, in particular progress in security sector reform, including the integration of the armed forces and the reform of the national police, and in disarming, demobilizing, repatriating, resettling and reintegrating, as appropriate, Congolese and foreign armed groups;

23. *Decides also* to remain actively seized of the matter.

Children and armed conflict

Report of Secretary-General. In July, as requested by resolution 1882(2009) [YUN 2009, p. 739], the Secretary-General submitted a report on children and armed conflict in the DRC [S/2010/369], covering developments from October 2008 to December 2009. Compared with the previous reporting period, there was a general increase in the number of grave violations committed against children by all parties to the conflict. FARDC military operations had a heavy toll on civilians, both in terms of reprisal attacks by armed groups and of FARDC misconduct. Newly integrated FARDC units were reportedly responsible for a significant number of violations, in particular the recruitment and use of children, including for military purposes, forced labour and sexual violence. In total, 1,593 cases of child recruitment (1,519 boys and 74 girls) were documented during the reporting period, including 1,235 in 2009. Out of that number, 42 per cent were allegedly carried out by FARDC, 26 per cent by various Mayi-Mayi groups, 16 per cent by PARECO, 10 per cent by the different FDLR factions and 6 per cent by CNDP. As a result of the ad hoc and spontaneous nature of the integration process, the monitoring and documentation of cases had been significantly impeded. Follow-up visits with children formerly associated with armed forces and groups after family reunifications indicated that children previously released were even more vulnerable and faced a constant threat of re-recruitment. Children released during the reporting period declared they had been used as combatants, escorts, cooks and porters. The children, mainly girls, also reported that they had been sexually abused. Despite the significant number of children released during that process, there was evidence that hundreds of children associated with armed groups were also integrated into FARDC unnoticed or were hidden by their commanders, especially in North Kivu. An increase in the number of killings and maimings of children was registered, mainly in zones of active military operations.

A total of 54 killings and 22 cases of maiming were documented during the reporting period. The victims (47 boys and 29 girls) came from all age groups. Oriental Province accounted for the highest number of incidents (33 in Haut Uélé and 4 in Ituri district), followed by 28 incidents in North Kivu, 8 in South Kivu and 3 in Katanga. Widespread sexual violence remained a concern countrywide, in particular in provinces affected by armed conflict. The United Nations Population Fund (UNFPA) reported 4,572 cases of sexual violence committed against children in the Kivus and Oriental Province. Girls remained the main victims of sexual violence. During the reporting period, the MONUC Child Protection Section undertook judicial follow-up in 126 cases of sexual violence against children.

Progress was made on legislation regarding children. On 10 January 2009, the Government promulgated a new law on the protection of children, whereby the recruitment and the use of children under the age of 18 by armed groups, armed forces and the police were penalized with prison terms of between 10 and 20 years. Twelve out of 14 decrees needed to be adopted for the new law to be fully applicable. Rampant impunity for violations perpetrated against children, however, remained worrisome. Despite the existing legal provisions, no systematic mechanism for investigating, convicting or sanctioning those responsible for grave violations against children was in place. The few perpetrators that were prosecuted and convicted often had their sentences overturned in appeal procedures or did not serve their sentences, owing to the weaknesses of the penitentiary system. Escapes of convicted perpetrators from prisons were frequent.

The Secretary-General urged the Government to meet its commitments to prepare and implement the action plan to end the recruitment and use of children by FARDC, including newly integrated elements. The action plan should include the immediate release of all children in FARDC ranks, access to all military sites and *regroupement* centres for verification by child protection actors and prevention and accountability measures against responsible individuals. He also urged non-State armed groups that had not been integrated into FARDC to stop the recruitment and use of children and to enter into dialogue with the United Nations to prepare and implement action plans to cease those violations and to release all children within their ranks. The Secretary-General encouraged the Government to put an end to impunity and to ensure that all individuals responsible for grave violations against children were held accountable, including the adoption of the remaining decrees for the implementation of the national law on the protection of children, the adoption of the law for the reform of the national police, and the reinforcement of the capacities of the military judicial system to investigate and prosecute all perpetrators of child rights violations, including high-level commanders. The Government should ensure that the amnesty law adopted in May 2009 [YUN 2009, p. 121] was strictly interpreted, so that the perpetrators of war crimes and crimes against humanity did not benefit from amnesty. It should also withdraw all perpetrators of child rights violations, irrespective of rank, from the military chain of command and hold them accountable for their crimes. FARDC should devise standard operating procedures to ensure that children were protected in the course of military operations, as well as for the treatment of captured child soldiers and for promptly handing them over to child protection partners for appropriate care.

Working Group. At its twenty-sixth meeting [S/AC.51/2011/1], on 8 September, the Working Group on Children and Armed Conflict examined the report of the Secretary-General and expressed concern about the worsening situation of children in the context of the ongoing conflict in the DRC. The Group agreed on the need for a strengthened coordinated regional strategy to address the impact of the LRA on children in the region, and emphasized the importance of holding perpetrators of sexual violence accountable. The Group addressed recommendations to the Government and the Secretary-General.

MONUC

The United Nations Organization Mission in the Democratic Republic of the Congo (MONUC), established by Security Council resolution 1279(1999) [YUN 1999, p. 92], continued to discharge its functions as enhanced by Council resolutions 1565(2004) [YUN 2004, p. 129], 1756(2007) [YUN 2007, p. 119], and 1856(2008) [YUN 2008, p. 130].

In resolution 1925(2010) of 28 May (see p. 123), the Council extended the Mission's mandate until 30 June 2011.

Financing

The General Assembly had before it the performance report on the MONUC budget for the period from 1 July 2008 to 30 June 2009 [A/64/583], which showed expenditures of \$1,139,358,900 against an apportionment of \$1,163,677,200, leaving an unencumbered balance of \$24,318,300. The Assembly also had before it the proposed budget [A/64/670] for the period from 1 July 2010 to 30 June 2011 amounting to \$1,444,094,400, including voluntary contributions in kind in the amount of \$4 million. The Advisory Committee on Administrative and Budgetary Questions (ACABQ) [A/64/660/Add.8] recommended that the Assembly appropriate \$1,410,350,200 for the Mission.

GENERAL ASSEMBLY ACTION

On 24 June [meeting 101], the General Assembly, on the recommendation of the Fifth Committee [A/64/824], adopted **resolution 64/275** without vote [agenda item 150].

Financing of the United Nations Organization Mission in the Democratic Republic of the Congo

The General Assembly,

Having considered the reports of the Secretary-General on the financing of the United Nations Organization Mission in the Democratic Republic of the Congo and the

related report of the Advisory Committee on Administrative and Budgetary Questions,

Recalling Security Council resolutions 1258(1999) of 6 August 1999 and 1279(1999) of 30 November 1999 regarding, respectively, the deployment to the region of the Democratic Republic of the Congo of military liaison personnel and the establishment of the United Nations Organization Mission in the Democratic Republic of the Congo, and the subsequent resolutions by which the Council extended the mandate of the Mission, the latest of which was resolution 1925(2010) of 28 May 2010, by which the Council decided to extend the deployment of the Mission until 30 June 2010, decided that, as of 1 July 2010, the Mission would be known as the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo and that the Stabilization Mission would be deployed until 30 June 2011, and authorized the continuation until that date of up to 19,815 military personnel, 760 military observers, 391 police personnel and 1,050 personnel of formed police units,

Recalling also its resolution 54/260 A of 7 April 2000 on the financing of the Mission and its subsequent resolutions thereon, the latest of which was resolution 63/291 of 30 June 2009,

Recalling further its resolution 58/315 of 1 July 2004,

Reaffirming the general principles underlying the financing of United Nations peacekeeping operations, as stated in General Assembly resolutions 1874(S-IV) of 27 June 1963, 3101(XXVIII) of 11 December 1973 and 55/235 of 23 December 2000,

Noting with appreciation that voluntary contributions have been made to the Mission,

Mindful of the fact that it is essential to provide the Mission with the financial resources necessary to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

1. *Requests* the Secretary-General to entrust the Head of Mission with the task of formulating future budget proposals in full accordance with the provisions of General Assembly resolutions 59/296 of 22 June 2005, 60/266 of 30 June 2006, 61/276 of 29 June 2007 and 64/269 of 24 June 2010, as well as other relevant resolutions;

2. *Takes note* of the status of contributions to the United Nations Organization Mission in the Democratic Republic of the Congo as at 30 April 2010, including the contributions outstanding in the amount of 155.1 million United States dollars, representing some 2 per cent of the total assessed contributions, notes with concern that only forty-nine Member States have paid their assessed contributions in full, and urges all other Member States, in particular those in arrears, to ensure payment of their outstanding assessed contributions;

3. *Expresses its appreciation* to those Member States which have paid their assessed contributions in full, and urges all other Member States to make every possible effort to ensure payment of their assessed contributions to the Mission in full;

4. *Expresses concern* about the financial situation with regard to peacekeeping activities, in particular as regards the reimbursements to troop contributors that bear additional burdens owing to overdue payments by Member States of their assessments;

5. *Also expresses concern* about the delay experienced by the Secretary-General in deploying and providing adequate resources to some recent peacekeeping missions, in particular those in Africa;

6. *Emphasizes* that all future and existing peacekeeping missions shall be given equal and non-discriminatory treatment in respect of financial and administrative arrangements;

7. *Also emphasizes* that all peacekeeping missions shall be provided with adequate resources for the effective and efficient discharge of their respective mandates;

8. *Reiterates its request* to the Secretary-General to make the fullest possible use of facilities and equipment at the United Nations Logistics Base at Brindisi, Italy, in order to minimize the costs of procurement for the Mission;

9. *Acknowledges with appreciation* that the use of the logistics hub at Entebbe, Uganda, has been cost-effective and has resulted in savings for the United Nations, and welcomes the expansion of the logistics hub to provide logistical support to peacekeeping operations in the region and to contribute further to their enhanced efficiency and responsiveness, taking into account the ongoing efforts in this regard;

10. *Requests* the Secretary-General to ensure that proposed peacekeeping budgets are based on the relevant legislative mandates;

11. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions, subject to the provisions of the present resolution, and requests the Secretary-General to ensure their full implementation;

12. *Requests* the Secretary-General to ensure the full implementation of the relevant provisions of its resolutions 59/296, 60/266, 61/276 and 64/269;

13. *Also requests* the Secretary-General to take all necessary action to ensure that the Mission is administered with a maximum of efficiency and economy;

14. *Further requests* the Secretary-General, in order to reduce the cost of employing General Service staff, to continue efforts to recruit local staff for the Mission against General Service posts, commensurate with the requirements of the Mission;

Financial performance report for the period from 1 July 2008 to 30 June 2009

15. *Takes note* of the report of the Secretary-General on the financial performance of the Mission for the period from 1 July 2008 to 30 June 2009;

Budget estimates for the period from 1 July 2010 to 30 June 2011

16. *Decides* to appropriate to the Special Account for the United Nations Organization Mission in the Democratic Republic of the Congo the amount of 1,447,734,900 dollars for the period from 1 July 2010 to 30 June 2011, inclusive of 1,365,000,000 dollars for the maintenance of the Mission, 70,069,600 dollars for the support account for peacekeeping operations and 12,665,300 dollars for the United Nations Logistics Base;

Financing of the appropriation

17. *Also decides* to apportion among Member States the amount of 682,500,000 dollars for the period from 1 July

to 31 December 2010 at a monthly rate of 113,750,000 dollars, in accordance with the levels updated in General Assembly resolution 64/249 of 24 December 2009, and taking into account the scale of assessments for 2010, as set out in Assembly resolution 64/248 of 24 December 2009, subject to a decision of the Security Council to extend the mandate of the Mission;

18. *Further decides* that, in accordance with the provisions of its resolution 973(X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 17 above, their respective share in the Tax Equalization Fund of the amount of 15,228,050 dollars, representing the estimated staff assessment income approved for the Mission for the period from 1 July to 31 December 2010;

19. *Decides* to apportion among Member States the amount of 70,069,600 dollars for the support account and the amount of 12,665,300 dollars for the United Nations Logistics Base for the period from 1 July 2010 to 30 June 2011, in accordance with the levels updated in resolution 64/249, and taking into account the scale of assessments for 2010 and 2011, as set out in resolution 64/248;

20. *Also decides* that, in accordance with the provisions of its resolution 973(X), there shall be set off against the apportionment among Member States, as provided for in paragraph 19 above, their respective share in the Tax Equalization Fund of the amount of 6,814,900 dollars, for the period from 1 July 2010 to 30 June 2011, comprising the prorated share of 5,801,600 dollars of the estimated staff assessment income approved for the support account and the prorated share of 1,013,300 dollars of the estimated staff assessment income approved for the United Nations Logistics Base;

21. *Further decides* that, for Member States that have fulfilled their financial obligations to the Mission, there shall be set off against their apportionment, as provided for in paragraph 17 above, their respective share of the unencumbered balance and other income in the total amount of 51,863,000 dollars in respect of the financial period ended 30 June 2009, in accordance with the levels updated in its resolution 61/243 of 22 December 2006, and taking into account the scale of assessments for 2009, as set out in its resolution 61/237 of 22 December 2006;

22. *Decides* that, for Member States that have not fulfilled their financial obligations to the Mission, there shall be set off against their outstanding obligations their respective share of the unencumbered balance and other income in the total amount of 51,863,000 dollars in respect of the financial period ended 30 June 2009, in accordance with the scheme set out in paragraph 21 above;

23. *Also decides* that the decrease of 16,300 dollars in the estimated staff assessment income in respect of the financial period ended 30 June 2009 shall be set off against the credits from the amount of 51,863,000 dollars referred to in paragraphs 21 and 22 above;

24. *Emphasizes* that no peacekeeping mission shall be financed by borrowing funds from other active peacekeeping missions;

25. *Encourages* the Secretary-General to continue to take additional measures to ensure the safety and security of all personnel participating in the Mission under the auspices of the United Nations, bearing in mind paragraphs 5

and 6 of Security Council resolution 1502(2003) of 26 August 2003;

26. *Invites* voluntary contributions to the Mission in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure and practices established by the General Assembly;

27. *Requests* the Secretary-General, at the earliest opportunity, to submit the revised budget for the Mission to the General Assembly at the main part of its sixty-fifth session;

28. *Decides* to include in the provisional agenda of its sixty-fifth session the item entitled "Financing of the United Nations Organization Mission in the Democratic Republic of the Congo".

On 24 December, the Assembly, **by decision 65/544**, decided that the item on the financing of MONUC would remain for consideration during its resumed sixty-fifth (2011) session.

MONUSCO

By resolution 1925(2010) of 28 May (see p. 123), the Security Council decided that from 1 July 2010, MONUC would bear the title of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), comprising a maximum of 19,815 military personnel, 760 military observers, 391 police personnel and 1,050 police; and authorized the withdrawal of up to 2,000 UN military personnel from areas where the security situation permitted. In addition to its other mandated activities, MONUSCO would support the reform of the Congolese National Police by providing training and technical and logistical support for the organization of national and local elections; and develop and implement a multi-year UN justice support programme for developing the criminal justice chain, the police, the judiciary and prisons in conflict-affected areas and strategic and programmatic support at the central level in Kinshasa, and support national and international efforts to bring perpetrators to justice.

The Mission was headed by Roger A. Meece (United States), the Special Representative of the Secretary-General in the DRC, who on 1 July replaced Alan Doss (United Kingdom) [S/2010/303; S/2010/304]. Lieutenant General Chander Prakash (India) was appointed Force Commander in July, to replace Lieutenant General Babacar Gaye (Senegal) [S/2010/367; S/2010/368].

Financing

On 24 June [A/65/141], the Secretary-General requested the inclusion in the provisional agenda of the General Assembly's sixty-fifth (2010) session an item

on the financing of MONUSCO. In an October report [A/65/512] on financing arrangements for MONUSCO for the period from 1 July 2010 to 30 June 2011, he proposed that the amount of \$1,365,000,000 appropriated by the Assembly for MONUC for the same period be maintained for the maintenance of MONUSCO, taking into account that the authorized deployment and mandated activities remained largely unchanged from those of MONUC; only one quarter of the financial period had elapsed in the implementation of the approved budget; and MONUSCO's additional mandated tasks (see above) were estimated to result in a decrease of \$27,000 gross, compared to the approved budget. The Secretary-General asked the Assembly to approve the establishment of 39 temporary positions, to be funded under general temporary assistance, to support the voter registration process and justice-related programmes. The Assembly was also requested to assess the amount of \$682,500,000 for the period from 1 July 2010 to 30 June 2011, representing the balance between the appropriation of \$1,365,000,000 for the same period and the amount of \$682,500,000 already assessed for the period from 1 July to 31 December 2010 under resolution 64/275 (see p. 137).

In December [A/65/598], ACABQ recommended approval of the 39 temporary positions, and the assessment of \$652,500,000 for the period from 1 July 2010 to 30 June 2011, which was in addition to the \$682,500,000 already assessed under resolution 64/275 for the period from 1 July to 31 December 2010.

GENERAL ASSEMBLY ACTION

On 24 December [meeting 73], the General Assembly, on the recommendation of the Fifth Committee [A/65/654], adopted **resolution 65/255** without vote [agenda items 147 & 148].

Financing of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo

The General Assembly,

Having considered the note by the Secretary-General on the financing arrangements for the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo for the period from 1 July 2010 to 30 June 2011, and the related report of the Advisory Committee on Administrative and Budgetary Questions,

Recalling Security Council resolutions 1258(1999) of 6 August 1999 and 1279(1999) of 30 November 1999 regarding, respectively, the deployment to the region of the Democratic Republic of the Congo of military liaison personnel and the establishment of the United Nations Organization Mission in the Democratic Republic of the Congo, and the subsequent resolutions by which the Council decided to extend the mandate of the Mission, the latest of

which was resolution 1925(2010) of 28 May 2010, by which the Council decided to extend the mandate until 30 June 2010 and that, as of 1 July 2010, the Mission would bear the title of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo; also decided that the Stabilization Mission would be deployed until 30 June 2011; and authorized the continuation until that date of up to 19,815 military personnel, 760 military observers, 391 police personnel and 1,050 personnel of formed police units,

Recalling also its resolution 54/260 A of 7 April 2000 on the financing of the Mission and its subsequent resolutions thereon, the latest of which was resolution 64/275 of 24 June 2010,

Recalling further its resolution 58/315 of 1 July 2004,

Reaffirming the general principles underlying the financing of United Nations peacekeeping operations, as stated in General Assembly resolutions 1874(S-IV) of 27 June 1963, 3101(XXVIII) of 11 December 1973 and 55/235 of 23 December 2000,

Noting with appreciation that voluntary contributions have been made to the Mission,

Mindful of the fact that it is essential to provide the Mission with the financial resources necessary to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

1. *Requests* the Secretary-General to entrust the Head of Mission with the task of formulating future budget proposals in full accordance with the provisions of General Assembly resolutions 59/296 of 22 June 2005, 60/266 of 30 June 2006, 61/276 of 29 June 2007 and 64/269 of 24 June 2010, as well as other relevant resolutions;

2. *Takes note* of the status of contributions to the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo as at 3 December 2010, including the contributions outstanding in the amount of 266.4 million United States dollars, representing some 3 per cent of the total assessed contributions, notes with concern that only fifty Member States have paid their assessed contributions in full, and urges all other Member States, in particular those in arrears, to ensure payment of their outstanding assessed contributions;

3. *Expresses its appreciation* to those Member States that have paid their assessed contributions in full, and urges all other Member States to make every possible effort to ensure payment of their assessed contributions to the Mission in full;

4. *Expresses concern* at the financial situation with regard to peacekeeping activities, in particular as regards the reimbursements to troop contributors that bear additional burdens owing to overdue payments by Member States of their assessments;

5. *Also expresses concern* at the delay experienced by the Secretary-General in deploying and providing adequate resources to some recent peacekeeping missions, in particular those in Africa;

6. *Emphasizes* that all future and existing peacekeeping missions shall be given equal and non-discriminatory treatment in respect of financial and administrative arrangements;

7. *Also emphasizes* that all peacekeeping missions shall be provided with adequate resources for the effective and efficient discharge of their respective mandates;

8. *Requests* the Secretary-General to ensure that proposed peacekeeping budgets are based on the relevant legislative mandates;

9. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions, subject to the provisions of the present resolution, and requests the Secretary-General to ensure their full implementation;

10. *Takes note* of paragraph 16 of the report of the Advisory Committee on Administrative and Budgetary Questions;

11. *Decides* to approve the establishment of 39 temporary positions, including 23 United Nations Volunteer positions, to be funded under general temporary assistance, to support the voter registration process in connection with the preparation for the conduct of elections and to support justice-related programmes, and in addition to the civilian staffing establishment approved for the United Nations Organization Mission in the Democratic Republic of the Congo for the period 2010/11 under the provisions of General Assembly resolution 64/275;

12. *Requests* the Secretary-General to ensure the full implementation of the relevant provisions of resolutions 59/296, 60/266, 61/276 and 64/269;

13. *Also requests* the Secretary-General to take all action necessary to ensure that the Mission is administered with a maximum of efficiency and economy;

14. *Further requests* the Secretary-General, in order to reduce the cost of employing General Service staff, to continue efforts to recruit local staff for the Mission against General Service posts, commensurate with the requirements of the Mission;

Financing arrangements for the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo for the period from 1 July 2010 to 30 June 2011

15. *Takes note* of the note by the Secretary-General on the financing arrangements for the Mission for the period from 1 July 2010 to 30 June 2011;

Financing of the appropriation

16. *Decides*, taking into account the amount of 682,500,000 dollars already apportioned for the period from 1 July to 31 December 2010 under the terms of resolution 64/275, to apportion among Member States the additional amount of 682,500,000 dollars for the maintenance of the Mission for the period from 1 July 2010 to 30 June 2011, in accordance with the levels updated in General Assembly resolution 64/249 of 24 December 2009, and taking into account the scale of assessments for 2011, as set out in Assembly resolution 64/248 of 24 December 2009;

17. *Also decides* that, in accordance with the provisions of its resolution 973(X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 16 above, their respective share in the Tax Equalization Fund of the amount of 15,345,950 dollars, representing the estimated additional staff assess-

ment income approved for the Mission for the period from 1 July 2010 to 30 June 2011;

18. *Emphasizes* that no peacekeeping mission shall be financed by borrowing funds from other active peacekeeping missions;

19. *Encourages* the Secretary-General to continue to take additional measures to ensure the safety and security of all personnel participating in the Mission under the auspices of the United Nations, bearing in mind paragraphs 5 and 6 of Security Council resolution 1502(2003) of 26 August 2003;

20. *Invites* voluntary contributions to the Mission in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure and practices established by the General Assembly;

21. *Decides* to keep under review during its sixty-fifth session the items entitled "Financing of the United Nations Organization Mission in the Democratic Republic of the Congo" and "Financing of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo".

On the same date, the Assembly, **by decision 65/544**, decided that the item on the financing of MONUSCO would remain for consideration during its resumed sixty-fifth (2011) session.

Burundi

The situation in Burundi in 2010 was characterized by significant progress as the country moved away from a violent past. Despite the deep divide among political actors, the country held five consecutive elections (communal, presidential, legislative, senatorial and *collinaire*) between 24 May and 7 September. Incumbent President Pierre Nkurunziza was re-elected with 91 per cent of the vote. He nominated a new Government with 21 ministers, reflecting the composition of the National Assembly. In the light of the progress made and following discussions with the Government, the Secretary-General recommended that the United Nations Integrated Office in Burundi (BINUB), whose mandate was to expire on 31 December, be succeeded by a scaled-down UN presence to support the Government's efforts in consolidating democracy and paving the way for sustainable development. The establishment of the new UN presence, the United Nations Office in Burundi (BNUB), was approved by the Security Council in December for an initial period of one year, effective 1 January 2011. Karin Landgren (Sweden) was appointed Special Representative of the Secretary-General and Head of BNUB.

Political and security developments

On 10 May [S/PV.6309], the Security Council met to discuss the situation in Burundi. Charles Petrie, Executive Representative of the Secretary-General

and Head of BINUB, briefed the Council on preparations for elections. He said that the electoral calendar had been established in December 2009 [YUN 2009, p. 142]. In the event that a second round of presidential elections were necessary, it would be held on 26 July. The issuance of some 900,000 free identity cards and the authorized use of other documentation paved the way for voter registration, which took place from 21 January to 8 February. Some 3,541,596 voters were registered and the preliminary voters list published. So far, 24 political parties had submitted the names of their candidates for the communal elections, 12 of which had registered in 50 per cent of the communes, while five had registered in all 129 communes. Fifteen parties had designated presidential candidates, and there were two independent candidates. The National Independent Electoral Commission planned to establish 7,000 polling stations countrywide. The code of conduct established for political parties, the media and the administration had been signed by almost all concerned, except the Front pour la démocratie au Burundi and the Conseil national pour la défense de la démocratie-Nyangoma. The technical commission to coordinate all dimensions of the election was working on an integrated security plan. On 4 May, President Pierre Nkurunziza issued a decree setting the duration of the campaign from 5 to 18 May. At the President's request, a number of international partners had committed to deploying long-term electoral observers. International experts supported by the United Nations also provided technical assistance.

The elections were taking place against the backdrop of the violence and human suffering that had affected the country. Challenges ahead related particularly to the tightness of the electoral calendar and the management of possible tensions during and after the elections. The United Nations had established a task force to closely monitor and react to contingency needs for logistical or other support to the National Independent Electoral Commission.

The Executive Representative observed that the elections represented two decades of hard work in the cause of peace in Burundi, and the preparations for them were grounds for cautious optimism. Beyond the elections, the country would continue to face socio-economic, political and security challenges. Continued close engagement by the international community would remain crucial to ensuring that the country continued on its path of economic recovery and sustainable development.

Report of Secretary-General (November). In his seventh report on BINUB [S/2010/608], the Secretary-General said that communal elections were held on 24 May. Twenty-four political parties participated, only five of which had registered candidates in all 129 communes. At the national level, the Conseil national

pour la défense de la démocratie-Forces pour la défense de la démocratie (CNDD-FDD) obtained 64 per cent of the votes; the Forces nationales de libération (FNL) 14 per cent; the Union pour le progrès national (UPRONA) 6 per cent; Sahwanya-Front pour la démocratie au Burundi (Sahwanya-FRODEBU) 5 per cent; the Mouvement pour la solidarité et la démocratie (MSD) 4 per cent; and the Union pour la paix et le développement-Zigamibanga (UPD-Zigamibanga) 2 per cent. The other 18 political parties and independent candidates shared less than 4 per cent of the remaining votes. A group of 12 opposition political parties, including FNL, Sahwanya-FRODEBU, CNDD, MSD and UPD, rejected the election results, alleging massive fraud and irregularities, questioned the neutrality of the Independent National Electoral Commission, and called for the re-holding of the communal polls. National and international observers, however, declared that the elections were conducted in conformity with international norms, and that any irregularities observed during the polls were not significant enough to bring into question the credibility of the results.

On 1 June, FNL, Sahwanya-FRODEBU, CNDD, MSD and UPD-Zigamibanga withdrew their respective candidates from the presidential election, followed, on 4 June, by UPRONA. On 7 June, the 12 parties, in a formal coalition, known as the Alliance démocratique pour le changement-Ikibiri (ADC-Ikibiri), urged their elected councillors not to take up their seats in communal councils, and accused the international community of bias towards CNDD-FDD, owing to its recognition of the results of the communal election.

During his visit to Burundi on 9 June, the Secretary-General warned against any recourse to violence in the resolution of political disputes and encouraged all parties to pursue dialogue. He appealed to those parties challenging the results of the communal elections to channel their claims through national legal mechanisms and remedies.

Following rumours of the imminent arrest of FNL President Agathon Rwasa on 16 June, some 200 FNL youth gathered around his residence in Bujumbura, leading to clashes between his supporters and the national police. On 23 June, Mr. Rwasa disappeared from his residence, and his whereabouts remained unknown. In correspondence addressed to the media, Mr. Rwasa alleged that his decision to flee had been triggered by threats by State officials to incriminate him. Other prominent opposition leaders also fled the country, allegedly for fear of political persecution, including Pascaline Kampayano of UPD-Zigamibanga, CNDD President Leonard Nyangoma; the President of the Alliance démocratique pour le renouveau (ADR), Alice Nzomukunda; and MSD President Alexis Sinduhije.

Presidential elections were held on 28 June, despite the continuing boycott by ADC-Ikibiri. The sole candidate, the incumbent President, was re-elected with 91 per cent of the votes. The Independent National Electoral Commission announced a turnout of 76 per cent, compared with 91 per cent in the communal elections. International observers commended the Commission for the management of the presidential elections, but deplored the political background against which they were held, including the boycott by the opposition, the prohibition of any political campaign against the single candidate, and several acts of violence before and after the campaign, as well as numerous cases of arrest of members of opposition political parties.

Elections for the National Assembly were held on 23 July. ADC-Ikibiri continued its boycott, in spite of attempts by the international community and the Independent National Electoral Commission to encourage its participation. Participants in the elections included CNDD-FDD, UPRONA, FRODEBU-Nyakuri and a coalition of 10 parties called the Coalition pour des élections libres, apaisées et transparentes (CELAT). CNDD-FDD secured 81 seats, UPRONA 17 seats and FRODEBU-Nyakuri 5 seats. International observers described the polls as peaceful and well organized, although they deplored the arrest of several opposition party members and the reluctance of the Independent National Electoral Commission to adopt measures to enhance the transparency of the electoral process.

On 28 July, the Independent National Electoral Commission proceeded with the indirect elections for the Senate by communal councillors. ADC-Ikibiri members, however, refused to take up their seats in the communal councils. CNDD-FDD and UPRONA were the only parties that took part, and CNDD-FDD won 32 of the 34 seats, further increasing its majority in all elected State institutions. On 29 July, President Nkurunziza confirmed the appointments of the communal administrators of 105 communes who had been elected by their bureaux, out of a total of 129 communes nationwide. The elections of administrators in communes won by opposition parties were hampered by the ADC-Ikibiri boycott of the communal councils.

The electoral cycle concluded in September with the *collinaire* elections, which observers deemed peaceful and well organized. The elections resulted in institutions that continued to respect the balance, enshrined in the Constitution, between the ethnic groups as envisaged for both the National Assembly and the Senate. On 1 August, some former and recently expelled FNL members organized an extraordinary meeting to replace the executive organ of the party, most notably its President, Agathon Rwasa, on the grounds of dereliction with respect to his post.

Subsequently, the Minister of the Interior endorsed the outcome of the meeting.

On 26 August, President Nkurunziza was inaugurated for a second term. In his inaugural speech, he announced the priorities of his new Government, including fighting corruption, promoting security and fostering national reconciliation, including through transitional justice and the accommodation of all political parties. The following day, he nominated a new Government that reflected the composition of the National Assembly, comprising 21 ministers: 14 from CNDD-FDD, 3 from UPRONA, 1 from FRODEBU-Nyakuri and 3 from civil society.

Under-Secretary-General for Political Affairs B. Lynn Pascoe visited Burundi on 3 September. During his meeting with President Nkurunziza, he encouraged inclusiveness and continued political space for opposition parties not represented in the National Assembly in order to foster national reconciliation.

Steady progress was recorded in the reintegration of ex-combatants. In May, under the World Bank-supported Emergency Demobilization and Transitional Reintegration Project, the Government paid the final instalment of reintegration assistance to 6,504 demobilized FNL and FNL dissident combatants in their respective communities. Under the community recovery programme, co-funded by the Peacebuilding Fund and the United Nations Development Programme (UNDP), approximately 3,781 former “adults associated with FNL combatants” were employed in labour-intensive infrastructural projects in Cibitoke, Bubanza and Bujumbura Rural provinces.

Over the previous year, there had been a significant increase in human rights violations. Throughout the electoral period, in particular, BINUB observed severe restrictions on the freedom of expression and association, as well as violations of the right to liberty and security of persons. In the aftermath of the elections, incarceration of members of opposition parties continued, as well as an increase in the repression of journalists. The consolidation of the rule of law faced numerous challenges, and the independence of the judiciary remained of particular concern. The recruitment of judges and prosecutors lacked transparency, as the Ministry of Justice continued to make appointments without consulting the High Judicial Council; however, efforts to establish a professional training centre for the judiciary were a welcome development. The performance of the judicial system was hampered by delays in adjudicating cases and the absence of bailiffs, which, in turn, resulted in the non-enforcement of court decisions and bottlenecks in the system. National consultations on the establishment of transitional justice mechanisms were completed nationwide in December 2009. Consultations with the diaspora were held in February and March 2010, in

Belgium and the United Republic of Tanzania, with the support of the Peacebuilding Fund. The report of the consultations was completed on 20 April and submitted to the President.

Transition from BINUB to BNUB. In keeping with the Security Council’s request in resolution 1902(2009) [YUN 2009, p. 140], the Secretary-General recommended changes to the direction and composition of the UN presence in Burundi. He had dispatched a multi-disciplinary strategic assessment mission and a technical design mission to Burundi in August and October, respectively. On the basis of the findings of those missions, following consultations with the Government, BINUB, the UN country team and the regional and wider international community, the Secretary-General proposed that BINUB be succeeded in January 2011 by the United Nations Office in Burundi (BNUB).

Over the next five years, the three strategic priorities for the UN system in Burundi would be: completing the process of recovery and stimulating equitable growth; establishing and reinforcing accountable, effective and responsive institutions; and establishing and reinforcing effective mechanisms for dialogue, reconciliation and transitional justice. To meet those priorities and complement the UN country team’s work, BNUB should assist the Government by providing analysis and advice for the establishment and functioning of key institutions in conformity with international standards and principles; monitoring key democracy and governance indicators; providing political advice to UN country team programming, as well as other key regional, international and multilateral partners, in particular in peacebuilding and governance; providing analysis, advice and assistance concerning the establishment and strengthening of key human rights and justice institutions and oversight mechanisms; monitoring of and reporting on the human rights situation and strengthening national civil society; advocating for the establishment of transitional justice mechanisms in accordance with international standards, and providing operational support to the functioning of such bodies; advising on security sector and rule-of-law issues; advising on and monitoring the reform of the legal frameworks for increased independence of the justice sector and performance of its oversight role; supporting Burundi as the 2011 Chair of the East African Community, and advising on regional integration issues; facilitating and promoting dialogue between national actors and supporting mechanisms for broad-based participation in political life; and assisting in the coordination of international partners and the mobilization of resources for Burundi, and helping to promote growth.

BNUB would be headed by a Special Representative of the Secretary-General, who would be assisted by a Deputy Special Representative/Resident Coordinator/Resident Representative/Humanitarian Coordinator. The office would comprise a political governance section and an integrated human rights and justice section. BNUB's overall size would be smaller than that of BINUB, in accordance with the Government's request. Sufficient expertise and capacity, however, should be retained to help manage its downsizing and eventual liquidation. To avoid a repeat of the tension created among national staff with respect to the scaling down from the former United Nations Operation in Burundi (ONUB) to BINUB—who continued to demand reparations for various reasons, including wrongful dismissal, and to stage demonstrations, destroy UN property and threaten to kidnap UN staff—the Secretary-General urged the Government to work closely with the United Nations to assist BINUB national staff in their transition to either the public or the private sector. He recommended that BINUB, whose mandate would expire on 31 December, be succeeded by a scaled-down UN presence to support the Government's efforts in consolidating democracy and paving the way for sustainable development, and that the Council approve the establishment of BNUB for an initial period of one year, effective 1 January 2011.

Security Council consideration. On 9 December [S/PV.6439], the Security Council met to consider the Secretary-General's report on BINUB. The Council was briefed by Charles Petrie, the Executive Representative of the Secretary-General and Head of BINUB, and Paul Seger, Chair of the Burundi configuration of the Peacebuilding Commission. The Council President invited Council members to informal consultations to continue their discussion on the subject.

The Council considered the Secretary-General's report on BINUB again on 16 December [S/PV.6451] and adopted resolution 1959(2010) establishing BNUB (see below).

SECURITY COUNCIL ACTION

On 16 December [meeting 6451] the Security Council unanimously adopted **resolution 1959(2010)**. The draft [S/2020/640] was submitted by France.

The Security Council,

Recalling its resolutions and the statements by its President on Burundi, in particular resolutions 1719(2006) of 25 October 2006, 1791(2007) of 19 December 2007, 1858(2008) of 22 December 2008 and 1902(2009) of 17 December 2009,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Burundi,

Taking note with appreciation of the successful holding of five consecutive elections between May and September 2010, which, despite divisions between political actors, did

not lead to large-scale violence and constitute an important milestone in the consolidation of peace and democracy as well as sustainable development in Burundi,

Encouraging the efforts of the Government of Burundi to create a space for all political parties and to continue improving dialogue between all actors, including civil society,

Commending the valuable contribution that the United Nations Integrated Office in Burundi has made to the recovery of Burundi from conflict and to the peace, security and development of the country,

Welcoming the progress that Burundi has made towards peace, stability and development, and emphasizing the need for the United Nations system and the international community, including the international financial institutions and Burundi's development partners, to maintain their support for peace consolidation and long-term development in Burundi,

Supporting the renewed commitment of Burundi to "zero tolerance" for corruption,

Welcoming the continued engagement of the Peacebuilding Commission in Burundi and the recent visit of the Chair of the Burundi configuration of the Commission, taking note of the January 2010 review of progress in the implementation of the Strategic Framework for Peacebuilding in Burundi and of the briefing by the Chair of the Burundi configuration of the Commission on 9 December 2010, and acknowledging the contribution that the Peacebuilding Fund has made to peacebuilding in Burundi,

Supporting the commitment of Burundi to regional integration, notably in the Economic Community of the Great Lakes Countries and the East African Community, and its efforts to ensure the success of its chairing of the East African Community in 2011,

Recognizing the importance of transitional justice in promoting lasting reconciliation among all the people of Burundi, and noting with appreciation the completion of the national consultations on the establishment of the transitional justice mechanisms, in accordance with Security Council resolution 1606(2005) of 20 June 2005 as well as the Arusha Agreement of 2000,

Noting with great concern the reports of continuing human rights violations, in particular extrajudicial killings and torture, and restrictions on civil liberties, including restrictions on the freedom of expression, association and assembly of opposition parties and civil society organizations,

Encouraging the Government of Burundi to protect civil liberties and to fight impunity, particularly by ensuring that those responsible for incidents of torture, extrajudicial killings and mistreatment of detainees are brought to justice,

Recalling its resolutions 1325(2000) of 31 October 2000, 1820(2008) of 19 June 2008, 1888(2009) of 30 September 2009 and 1889(2009) of 5 October 2009 on women and peace and security, its resolutions 1674(2006) of 28 April 2006 and 1894(2009) of 11 November 2009 on the protection of civilians in armed conflict and its resolutions 1612(2005) of 26 July 2005 and 1882(2009) of 4 August 2009 on children and armed conflict,

Having considered the seventh report of the Secretary-General on the United Nations Integrated Office in Burundi,

1. *Requests* the Secretary-General to establish the United Nations Office in Burundi, as recommended in

his report, as a significantly scaled-down United Nations presence, for an initial period of twelve months beginning on 1 January 2011, with the key tasks as specified in paragraph 3 below, to support the progress achieved in recent years by all national stakeholders in consolidating peace, democracy and development in Burundi;

2. *Welcomes* the recommendation of the Secretary-General that the United Nations Office in Burundi should be headed by a Special Representative of the Secretary-General, assisted by a Deputy Special Representative who would serve as United Nations Resident Coordinator and Humanitarian Coordinator, as well as Resident Representative of the United Nations Development Programme, and recognizes the need for appropriate expertise and adequate material resources, in order that the Office can effectively and efficiently implement its mandate;

3. *Requests* that the United Nations Office in Burundi focus on and support the Government of Burundi in the following areas:

(a) Strengthening the independence, capacities and legal frameworks of key national institutions, in particular judicial and parliamentary institutions, in line with international standards and principles;

(b) Promoting and facilitating dialogue between national actors and supporting mechanisms for broad-based participation in political life, including for the implementation of development strategies and programmes in Burundi;

(c) Supporting efforts to fight impunity, particularly through the establishment of transitional justice mechanisms to strengthen national unity and promote justice and reconciliation within Burundi's society, and providing operational support to the functioning of these bodies;

(d) Promoting and protecting human rights, including strengthening national capacities in that area, as well as national civil society;

(e) Ensuring that all strategies and policies with respect to public finance and the economic sector, in particular the next poverty reduction strategy paper, have a focus on peacebuilding and equitable growth, addressing specifically the needs of the most vulnerable populations, and advocating for resource mobilization for Burundi;

(f) Providing support to Burundi as Chair of the East African Community in 2011 as well as providing advice, as requested, on regional integration issues;

4. *Underscores* the need for a smooth transition from the United Nations Integrated Office in Burundi to the United Nations Office in Burundi;

5. *Underlines* the importance of establishing a fully integrated office with effective coordination of strategies and programmes among the United Nations agencies, funds and programmes in Burundi, and emphasizes the need for the United Nations system to support and cooperate fully with the United Nations Office in Burundi;

6. *Recognizes* the primary responsibility of the Government of Burundi for peacebuilding, security and long-term development in the country, and encourages the Government to pursue its efforts regarding peace consolidation challenges, in particular democratic governance, the fight against corruption, security sector reform, justice and the protection of human rights, with a special focus on the rights of women and children as well as marginalized and vulnerable minorities;

7. *Encourages* the Government of Burundi, with the support of the United Nations Office in Burundi and other international partners, to redouble its efforts to pursue structural reforms aimed at improving political, economic and administrative governance and tackling corruption, with a view to setting up strong drivers for sustained and equitable social and economic growth;

8. *Underscores* the importance of security sector reform, and urges all international partners, together with the United Nations Office in Burundi, to continue supporting the efforts of the Government of Burundi to professionalize and enhance the capacity of the national security services and the police, in particular in the fields of training on human rights and sexual and gender-based violence, and with a view to consolidating security sector governance;

9. *Commends* the Government of Burundi for the completion of the reintegration of the last groups of children formerly associated with armed groups and of ex-combatants, encourages the Government to ensure that these results are sustainable, encourages the Peacebuilding Commission to consider what specific actions it could undertake to bolster its support to the sustainable reintegration of war-affected populations and other vulnerable groups, and supports the efforts of the Government in the voluntary civilian disarmament campaign and the launch of the Burundian National Police arms marking and registration process;

10. *Encourages* the Government of Burundi, the Peacebuilding Commission and Burundi's national and international partners to honour the commitments they have made under the Strategic Framework for Peacebuilding in Burundi, requests the Commission, with support from the United Nations Office in Burundi, to continue to assist the Government in laying the foundations for sustainable peace and security, reintegration and long-term development in Burundi, including ensuring that progress is made in the implementation of the rule of law and that peacebuilding objectives are fully taken into account in the future strategic planning processes, in particular the poverty reduction strategy paper, and requests the Commission to provide advice to the Security Council on these issues;

11. *Urges* the Government of Burundi to investigate reports of human rights violations, to take the steps necessary to prevent further violations and to ensure that those responsible for such violations are brought to justice;

12. *Calls upon* the Government of Burundi to pursue its efforts to ensure the promotion and protection of human rights and to swiftly establish the National Independent Human Rights Commission, in conformity with the Paris Principles outlined in the annex to General Assembly resolution 48/134 of 20 December 1993, and further encourages the Government to continue its fight against impunity and to take the measures necessary to ensure that its citizens fully enjoy their civil, political, social, economic and cultural rights as enshrined in the Constitution of Burundi and provided for in international human rights instruments, including those ratified by Burundi;

13. *Welcomes* the completion of the national consultations on the establishment of transitional justice mechanisms, commends the Government of Burundi for publishing the report on those consultations, and encourages the Government, with the support of international partners

and the United Nations Office in Burundi as appropriate, to establish the proposed mechanisms;

14. *Also welcomes* the recent tripartite agreement between Burundi, the Democratic Republic of the Congo and the Office of the United Nations High Commissioner for Refugees as well as the progress towards achieving dignified durable solutions for refugees living in the United Republic of Tanzania, and encourages a sustained effort to find solutions with regard to the residual Burundi refugee caseload, in compliance with relevant international law;

15. *Requests* the Secretary-General to keep the Council informed every six months on the implementation of the mandate of the United Nations Office in Burundi and the present resolution, with a briefing by 31 May 2011 and a report by 30 November 2011, and calls upon the Secretary-General to develop a set of benchmarks for the future evolution of the Office into a United Nations country team presence and to report regularly on their progress to the Council;

16. *Decides* to remain actively seized of the matter.

Year-end developments. In a later report [S/2011/751], the Secretary-General indicated that on 7 December, the Tripartite Committee submitted the national consultations report to President Nkurunziza, thus concluding the consultative exercise on the establishment of transitional justice mechanisms.

Peacebuilding Commission

Review of Strategic Framework. In March, the Peacebuilding Commission considered the fourth progress report [PBC/4/BDI/1] on the implementation of the Strategic Framework for Peacebuilding in Burundi [YUN 2007, p. 52]. The report reviewed progress and trends in good governance, the 2006 Ceasefire Agreement between the Government and the Forces nationales de liberation (FNL) [YUN 2006, p. 153], the security sector, justice and the rule of law, socio-economic issues, regional integration, and aid coordination. The report showed that the Government and its partners had made efforts to improve governance and fight corruption. The Ombudsman institution was established and financing allocated for its functioning. The disarmament of civilians had been expedited following the enactment of the small arms and light weapons act, and the demobilization process for former FNL combatants and dissidents and the reinsertion of its associated adults and children had been completed. Efforts to strengthen the capacity of judges and the police to implement the new provisions introduced into the Penal Code were ongoing; however, implementation needed to await the promulgation of the code of criminal procedure. The bill on the establishment of the national independent human rights commission was before Parliament. The national strategy for sustainable integration had been prepared. The report contained recommendations under each area reviewed.

In its conclusion on the fourth biannual review of the Strategic Framework [PBC/4/BDI/3], the Commission welcomed the progress made in preparation for the elections and the efforts of the Government to improve governance and the fight against corruption. It recognized the challenges identified in the report and stressed the need for further engagement by all actors to support national efforts in addressing them. It endorsed the Government's recommendations contained in the report, including ensuring an environment conducive to the holding of free, fair and peaceful elections and respecting the results by all; encouraging political parties, the media and youth groups to respect the Codes of Conduct that they had signed; establishing a realistic action plan to reinforce anti-corruption mechanisms and institutions and providing the judicial system with the means to prosecute offences linked to corruption; starting implementation of the national action plan for the reform of the defence and security system; professionalizing the defence and security forces; increasing efforts to disarm the civilian population and control arms held by security and defence forces in order to strengthen security; finalizing the proposed law establishing the National Independent Human Rights Commission; and correcting and promulgating the Penal Code.

On 16 December, the Security Council, in resolution 1959(2010) (see p. 144), took note of the fourth review of progress in the implementation of the Strategic Framework for Peacebuilding in Burundi.

(For information on the Peacebuilding Commission, see p. 55.)

Children and armed conflict

Communication. On 26 January [S/2010/45], the Security Council President transmitted to the Secretary-General an 11 January letter from the Chairman of the Council's Working Group on Children and Armed Conflict, as a follow-up to the Working Group's 2009 recommendations to the Council [YUN 2009, p. 144]. The Chairman commended the efforts of the Special Representative for Children and Armed Conflict, BINUB, and the United Nations Children's Fund, in coordination with the Government, in contributing to the protection of children and engagement with FNL and its alleged dissidents to put an end to child recruitment and facilitate the release of affected children. The Chairman urged the Secretary-General to support and integrate child protection in Burundi's disarmament, demobilization and reintegration (DDR) process and to call upon the international community to continue allocating funds for capacity-building and DDR for children.

Report of Secretary-General. The Secretary-General, in his April report on children and armed conflict [A/64/742-S/2010/181], indicated that the United Nations had verified that all children associated with FNL were released through a formal DDR process in June 2009, and reunified with their families. It had also been confirmed that FNL had ceased recruitment, and no new reported cases of recruitment or use of children by the group had been recorded. On that basis, FNL would be removed from the lists annexed to his 2009 report [YUN 2009, p. 144] on parties that recruit or use children. The country task force would continue to monitor compliance by FNL and its alleged dissident groups to ensure that efforts were made to prevent the recruitment or re-recruitment of children. Sexual violence against children, however, continued to be of concern. An increase was noted in the number of rape cases committed by civilians, while cases committed by members of security and defence forces had decreased. BINUB had received reports about members of the youth wing of the ruling CNDD-FDD party, the Imbonerakure, being involved in community patrols, guarding premises and accompanying public and police officials during arrest procedures, allegedly sanctioned by the authorities.

The Secretary-General noted that the revised penal code prohibited the enlistment of children into the national defence forces, laid down 18 years as the minimum age for conscription, raised the age of criminal responsibility to 15 years, provided alternatives to imprisonment, and strengthened sentences against perpetrators of violations against children, in particular sexual violence.

The Security Council, in presidential statement **S/PRST/2010/10** of 16 June (see p. 756), welcomed the progress made in preventing and responding to violations and abuses committed against children, and reiterated its call on parties to armed conflict listed in the annexes of the Secretary-General's report on children and armed conflict that had not already done so to prepare and implement action plans to halt the recruitment and use of children, patterns of killing and maiming of children and/or rape, and other sexual violence against children, in violation of applicable international law, in situations of armed conflict.

BINUB

BINUB, established by Security Council resolution 1719(2006) [YUN 2006, p. 153], continued to support the Government in its efforts towards achieving long-term peace and stability and coordinating the work of UN agencies in the country. Its main focus in 2010 was on providing logistical support to the Independent Electoral Commission during the electoral process. Headquartered in the capital, Bujumbura, BINUB was headed by the

Secretary-General's Executive Representative for Burundi, Charles Petrie (United Kingdom), who was appointed on 23 March [S/2010/156, S/2010/157] to replace Youssef Mahmoud (Tunisia).

Financing

In October [A/65/328/Add.3], the Secretary-General proposed, in the context of estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council, resource requirements for BINUB for 2011 in the amount of \$39,933,600 net (\$43,602,600 gross). The net unencumbered balance for 2010 was projected to be \$325,600. In a later October report [A/65/328], those requirements were adjusted to \$39,608,000 net (\$39,933,600 gross).

ACABQ, in its December report [A/65/602], recommended approval of the requested staffing changes for BINUB for 2011. Pending the outcome of discussions in the Security Council on the UN follow-on presence to succeed BINUB, the Committee recommended that the Assembly appropriate 50 per cent of the resource requirements for 2011, and that the Secretary-General submit a revised proposal for the Assembly's consideration no later than at its first resumed sixty-fifth (2011) session.

The Fifth Committee [A/65/602/Add.1] recommended an amount of \$14,641,200 for BINUB in the 2010–2011 proposed programme budget.

The Assembly, in section XIII of **resolution 65/259** of 24 December (see p. 1433), endorsed ACABQ's conclusions and recommendations and requested the Secretary-General to submit resource requirements for 2011 for BINUB or its successor for consideration at the first part of its resumed sixty-fifth (2011) session. It noted that the interim funding provided for BINUB should not affect the contractual conditions of the staff.

The Assembly, in **resolution 65/260 A–C** (see p. 1425) of the same date, approved the amount of \$14,641,200 for BINUB in the 2010–2011 programme budget.

BNUB

BNUB, established by Security Council resolution 1959(2010) of 16 December (see p. 144) for an initial period of 12 months, effective 1 January 2011, was mandated to support the Government in strengthening the independence, capacities and legal frameworks of key national institutions; promoting and facilitating dialogue between national actors and supporting mechanisms for broad-based participation in political life; fighting impunity, particularly through the establishment of transitional justice mechanisms, and providing operational support to the function-

ing of those bodies; promoting and protecting human rights; and ensuring that all finance and economic sector strategies and policies focused on peacebuilding and equitable growth, addressing the needs of the most vulnerable, and advocating for resource mobilization for Burundi.

The Office was to be headed by a Special Representative of the Secretary-General. On 22 December [S/2010/677], the Secretary-General appointed Karin Landgren (Sweden) as the Special Representative of the Secretary-General and Head of BNUB. The Council noted the Secretary-General's intention on 30 December [S/2010/678].

ONUB

ONUB, established in 2004 [YUN 2004, p. 145], concluded its mandate on 31 December 2006 [YUN 2006, p. 157] and was replaced by BINUB on 1 January 2007.

Financing

The Secretary-General, in his final performance report on ONUB [A/64/610], indicated that income totalled \$836,902,000, and expenditure for the period from 21 April 2004 to 30 June 2009 amounted to \$722,037,000, which was partially offset by \$35,607,000 in cancellation of prior-period obligations, resulting in net expenditure of \$686,430,000. The unencumbered balance amounted to \$150,472,000, while credits returned to Member States stood at \$140,854,000. As at 30 June 2009, the fund balance was \$9,618,000 and the cash balance \$8,389,000.

ACABQ, in its February report [A/64/650], recommended that the available cash balance be credited to Member States in a manner to be decided by the Assembly.

GENERAL ASSEMBLY ACTION

On 24 June [meeting 101], the General Assembly, on the recommendation of the Fifth Committee [A/64/821], adopted **resolution 64/272** without vote [agenda item 147].

Financing of the United Nations Operation in Burundi

The General Assembly,

Having considered the report of the Secretary-General on the final performance of the United Nations Operation in Burundi and the related report of the Advisory Committee on Administrative and Budgetary Questions,

1. *Takes note* of the status of contributions to the United Nations Operation in Burundi as at 30 April 2010, including the credits in the amount of 26.3 million United States dollars;

2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Ad-

ministrative and Budgetary Questions, subject to the provisions of the present resolution, and requests the Secretary-General to ensure their full implementation;

3. *Takes note* of the report of the Secretary-General on the final performance of the Operation;

4. *Decides* that Member States that have fulfilled their financial obligations to the Operation shall be credited with their respective share of the net cash available in the Special Account for the United Nations Operation in Burundi in the amount of 9,523,300 dollars as at 30 April 2010, in accordance with the levels updated in General Assembly resolution 61/243 of 22 December 2006, and taking into account the scale of assessments for 2007, as set out in Assembly resolution 61/237 of 22 December 2006;

5. *Encourages* Member States that are owed credits referred to in paragraph 4 above to apply those credits to any accounts where they have outstanding assessed contributions;

6. *Urges* all Member States to make every possible effort to ensure payment of their assessed contributions in full;

7. *Decides* that, for Member States that have not fulfilled their financial obligations to the Operation, their respective share of the net cash available in the Special Account for the Operation in the amount of 9,523,300 dollars as at 30 April 2010 shall be set off against their outstanding obligations, in accordance with the scheme set out in paragraph 4 above;

8. *Also decides* that updated information on the financial position of the Operation shall be included in the report on the updated position of closed peacekeeping missions, to be considered by the General Assembly at its sixty-fifth session under the item entitled "Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations";

9. *Further decides* to delete from its agenda the item entitled "Financing of the United Nations Operation in Burundi".

Central African Republic

In 2010, the Central African Republic (CAR) made concerted efforts to implement the recommendations of the 2008 inclusive political dialogue [YUN 2008, p. 157], particularly the preparations for holding elections and steps to move forward the disarmament, demobilization and reintegration (DDR) process. The elections, scheduled for 16 May, however, had to be postponed owing to technical and logistical difficulties. The National Assembly therefore amended the Constitution to allow the President and Assembly members to remain in office until elections could be held. Subsequently, the President, by decree, set 23 January 2011 as the new date for the first round of the presidential and legislative elections. The Independent Electoral Commission agreed on a revised electoral timetable, establishing dates for voter registration, the nomination of candidates and a possible second round of presidential and legislative elections on 20 March 2011.

Despite delays in the implementation of the DDR programme, progress was made in the development of a national reintegration strategy for former combatants. The Disarmament, Demobilization and Reintegration Steering Committee approved the establishment of the Working Group on Reintegration to facilitate the development of a national strategy for the reintegration of former combatants. Meanwhile, the overall security situation in the country remained volatile owing to the ongoing internal rebellion in the north, the activities of road bandits and poachers, the lack of significant progress in DDR, setbacks in the electoral process and the presence of foreign rebel elements, including those associated with the Ugandan Lord's Resistance Army (LRA).

The United Nations advanced its integration process, with the establishment on 1 January of the Integrated Peacebuilding Office in the Central African Republic (BINUCA). The Policy and Coordination Group drafted an integrated strategic framework, which projected a shared vision of UN strategic objectives in support of the country's progress towards peace consolidation. It defined agreed results to be achieved by BINUCA and the UN country team. The Secretary-General recommended that the Office's mandate be extended until 31 December 2011.

Political and security developments

Report of Secretary-General (June). In his June report on the situation in the CAR and on the activities of BINUCA [S/2010/295], the Secretary-General indicated that efforts continued to implement the recommendations of the December 2008 inclusive political dialogue [YUN 2008, p. 157], particularly those relating to the DDR programme and preparations for presidential and legislative elections. The Dialogue Follow-up Committee, established in January 2009 [YUN 2009, p. 148], in its assessment report published in January 2010, noted that only 44 of the 116 recommendations adopted by the inclusive political dialogue had been fully implemented, representing an execution rate of 37.93 per cent. The highest rate of implementation was related to recommendations dealing with socio-economic issues, while those pertaining to security and armed groups registered the lowest implementation rates. The Dialogue Follow-up Committee dispatched three sensitization missions to various parts of the country, including localities affected by rebellions in the south-east, north-west and north-east, from 30 March to 14 April, which focused on the establishment of local electoral committees, local DDR committees and the security situation in the electoral constituencies. In a 21 April report to the Special Representative of the Secretary-General,

the Committee noted that, owing to a lack of resources, the local electoral committees were not fully operational. The report also highlighted the weakness of the local DDR committees, the delay in the regrouping of the former combatants and restrictions of the free movement of persons in rebel-controlled areas, particularly in the north-western prefectures of Ouham and Ouham-Pendé, which prevented the Committee's team from visiting the towns of Paoua and Ndélé. On 20 April, President François Bozizé issued a decree relieving the Minister of Communication, Cyriaque Gonda, and the Minister of Territorial Administration and Decentralization, Elio Ouéfio, who was also the Minister in charge of elections, of their functions. With regard to the latter, the opposition had made repeated calls for his resignation or replacement on the grounds that his role as Secretary-General of the ruling Kwa na Kwa party was incompatible with that of Minister in charge of elections.

In the preparations for elections, on 14 January, an opposition alliance, the Collectif des forces du changement (CFC)—comprising the main opposition coalitions, the Union des forces vives de la nation (UFVN) and the “other parties” and the politico-military group Armée populaire pour la restauration de la démocratie (APRD)—suspended its participation in the Independent Electoral Commission, thereby paralyzing the electoral process for about two months. That action was prompted by what the opposition characterized as the Commission's lack of impartiality, flaws in the establishment of local electoral committees and the lack of credibility of the electoral list. The opposition also demanded the resignation of the Commission President and the replacement of some of the opposition's representatives on the Commission. In a bid to find a solution to the deepening crisis of confidence, President Bozizé, on 30 January, convened a meeting of national stakeholders and international partners to discuss the opposition's grievances, and mandated the National Mediator, Paulin Pomodimo, former Archbishop of Bangui, to undertake mediation efforts to help resolve the crisis. Those efforts culminated in the signing, on 13 February, of a memorandum of understanding by the Government and the entities that participated in the 2008 inclusive political dialogue, which allowed the opposition to replace some of its representatives in the Commission. It also provided for a review of the composition of the local electoral committees, including those in overseas diplomatic and consular missions; an audit of the Commission's finances; the strengthening of the Commission's capacity, with the support of international partners and available national expertise; and the review and updating of the electoral code of conduct. Subsequently, President Bozizé issued a decree on 24 February allowing the opposition to replace its

representatives in the Independent Electoral Commission. By further decrees issued on 1 and 2 March, respectively, he set 25 April as the date for the first round of parliamentary and presidential elections, and demarcated the constituencies for the legislative elections. The opposition claimed that the setting of 25 April as the date for the polls was based on a unilateral recommendation of the Independent Electoral Commission President and formulated before the new opposition members were sworn in. The opposition also raised questions relating to the state of preparedness of the Independent Electoral Commission, security challenges arising from the DDR process, and the issue of internally displaced populations and refugees, which in its view made it premature to hold elections on that date. The opposition emphasized that progress on DDR, particularly the completion of the disarmament and demobilization of former combatants, was a prerequisite for a reliable voter registration process and for the free movement of political actors in the run-up to any elections.

On 24 March, the Independent Electoral Commission, in a progress report on its activities to the fourth meeting of the Steering Committee on Elections, concluded that it would be technically impossible for the Commission to comply with the initial schedule. The report was generally welcomed by the main international partners. On 30 March, President Bozizé issued a decree fixing the new date of 16 May for legislative and presidential elections. On 5 April, however, the opposition CFC announced that it would not field candidates because conditions did not exist for transparent, credible and consensual elections. To help resolve the disagreements between the opposition and the Independent Electoral Commission, the Special Envoy of the Secretary-General of the International Organization of la Francophonie, former President Pierre Buyoya of Burundi, arrived in Bangui on 13 April for consultations with national authorities, political parties, civil society and international partners. At the same time, representatives of the international community, along with the Special Representative of the UN Secretary-General, also pursued their facilitation role.

At the eighth meeting of the Steering Committee on Elections on 22 April, the Independent Electoral Commission President acknowledged that, owing to technical and logistical difficulties, the elections could not take place on 16 May, and disclosed that it would formulate a revised electoral schedule. On 29 April, a meeting of national stakeholders and international partners to discuss the crisis in the electoral process, convened by President Bozizé, concluded that the elections should be postponed to allow sufficient time for the preparation and conduct of credible polls. That decision was unanimously welcomed by all national stakeholders, including the opposition. A bill was sub-

sequently tabled in the National Assembly to amend the Constitution so as to allow the President and Assembly members to remain in office beyond the constitutional time frame until elections could be held. The bill was challenged by the opposition and some sections of civil society, who insisted that the issue should be addressed through a political consensus among national stakeholders. The Special Representative held extensive consultations with national stakeholders and international partners, including opposition leaders, civil society representatives and regional and international actors, to support the organization of peaceful, credible and transparent elections.

The second phase of the DDR sensitization campaign, launched on 5 February, was aborted shortly thereafter owing to disagreements between the main rebel movement, APRD, and the Government over the modalities for the payment of daily food allowances. To resolve the impasse, the Disarmament, Demobilization and Reintegration Steering Committee delinked the sensitization campaign from the establishment of local DDR committees and the payment of food stipends. In that context, the establishment of local committees and the payment of food allowances were successfully conducted in the north-western and north-central regions from 1 to 9 March. The sensitization campaign in the north-east was carried out from 14 to 25 May.

The overall security situation in the country remained volatile owing to the ongoing rebellion in the north of the country, the activities of road bandits and poachers, the lack of significant progress in the implementation of DDR, the setbacks in the electoral process and the presence of foreign rebel elements, including those associated with LRA and the Front populaire pour le redressement (FPR) of the Chadian rebel leader General Baba Laddé. Humanitarian operations of UN agencies and NGOs were also hampered by the deterioration in the security situation in certain areas. In Bangui and surrounding areas, the security situation remained calm but tense in the run-up to the elections. Elsewhere, hectic and inconclusive efforts by the Government to negotiate with armed groups that were not part of the Libreville peace process increased tensions in the Vakaga and Bamingui-Bangoran prefectures. On 2 April, the Convention des patriots pour la justice et la paix (CPJP) launched a brutal attack against the town of Ndélé, which was defended by a contingent of the Central African Armed Forces, but failed to take control of it. In the Vakaga prefecture, ethnic tensions linked to access to local resources, including taxes levied on imports from the Sudan, remained high. Several incursions of various armed groups originating from Chad or the Sudan were reported. The north-eastern area of the CAR was increasingly used by those groups as a temporary safe haven. In the south-east, the deployment, since December 2009, of the Ugandan People's

Defence Force (UPDF) in pursuit of LRA elements had restored some measure of security in the town of Obo. Persistent attacks by LRA operating in small groups in rural areas, however, had forced villagers to seek refuge near UPDF bases, leaving the villages empty between Mboki and the border with the Sudan. At least 12 attacks were launched against civilians in various localities between February and April, reportedly resulting in 23 deaths and more than 60 abductions. On 21 March, LRA reportedly attacked Agoumar, where the bodies of 14 villagers killed with axes and machetes were later discovered. The security situation remained particularly tense in the north of Kobo (Ouham prefecture). In April, the country's army, the Forces armées centrafricaines (FACA), reinforced its presence in the area and retook control of the road to Chad. In addition to the December 2009 disappearance of the leader of the former rebel movement Mouvement national du salut de la patrie (MNSP), Hassan Ousman [YUN 2009, p. 151], in January 2010, the former minister and leader of the rebel movement CRJP, Charles Massi, disappeared under unclear circumstances.

The Secretary-General, noting the decision to postpone the elections and the constitutional amendments enabling the President and the National Assembly to remain in office after the expiration of their mandates, urged all stakeholders to show a high level of responsibility and respect for the constitutional order and to agree on a consensual approach to move the electoral process forward. He emphasized the need for the Independent Electoral Commission to formulate, as soon as possible, a clear and realistic calendar for the conduct of elections, expressed concern about the disappearance of political leaders, and called upon the CAR authorities to clarify those occurrences and to be committed to ensuring the safety of the politico-military leaders who had joined the peace process and were currently residing in Bangui.

Security Council consideration. The Security Council considered the Secretary-General's report on 28 June [S/PV.6345] and was briefed by the Special Representative of the Secretary-General, Sahle-Work Zewde, who said that the overall political, security and socio-economic situations in the CAR remained precarious and fraught with challenges. She emphasized that the international community should remain committed to providing political and financial support to address the pressing challenges, especially to complete the electoral and DDR processes.

By a press statement [SC/9963] of the same day, the Council called upon the Government and all national stakeholders to move forward the preparation and conduct of free, fair, transparent and credible elections; expressed concern with the slow pace of DDR implementation; and called on the Government and all armed movements to take the necessary measures for

a transparent and accountable completion of DDR. The Council also condemned attacks by LRA in the country.

Report of Secretary-General (November). In his November report on the situation in the CAR and on BINUCA activities [S/2010/584], the Secretary-General stated that, on 30 July, President Bozizé, by decree, had set 23 January 2011 as the date for the first round of the presidential and legislative elections. President Bozizé explained, on 2 August, that the postponement of the elections was necessary to make adequate preparations and overcome logistical constraints during the rainy season, when many parts of the country were inaccessible. On 10 August, the Independent Electoral Commission, supported by all political factions, civil society and the six entities of the inclusive political dialogue, agreed on a revised electoral timetable, which established dates for voter registration, the nomination of candidates and a possible second round of presidential and legislative elections on 20 March 2011. The timetable was further amended on 18 August at a meeting of the Elections Steering Committee. Voter registration started throughout the country on 22 September, and was completed on 21 October, with an estimated 70 to 75 per cent of the voting population registered. On 19 October, President Bozizé, meeting with national and international stakeholders to discuss progress and challenges with regard to the electoral process, expressed concern over possible delays in the preparation for the elections by the Independent Electoral Commission, and proposed switching from a computerized to a manual electoral roll and shortening the period for the nomination of candidates. He also discussed the redrawing of the boundaries of electoral constituencies for the legislative elections. On 27 October, presidential decrees were issued further amending the boundaries of those constituencies. The new period for the registration of candidates was adjusted from 28 October to 8 November, instead of 8 November to 8 December. On 21 and 26 October, the opposition coalition CFC rejected the decisions of the President of the Independent Electoral Commission, including the use of a manual electoral roll, called for his resignation for alleged mismanagement of public funds, and requested the publication of the Commission's audit report. The coalition also threatened to withdraw from the Independent Electoral Commission if its demands were not met. The Secretary-General's Special Representative consulted with all national stakeholders and international partners to bridge positions and build consensus. Six candidates, including President Bozizé, former President Ange-Félix Patassé, and Jean-Jacques Demafoth, leader of APRD, registered for the presidential elections.

During the reporting period, the Follow-up Committee on the recommendations of the inclusive political dialogue continued to meet and report on political, governance, security and socio-economic issues. At sessions held on 27 July, and 27 and 28 September, the Committee reviewed the progress made in the implementation of the recommendations of the inclusive political dialogue. On 29 September, the Committee reported that, of 116 recommendations adopted by the inclusive political dialogue, 43 had been fully implemented and 15 partially implemented. The bulk of the unimplemented or partially implemented recommendations related to the Government's obligations in the security sector. From 30 August to 4 September, the Committee deployed rapporteurs to 12 of the country's 16 regions, who highlighted in their reports the absence of State institutions in many areas outside the capital and apathy towards the upcoming elections. The missions uncovered a pattern of corruption by State institutions, which was a major obstacle to the promotion of socio-economic development.

On 24 June, the Disarmament, Demobilization and Reintegration Steering Committee agreed to begin the verification of the lists of combatants of the politico-military movements committed to the recommendations of the inclusive political dialogue. It deployed two missions to the north-west and north-east, where most of the combatants to be verified were located. The verification process in the north-west began on 9 August, with the active commitment of the leaders of APRD and the Union des forces républicaines (UFR). Three groups of military observers, and one integrated police unit of the Mission for the Consolidation of Peace in the Central African Republic (MICOPAX), the subregional peacekeeping force, deployed in the Nana Gribizi, Ouham and Ouham-Pendé regions, completed that phase of the verification process on 16 September. The military observers visited APRD and UFR camps and verified 5,992 out of the 6,047 names submitted by the two groups. The military observers were not able to visit the camps or verify the lists of combatants submitted by the Front démocratique du peuple centrafricain (FDPC), whose future participation in the process was not clear. The verification mission to the Vakaga and Haute Kotto regions could not take place for political and logistical reasons. The Government, for its part, had yet to develop a reintegration strategy for former combatants, which was a critical component for the success of the DDR process.

The security situation remained volatile in parts of the country. While Bangui and the south-west were mostly calm, in the north and east of the country, there was some violence. Local community self-defence groups, together with rebel movements, notably the Union des forces démocratiques pour le rassemblement (UFDR) and APRD, were de facto providing

security in large areas of the country where the poorly equipped FACA was not deployed or had little presence. The security situation remained tense around the northern town of Kabo in the Ouham region where FDPC was active. On 13 and 14 October, the AU hosted a conference in Bangui to address the threat posed by LRA to the CAR and neighbouring countries. The meeting resulted in a series of humanitarian, development and security-related recommendations, including the formation of a joint operations centre and a joint brigade, and increased cooperation on border patrols. BINUCA organized, on the margins of the meeting, a meeting of UN missions in the region to facilitate better information-sharing and coordination of political initiatives on the LRA threat to regional stability.

The United Nations had advanced its integration process since BINUCA was established on 1 January. The Policy and Coordination Group completed the drafting of an integrated strategic framework, which projected a shared vision of UN strategic objectives in support of the country's progress towards peace consolidation: security sector reform, including DDR; good governance and rule of law; support to the restoration of State authority throughout the national territory; and improvement of basic services and community-based recovery. The integrated strategic framework defined agreed results to be achieved by BINUCA and the UN country team in 2011, with timelines and responsibilities for the delivery of agreed tasks critical to consolidating peace, including agreed mechanisms for monitoring and evaluation. The Secretary-General recommended that BINUCA's mandate be extended until 31 December 2011.

Security Council consideration. On 8 December [S/PV.6438], the Secretary-General's Special Representative and Head of BINUCA, Sahle-Work Zewde, and the Chair of the CAR configuration of the Peacebuilding Commission, Jan Grauls, briefed the Security Council on the situation in the country. Ms. Zewde, updating the information provided in the Secretary-General's report, said that on 15 November President Bozizé had convened a meeting of national stakeholders and international partners to resolve the issue related to the amendment of the dates for the nomination of candidates. As a result of that meeting, the deadlock was broken and two more opposition candidates were able to submit their candidatures. The opposition parties submitted their nominations for the 105 seats in the National Assembly. On 5 December, the Independent Electoral Commission published the names of 833 candidates standing for seats in the National Assembly. BINUCA and the International Organization of la Francophonie helped to revise the code of conduct for the elections to be signed by the candidates and relevant institutions and distributed prior to the start of the

electoral campaign. On 20 November, a new Minister for Territorial Administration and Decentralization in charge of electoral matters was appointed.

SECURITY COUNCIL ACTION

On 14 December [meeting 6444], following consultations among Security Council members, the President made statement **S/PRST/2010/26** on behalf of the Council:

The Security Council supports the ongoing efforts aimed at national reconciliation in the Central African Republic and welcomes the progress achieved so far. It calls upon the politico-military groups that have not joined the political peace process to do so.

The Council calls upon the Government of the Central African Republic and all national stakeholders to continue their efforts to move forward expeditiously with the preparation and conduct of free, fair, transparent and credible elections. In this regard, the Council takes note of the presidential decree of 30 July 2010 that has set 23 January 2011 as the date for the first round of the presidential and legislative elections, and of the peaceful completion of the registration process. The Council calls for the Independent Electoral Commission to continue its efforts to meet the timetable agreed by all stakeholders and to address outstanding technical and logistical challenges promptly, transparently and in a consensual manner, with the support of the international community. It urges all national stakeholders to uphold the independence of the Commission and to respect the result of the polls.

The Council acknowledges the progress made so far in the disarmament, demobilization and reintegration process. It calls upon all politico-military groups to take the measures necessary for a transparent and accountable completion of disarmament and demobilization without delay. It also calls upon the Government of the Central African Republic to expedite the elaboration and implementation of a national reintegration strategy for former combatants and notes that transparent funding and coordination of reintegration programmes are critical to the long-term success of the programme. It encourages the international community, including the United Nations Integrated Peacebuilding Office in the Central African Republic, to provide timely and adequate support to the process.

The Council renews its call to the Government of the Central African Republic to revive the efforts to reform security sector institutions, which is a crucial element of the peacebuilding process in the Central African Republic, and for addressing widespread impunity, promoting the rule of law and increasing respect for human rights.

The Council remains seriously concerned by the security situation in the Central African Republic. The Council condemns all attacks by local and foreign armed groups that threaten the population as well as the peace and stability of the Central African Republic and the subregion, including the attacks on Birao carried out by the Convention des patriotes pour la justice et la paix on 19 July and 24 November 2010.

The Council commends States in the region for their increased cooperation, welcomes efforts they have made to address the threat posed by the Lord's Resistance

Army and notes in this regard the recommendations that resulted from the conference hosted by the African Union in Bangui on 13 and 14 October 2010, which include the formation of a joint operations centre, a joint brigade and increased cooperation on border patrols. It calls for the countries of the region and the relevant United Nations missions to continue to enhance coordination and information-sharing regarding the threat posed by the Lord's Resistance Army.

Noting the primary responsibility of the Government of the Central African Republic to promote security and for protecting its civilians with respect for the rule of law, human rights and international humanitarian law, the Council stresses the importance of bilateral partners' work enhancing the capacity of the Central African Armed Forces and stresses that such assistance should be in support of the wider security sector reform process. The Council also encourages further cooperation between the Governments of the Central African Republic, Chad and the Sudan in order to secure their common borders. The Council recognizes the contribution of the Mission for the Consolidation of Peace in the Central African Republic in support of durable peace and security in the Central African Republic and calls upon regional and subregional organizations to consider, upon request of the Government of the Central African Republic, further actions to support security in the Central African Republic, such as reinforcing the Mission.

The Council welcomes the ongoing support to the peacebuilding process in the Central African Republic provided by the international community. It welcomes, in particular, the important work of the United Nations Integrated Peacebuilding Office in the Central African Republic, under the leadership of the Special Representative of the Secretary-General for the Central African Republic, Ms. Sahle-Work Zewde, and the efforts of the Peacebuilding Commission in advising and advocating for coordinated international support to address core peacebuilding priorities, including elections and disarmament, demobilization and reintegration. The Council further welcomes the finalization of the Integrated Strategic Framework for the coordination of peacebuilding efforts in the Central African Republic.

The Council welcomes the report of the Secretary-General of 19 November 2010 on the Central African Republic and the recommendations contained therein, and welcomes the extension of the mandate of the United Nations Integrated Peacebuilding Office in the Central African Republic for a period of one year, until 31 December 2011, operating in accordance with its mandate as set out in the statement by its President of 7 April 2009, taking into consideration the withdrawal of the United Nations Mission in the Central African Republic and Chad from the north-east of the Central African Republic.

Year-end developments. In a later report [S/2011/311], the Secretary-General stated that the 15 November decision to use a paper-based voter list instead of the computerized list had important implications, the most significant of which was the inability of the Independent Electoral Commission to post and

revise the list ahead of election day. On 21 November, Jean Wilybiro Sacko, the Ambassador of the CAR to France and President of the Commission in 2005, returned to Bangui to take up the post of Minister for Territorial Administration and Decentralization. On 29 December, CRC, the coalition of opposition parties, called for the elections to be postponed, arguing that arrangements would not be in place in time for the 23 January 2011 elections.

The Follow-up Committee on the recommendations arising from the inclusive political dialogue met for the last time (22–25 November) to review progress made in the implementation of the recommendations. The Committee noted that little progress had been made since its last meeting on 29 September. Of the 116 recommendations, approximately 45 per cent had been implemented. It had been agreed that the Committee's mandate would expire after the elections, and the Committee would cease to function.

Despite delays in the implementation of the DDR programme, progress was made in the development of a national reintegration strategy for former combatants. On 10 December, the Disarmament, Demobilization and Reintegration Steering Committee approved the establishment of the Working Group on Reintegration to facilitate the development of a national strategy for the reintegration of former combatants.

The military and security situation remained precarious. On 24 November, CPJP, supported by Chadian rebels, attacked and seized the town of Birao, the capital of the north-eastern Vakaga region, just a few days after the withdrawal of the United Nations Mission in the Central African Republic and Chad (MINURCAT) (see p. 169), causing the temporary displacement of 8,000 people. On 30 November, elements of the Chadian armed forces entered the country to support FACA operations and expelled CPJP from Birao. The Chadian forces stayed to secure the area around Birao.

Peacebuilding Commission

The Peacebuilding Commission reviewed progress in the implementation of the Strategic Framework for Peacebuilding in the Central African Republic adopted in 2009 [YUN 2009, p. 152], particularly in the priority areas of DDR in the context of security reform, and the preparatory phase of the general elections. The Chair maintained pressure on all stakeholders to ensure that a transparent and accountable funding mechanism would be devised for all funds made available for DDR.

In governance and the rule of law, while some progress was made in key areas, notably in preparations for the general elections, much remained to be done. The Commission advocated the early revision and adop-

tion of the electoral code and pledged to mobilize financial and technical support for the organization of the elections. An electoral assessment mission, led by the Department of Political Affairs, identified with national counterparts areas where international support would be needed. Considerable efforts were made by Commission members to strengthen the country's institutional and control frameworks through the provision of technical assistance and capacity-building measures. The Commission continued to advocate, with limited success, for funding for the development hubs projects. It would also continue to advocate with the Government and international partners for a co-ordinated approach to the development hubs strategy, which should be expanded to the parts of the country previously affected by conflict.

Concerning the implementation of commitments by the Government, the Commission reported that in the area of security sector reform and DDR, 11 of the 29 activities identified had been fully implemented, 11 were being implemented and seven had not been implemented. Progress was made in institutional reform, human and institutional capacity-building, human rights and the creation of an environment conducive to peace and the restoration of trust and confidence between people and the defence and security forces. Particular progress was made in DDR. Some activities were not implemented because they depended on the completion of other activities or owing to a lack of funds. Of the 44 activities in the three priority areas of action relating to governance and the rule of law, nine had been fully implemented, 28 were being implemented and seven remained to be implemented. Progress was made in a number of sectors, including implementing the recommendations of the inclusive political process; institutional and human capacity-building; establishing oversight over the institutions of the Republic; taking ownership of human rights and rights of the child; and fostering an enabling environment for business, peace and restoring trust. As to the development hubs, the 15 activities identified in the three priority actions were being implemented. Significant progress had still not been seen because of the novelty of the concept in the CAR. It was only after the investment phase of all the plans of action of the development hubs had been completed that progress achieved as a result of the strategic planning for the development hubs carried out by UN-Habitat could be measured.

In terms of good governance and the rule of law, the activity implemented related to participation of the Association of Women Lawyers and the Central African Republic Inter-NGO Council (CIONGCA) in the revision of the electoral code.

In a 27 January statement [PBC/4/CAF/4], the Chair of the CAR configuration of the Peacebuilding Com-

mission expressed the Commission's concern about the slow progress in the launching of the DDR process, and in the preparations for the 2010 elections. The CAR configuration renewed its call to bilateral and multi-lateral partners to assist the country in implementing those priorities. It welcomed the signature of the DDR programme document and called upon all stakeholders to ensure that the disarmament and demobilization stages were initiated immediately, with the firm intention of completing them before the elections, and to enhance the overall coordination of the programme. The delay in the deployment of military observers of the Economic Community of Central African States and the remaining ethnic tensions in the north and north-east of the country required urgent attention from the Government in order not to hamper the DDR process. Transparent funding, the coordination of reintegration programmes and a stronger link to the wider security sector reform strategy were crucial to the sustainability of DDR. Regarding the preparations for the elections, the configuration called upon all stakeholders to enable the Independent Electoral Commission to start its work in earnest and in full independence. The configuration remained fully committed to assisting the CAR in its peacebuilding efforts, and intended to launch a new phase of the peacebuilding process in the second half of 2010 by organizing a donor conference in New York to mobilize resources for other peacebuilding priorities. It welcomed the announcement by the Secretary-General of a second envelope of the Peacebuilding Fund for the Central African Republic, in the amount of \$20 million, which would help to alleviate the peacebuilding needs in the country.

In its conclusions and recommendations, the Peacebuilding Commission noted the continued need for international financial assistance to implement medium- to long-term activities. It stressed the importance of considering DDR as an integral part of security sector reform. The Commission welcomed the progress realized by the Central African executive and legislative branches in creating the institutional conditions for organizing credible and transparent presidential and legislative elections. It made a number of recommendations to the Government, international partners and civil society.

In its draft report on its fourth session [PBC/4/OC/L.1], the Peacebuilding Commission indicated that, on 20 September, in the margins of the High-level Plenary Meeting of the sixty-fifth session of the General Assembly on the Millennium Development Goals (see p. 813), the CAR configuration facilitated the holding of a high-level event to address peacebuilding and reconstruction challenges in the CAR. During the reporting period, the configuration and its Chair facilitated coordination among the partners of the CAR. An extensive mapping of resource flows

was carried out and updated, covering the priority areas of the Strategic Framework with a view to minimizing duplication and overlap in the activities of the country's partners. The Chair of the configuration visited the country from 9 to 12 June. The configuration continued to follow closely the developments in the country, with a particular focus on the peacebuilding priorities identified in the Strategic Framework for Peacebuilding. Of particular concern were the slow pace of DDR implementation and the fact that the preparations for the presidential and legislative elections were marred by numerous challenges and delays. Looking ahead, the key peacebuilding challenges would be in the areas of security sector reform, including the wrapping up of the DDR programme and the implementation of a reintegration strategy; good governance, with the successful holding of legislative and presidential elections; and the launching of the development hubs project, which would, it was hoped, have a positive impact on the living conditions of local populations.

In terms of resource mobilization, as a result of regular exchanges by the Commission Chair, a groundbreaking agreement between the World Bank and the CAR configuration was reached to strengthen cooperation. The first expression of that partnership was the announcement on 20 September of an additional contribution of \$20 million by the International Development Association. The Secretary-General had also approved in February an additional allocation of \$20 million for the Peacebuilding Fund. The Commission responded to the Government's call to the international community to bridge the funding gap in the electoral budget, estimated at \$7.5 million.

(For information on the Peacebuilding Commission, see p. 55.)

Children and armed conflict

In April [A/64/742-S/2010/181], the Secretary-General, in his report on children and armed conflict, provided information on grave violations committed against children in the CAR as well as in Chad. He indicated that child recruitment continued to be a concern, with mobilization of a large number of children into the ranks of self-defence militias throughout the country, in particular in Nana-Mambéré, Ouham-Pendé and Ouham prefectures. It was estimated that children constituted one third of the self-defence militias. There were concerns that those militias were supported by the Government and were being used as auxiliaries by FACA. The United Nations observed an increased and open presence of armed children linked to those militias along main roads in Bocaranga and Bouar/Niem. UFDR and CPJP, which had split from UFDR, were also recruiting and using children in the frontlines in the Vakaga area of north-eastern CAR. Between 200 and

300 children remained in APRD, FDPC and the Mouvement des libérateurs centrafricains pour la justice (MLCJ). Furthermore, approximately 100 children were estimated to be associated with Chadian *zaraguinas* in the Nana-Gribizi and eastern Ouham areas. The situation in the south-eastern region was alarming, following repeated incursions and the LRA presence in Obo, Bambouti, Zemio, Djema and Mboki villages, in Haut-Mbomou prefecture. LRA continued to abduct and forcibly recruit children and use them as combatants, spies, sex-slaves and porters. Incidence of rape and sexual violence against children by armed elements was of grave concern. The United Nations confirmed 108 cases of sexual violence against children in the north-west in the reporting period, with rebel groups and armed bandits (*coupeurs de routes*) among the perpetrators.

Despite the absence of a formal action plan, a contingency plan to assist the release of children was developed by the United Nations and child protection partners following the commitment by APRD to demobilize all children in its ranks. As part of the implementation of the plan, APRD identified several cantonment sites for children and provided preliminary lists of children associated with the group for verification.

Recruitment and use of children, in particular in eastern Chad, by the national army as well as different armed groups, had continued in 2009.

Report of Working Group. On 30 July [S/2010/410], the Chair of the Working Group of the Security Council on Children and Armed Conflict submitted a report on the Group's activities. The Working Group learned that APRD, which was committed to releasing all children within its ranks, had released 418 children between April and July 2009, who were reunited with their families. Some 183 verified cases of sexual violence against women and children, among more than 1,000 reported, had been perpetrated, mainly by armed groups.

BINUCA

The United Nations Integrated Peacebuilding Office in the Central African Republic (BINUCA), set up in accordance with Security Council presidential statement S/PRST/2009/5 [YUN 2009, p. 146], became operational on 1 January. It had as its mandate to assist in implementing the outcomes of the December 2008 inclusive political dialogue [YUN 2008, p. 157]. BINUCA was headed by the Special Representative of the Secretary-General, Sahle-Work Zewde (Ethiopia).

Financing

In October [A/65/328 & Add.3], the Secretary-General submitted resource requirements for BINUCA for 2011 in the amount of \$19,793,600 (\$18,566,900

net), in the context of his overall financing proposals for special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council. ACABQ, in its December report [A/65/602] thereon, recommended that the overall requirement for BINUCA for 2011 be reduced to reflect its recommendations.

The General Assembly, in section XIII of **resolution 65/259** (see p. 1429) of 24 December, endorsed the ACABQ recommendations.

Central African Republic and Chad

In the Central African Republic (CAR) and Chad, the improved security environment led to an agreement for the cessation of the mandate of the United Nations Mission in the Central African Republic and Chad (MINURCAT) for the protection of civilians, effective 16 May, and the handover of those responsibilities to the Government of Chad, which would also facilitate the delivery of humanitarian aid and the free movement of humanitarian personnel. Accordingly, the MINURCAT mandate was revised to allow it to continue to perform the tasks related to the rule of law, human rights and civil affairs, and mine action assistance, and to support the Government's efforts to achieve self-sustainability of the local force for protecting the refugee camps as a professional enforcement entity. MINURCAT left Chad on 15 December. In north-eastern CAR, the Secretary-General proposed that MINURCAT be authorized under a Chapter VI mandate, with a troop strength of 300, to secure the airport in Birao and provide limited extraction operations for humanitarian workers.

Political and security developments

MINURCAT future. On 15 January, as the Secretary-General subsequently reported [S/2010/217], the Government of Chad requested that the United Nations commence negotiations to determine the modalities for the withdrawal of the United Nations Mission in the Central African Republic and Chad (MINURCAT), effective 15 March. In discussions with Secretariat representatives, the Chadians expressed dissatisfaction with the slow deployment of the MINURCAT force. With the improved security environment, Chadian security forces would be able to provide the necessary security and protection for vulnerable groups and humanitarian workers. Moreover, it was asserted that most of the acts of banditry and criminality were attended to by the *Détachement intégré de sécurité* (DIS), the special Chadian police for maintaining law and order in refugee camps and among displaced civilians within a 10-mile radius of the camps in eastern Chad, in coordination with other national security forces. The Government was

also frustrated over the slow implementation of infrastructure projects that had been part of the MINURCAT mandate. Consequently, the Secretary-General dispatched to Chad three successive Secretariat missions between 26 January and 23 April.

The first, led by the Secretary General's former Military Adviser, Major-General (retired) Patrick Cammaert, sought to engage the authorities on possible options regarding the future of MINURCAT and how best to address the perceived shortcomings of the military component, including measures to make it more effective. In their engagements, representatives reaffirmed the Government's commitment to ensuring the security of civilians and humanitarian workers and reiterated their request that the MINURCAT military component withdraw. The second mission, undertaken at the request of the Security Council, was led by Under-Secretary-General for Peacekeeping Operations Alain Le Roy to explore the ways forward. Those discussions culminated with President Déby's consent to a proposal for a two-month technical extension of the MINURCAT mandate to allow for further discussions on the modalities for the gradual withdrawal of its military force and the continuation of its civilian component. With regard to the latter, Government representatives indicated that consideration could be given to a limited UN military presence, whose task would be to guard the UN camps from which the MINURCAT civilian component would operate.

On 3 March [S/2010/115], Chad informed the Council President that it had reconsidered its decision requesting the withdrawal of MINURCAT, and agreed to a technical extension of the Mission's mandate for two months, beginning 16 March. The Government expressed its availability for consultations with the Secretary-General to plan the future of MINURCAT, in particular the military component, while maintaining the civilian component as needed.

On 11 March [S/2010/129], the Secretary-General, in a letter to the Council President, noted that the MINURCAT mandate was due to expire on 15 March, and given the ongoing discussions on its future, recommended that the Council consider a two-month technical rollover of its mandate.

SECURITY COUNCIL ACTION

On 12 March [meeting 6283], the Security Council unanimously adopted **resolution 1913(2010)**. The draft [S/2010/130] was submitted by Austria.

The Security Council,

Recalling its resolutions and the statements by its President concerning Chad, the Central African Republic and the subregion, including resolutions 1769(2007) of 31 July 2007, 1778(2007) of 25 September 2007, 1834(2008) of 24 September 2008 and 1861(2009) of 14 January 2009,

Considering the note verbale of the Government of Chad of 19 January 2010, its letter dated 3 March 2010 and the letter of the Secretary-General dated 11 March 2010, indicating that discussions on the future of the United Nations Mission in the Central African Republic and Chad are still ongoing,

Determining that the situation in the region continues to constitute a threat to international peace and security,

1. *Decides* to extend until 15 May 2010 the mandate of the United Nations Mission in the Central African Republic and Chad as set out in resolution 1861(2009);

2. *Decides also* to remain actively seized of the matter.

Report of Secretary-General (April). In his April report on MINURCAT [S/2010/217], submitted in response to Security Council resolution 1913(2010) (see above), the Secretary-General informed the Council that the third Secretariat mission, led by Youssef Mahmoud (Tunisia), acting Special Representative for MINURCAT, arrived in Chad on 23 March. Consultations with his Chadian counterparts culminated in a 23 April agreement by which, effective 16 May, the Mission's current mandate for the protection of civilians would cease and the Government of Chad would ensure the security and protection of the civilian population in eastern Chad, including refugees, internally displaced persons (IDPs), returnees and host communities; facilitate the delivery of humanitarian aid and the free movement of humanitarian personnel; ensure the security and freedom of movement of MINURCAT staff and UN associated personnel; work towards the voluntary return and resettlement of IDPs and the demilitarization of refugee and IDP camps; and improve the capacity of Chadian authorities in eastern Chad. Progress against those benchmarks would be assessed in July and October by a joint Chad/UN working group. Chad and MINURCAT would also establish a forum to foster dialogue and collaboration in order to reach common understanding of shared roles and responsibilities. To carry out its security tasks related to the protection of refugees, IDPs and humanitarian workers, the strength of the DIS force would be increased from 850 to up to 1,000 elements.

The Secretary-General proposed a revised mandate for MINURCAT, by which it would continue to perform the tasks outlined in Council resolution 1861(2009) [YUN 2009, p. 154] in areas of rule of law, human rights and civil affairs, and mine action assistance, and would continue to train, mentor and support the Government's efforts to achieve self-sustainability for DIS as a professional enforcement entity. A joint Chad/UN working group would review the tasks for strengthening DIS capacity to provide security, and develop a plan for the progressive handover to the Government of the administrative, financial and logistical support to DIS. It would also review the training of DIS personnel and its judicial police in investigative techniques and electronic tracking systems, as well as radio, security escorts and international humanita-

rian law; the selection and training of 10 additional DIS trainers; training in the provision of area security, and in the maintenance of the DIS vehicle fleet, and driving skills; the recruitment of 50 drivers and 25 car mechanics; deployment to new areas; the DIS organizational structure and coordination mechanisms with other local security forces, including setting up operation centres in governorates, prefectures and sous-prefectures; and progress in DIS-related infrastructure projects. During the first six months of the transition phase, MINURCAT police would be co-located with DIS depending on the security situation and the requirements of an enhanced UN security phase IV regime. MINURCAT would maintain its current police strength (226–300), and would support the rehabilitation of the DIS Police School and dormitories in N'Djamena, construction of six police stations and 13 DIS posts in eastern Chad, and the digging of wells and installation of pumps in each of the 19 DIS locations in eastern Chad.

In the light of Chad's decision to assume full responsibility for the security and the protection of the civilian population, MINURCAT would facilitate the transition to host country security mechanisms. The military component would provide security for MINURCAT personnel, facilities, installations and equipment; maintain situational awareness; and provide escort for UN military personnel, extraction support for UN and humanitarian personnel in extremis, and medical evacuation support for UN personnel. It would reduce its area of responsibility by excluding the current Sector North and the Salamat prefecture, but would undertake medical evacuation throughout the entire Mission area of responsibility. The force would operate under Chapter VI of the UN charter and modify its rules of engagement accordingly. It would be deployed in Farchana and Goz Beida, and maintain forward headquarters and a logistics base in Abéché and a small rear headquarters in N'Djamena. Effective 16 May, the military component would be reduced from its current 3,300 strength in Chad to 1,400 troops and 500 support elements. Some 1,400 troops would be withdrawn by 15 July, and the remaining 1,900 troops would commence final withdrawal on 15 October.

In north-eastern CAR, the Secretary-General proposed that MINURCAT be authorized with a troop strength of 300 to secure the airport in Birao and provide limited extraction operations for humanitarian workers. MINURCAT would cease its operations in north-eastern CAR and start withdrawing as the main force commenced withdrawal from Chad in October.

Additional infrastructure work would be undertaken to support Chad in fulfilling its protection mandate and mitigating any possible negative impact on the infrastructure and economy in eastern Chad. In addition, Chad requested that MINURCAT honour

its commitment to build an apron and terminal at the N'Djamena airport. The Government of Chad and MINURCAT would meet in October to jointly review progress on infrastructure work. The Mission would liaise with the Government and the Office of the United Nations High Commissioner for Refugees (UNHCR) to relocate refugee camps in close proximity to the border, and provide logistical assistance to UNHCR for that purpose.

The Secretary-General said that the new mandate, with its phased approach, would allow MINURCAT to transition from a Chapter VII to a Chapter VI mandate; allow for the enhanced UN staff security regime to be in place before MINURCAT troops commenced final withdrawal in October; permit humanitarian actors to gradually adjust their deployment and *modus operandi*; and allow UN entities in Chad to organize themselves differently and integrate their activities to enhance their sustainability and impact. He recommended that the Council approve a revised mandate for MINURCAT for one year.

In other developments, the Secretary-General reported that relations between the Governments of Chad and the Sudan improved significantly, with the signing of an agreement in N'Djamena on 15 January to normalize bilateral relations. The two countries agreed, among other things, to deny rebel groups the use of their territories and to work towards their disarmament; and they deployed a joint border force of 3,000 troops to deny the cross-border movement of armed elements and stem their criminal activities. The force operated under a joint command in El Geneina, in Darfur, the Sudan, and Abéché, in eastern Chad. The visit of Chadian President Idriss Déby Itno to Khartoum, the Sudan, from 8 to 9 February, was a major step in strengthening bilateral relations between the two countries. The visit was followed by the appointment, on 15 February, of a Chadian Ambassador to Khartoum. On 10 April, the border between the two countries reopened for the first time since 2003 at three points, and cross-border trade resumed.

During the period under review, progress was made in implementing the 13 August N'Djamena Agreement [YUN 2007, p. 152] between the Government of Chad and political opposition. On 7 January, the Independent National Electoral Commission published an electoral timetable providing for voter registration between 21 March and 9 May; parliamentary and local elections on 28 November and 12 December, respectively; and the first and second rounds of presidential elections on 23 April and 12 June 2011. In the MINURCAT area of operations in north-eastern CAR, the security situation remained unstable.

By 15 March, all MINURCAT operational bases were established and, on average, 75 per cent of infantry troops were deployed to all sectors. As at 22 April,

MINURCAT total force strength stood at 3,442 and was expected to reach 4,850, or 93 per cent of authorized strength, by 15 May.

SECURITY COUNCIL ACTION

On 12 May [meeting 6312], the Security Council unanimously adopted **resolution 1922(2010)**. The draft [S/2010/237] was submitted by France.

The Security Council,

Recalling its resolutions and the statements by its President concerning Chad, the Central African Republic and the subregion, including resolutions 1769(2007) of 31 July 2007, 1778(2007) of 25 September 2007, 1834(2008) of 24 September 2008, 1861(2009) of 14 January 2009 and 1913(2010) of 12 March 2010,

Considering the need to examine thoroughly the recommendations for a revised mandate of the United Nations Mission in the Central African Republic and Chad included in the report of the Secretary-General of 29 April 2010,

Determining that the situation in the region continues to constitute a threat to international peace and security,

1. *Decides* to extend until 26 May 2010 the mandate of the United Nations Mission in the Central African Republic and Chad as set out in resolution 1861(2009) and extended by resolution 1913(2010);

2. *Decides also* to remain actively seized of the matter.

Communication. On 21 May [S/2010/250], Chad transmitted to the Council President a memorandum on the future of MINURCAT, which echoed the proposals set out in the Secretary-General's April report for a revised mandate for MINURCAT. It also referred to the 15 January Agreement on the normalization of relations between Chad and the Sudan (see p. 158), which led to the deployment of a 3,000-strong joint Chad-Sudan force along the common border, thereby enabling Chad to assume full responsibility for the security and protection of civilians, particularly refugees and IDPs. In that regard, DIS, responsible for security in and around refugee camps and IDP sites, would have a broader scope for action, in addition to providing escort details for humanitarian workers, in cooperation with security forces in the region. The security belt in eastern Chad would consist of three levels: sovereignty forces (the Chadian national army) based in garrison towns along the border, and the joint Chadian-Sudanese force based in 10 locations on either side of the border and its headquarters in Eldjineina (the Sudan), which would be relocated to Abéché; the forces of the Gendarmerie Territoriale and the Garde nationale et nomade du Tchad (GNNT) located in villages on the side of the border between the DIS area of operations and the garrison towns, and a joint mobile disarmament force providing security to other security forces; and the DIS line of surveillance within and around the refugee camps and towns monitored in conjunction with local security forces.

Chad was in a position to exercise its sovereign responsibility to provide full security for persons and goods throughout its territory. It intended to maintain the structure of DIS, while expanding its size and providing it with more resources, even after the withdrawal of MINURCAT, until such time as the Darfur crisis was settled and the refugees returned to their homeland.

SECURITY COUNCIL ACTION

On 25 May [meeting 6321], the Security Council unanimously adopted **resolution 1923(2010)**. The draft [S/2010/251] was submitted by France.

The Security Council,

Recalling its resolutions and the statements by its President concerning Chad, the Central African Republic and the subregion, including resolutions 1769(2007) of 31 July 2007, 1778(2007) of 25 September 2007, 1834(2008) of 24 September 2008, 1861(2009) of 14 January 2009, 1913(2010) of 12 March 2010 and 1922(2010) of 12 May 2010,

Reaffirming its commitment to the sovereignty, unity, territorial integrity and political independence of Chad and the Central African Republic, and to the cause of peace in the region,

Reiterating its concern at the humanitarian and security repercussions in eastern Chad and the north-eastern Central African Republic of the ongoing violence in Darfur,

Concerned at armed activities and banditry in eastern Chad, the north-eastern Central African Republic and western Sudan, which threaten the security of the civilian population, the conduct of humanitarian operations in those areas and the stability of those countries, and which result in serious violations of human rights and international humanitarian law,

Welcoming the signing on 15 January 2010 by the Governments of Chad and the Sudan of an agreement to normalize their bilateral relations, as well as the deployment by the Governments of Chad and the Sudan of a joint force under a joint command along their common border with a view to denying the cross-border movement of armed elements and stemming their criminal activities,

Stressing that a proper settlement of the Darfur issue, including through the Doha peace process, the full implementation of the Sirte and Libreville agreements and the efforts at national political dialogue in Chad and the Central African Republic, will contribute to long-term peace and stability in the region and to the voluntary, secure and sustainable return of refugees and internally displaced persons,

Stressing also the importance of achieving dignified durable solutions for refugees and internally displaced persons, notably voluntary, safe, orderly return and sustainable reintegration,

Reiterating its full support for the efforts of the Secretary-General, the African Union and other international and regional actors to find solutions to the armed conflicts in the region,

Reaffirming its resolutions 1325(2000) of 31 October 2000, 1820(2008) of 19 June 2008, 1888(2009) of 30 September 2009 and 1889(2009) of 5 October 2009 on women and peace and security, its resolution 1502(2003)

of 26 August 2003 on the protection of humanitarian and United Nations personnel and its resolutions 1674(2006) of 28 April 2006 and 1894(2009) of 11 November 2009 on the protection of civilians in armed conflict,

Reaffirming also its resolutions 1612(2005) of 26 July 2005 and 1882(2009) of 4 August 2009 on children and armed conflict, taking note of the reports of the Secretary-General on children and armed conflict in Chad and in the Central African Republic and the recommendations contained therein, and recalling the conclusions adopted by the Security Council Working Group on Children and Armed Conflict on children and armed conflict in Chad and in the Central African Republic, as approved by the Council,

Stressing that the Governments of Chad and the Central African Republic bear primary responsibility for ensuring the security of civilians in their territories, with respect for the rule of law, international law, human rights and international humanitarian law,

Bearing in mind the Convention relating to the Status of Refugees of 28 July 1951 and the Protocol thereto, of 31 January 1967, along with the Organization of African Unity Convention governing the specific aspects of refugee problems in Africa of 10 September 1969, as well as the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa of 23 October 2009,

Emphasizing the need to respect international refugee law, preserve the civilian and humanitarian nature of refugee camps and internally displaced persons sites and prevent any recruitment of individuals, including women and children, which might be carried out in or around camps and sites by armed groups,

Commending the creation by the Government of Chad, with the logistical, administrative and technical support of the United Nations Mission in the Central African Republic and Chad, of the *Détachement intégré de sécurité* to contribute to the security of refugees and humanitarian workers in key towns, refugee camps and internally displaced persons sites, and noting that the *Détachement intégré de sécurité* provides community policing in these sites and escorts for United Nations personnel and humanitarian workers,

Recognizing the responsibility of the Chadian National Army for border security and external threats and of the Gendarmerie and the Nomad National Guard for area security in eastern Chad,

Taking note of the fact that the Government of Chad informed the Secretary-General, through a note verbale dated 15 January 2010, that it wished the Mission to withdraw from Chad as of 15 March 2010, and of the letter dated 3 March 2010 from the Permanent Representative of Chad to the United Nations informing the President of the Security Council of his Government's reconsideration of its earlier request, as well as the consultations conducted between 15 January and 23 April 2010 between the Government of Chad and the Secretariat,

Emphasizing the need for the orderly reduction of the military component of the Mission and the continuation of the consolidation of the *Détachement intégré de sécurité*, of judicial and penal systems, of human rights protection and of local conflict resolution mechanisms while laying the foundation for their sustainability following the termination of the mandate of the Mission,

Having examined the report of the Secretary-General of 29 April 2010 and the recommendations contained therein for the modalities of the future presence of the Mission,

Determining that the situation in the region of the border between the Sudan, Chad and the Central African Republic constitutes a threat to international peace and security,

1. *Decides* to extend the mandate of the United Nations Mission in the Central African Republic and Chad until 31 December 2010;

2. *Takes note* of the commitment of the Government of Chad, as recalled in the letter dated 21 May 2010 from the Permanent Representative of Chad to the United Nations addressed to the President of the Security Council, to assume full responsibility for the security and protection of the civilian population in eastern Chad, including refugees, internally displaced persons, returnees and host communities, with a particular focus on women and children, and United Nations and humanitarian personnel and assets, in accordance with its obligations under international humanitarian, human rights and refugee law, and underscores that in so doing, the Government commits itself to carrying out the following tasks:

- (i) To ensure the security and protection of civilians in danger, particularly refugees and internally displaced persons;
- (ii) To facilitate the delivery of humanitarian aid and the free movement of humanitarian personnel by improving security in eastern Chad;
- (iii) To ensure the security and freedom of movement of Mission staff and United Nations and associated personnel;

3. *Notes* that, in this context, the Government of Chad commits itself to working towards the achievement of the following benchmarks related to the protection of civilians and humanitarian workers, in accordance with international humanitarian law, as outlined in resolution 1861(2009):

- (i) Voluntary return and resettlement in secure and sustainable conditions of internally displaced persons;
- (ii) Demilitarization of refugee and internally displaced persons camps as evidenced by a decrease in arms, violence and human rights abuses;
- (iii) Improvement in the capacity of Chadian authorities in eastern Chad, including national law enforcement agencies, the judiciary and the prison system, to provide the necessary security for refugees, internally displaced persons, civilians and humanitarian workers with respect for international human rights standards;

4. *Requests* the Government of Chad and the Secretary-General to establish a joint Government of Chad/United Nations High-level Working Group to assess on a monthly basis the situation on the ground with respect to the protection of civilians, the measures adopted by the Government to implement the tasks set out in paragraph 2 above and to progress towards meeting the benchmarks set out in paragraph 3 above, and the capacity of the *Détachement intégré de sécurité* to provide security inside and around refugee camps and internally displaced persons sites, security escorts and area security, in coordination with the Gendarmerie and the Nomad National Guard;

5. *Acknowledges* the commitment of the Government of Chad to submit to the Council by 31 July 2010 the plan that it is preparing to ensure the sustainment of the *Détachement intégré de sécurité*, post-Mission, working, as necessary, through the joint High-level Working Group;

6. *Decides* that the military component of the Mission shall be reduced to 2,200 military personnel (1,900 in Chad and 300 in the Central African Republic) and 25 military liaison officers, and further decides that the Mission shall include a maximum of 300 police officers and an appropriate number of civilian personnel;

7. *Calls upon* the Secretary-General to implement the initial withdrawal of the exceeding number of troops by 15 July 2010 and the final withdrawal of the remaining troops beginning on 15 October 2010, and further calls upon the Secretary-General to complete the withdrawal of all uniformed and civilian Mission components, other than those required for the liquidation of the Mission, by 31 December 2010;

8. *Decides* that the Mission shall have the following mandate in eastern Chad and the north-eastern Central African Republic, in liaison with the United Nations country team and, as appropriate, in liaison with the United Nations Integrated Peacebuilding Office in the Central African Republic and without prejudice to the mandate of the Office:

- (i) To select, mentor, monitor, train, advise and facilitate support to elements of the Chadian *Détachement intégré de sécurité*;
- (ii) To liaise with the Government of Chad and the Office of the United Nations High Commissioner for Refugees in support of their efforts to relocate refugee camps which are in close proximity to the border, and to provide to the Office of the High Commissioner, on availability and on a cost-reimbursable basis, logistical assistance for that purpose;
- (iii) To liaise with the national army, the gendarmerie and police forces, the Nomad National Guard, the judicial authorities and prison officials in Chad and the Central African Republic, the Government of the Sudan, the United Nations Mission in the Sudan, the African Union-United Nations Hybrid Operation in Darfur, the United Nations Integrated Peacebuilding Office in the Central African Republic, the multinational force of the Economic Community of Central African States in the Central African Republic and the Community of Sahel-Saharan States to exchange information on banditry, criminality and emerging threats to humanitarian activities in the region;
- (iv) To support the initiatives of national and local authorities in Chad to resolve local tensions and promote local reconciliation efforts, in order to enhance the environment for the return of internally displaced persons;
- (v) To contribute to the monitoring and to the promotion and protection of human rights in Chad, with particular attention to sexual and gender-based violence, and to recommend action to the competent authorities, with a view to fighting impunity;

(vi) To support, within its capabilities, efforts aimed at strengthening the capacity of the Government of Chad and civil society through training in international human rights standards, and efforts to put an end to the recruitment and use of children by armed groups;

(vii) To assist the Government of Chad in the promotion of the rule of law, including through support for an independent judiciary and a strengthened legal system, in close coordination with United Nations agencies;

9. *Decides also* that, until the start of the final withdrawal of its military personnel on 15 October 2010, the Mission shall be authorized to fulfil the following functions within its capabilities and its area of operations in eastern Chad, in liaison with the Government of Chad:

- (i) To provide security for United Nations personnel, facilities, installations and equipment and associated personnel;
- (ii) To maintain situational awareness in the vicinity of Mission locations;
- (iii) To provide escorts for United Nations military personnel carrying out enabling support functions;
- (iv) To execute operations of a limited character in order to extract United Nations personnel and humanitarian workers in danger;
- (v) To provide medical evacuation support for United Nations personnel;

10. *Decides further* that, without prejudice to paragraph 2 above, the Mission, acting within its means and capabilities and, where possible, in consultation with the Government of Chad, shall be authorized to respond to imminent threats of violence to civilians in its immediate vicinity;

11. *Decides* that, until the start of the final withdrawal of its military personnel on 15 October 2010, the Mission shall be authorized to fulfil the following functions within its capabilities and its area of operations in the north-eastern Central African Republic through its military presence in Birao and in liaison with the Government of the Central African Republic:

- (i) To contribute to the creation of a more secure environment;
- (ii) To execute operations of a limited character in order to extract United Nations personnel and humanitarian workers in danger;
- (iii) To protect United Nations personnel, facilities, installations and equipment and to ensure the security and freedom of movement of its staff and United Nations and associated personnel;

12. *Notes* that the Mission will continue to support the *Détachement intégré de sécurité*, in accordance with paragraphs 64 to 66 of the report of the Secretary-General, and the commitment by the Government of Chad to take full ownership of the *Détachement intégré de sécurité*;

13. *Welcomes* the intention of the Government of Chad and the United Nations to establish a forum to foster dialogue and collaboration with a view to reaching a common understanding of roles and responsibilities on issues relating to the protection of civilians, humanitarian access, and safety and security arrangements of humanitarian actors and in order to impact positively on humanitarian and early recovery initiatives;

14. *Takes note* of the letter dated 21 May 2010 from the Permanent Representative of Chad to the United Nations, which recalls the commitment of Chad to sustain the *Détachement intégré de sécurité*, and in this context requests the Mission to initiate the construction of the infrastructure referred to in paragraphs 71 and 79 of the report of the Secretary-General, with the expectation that the plan referred in paragraph 5 above will provide adequate assurances that the investments being made in the *Détachement intégré de sécurité* will be sustained post-Mission;

15. *Requests* the Secretary-General and the Governments of Chad and the Central African Republic to cooperate closely throughout the period of deployment of the Mission, and requests the Government of Chad to fully respect all provisions of the agreement on the status of the Mission of 21 March 2008 and the amendment thereto, of 15 October 2009, and, in particular, to ensure the full freedom of movement of the Mission, its members and its contractors as well as of their vehicles and aircraft, and to grant exemptions from all taxes, fees, charges and other duties as provided for under the agreement and the amendment, for the whole duration of the mandate of the Mission but also until its liquidation and the final departure of all its military and civilian personnel from Chad;

16. *Urges* all Member States, particularly the States bordering Chad and the Central African Republic, to facilitate during the above-mentioned period the withdrawal from Chad and the Central African Republic, without obstacles or delay, of all personnel, equipment, provisions, supplies and other goods, including vehicles, aircraft and spare parts, of the Mission;

17. *Underscores* the importance of the military concept of operations and rules of engagement being updated and fully in line with the provisions of the present resolution, and requests the Secretary-General to report on them to the Council and troop-contributing countries;

18. *Encourages* the donor community to sustain its efforts to address the humanitarian, reconstruction and development needs of Chad and the Central African Republic;

19. *Encourages* the respective Governments of the Sudan, Chad and the Central African Republic to ensure that their territories are not used to undermine the sovereignty of others, and to cooperate with a view to putting an end to the activities of armed groups in the region;

20. *Welcomes* the N'Djamena agreement of 15 January 2010 on the normalization of relations between the Sudan and Chad and previous related agreements and encourages active cooperation for their continued implementation, encourages the Government of Chad to continue talks with the armed groups, demands that armed groups cease violence immediately, and urges all parties in Chad and the Central African Republic, respectively, to respect and implement the Sirte agreement of 25 October 2007 and the comprehensive peace agreement signed at Libreville on 21 June 2008;

21. *Encourages* the authorities and political stakeholders in Chad and the Central African Republic to continue to pursue their efforts at national dialogue, with respect for their constitutional frameworks and especially:

- (i) Emphasizes the importance of the political agreement for the reinforcement of the democratic process in Chad signed at N'Djamena on 13 August 2007, encourages the parties to continue with its implementation, and welcomes the electoral

timetable published by the Independent National Electoral Commission;

- (ii) Calls upon the Government and all political stakeholders of the Central African Republic to further implement the outcome of the inclusive political dialogue of December 2008, including by successfully completing the disarmament, demobilization and reintegration process, and stresses the need for a clear electoral timetable;

22. *Reaffirms* the obligation of all parties to implement fully the rules and principles of international humanitarian law, particularly those regarding the protection of humanitarian personnel, and furthermore requests all the parties involved to provide humanitarian personnel with immediate, free and unimpeded access to all persons in need of assistance, in accordance with applicable international law;

23. *Encourages* the Mission and the United Nations country team to continue to assist the Government of Chad to prevent the recruitment of refugees and children by armed groups and to maintain the civilian nature of refugee camps and internally displaced persons sites, in coordination with the *Détachement intégré de sécurité* and the humanitarian community;

24. *Takes note* of the measures already undertaken by the authorities of Chad to put an end to the recruitment and use of children by armed groups, encourages them to pursue their cooperation with United Nations bodies in this regard, particularly the United Nations Children's Fund, and calls upon all the parties involved to ensure that children are protected;

25. *Requests* the Secretary-General to continue to keep the Council regularly informed, and requests him to provide reports by 31 July, 15 October and 15 December 2010 on the security and humanitarian situation, including movements of refugees and internally displaced persons in eastern Chad and the north-eastern Central African Republic, on the progress in the implementation of the relevant agreements, on the progress towards the fulfilment by the Government of Chad of the tasks and benchmarks set out in paragraphs 2 and 3 above, including on the measures adopted in response to possible shortcomings identified by the joint High-level Working Group referred to in paragraph 4 above, and on the implementation of the mandate of the Mission, and stresses that it will monitor closely the relevance of the mandate of the Mission and review it if necessary;

26. *Also requests* the Secretary-General in his July report to provide an assessment on international and regional options for the Central African Republic, based on his evaluation of the consequences of the departure of the Mission;

27. *Further requests* the Secretary-General to provide an assessment in his December report on lessons learned in the context of the Mission;

28. *Decides* to remain actively seized of the matter.

Communication. On 8 July [S/2010/375], Chad transmitted to the Council President information on a number of incidents illustrating that the Chadian authorities were carrying out their mission to protect civilians in eastern Chad, in accordance with resolution 1923(2010) (see p. 159). Following those incidents, a meeting between non-governmental organizations (NGOs) and the Government on secu-

ity issues for humanitarian workers decided that all encampments of NGOs should be surrounded with barbed wire and equipped with two-way radios for direct coordination with DIS and the UN security system liaison, and all suspicious persons working for NGOs should be brought to the attention of the State security services.

Report of Secretary-General (July). In a July report on MINURCAT [S/2010/409], the Secretary-General informed the Security Council that the security situation in eastern Chad continued to be unpredictable, largely owing to criminal activities and banditry, including carjacking and armed robbery. In June, humanitarian workers were targeted in a spate of incidents, resulting in one NGO withdrawing its international staff, and three others partially suspending their operations. On 28 April, Chad reported that its forces had engaged with rebels of FPRN, a Chad-based armed opposition group in the area of Tissi and Timassi (Dar Sila region), just north of the junction of the borders of Chad, the Sudan and the CAR, killing more than 100 of them and capturing more than 80, and that its own forces had suffered nine fatalities. FPRN disputed those figures, but MINURCAT was unable to verify the situation on the ground. The general security environment in the MINURCAT area of operations in the north-eastern CAR remained volatile, mainly owing to ethnic conflict and the presence of militias. Four international NGOs were still operating in the area, mainly out of Birao. On 19 July, FACA successfully repulsed an attack on its camp in Birao. The attackers were allegedly dissidents of MLCJ, aggrieved that they had not been provided with food allowances, to which they felt entitled under the Government's DDR programme.

Pursuant to Security Council resolution 1923(2010), on 27 May MINURCAT ceased all military "area security" patrols and escorts and confined its activities to the mandate outlined in paragraphs 9 and 10 of that resolution. At the same time, the Government of Chad, with UN support, strengthened its protection activities and capacity. It also organized the first humanitarian dialogue forum in Abéché on 1 July, with UN assistance, which brought together Chadian central and local authorities, including high-level security officials, as well as international humanitarian actors, MINURCAT and the local media. The aim of the forum, which was to be replicated in each of the eastern regions, was to foster a shared understanding of the concept and practice of the protection of civilians, and the respective roles and responsibilities of the Government and its international humanitarian partners. During the reporting period, MINURCAT completed the installation of free emergency call centres at the Koukou Angarana and Goz Amer police posts (Dar Sila region), completing operational centres in all 19 DIS locations, except for Bahaï and the Oure Cassoni refugee camp.

In June, DIS, with MINURCAT support, collaborated with a telephone services provider to launch a campaign to raise public awareness of the free emergency call centres and to encourage the public to report security incidents. DIS reported that, from April to June, it had conducted 3,900 patrols in and around refugee camps, as well as in key towns from which humanitarian actors operated, a 25 per cent increase compared with the previous report. It registered 342 complaints, of which 128 were related to sexual and gender-based violence, including 10 complaints of rape, and 25 cases of armed robbery. There were four reported incidents of infiltration of armed individuals into refugee camps. DIS arrested 118 individuals suspected of involvement in crimes, of whom 58 were referred to the judicial authorities and the others released. Refugee leaders continued to report that DIS patrols had contributed to a sense of security in the camps and facilitated freedom of movement. The Government of Chad, with support from the United Nations Children's Fund, organized a subregional conference on ending the recruitment and use of children by armed forces and groups (N'Djamena, 7–9 June), which endorsed the N'Djamena Declaration, through which the Government committed itself to putting an end to the recruitment and use of children by armed groups and forces. Participants also agreed to establish a follow-up mechanism to assess progress made by the States that signed the Declaration with regard to fighting child recruitment.

To raise the awareness of the general population and humanitarian workers in eastern Chad of the Government's efforts to increase security, UN and Government representatives jointly visited Abéché (Ouaddai region), Goz Beida (Dar Sila region) and Iriba (Wadi Fira region) on 7 and 8 June to convey the Government's full commitment to the protection of civilians, including humanitarian workers. In that context, on 12 June, the Government issued instruction to all the security forces not to seek money in exchange for conducting humanitarian escorts. On 1 July, it launched a new entity for the coordination of security patrols and escorts for humanitarian workers, the Bureau de sécurisation et des mouvements (BSM), which superseded the former Bureau de la protection et des escortes run by MINURCAT. BSM was to be established in 13 key locations in eastern and southern Chad and would meet weekly to share information on and analyse the security situation, approve requests by humanitarian actors for DIS escorts and decide how to respond to emergency situations.

On 1 June, in accordance with resolution 1923(2010), the Government established a Joint Government of Chad/UN High-level Working Group to assess the situation on the ground with respect to the protection of civilians and the implementation of measures adopted by the Government towards im-

plementing the tasks set out in paragraph 4 of that resolution. The High-level Working Group met twice since it was established. On 10 June, the High-level Working Group established a Joint Technical Working Group to prepare a plan for the consolidation, restructuring and sustainability of DIS, including enhancing its professional standards. The plan also provided for the rehabilitation, or construction, by MINURCAT of DIS infrastructure and the drilling of wells.

Implementation of the MINURCAT drawdown plans commenced. Its regional offices at Bahaï and Guéréda were closed by 21 July and at Koukou Angarana on 30 July, following the withdrawal of the force from those locations. The withdrawal of the balance of the force from eastern Chad and the north-eastern CAR would commence on 15 October. Liquidation planning was nearing finalization and implementation would commence on 1 January 2011. Notwithstanding the many challenges, every effort was being made to ensure that the full withdrawal was completed by 31 December 2010, with only personnel essential for the Mission's liquidation remaining thereafter. MINURCAT continued to support DIS, especially in completing the construction of infrastructure. In late June, the Mission signed contracts with local companies for the construction of hard-walled compounds for DIS in 19 locations in eastern Chad.

Evaluating the consequences of the Mission's withdrawal from the CAR, the Secretary-General said that the overall security situation in the north-east continued to suffer from inter-ethnic conflict, banditry and cross-border criminal activity. Armed groups were present in or around the area of MINURCAT responsibility and remained a security threat to the population and FACA. The assessed threat emanating from the CAR to the security of neighbouring States was limited to cross-border banditry. While such cross-border incursions remained a possibility, the risk was assessed as low. Nevertheless, the threat to civilians, IDPs, refugees and humanitarian workers in the area remained high. While the MINURCAT force in Birao had served as a deterrent, lack of sustained progress in combating security threats was mainly due to the absence of State authority, a weak FACA presence and capability, and lack of progress in the implementation of peace agreements between the Government and Central African rebel groups. FACA suffered from severe operational and logistic limitations, including lack of access to aircraft, preventing the rapid deployment of adequate reinforcements. It would take time for the Government to build up those capabilities, and there was concern that the withdrawal of the MINURCAT contingent could embolden armed groups in the area and result in a rise in criminality and lawlessness, thus degrading the overall humanitarian and security situation. Addressing those challenges would require political will, meaningful advances in national reconciliation and support from in-

ternational partners so that the Government could extend State authority to the region, particularly through strengthening FACA, the police and the rule of law. Until the mechanisms were put in place to assist the national authorities to provide security in the Vakaga préfecture, it was important that the causes and consequences of insecurity not be allowed to go unchecked. In that context, the Security Council might wish to consider two options with regard to the north-eastern CAR. The first option would be a UN peacekeeping force to deter insecurity in the area and to provide, in extremis, security and extraction for humanitarian actors, with a minimum force strength of 300 personnel, equivalent to that currently deployed by MINURCAT and to remain in theatre until the Government had developed adequate capacity to assume a deterrent role. Generating and deploying such a force would require a minimum of six months. The second option would focus on strengthening, in the medium to long term, efforts to build State capacities for ensuring security and the rule of law, coupled with immediate measures to strengthen FACA capabilities. International assistance could be provided for the training and equipping of FACA and the Central African police force in the context of the longer-term security sector reform and DDR efforts. That could be complemented by a CAR/Chad joint border patrol force, and implementation of the bilateral agreements for joint border patrols between the Sudan and the CAR. Such assistance could be provided on a bilateral or multilateral basis, including through the AU or the Economic Community of Central African States, with the support of donors.

The Secretary-General said he was encouraged by the efforts of the Government of Chad to assume its responsibilities for the protection of civilians, notwithstanding the complexities of the task and the vastness and harshness of the territory where the refugees and IDPs resided. He regretted the latest upsurge of criminal activity that prompted some humanitarian workers to downsize or suspend their operations, but welcomed action by the authorities to arrest and reverse the escalation. DIS had made advances in protecting refugee camps and securing their surroundings, and MINURCAT would spare no effort to help the Government consolidate DIS and support it to gradually take over full responsibility for that force. With regard to the CAR, the situation demanded continued attention, given the current regional context. He supported the second option outlined in his report as the most appropriate approach for dealing with the situation there, and encouraged the Government of the CAR, together with peacebuilding, development and other multilateral and bilateral actors, to develop that proposal.

Communications. On 7 September [S/2010/470], Chad, in accordance with Council resolution 1923(2010), submitted a sustainment plan for DIS. The plan, which further developed the one submit-

ted on 12 May, entailed the deployment along the country's south-eastern border of a DIS team to Haraze to enhance security for the 6,227 Central African refugees in that area. To provide security in and around refugee camps and IDP sites, the Government took measures to organize and secure the areas and assigned vehicles to Goré and Maro for escorting humanitarian workers, while awaiting the deployment of DIS elements. Some 150 gendarmes and police officers were placed at the disposal of MINURCAT for pre-selection and training towards the target of 1,000 elements. The Government proposed recruiting and training 400 secondary school graduates to strengthen the DIS force and facilitate the delivery of humanitarian aid and the free movement of humanitarian personnel by helping to improve security in the areas of operation. Coordination of security activities was monitored by the Office of Security and Movements, whose mission was to assess the security of humanitarian workers and goods within the security zone, and to decide on modalities for movement and security of personnel and installations as dictated by the security situation.

On 12 October [S/2010/530], the CAR transmitted to the Security Council President a statement of its short- and medium-term requirements in the light of the impending withdrawal of MINURCAT.

Report of Secretary-General (October). In his October report on MINURCAT [S/2010/529], the Secretary-General stated that the number of reported incidents relating to the safety and security of UN and humanitarian personnel had decreased significantly. The decrease was attributed, among other factors, to the unusually heavy rainy season, which limited overland movement; greater vigilance by the Chadian authorities and security forces; and improved relations between Chad and the Sudan, particularly the activities of the Chadian-Sudanese Joint Border Monitoring Force. During the reporting period, more than 300 members of Chadian armed opposition groups returned from the Sudan to Chad. On 17 September, the Joint Border Monitoring Force safely recovered in West Darfur an expatriate commercial contractor kidnapped 10 days earlier in eastern Chad. Six suspects were arrested. On 20 September, the Sudanese Ambassador to Chad announced that the two countries had agreed to increase the strength of the Joint Border Monitoring Force from 3,000 to 4,000 troops. On 7 September, the Joint Government of Chad/United Nations High-level Working Group held its third meeting. During the meeting, the UNHCR representative reported that some 48,000 IDPs had returned to their villages of origin. The Coordination nationale d'appui au déploiement de la force internationale à l'est du Tchad (CONAFIT) reported that, in anticipation of further returns, the Government had deployed gendarmes to the areas of return to provide

security and restore public services. Both Government and UN representatives highlighted the importance of ensuring the voluntary nature of returns and the necessity of addressing basic needs to ensure the returns were sustainable.

MINURCAT continued to consolidate DIS, particularly by increasing its administrative and operational autonomy. With the closure in July of the Mission's offices in Bahaï and Guéréda, full-time monitoring and support of those DIS posts ceased. Security functions continued to be carried out by DIS. The selection of 200 new DIS recruits was under way, and CONAFIT provided MINURCAT with a list of 293 candidates, including 47 women. Training of the new recruits was to be completed in the coming months, bringing DIS strength up to approximately 1,000 officers. MINURCAT conducted training sessions for 22 senior DIS officers on monitoring and mentoring, performance evaluation, investigation, and community policing techniques and practices. Several workshops were conducted to enhance the planning and instructional techniques of DIS trainers. On 24 August, the Mission completed the training of an additional 19 DIS trainers, bringing the total number to 30. Since the mandated reduction and reconfiguration of the MINURCAT force was achieved in July, the force's strength had stabilized at 2,159 personnel. In accordance with the drawdown plan, the camps at Bahaï and Guéréda were closed on 31 July, and a residual military presence maintained in Iriba (Sector North) and Koukou-Angarana (Sector South) to protect the remaining UN assets and personnel.

In the CAR, on 5 September, an unidentified armed group attacked the village of Ouanda Djalle (Vakaga), 150 kilometres south of Birao. The group looted premises and reportedly abducted some 44 villagers, fatally shooting two of them. They returned later the same day and burned 74 houses, rendering some 2,000 people homeless. On 11 September, an unidentified armed group clashed with UFDR at Penbele. Further attacks were reported on 27 and 30 September on the villages of Koumbal and Tiroungoulo, respectively, about 110 and 117 kilometres south of Birao. All the attacks allegedly involved LRA elements. MINURCAT was denied access to the sites of the attacks by local leaders. In anticipation of the Mission's withdrawal, the Government expressed concern about the security situation in the Vakaga and the Haute-Kotto prefectures in the north-east of the country. As the 120 Government troops in Birao were lightly armed, had poor land mobility, no air capacity and received minimal logistical and financial support, the Government intended to deploy a battalion-sized unit there. The Secretary-General indicated that, with the commencement of the withdrawal of MINURCAT from Birao on 21 October, the national forces of the CAR might not immediately be in a position to deploy and

sustain additional troops. He had therefore deployed a team to review the security environment and threat assessment.

The Secretary-General observed that in the remaining months of the MINURCAT mandate, considerable effort would be expended to consolidate the initiatives of the past three years. The exercise by the Government of Chad of its sovereign protection responsibility was vital. While the DIS force remained in a formative stage, it had demonstrated that it could make a difference to the security of the vulnerable populations in the east. The future development of DIS would depend on sustained attention, including in the areas of training, oversight and resources. Of the two options presented to prepare for the Mission's withdrawal, the Government had since stated its preference for the receipt of direct bilateral support to build up the capacity of its security forces, and had accordingly approached a number of potential partner countries. The Secretary-General urged Member States to respond favourably to the Government's request for assistance to ensure that there was no gap between the departure of MINURCAT and the further deployment of trained and equipped national forces to the Vakaga region.

Communication. In a further revision of the DIS sustainment plan, conveyed to the Security Council President on 15 October [S/2010/536], Chad indicated its intention to establish a DIS Support Office to provide the assistance needed to consolidate and strengthen its achievements, with a view to promoting its sustainment. The office would focus on the financial and material management of funds and resources, including the physical plant and staff capacity-building, by providing continuing and specialized training in human rights, international humanitarian law, the rights of refugees and displaced persons, communications, computer technology, research techniques, reading of topographical maps and use of GPS technology, human resources management and evaluation, community policing and ethics. The DIS Support Office would be composed of a Human Resources Unit, a Trust Fund, a Physical Plant and Security Unit, a Transport Unit, and a Transmission and Communications Unit, which would allow for internal communication among the various services, external communication between DIS and humanitarian workers, and external communication between DIS and the country's defence and security forces. The Office could be attached to a UN agency in Chad and would work in cooperation with that agency and with CONAFIT.

Report of Secretary-General (December). In his December report on MINURCAT [S/2010/611], the Secretary-General informed the Security Council that, while the general security situation in Chad remained calm, the humanitarian needs in the eastern part of the country were immense, where some 70 humanitarian organizations continued to provide as-

sistance to some 255,000 refugees, more than 137,500 IDPs and about 43,000 returnees, as well as a host population of 150,000. The destruction of more than 104,000 hectares of crops during the rainy season rendered the population vulnerable in southern, central and eastern Chad. Across the Sahelian belt, an estimated 1.6 million people faced food insecurity and malnutrition. Humanitarian actors and MINURCAT mobilized resources to help the Government alleviate the situation. UNHCR released emergency stocks of non-food items at refugee sites and surrounding villages affected by the floods. MINURCAT logistical support facilitated the delivery of around 10 tons of humanitarian aid to IDPs in Loboutique (Dar Sila). Similar assistance was provided to humanitarian assessment missions deployed to Mongororo, Kerfi, Am Timan, Tiero and Marena.

In terms of the revised national DIS sustainment plan (see above), the Government was committed to funding all DIS personnel, estimated at approximately \$7 million, or 33 per cent of the budget, but was seeking \$14 million in donor assistance to support logistical requirements and the national facilitation structure. It had requested UN assistance for mobilizing and managing donor funds, as well as additional technical assistance to DIS and its support structure, including the recruitment of expert advisers in police oversight and logistics. To maximize DIS sustainability, MINURCAT transferred the bulk of its DIS mentoring, administration and logistical support programmes to the United Nations Development Programme (UNDP) and UNHCR. The Government indicated that CONAFIT, established as the Mission's primary national interlocutor, would cease its functions once the Mission withdrew from Chad on 31 December. A new structure, the Coordination nationale pour le soutien aux humanitaires et au DIS, would be established to interact with humanitarian partners and other key actors. The mandate of and arrangements for the new body, and the modalities of its work, were being finalized. In the east, coordination with humanitarian actors on security issues, joint analysis and escorts were provided by the Government's recently established Bureaux de sécurisation et des mouvements.

The Secretary-General requested the Department of Peacekeeping Operations to conduct a threat assessment in the north-east of the CAR, the findings of which were shared with the Council in closed consultations on 20 October. The major source of insecurity was banditry and transient arms sellers. The most urgent threat, however, stemmed from armed internal political opposition groups. In anticipation of the MINURCAT withdrawal, the Government made it clear that it was not in favour of an international force. It intended to reinforce its own military in the north-

east, but the national forces lacked basic equipment and training. The Government made approaches to possible bilateral partners to provide capacity-building support to its national forces. MINURCAT completed its withdrawal from Birao on 15 November, when it transferred its two campsites to the Government. The Government reportedly reinforced its national forces garrisoned in Birao to approximately 150 troops; however, those were withdrawn following a 24 November attack by opposition groups.

MINURCAT, on the closure of its camps in its forward bases in eastern Chad and in the north-eastern part of the CAR, transferred to the Governments of the two countries camp infrastructure, as well as some assets to contribute to the continuation of activities related to the protection of civilians and humanitarian actors. Following the closure of the camps in Goz Beida and Farchana on 27 and 30 November, respectively, the Mission consolidated its presence in N'Djamena and Abéché to prepare for liquidation. The Mission's drawdown of civilian staff progressed on schedule, and planning was well advanced for the mission liquidation period. Regarding the Council-mandated construction of DIS stations, including the drilling of wells and work on the police academy, progress was reviewed at the fourth meeting of the Government of Chad/United Nations High-level Working Group convened in N'Djamena on 10 November. The first phase of construction at the police academy in N'Djamena was complete, but the second phase had not been initiated because of lack of funding. The construction of six police stations and 11 police posts was projected to be completed in early 2011. Construction of the DIS posts in the Touloum and Iridimi refugee camps was projected to be finished by the end of April 2011. The drilling of wells in Abéché commenced. All work was to be completed before the end of April 2011, and a further inspection was scheduled for early December of that year.

In accordance with resolution 1923(2010), MINURCAT initiated exchanges with the Government, the UN country team, and other key actors to identify means to continue the Mission's activities related to the protection of civilians and early recovery, as well as their sustainability in the areas of justice and prisons, sexual and gender-based violence, child protection, human rights monitoring, and mine action. In addition, local reconciliation initiatives were carried out in eastern Chad. Discussions focused on the workplans of the individual MINURCAT civilian units with a view to identifying activities that could be completed by 31 December 2010 and those that needed to continue, guided by the priorities set out in the Government's Programme global de relance à l'est du Tchad.

An assessment of lessons learned in the context of MINURCAT showed that, even when freely given, the

consent of a host Government should be nurtured to ensure sustainability. Consent was reversible, especially when the conditions in the country and/or the subregion changed significantly. The weight of regional considerations in host Government consent should not be underestimated, nor should the consistency of the support of key Member States that helped to secure the host Government's initial consent. Sustained consent by and effective cooperation with a host Government remained essential for a mission to attain its objectives. The manner in which it was secured and maintained should not serve to erode the Organization's principles. The lessons to be drawn were that a shared and practical understanding of the protection of civilians should be developed and the contributions of key partners identified in an integrated strategy that was clearly elaborated during the predeployment planning phase. Once a mission was deployed, such a strategy should be routinely reviewed with the host Government and the UN country team to take into account local developments without jeopardizing organizational values and norms. In the case of MINURCAT, the absence of a communications strategy impaired the Mission's ability to narrow the gap between expectations and reality. Such a strategy should be developed at the initial stage of a mission's deployment.

Notwithstanding those comments, there was near unanimity among the interviewees that, in contrast with the tenuous consent by the Government for the military component, authorities accepted the civilian component of the Mission, and the extension of its mandate. The MINURCAT force and DIS had managed to provide a measure of security for refugees, IDPs and humanitarian actors. Local populations and beneficiaries of humanitarian aid generally expressed a positive view of DIS.

The Secretary-General observed that MINURCAT had been a unique UN peacekeeping operation in that it was devoted solely to the protection of civilians. He hoped that the lessons outlined in his report would assist the Council when considering the evolution of peacekeeping as a whole and contemplating mandates for peacekeeping operations providing for the protection of civilians.

Security Council consideration. The Security Council met on 14 December [S/PV.6449] to consider the Secretary-General's report on MINURCAT and the situation in Chad and the CAR, during which it was briefed by the Special Representative of the Secretary-General. It resumed consideration of the report on 20 December [S/PV.6460], following which the Council President adopted statement S/PRST/2010/29 (see p. 168), noting the expiration of the MINURCAT mandate on 31 December and the recommendations contained in the Secretary-General's report.

SECURITY COUNCIL ACTION

On 20 December [meeting 6460], following consultations among Security Council members, the President made statement **S/PRST/2010/29** on behalf of the Council:

The Security Council takes note of the report of the Secretary-General of 1 December 2010 on the United Nations Mission in the Central African Republic and Chad, the lessons learned and the recommendations contained therein, and expresses its intention to take them into account within the framework of its ongoing work to enhance the overall effectiveness of United Nations peacekeeping.

In the context of the expiration of the mandate of the Mission on 31 December 2010, the Council commends the Mission for its contribution to providing, without prejudice to the primary responsibility of the Government of Chad, security for refugees, internally displaced persons and humanitarian actors in eastern Chad and for its efforts to enhance the capacity of the Chadian *Détachement intégré de sécurité*. The Council notes the importance of action by the Government of Chad, supported as appropriate by the United Nations country team, on justice, including the prison sector, sexual and gender-based violence, child protection, human rights, local reconciliation and mine action, following the withdrawal of the Mission.

The Council recalls the commitment of the Government of Chad, outlined in the letter dated 7 September 2010 from the Permanent Representative of Chad to the United Nations addressed to the President of the Council, to assume full responsibility for the security and the protection of the civilian population in eastern Chad, including refugees, internally displaced persons, returnees and host communities, with a particular focus on women and children, and United Nations and humanitarian personnel and assets, in accordance with its obligations under international humanitarian, human rights and refugee law.

The Council encourages the finalization of the establishment of the *Coordination nationale pour le soutien aux humanitaires* et au *Détachement intégré de sécurité* to allow efficient interaction of the Government of Chad with humanitarian partners and other key actors. It welcomes the establishment of the *Bureaux de sécurisation et des mouvements* in eastern Chad for local coordination with humanitarian actors on security issues, joint analysis and escorts.

The Council acknowledges the critical role that the *Détachement intégré de sécurité* will have to perform in the foreseeable future for the protection of civilians. It takes note of the revised national plan for the sustainment of the *Détachement intégré de sécurité*. The Council welcomes the commitment of the Government of Chad to assure the future sustainability of the *Détachement intégré de sécurité* and the funding it has pledged. It welcomes the work of the United Nations Development Programme and the Office of the United Nations High Commissioner for Refugees with the relevant national Chadian authorities to establish a mechanism for the mobilization and management of donor support for the *Détachement intégré de sécurité* after 1 January 2011.

It especially welcomes the establishment of a new 'basket fund' in support of the *Détachement intégré de sécurité* administered by the United Nations Development Programme. The Council calls upon Member States to ensure that the necessary donor funds are made available to meet the budgetary requirements of the *Détachement intégré de sécurité*. The Council urges the Government of Chad to assume full responsibility for the sustainment of the *Détachement intégré de sécurité* as soon as possible.

The Council requests the Secretary-General to report by the conclusion of the liquidation phase of the Mission on 30 April 2011 on the progress made in eastern Chad on the protection of civilians, especially women and children, including (i) the status of refugees and internally displaced persons and durable solutions to their displacement, (ii) unimpeded, safe and timely humanitarian access, including the movement and security of humanitarian personnel and the delivery of humanitarian aid, (iii) the measures taken to respond to violations of humanitarian, human rights and refugee law, and (iv) the overall security situation as it affects the humanitarian situation.

The Council has taken note of the complete withdrawal of the Mission from the Central African Republic on 15 November 2010. It remains seriously concerned by the challenges facing the security forces of the Government of the Central African Republic in Birao and stresses the importance of bilateral partners' work to enhance the capacity of the Central African Republic armed forces in support of the wider security sector reform process. The Council also remains seriously concerned by the security situation in the Central African Republic. It condemns all attacks by local and foreign armed groups, including the Lord's Resistance Army, that threaten the population as well as peace and stability in the Central African Republic and the subregion. The Council encourages further cooperation between the Governments of the Central African Republic, Chad and the Sudan in order to secure their common borders. The Council recognizes the contribution of the Mission for the Consolidation of Peace in the Central African Republic in support of durable peace and security in the Central African Republic and calls upon regional and subregional organizations to consider, upon request of the Government of the Central African Republic, further actions to support security in the Central African Republic, such as reinforcing the Mission for the Consolidation of Peace in the Central African Republic.

The Council commends the Special Representative of the Secretary-General for the Central African Republic and Chad, Mr. Youssef Mahmoud, for his leadership and the personnel of the United Nations Mission in the Central African Republic and Chad for their dedication, as well as the commitment of troop-contributing countries to the Mission. It encourages the Government of Chad to continue to extend its full support for the orderly withdrawal from the country of all remaining Mission staff and assets until the end of the liquidation phase.

Year-end developments. In a later report [S/2011/278], the Secretary-General confirmed that MINURCAT left Chad on 31 December. In December, MINURCAT and the UN country team finalized the

programme for the consolidation of achievements in eastern Chad, which was approved by the Government. The programme would ensure an orderly transfer of the activities of the Mission's civilian components to relevant UN entities. The transition programme was fully aligned with Chad's comprehensive recovery programme. The fifth and final meeting of the humanitarian forum, established pursuant to resolution 1923(2010) to facilitate dialogue between the Government of Chad and international partners, was held on 15 December. The meeting summarized the outcome of the four previous forums, which discussed, respectively, the protection of civilians, humanitarian access, durable solutions for IDPs and early recovery. The forums helped foster a common understanding by all stakeholders of the humanitarian and protection challenges. A quarterly follow-up mechanism was put in place to ensure the review of the recommendations and actions proposed by the forums. On 21 October, the Policy Committee, chaired by the Secretary-General, had requested that the UN country team develop a comprehensive strategy for the protection of civilians in eastern Chad. The need for such a strategy was also one of the conclusions reached by the humanitarian forums. On 29 December, the Coordination nationale de soutien aux humanitaires et au Détachement intégré de sécurité (CONSAHDIS) was established as the main interface for the Government with international humanitarian actors.

On 10 December, MINURCAT and the Office of the United Nations High Commissioner for Human Rights published a report on the human rights situation in Chad, covering the period from April 2008 to November 2010. The report stated that the absence or weak presence of state institutions in most parts of the country had created an environment conducive to human rights violations. The deployment of judicial institutions at the local level had slowed down owing to logistical and security constraints, and insufficient funding of social services limited the enjoyment of constitutional rights. In addition, cultural practices and barriers and other social stereotypes were preventing women from taking an active part in social and political life.

MINURCAT

The mandate of the United Nations Mission in the Central African Republic and Chad (MINURCAT), established by Security Council resolution 1778(2007) [YUN 2007, p. 153] to create the security conditions for the return of refugees and displaced persons, and favourable conditions for reconstruction and development, and expanded by resolution 1861(2009) [YUN 2009, p. 154] to include security and protection of civilians, as well as humanitarian workers, was extended three times during the year: to 15 May, 26 May and

31 December. The military component was reduced to 2,200 military personnel, 25 military liaison officers and 300 police officers, who were all withdrawn by 31 December. Its mandate was also revised to support activities related to its withdrawal and handover of responsibilities to the Government of Chad, including the training of the Chadian security forces and the protection of humanitarian and UN staff and facilities.

On 3 June, Youssef Mahmoud (Tunisia) was appointed Special Representative of the Secretary-General for MINURCAT, to succeed Victor da Silva Angelo (Portugal) [S/2010/292; S/2010/293].

Financing

In May [A/64/783], the Secretary-General requested commitment authority in the amount of \$246,598,800 gross (\$242,949,500 net) for the maintenance of MINURCAT for the period from 1 July to 31 December 2010, pending submission to the General Assembly of the Mission's full 2010/2011 budget.

ACABQ, in comments and recommendations contained in its May report [A/64/660/Add.15] on the performance report for MINURCAT for the period from 1 July 2008 to 30 June 2009 [YUN 2009, p. 163] and the May note by the Secretary-General requesting commitment authority for MINURCAT (see above), recommended that the Assembly appropriate \$139,671,300 for the period from 1 July 2008 to 30 June 2009 already authorized and assessed, in addition to the \$301,124,200 already appropriated, and that the unencumbered balance of \$16,722,500, as well as other income adjustments in the amount of \$14,548,400 for the period ended 30 June 2009, be credited to Member States.

Pending a decision by the Security Council on the MINURCAT mandate, ACABQ recommended that the Assembly approve \$184,949,000 gross (\$182,212,000 net) for the maintenance of the Mission for the period from 1 July to 15 November 2010. It further recommended that the Secretary-General be requested to submit, at the main part of the Assembly's sixty-fifth (2010) session, the full budget for MINURCAT.

GENERAL ASSEMBLY ACTION

On 24 June [meeting 101], the General Assembly, on the recommendation of the Fifth Committee [A/64/834], adopted **resolution 64/286** without vote [agenda item 162].

Financing of the United Nations Mission in the Central African Republic and Chad

The General Assembly,

Having considered the report of the Secretary-General on the financing of the United Nations Mission in the Cen-

tral African Republic and Chad, the note by the Secretary-General on the financing arrangements for the Mission and the related report of the Advisory Committee on Administrative and Budgetary Questions,

Recalling Security Council resolution 1778(2007) of 25 September 2007, by which the Council established in Chad and the Central African Republic a multidimensional presence, including a United Nations Mission in the Central African Republic and Chad, and the subsequent resolutions by which the Council extended the mandate of the Mission, the latest of which was resolution 1923(2010) of 25 May 2010, by which the Council extended the mandate of the Mission until 31 December 2010, decided to reduce the military component of the Mission to 2,200 military personnel and called upon the Secretary-General to complete withdrawal of all uniformed and civilian components, other than those required for the Mission's liquidation, by 31 December 2010,

Recalling also its resolution 62/233 A of 22 December 2007 on the financing of the United Nations Mission in the Central African Republic and Chad and its subsequent resolutions thereon, the latest of which was resolution 63/274 B of 30 June 2009,

Reaffirming the general principles underlying the financing of United Nations peacekeeping operations, as stated in General Assembly resolutions 1874(S-IV) of 27 June 1963, 3101(XXVIII) of 11 December 1973 and 55/235 of 23 December 2000,

Mindful of the fact that it is essential to provide the Mission with the financial resources necessary to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

Noting with appreciation that voluntary contributions have been made to the Mission,

1. *Requests* the Secretary-General to entrust the Head of Mission with the task of formulating future budget proposals in full accordance with the provisions of General Assembly resolutions 59/296 of 22 June 2005, 60/266 of 30 June 2006, 61/276 of 29 June 2007 and 64/269 of 24 June 2010, as well as other relevant resolutions;

2. *Takes note* of the status of contributions to the United Nations Mission in the Central African Republic and Chad as at 30 April 2009, including the contributions outstanding in the amount of 48.8 million United States dollars, representing some 4 per cent of the total assessed contributions, notes with concern that only thirty-five Member States have paid their assessed contributions in full, and urges all other Member States, in particular those in arrears, to ensure payment of their outstanding assessed contributions;

3. *Expresses its appreciation* to those Member States which have paid their assessed contributions in full, and urges all other Member States to make every possible effort to ensure payment of their assessed contributions to the Mission in full;

4. *Expresses concern* at the financial situation with regard to peacekeeping activities, in particular as regards the reimbursements to troop contributors that bear additional burdens owing to overdue payments by Member States of their assessments;

5. *Also expresses concern* at the delay experienced by the Secretary-General in deploying and providing adequate re-

sources to some recent peacekeeping missions, in particular those in Africa;

6. *Emphasizes* that all future and existing peacekeeping missions shall be given equal and non-discriminatory treatment in respect of financial and administrative arrangements;

7. *Also emphasizes* that all peacekeeping missions shall be provided with adequate resources for the effective and efficient discharge of their respective mandates;

8. *Reiterates its request* to the Secretary-General to make the fullest possible use of the facilities and equipment at the United Nations Logistics Base at Brindisi, Italy, in order to minimize the costs of procurement for the Mission;

9. *Acknowledges with appreciation* that the use of the logistics hub at Entebbe, Uganda, has been cost-effective and has resulted in savings for the United Nations, and welcomes the expansion of the logistics hub to provide logistical support to peacekeeping operations in the region and to contribute further to their enhanced efficiency and responsiveness, taking into account the ongoing efforts in this regard;

10. *Requests* the Secretary-General to ensure that proposed peacekeeping budgets are based on the relevant legislative mandates;

11. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions, subject to the provisions of the present resolution, and requests the Secretary-General to ensure their full implementation;

12. *Takes note* of paragraph 24 of the report of the Advisory Committee;

13. *Reaffirms* section XX of resolution 61/276, and encourages the United Nations Mission in the Central African Republic and Chad and other United Nations missions in the region to continue, where possible, the efforts to achieve greater synergies, while bearing in mind that individual missions are responsible for the preparation and implementation of their own budgets and for controlling their own assets and logistical operations;

14. *Requests* the Secretary-General to ensure the full implementation of the relevant provisions of resolutions 59/296, 60/266, 61/276 and 64/269;

15. *Also requests* the Secretary-General to take all action necessary to ensure that the Mission is administered with a maximum of efficiency and economy;

16. *Further requests* the Secretary-General, in order to reduce the cost of employing General Service staff, to continue efforts to recruit local staff for the Mission against General Service posts, commensurate with the requirements of the Mission;

Financial performance report for the period from 1 July 2008 to 30 June 2009

17. *Takes note* of the report of the Secretary-General on the financial performance of the Mission for the period from 1 July 2008 to 30 June 2009;

Estimates for the period from 1 July to 31 December 2010

18. *Authorizes* the Secretary-General to enter into commitments for the period from 1 July to 31 December 2010 in a total amount not exceeding 215 million dollars for the operation of the Mission;

Financing of the commitment authority

19. *Decides* to apportion among Member States the amount of 184,949,000 dollars for the period from 1 July to 31 December 2010, in accordance with the levels updated in General Assembly resolution 64/249 of 24 December 2009, and taking into account the scale of assessments for 2010, as set out in Assembly resolution 64/248 of 24 December 2009;

20. *Also decides* that, in accordance with the provisions of its resolution 973(X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 19 above, their respective share in the Tax Equalization Fund of 2,737,000 dollars, representing the estimated staff assessment income approved for the period from 1 July to 31 December 2010;

Estimates for the support account for peacekeeping operations and the United Nations Logistics Base for the period from 1 July 2010 to 30 June 2011

21. *Further decides* to appropriate to the Special Account for the United Nations Mission in the Central African Republic and Chad the amount of 13,030,800 dollars for the period from 1 July 2010 to 30 June 2011, comprising 11,036,000 dollars for the support account for peacekeeping operations and 1,994,800 dollars for the United Nations Logistics Base;

Financing of the appropriation

22. *Decides* to apportion among Member States the amount of 13,030,800 dollars, in accordance with the levels updated in resolution 64/249, and taking into account the scale of assessments for 2010 and 2011, as set out in resolution 64/248;

23. *Also decides* that, in accordance with the provisions of resolution 973(X), there shall be set off against the apportionment among Member States, as provided for in paragraph 22 above, their respective share in the Tax Equalization Fund of 1,073,400 dollars, comprising the prorated share of 913,800 dollars of the estimated staff assessment income approved for the support account and the prorated share of 159,600 dollars of the estimated staff assessment income approved for the United Nations Logistics Base;

24. *Further decides* that, for Member States that have fulfilled their financial obligations to the Mission, there shall be set off against their apportionment, as provided for in paragraph 19 above, their respective share of the unencumbered balance and other income in the total amount of 31,270,900 dollars in respect of the financial period ended 30 June 2009, in accordance with the levels updated in General Assembly resolution 61/243 of 22 December 2006, and taking into account the scale of assessments for 2009, as set out in Assembly resolution 61/237 of 22 December 2006;

25. *Decides* that, for Member States that have not fulfilled their financial obligations to the Mission, there shall be set off against their outstanding obligations their respective share of the unencumbered balance and other income in the total amount of 31,270,900 dollars in respect of the financial period ended 30 June 2009, in accordance with the scheme set out in paragraph 24 above;

26. *Also decides* that the decrease of 31,000 dollars in the estimated staff assessment income in respect of the fi-

nancial period ended 30 June 2009 shall be set off against the credits from the amount of 31,270,900 dollars referred to in paragraphs 24 and 25 above;

27. *Emphasizes* that no peacekeeping mission shall be financed by borrowing funds from other active peacekeeping missions;

28. *Encourages* the Secretary-General to continue to take additional measures to ensure the safety and security of all personnel participating in the Mission under the auspices of the United Nations, bearing in mind paragraphs 5 and 6 of Security Council resolution 1502(2003) of 26 August 2003;

29. *Invites* voluntary contributions to the Mission in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure and practices established by the General Assembly;

30. *Decides* to include in the provisional agenda of its sixty-fifth session the item entitled "Financing of the United Nations Mission in the Central African Republic and Chad".

In October [A/65/487], the Secretary-General submitted the budget for MINURCAT for the period from 1 July 2010 to 30 June 2011 in the amount of \$239,096,600 gross, comprising \$205,748,500 for the maintenance of the Mission and \$33,348,100 for its liquidation. The proposed budget provided for the average monthly deployment of 23 military observers, 1,909 military contingent personnel, 117 UN police officers, 356 international staff, 546 national staff, 119 UN Volunteers, 18 Government-provided personnel and 2 temporary positions for the period from 1 July 2010 to 31 December; and the average monthly deployment of 118 international staff, 153 national staff and 32 UN Volunteers for the liquidation period, from 1 January 2011 to 30 April 2011.

In October [A/65/549], ACABQ recommended that the Assembly appropriate \$239,096,600 for the maintenance and liquidation of the Mission from 1 July 2010 to 30 June 2011. ACABQ was of the opinion that assessment was not required beyond the \$184,949,000 already assessed for the period from 1 July to 31 December 2010, as the cash available to the Mission should be sufficient to meet envisaged requirements. It recommended that final requirements be reported in the context of the performance report.

GENERAL ASSEMBLY ACTION

On 24 December [meeting 73], the General Assembly, on the recommendation of the Fifth Committee [A/65/653], adopted **resolution 65/254 A** without vote [agenda item 144].

Financing of the United Nations Mission in the Central African Republic and Chad

The General Assembly,

Having considered the report of the Secretary-General on the financing of the United Nations Mission in the

Central African Republic and Chad for the period from 1 July 2010 to 30 June 2011, and the related report of the Advisory Committee on Administrative and Budgetary Questions,

Recalling Security Council resolution 1778(2007) of 25 September 2007, by which the Council had established in Chad and the Central African Republic a multidimensional presence, including a United Nations Mission in the Central African Republic and Chad, and the subsequent resolutions by which the Council extended the mandate of the Mission, the latest of which was resolution 1923(2010) of 25 May 2010, by which the Council extended the mandate of the Mission until 31 December 2010, decided to reduce the military component of the Mission to 2,200 military personnel and called upon the Secretary-General to complete withdrawal of all uniformed and civilian components, other than those required for the Mission's liquidation, by 31 December 2010,

Recalling also its resolution 62/233 A of 22 December 2007 on the financing of the United Nations Mission in the Central African Republic and Chad and its subsequent resolutions thereon, the latest of which was resolution 64/286 of 24 June 2010,

Reaffirming the general principles underlying the financing of United Nations peacekeeping operations, as stated in General Assembly resolutions 1874(S-IV) of 27 June 1963, 3101(XXVIII) of 11 December 1973 and 55/235 of 23 December 2000,

Mindful of the fact that it is essential to provide the Mission with the financial resources necessary to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

Noting with appreciation that voluntary contributions have been made to the Mission,

1. *Takes note* of the status of contributions to the United Nations Mission in the Central African Republic and Chad as at 1 November 2010, including the contributions outstanding in the amount of 91.5 million United States dollars, representing some 6 per cent of the total assessed contributions, notes with concern that only forty-seven Member States have paid their assessed contributions in full, and urges all other Member States, in particular those in arrears, to ensure payment of their outstanding assessed contributions;

2. *Expresses its appreciation* to those Member States that have paid their assessed contributions in full, and urges all other Member States to make every possible effort to ensure payment of their assessed contributions to the Mission in full;

3. *Expresses concern* at the financial situation with regard to peacekeeping activities, in particular as regards the reimbursements to troop contributors that bear additional burdens owing to overdue payments by Member States of their assessments;

4. *Also expresses concern* at the delay experienced by the Secretary-General in deploying and providing adequate resources to some recent peacekeeping missions, in particular those in Africa;

5. *Emphasizes* that all future and existing peacekeeping missions shall be given equal and non-discriminatory treatment in respect of financial and administrative arrangements;

6. *Also emphasizes* that all peacekeeping missions shall be provided with adequate resources for the effective and efficient discharge of their respective mandates;

7. *Requests* the Secretary-General to ensure that proposed peacekeeping budgets are based on the relevant legislative mandates;

8. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions and requests the Secretary-General to ensure their full implementation;

9. *Reaffirms* section XX of its resolution 61/276 of 29 June 2007, and encourages the United Nations Mission in the Central African Republic and Chad and other United Nations missions in the region to continue, where possible, the efforts to achieve greater synergies, while bearing in mind that individual missions are responsible for the preparation and implementation of their own budgets and for controlling their own assets and logistical operations;

10. *Requests* the Secretary-General to ensure the full implementation of the relevant provisions of its resolutions 59/296 of 22 June 2005, 60/266 of 30 June 2006, 61/276 of 29 June 2007 and 64/269 of 24 June 2010;

11. *Also requests* the Secretary-General to take all action necessary to ensure that the Mission is administered with a maximum of efficiency and economy;

Budget estimates for the period from 1 July 2010 to 30 June 2011

12. *Decides* to appropriate to the Special Account for the United Nations Mission in the Central African Republic and Chad the amount of 239,096,600 dollars for the financial period from 1 July 2010 to 30 June 2011, inclusive of 205,748,500 dollars for the maintenance of the Mission for the period from 1 July to 31 December 2010 and 33,348,100 dollars for the administrative liquidation of the Mission for the period from 1 January to 30 April 2011, taking into account the amount of 215 million dollars previously authorized for the maintenance of the Mission for the period from 1 July to 31 December 2010 under the terms of General Assembly resolution 64/286;

Financing of the appropriation

13. *Also decides*, taking into account the amount of 184,949,000 dollars already apportioned among Member States under the terms of General Assembly resolution 64/286, to defer its decision on additional apportionment for the period from 1 July 2010 to 30 June 2011 until its consideration of the final requirements for the Mission, to be submitted in the context of the performance report for the same period;

14. *Emphasizes* that no peacekeeping mission shall be financed by borrowing funds from other active peacekeeping missions;

15. *Encourages* the Secretary-General to continue to take additional measures to ensure the safety and security of all personnel participating in the Mission under the auspices of the United Nations, bearing in mind paragraphs 5 and 6 of Security Council resolution 1502(2003) of 26 August 2003;

16. *Invites* voluntary contributions to the Mission in cash and in the form of services and supplies acceptable to

the Secretary-General, to be administered, as appropriate, in accordance with the procedure and practices established by the General Assembly;

17. *Decides* to keep under review during its sixty-fifth session the item entitled “Financing of the United Nations Mission in the Central African Republic and Chad”.

On the same date, the Assembly decided that the item on the financing of MINURCAT would remain for consideration during its resumed sixty-fifth (2011) session (**decision 65/544**).

Uganda

The Security Council sent a mission to Uganda and the Sudan, led by Ambassadors Mark Lyall Grant (United Kingdom), Ruhakana Rugunda (Uganda) and Susan Rice (United States), from 4 to 10 October [S/2010/509]. In Uganda, the mission was to reiterate the Council’s support to the improvement of relations among the countries of the region and encourage them to strengthen cooperation; emphasize support for action against armed groups, particularly the Lord’s Resistance Army (LRA); and reiterate support for the Djibouti Peace Process.

Security Council consideration. On 14 October [S/PV.6397], the Council was briefed by Ambassador Rugunda on the Uganda phase of the mission. In that country, the mission visited the Entebbe Support Base, which was the distribution and storage centre for the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) operations in the eastern part of the DRC. The Director of Mission Support informed the mission that the Base also provided support to other UN missions in the region, in a framework that consolidated resources so as to achieve improvements and efficiencies at the regional level. The mission also met with Ugandan President Yoweri Museveni and other senior Government officials. President Museveni stressed the importance of strengthening cooperation between the United Nations and the African Union and sub-regional organizations in the maintenance of peace and security. On the LRA, he expressed satisfaction at the level of cooperation among countries of the region in addressing the menace it represented, and was confident that the LRA was not a long-term problem, since countries of the region were working together to solve it. He called again on the international community, and the United Nations in particular, to support regional efforts to end the LRA menace. On the Entebbe Support Base, President Museveni assured the Council of Uganda’s readiness to continue hosting and supporting UN missions in the region. A full report on the visit was later issued [S/2011/7].

Children and armed conflict

In his April report on children and armed conflict [A/64/742-S/2010/181], the Secretary-General indicated that in December 2009, the Ugandan People’s Defence Forces (UPDF), with the cooperation of the armed forces of the Democratic Republic of the Congo (FARDC) and south Sudan (SPLA), launched joint military offensives into north-east DRC and southern Sudan territories in pursuit of LRA rebel groups, which had carried out violent reprisal attacks against civilians that led to the death and disappearance of hundreds of children and triggered significant population displacements. During such offensives, UPDF had come into contact with children who were either in the frontlines, associated with the LRA or being held captive. The child protection concerns included timeliness of the release of such children to child protection agencies, their cross-border repatriation, their use for intelligence purposes by UPDF and the lack of immediate access to psychosocial support and services for those severely traumatized. The United Nations had stressed to the Government of Uganda the need to establish protocols between UPDF and child protection actors, and between other concerned Government forces that would ensure timely access to UPDF military barracks for the identification and release of children to the United Nations and its partners. The cross-border repatriation of children associated with the LRA had become a major component of the humanitarian response for the protection of children and women in LRA-affected areas, and had benefited from cooperation between Uganda, south Sudan, the Central African Republic and the Democratic Republic of the Congo. That cooperation needed to be reinforced and systematized. During the reporting period, 71 children and young mothers formerly associated with LRA were received in reception centres in northern Uganda as part of the repatriation and reinsertion process for LRA-affected children.

Rwanda

On 7 April, the United Nations held its sixteenth commemoration of the 1994 genocide in Rwanda [YUN 1994, p. 283], during which over 800,000 innocent persons lost their lives, at Headquarters in New York. In his message in observance of that event, the Secretary-General said that the United Nations was committed to securing justice for the victims of genocide and to preventing future atrocities. It was working to enhance cooperation with the International Conference on the Great Lakes Region, particularly in implementing critical aspects relating to peace and security. The Office of the Secretary-General’s Special Adviser on the Prevention of Genocide and Mass Atrocities was also working to see that those horrible crimes never happened again.

For the sixteenth commemoration, the Department of Public Information organized, in cooperation with the Permanent Mission of Rwanda to the United Nations, several events on 7 and 8 April.

West Africa

Regional issues

Political and security developments

The Secretary-General, as requested by the Security Council in 2007 [YUN 2007, p. 168], continued to report every six months on the fulfilment of the mandate of the United Nations Office for West Africa (UNOWA). The reports focused on country-specific political developments in the subregion (notably Benin, Guinea, Mauritania, Niger, Togo), and on developments, trends and UNOWA activities in cross-border and cross-cutting issues, in particular: economic, social and humanitarian issues; human rights and gender issues; drug trafficking and cross-border organized crime; security sector reform; elections and stability; and cooperation with institutions and other regional and subregional partners. The reports also described developments in the Cameroon-Nigeria Mixed Commission (see p. 231). Details of developments in Guinea (see p. 233) and Mauritania (see p. 237) are covered below.

Report of Secretary-General (June). In his report covering 1 January to 30 June [S/2010/324], the Secretary-General stated that a number of West African countries continued to be affected by political crises resulting from flawed or contested electoral processes, unconstitutional changes of government or other threats to constitutional legality and governance. In collaboration with the Economic Community of West African States (ECOWAS) and the African Union (AU), UNOWA remained engaged in Guinea and the Niger to promote a return to constitutional order. It also worked with the UN country team and the ECOWAS Mediator in Togo, President Blaise Compaoré of Burkina Faso, to ensure that the presidential election of 4 March was held as scheduled in a peaceful manner. During the reporting period, Burkina Faso, Côte d'Ivoire and Guinea organized presidential elections, while the Niger held a referendum on its new Constitution.

In early 2010, the Niger witnessed a reversal of its democratic achievements since 1999. Efforts by President Tandja to amend the Constitution and organize a referendum had been rejected, and an inter-Nigerian dialogue, initiated in December 2009 by ECOWAS, broke down. On 18 February, President Tandja was removed in a military coup. The Conseil suprême pour la restauration de la démocratie (CSR

SD) took control of the country with the objectives of restoring democratic rule and reconciling the people of the Niger. The international community became involved in the situation beginning 18 February, with the United Nations and UNOWA leading efforts to return the country to constitutional legality. On 21 February, the Special Representative of the Secretary General, Said Djinnit, undertook a mission to Niamey with the President of the ECOWAS Commission and the AU Commissioner for Peace and Security to encourage CSRSD to work towards a quick transition to hold elections. The Special Representative advised the new authorities to acknowledge the food crisis and to cooperate with the international community in addressing the situation. He also suggested that CSRSD formalize its commitment not to stand for election, as that would strengthen the basis for international cooperation; and on 12 March, CSRSD signed a decree confirming that point. All transitional institutions were then established, in particular those tasked with formulating plans for the transition period, reviewing the Constitution and investigating human rights abuses. On 15 April, the Special Representative returned to Niamey to assess progress. CSRSD confirmed a one-year transition plan culminating in the election and installation of a President by 1 March 2011. The sequence of events would be: a referendum, local elections, legislative elections and the presidential election. The Niger remained confronted with serious socio-economic and humanitarian challenges, as well as the food crisis, which the leadership acknowledged.

Presidential elections in Togo were held on 4 March amid growing tension between the ruling party and the opposition. The incumbent President, Faure Gnassingbé, was declared the winner, despite the protests of the opposition. The United Nations and other organizations monitored the political and security situation and the preparations for the election.

Tension was observed in Benin, as the country prepared for general elections scheduled for March 2011. Controversy arose over the use of voter lists and voter registration.

In general, the Secretary-General noted progress in some West African countries in consolidating peace, democratic governance and human rights, although those efforts were undermined by continued governance challenges. He called on those countries to give priority to creating an enabling environment for economic activities and poverty alleviation, enhancing institutional reforms, and attaining development goals. In particular, he urged States to provide humanitarian support to the Sahel region in light of the food crisis and leaders of West Africa to combat cross-border criminal activities and terrorist threats, especially in the Sahel Band. UNOWA would need to strengthen its technical and strategic police advisory

capacity in order to support the ECOWAS Regional Plan of Action, and the Secretary-General recommended that the strengthening be reflected in the next UNOWA mandate.

Communication. By a letter of 4 March [S/2010/117], the AU Permanent Observer Mission forwarded a communiqué on the situation in the Niger issued by the AU Peace and Security Council at its 19 February meeting (Addis Ababa, Ethiopia). The Council condemned the seizure of power by force that took place in the Niger on 18 February. The Council welcomed the mission to Niamey that the AU Commissioner for Peace and Security intended to undertake together with the President of the ECOWAS Commission and the Special Representative of the UN Secretary-General for West Africa.

Report of Secretary-General (December). In a December report [S/2010/614] covering the second half of 2010, the Secretary-General said that the progress made in the region addressing internal and external destabilizing factors needed to be consolidated to make a real impact on the lives of the people in the subregion. Internal challenges included those related to governance and the rule of law, transparency and accountability, flawed elections, security sector reform, gender equity, human rights and impunity. External factors included terrorist activities and transnational organized crime, notably drug trafficking. Political instability related to the transition from military rule or civil tensions to more democratic regimes and constitutional order was experienced in Guinea and the Niger, and post-election tensions were witnessed in Mauritania and Togo, all of which concerned UNOWA during the reporting period.

During the second half of 2010, consultations held among national stakeholders in the Niger, including the ruling CSRD, the Government, the Independent National Electoral Commission and the Constitutional Court, resulted in a consensual electoral timetable for the transition. On 1 October, the Head of State, Lieutenant-General Salou Djibo signed a decree on the referendum on the new Constitution. The referendum took place on 31 October, and a new Constitution was adopted by 90.19 per cent of votes with a turnout of 52.65 per cent. Presidential and parliamentary elections were scheduled for January 2011. Throughout the reporting period, the Special Representative, in cooperation with ECOWAS and the AU, engaged with national stakeholders to ensure a return to constitutional order. In October, Lieutenant-General Djibo restructured positions in CSRD amid allegations of a planned coup, and four army officers were arrested. As a result of those developments, the Special Representative and the President of the ECOWAS Commission undertook a joint mission to Niamey on 15 October to seek clarification and to

reiterate the international community's support for the transition programme.

UNOWA continued to be engaged with developments in Togo, where two trends dominated the situation during the reporting period: rapprochement between the Government and the main opposition, the Union des forces pour le changement (UFC), as manifested by the inclusion of UFC members in an enlarged Government formed in May; and an internal leadership struggle within UFC following the formation of the new Government. Opposition parties under the umbrella coalition Front républicain pour l'alternance et le changement (FRAC) continued to protest against the re-election of President Faure Gnassingbé. Meanwhile, the activities of the Truth, Justice and Reconciliation Commission, established by the Ouagadougou Global Political Agreement of 2006 to probe into political violence in Togo between 1958 and 2005, resumed after having been suspended because of the presidential election.

The Secretary-General welcomed the progress of the previous three years in the prevention and resolution of violent conflict in West Africa; however, he noted that the significant gains in West Africa remained fragile and needed to be strengthened. Insufficient democratic control over the armed forces, poor discipline within defence and security institutions and tense civil-military relations were destabilizing factors across the region. He recognized the contributions made by subregional organizations such as ECOWAS and the Mano River Union (MRU) in implementing institutional reforms and in strengthening capacity for conflict prevention and management. With the support of UNOWA, ECOWAS had established a Standby Force and had developed an early warning capacity. At the same time, structural and institutional weaknesses continued to hamper the ability of States to ensure respect for the rule of law, boost economic growth, address deeply rooted inequalities, fight corruption, reduce youth unemployment, deliver public goods and services and ensure adequate distribution of political power. Food insecurity, especially in the Niger and the broader Sahel region, remained a major humanitarian concern, and progress was needed in improving human rights records, mainstreaming gender in conflict prevention and management processes, and combating terrorism, drug trafficking and human trafficking.

Noting the increased number of requests for UNOWA support for preventive diplomacy and addressing cross-cutting root causes of conflict, the Secretary-General recommended that the mandate of the Office be renewed for three years, from 1 January 2011 to 31 December 2013, subject to reporting every six months. It would focus on four strategic directions: preventive diplomacy, by enhancing subregional

capacities for mediation, conflict prevention and peacebuilding; addressing cross-border and cross-cutting threats to peace and security; promotion of good governance and gender equality; and partnership with regional organizations.

UNOWA

During the year, UNOWA activities focused on the Office's cooperation and work with UN and regional entities; supporting good governance, the rule of law, and security sector reform; preventing and combating drug trafficking and organized crime; promoting human rights and gender equality; and assisting the Cameroon-Nigeria Mixed Commission (see p. 231).

The Office, headed by the Secretary-General's Special Representative for West Africa, Said Djinnit (Algeria), continued to promote information-sharing and interlinkages among UN entities operating in West Africa on cross-border and regional threats to peace and security. The sixth meeting of Dakar, Senegal-based UN regional offices and other entities was organized by UNOWA on 21 January to discuss political developments in the subregion and to coordinate efforts of the UN system in fighting drug trafficking and organized crime as well as food insecurity, human trafficking, terrorism, and climate change. The eighteenth high-level meeting of Heads of UN peace missions in West Africa, organized by UNOWA in Dakar on 25 February, reviewed recent political and pre-election developments in Côte d'Ivoire, Guinea, Guinea-Bissau, Liberia, the Niger, Sierra Leone and Togo. The participating entities agreed to work together in support of national efforts for peaceful elections and security reform.

UNOWA was also developing an initiative to strengthen the links between political, socioeconomic and humanitarian interventions in the Sahel region. In regard to the Sahel region, the Office organized a meeting with the resident coordinators from Burkina Faso, Mali, Mauritania and the Niger and regional directors of UN entities on 12 April, and agreed on conducting analyses on cross-cutting issues in the Sahel, such as food security; organizing, in cooperation with ECOWAS, a regional forum for consultation; and advocating for a Security Council visit to West Africa to show support for peace efforts in the subregion. Food security in the Sahel was the focus of a meeting on 22 March of Heads of UN regional agencies, convened by UNOWA. UNOWA worked with the Department of Political Affairs to promote the UN Global Counter-Terrorism Strategy in the Sahel-Sahara region.

UNOWA continued to monitor the human rights situation in the subregion with emphasis on countries involved in electoral processes. With the Office

of the UN High Commission for Human Rights, it completed a study on trafficking in persons in West Africa, producing guidelines to promote domestic legislation in compliance with international human rights norms and standards. The Office initiated a study on dimensions of climate change, especially its impact on peace and security in West Africa. At an ECOWAS/UNOWA meeting on 14 October in Abuja, the organizations agreed to further mobilize the West African leadership on the importance of addressing drug trafficking and strengthening their cooperation. The Special Representative convened the nineteenth high-level meeting of Heads of UN peace missions in West Africa, held in Dakar on 29 September with heads of missions in Côte d'Ivoire, Guinea-Bissau, Liberia and Sierra Leone attending. On 7 September, UNOWA convened a meeting of UN regional directors in Dakar, during which the Special Representative updated them on peacemaking efforts emanating from UN headquarters.

Independent review. On 10 December [S/2010/693], the Secretary-General forwarded to the Security Council the independent study on UNOWA conducted by the Center on International Cooperation of New York University, which the Council, in its consultations on UNOWA on 12 January and 13 July, had requested. The study reviewed UNOWA activities and performance in the implementation of its mandate, and assessed the appropriateness of the mandate in light of the evolving subregional peace and security landscape as well as UNOWA capacity. It made proposals for a future mandate, in particular that the Office focus on good offices with a strategic analysis component capable of framing and informing diplomacy by the Special Representative. It also recommended that a greater proportion of its budget be dedicated to meetings, research and reports, taking advantage of the ability of UNOWA to convene a wide range of stakeholders for political consultations. Substantive staff could be reduced to four or five trained in political reporting and strategic analysis. The report also noted that the strategic context in West Africa had changed. From 2000 to 2002, the subregion had been destabilized by interlinked wars, but recently the primary challenge had been a series of coups and unconstitutional changes of government. ECOWAS had evolved to address the security environment, prioritizing conflict prevention and resolution and responding to unconstitutional changes of government. The role of UNOWA involved supporting and backstopping ECOWAS.

Extension and revision of mandate. In a 14 December letter [S/2010/660] to the Security Council, the Secretary-General referred to his December report (see p. 175) and recommendation contained therein that the UNOWA mandate be extended for three years, to 31 December 2013. The letter contained three objectives to be implemented in collaboration with

ECOWAS, MRU and other regional partners: monitoring political developments in West Africa, carrying out good offices roles and other Secretary-General's assignments and enhancing conflict prevention and mediation; enhancing capacities to address cross-border and cross-cutting threats to peace and security; and promoting good governance and respect for the rule of law, human rights and mainstreaming of gender in conflict prevention and conflict management. Responding by a letter of 20 December [S/2010/661], the Council concurred with the recommendation and took note of his intention to revise UNOWA's functions and activities.

Financing

In a report issued in October [A/65/328/Add.3 & Corr.1] providing estimated requirements for 11 special political missions grouped under thematic cluster III (UN offices, peacebuilding support offices, integrated offices and commissions), the Secretary-General proposed resource requirements for UNOWA in the net amount of \$7,715,300 for 2011. ACABQ in December recommended reducing that amount by \$96,000 [A/65/602].

On 24 December, in section XIII of **resolution 65/259** (see p. 1433), the General Assembly endorsed the recommendations of ACABQ and approved the budget for the 29 special political missions, including UNOWA, under section 3, Political affairs, of the proposed programme budget for the biennium 2010–2011.

Côte d'Ivoire

In 2010, the United Nations, in cooperation with the Economic Community of West African States (ECOWAS), the African Union (AU) and the international community, continued to support Government efforts to move the peace process forward in Côte d'Ivoire through implementation of the 2007 Ouagadougou Political Agreement and its four supplementary accords [YUN 2007, pp. 174 & 184]. Those agreements addressed issues that arose from the crisis in the country and dealt with the identification and election processes, the reunification of the army and the restoration of State authority throughout the country. The United Nations Operation in Côte d'Ivoire (UNOCI) worked with the Government in providing logistical and technical support in preparing elections and in assisting with disarmament and demobilization of ex-combatants and restoring State authority.

In January, the Security Council decided to renew the mandate of UNOCI until 31 May, in particular to support the organization of free, fair, open and transparent elections, and to expand the size of military personnel of the peacekeeping force from 7,450 to 7,950 during the election period. An outbreak of

violence in January resulted in another postponement of elections, this time to 31 October for the first round of presidential elections. The Secretary-General sent an inter-departmental technical assessment mission to Côte d'Ivoire that reported to the Security Council in June on the political situation and the preparations for elections. The Council, in a June resolution, defined the mandate of UNOCI for the last six months of 2010, outlining the mission's responsibilities in the areas of monitoring armed groups; preventing hostile action; monitoring the borders; protecting civilians under threat of physical violence; monitoring the arms embargo; collecting arms brought into the country illegally; promoting the peace process through public information; promoting human rights; and supporting humanitarian assistance. In regard to the electoral process, it was mandated to support the organization of open, free, fair and transparent elections through, among other means, assistance to the Independent Electoral Commission; to monitor the implementation of the Code of Good Conduct for elections; and to contribute to the process of identification of the population. The Mission was also called on to contribute to the disarmament, demobilization, storage of weapons and reintegration of former combatants of the two parties and members of militias.

The Ivorian parties reached agreement in September on the final electoral roll, and two rounds of presidential elections were held in late 2010. The first, on 31 October, among a number of candidates, left no candidate with a majority, and consequently a second round was held on 28 November. The tabulation of votes for both rounds was overseen and certified by the Special Representative of the Secretary-General, who confirmed the results announced by the country's Independent Electoral Commission. At the conclusion of the voting, the Commission announced that Alassane Outtara had been elected by 54.1 per cent of the vote, to candidate Laurent Gbagbo's 45.9 per cent. The President of the Constitutional Council, however, declared the proclamation as null and void, due to the Commission's having passed the legal limit of three days for pronouncing itself on the provisional results. The United Nations and the AU joined other regional organizations in expressing support for the results certified by the Special Representative. Shortly after the announcement on 2 December of the provisional results of the run-off election, forces and militias loyal to Mr. Gbagbo and his political party resorted to violent attacks against communities believed to be strongholds for President Ouattara and against his headquarters in the capital. The year ended in uncertainty and unrest, with those forces also taking action to block UNOCI's operations and movements.

Political and security developments

The Secretary-General, in his January report to the Security Council on UNOCI [S/2010/15], described the situation at the end of 2009 [YUN 2009, p. 183] as mainly stable. Progress had been made in identification of voters and other election-related tasks provided for in the Ouagadougou Agreement, while progress in implementing the fourth supplementary agreement on disarmament and reunification of the country was negligible.

In a letter of 15 January [S/2010/42] to the Security Council, the Secretary-General referred to his 29 December 2009 letter [YUN 2009, p. 188] transmitting the proposal by Côte d'Ivoire and Burkina Faso that a battalion of 500 personnel, including one helicopter and crew, be deployed from Burkina Faso to Côte d'Ivoire as part of UNOCI in order to reinforce security arrangements for the Ivorian presidential election. A previous plan to redeploy troops from the United Nations mission in Liberia (UNML) was no longer feasible, and Côte d'Ivoire was no longer able to provide adequate troops for security at election time; therefore, the need for additional forces in Côte d'Ivoire was urgent. In light of the situation, the Secretary-General recommended that the Council approve the proposal by President Laurent Gbagbo of Côte d'Ivoire and President Blaise Compaoré of Burkina Faso to deploy a battalion from Burkina Faso for three months beginning one month before the presidential election. The cost, as estimated by the Secretariat, would be \$5,000,000. A redeployment would require the consent of the Council to temporarily increase the authorized troop ceiling from 7,450 to 7,950 personnel.

SECURITY COUNCIL ACTION

On 28 January [meeting 6267], the Security Council unanimously adopted **resolution 1911(2010)**. The draft [S/2010/41] was submitted by France.

The Security Council,

Recalling its previous resolutions, in particular resolutions 1880(2009) of 30 July 2009 and 1893(2009) of 29 October 2009, and the statements by its President relating to the situation in Côte d'Ivoire, and resolution 1885(2009) of 15 September 2009 on the situation in Liberia,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Côte d'Ivoire, and recalling the importance of the principles of good-neighbourliness, non-interference and regional cooperation,

Recalling that it endorsed the agreement signed by President Laurent Gbagbo and Mr. Guillaume Soro in Ouagadougou on 4 March 2007 ("the Ouagadougou Political Agreement"), and that it welcomed the four subsequent supplementary agreements,

Recalling again, in particular, that in its resolution 1721(2006) of 1 November 2006, it notably endorsed the decision of the Peace and Security Council of the African

Union on the mandate of the Head of State, and recalling further that in the statement by its President of 28 March 2007, it endorsed the Ouagadougou Political Agreement, including chapter V thereof on the institutional framework for implementation, and that the Agreement provided for a period of ten months for the holding of the presidential elections,

Expressing again its appreciation to President Blaise Compaoré of Burkina Faso ("the Facilitator") for his continued efforts to support the peace process in Côte d'Ivoire, in particular through the follow-up mechanisms of the Ouagadougou Political Agreement, commending and encouraging the continued efforts of the African Union and the Economic Community of West African States to promote peace and stability in Côte d'Ivoire, and reiterating its full support for them,

Stressing the need for the Security Council to pursue a rigorous, strategic approach to peacekeeping deployments,

Reiterating its strong condemnation of any attempt to destabilize the peace process by force, and expressing its intention to examine without delay the situation after any such attempt, on the basis of a report of the Secretary-General,

Having taken note of the letters dated 29 December 2009 and 15 January 2010 from the Secretary-General to the President of the Security Council and of the proposal of the Presidents of Côte d'Ivoire and Burkina Faso to deploy some troops from Burkina Faso as part of the United Nations Operation in Côte d'Ivoire for three months,

Having taken note also of the report of the Secretary-General of 7 January 2010,

Noting again with concern, in spite of the sustained improvement in the overall human rights situation, the persistence of reported human rights and humanitarian law violations against civilians in different parts of the country, including numerous acts of sexual violence, stressing that the perpetrators must be brought to justice, reiterating its firm condemnation of all violations of human rights and international humanitarian law in Côte d'Ivoire, and recalling its resolutions 1325(2000) of 31 October 2000, 1820(2008) of 19 June 2008, 1888(2009) of 30 September 2009 and 1889(2009) of 5 October 2009 on women and peace and security, its resolutions 1612(2005) of 26 July 2005 and 1882(2009) of 4 August 2009 on children and armed conflict and its resolutions 1674(2006) of 28 April 2006 and 1894(2009) of 11 November 2009 on the protection of civilians in armed conflict,

Determining that the situation in Côte d'Ivoire continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

Supporting the Ouagadougou political process and a credible electoral process

1. *Recalls* that in the statement by its President of 8 December 2009, it took note of the postponement of the first round of the presidential elections to the end of February or the beginning of March 2010;

2. *Welcomes* the progress made towards the establishment of the final voters list, including the publication of the provisional voters list certified by the Special Representative of the Secretary-General for Côte d'Ivoire;

3. *Reiterates its determination* to bring its full support to a credible electoral process in Côte d'Ivoire, and reiterates further that the publication of a final voters list certified by the Special Representative of the Secretary-General is crucial for the holding of open, free, fair and transparent elections;

4. *Urges* the relevant Ivorian stakeholders to ensure the publication of the final voters list, to announce the official date of the first round of the presidential elections and to meet their commitments in full;

5. *Reiterates further* that the Special Representative of the Secretary-General shall certify that all stages of the electoral process provide all the necessary guarantees for the holding of open, free, fair and transparent presidential and legislative elections in accordance with international standards, and reaffirms its full support for the Special Representative in his certification role;

6. *Stresses* that it will base its assessment of the electoral process on the certification that will be prepared by the Special Representative of the Secretary-General consistent with the five-criteria framework referred to in the report of the Secretary-General of 15 April 2008 and after inclusive contacts with all stakeholders in Côte d'Ivoire, including civil society;

7. *Stresses also* the importance of an inclusive participation of Ivorian civil society in the electoral process, and of ensuring equal protection of and respect for the human rights of every Ivorian as they relate to the electoral system, in particular respect for freedom of opinion and expression, and removing obstacles and challenges to the participation and full involvement of women in public life;

8. *Again urges* the political parties to comply fully with the Code of Good Conduct for Elections which they signed under the auspices of the Secretary-General, and, in particular, urges the Ivorian authorities to allow equitable access to public media;

9. *Expresses its concern* at the delays encountered in the deployment of the mixed units of the Integrated Command Centre responsible for securing the elections, and urges the Ivorian parties to enhance their efforts in this regard;

10. *Urges* the Government of Côte d'Ivoire to provide the operators involved in the electoral process with the necessary support, and encourages the international community to continue their support to the electoral process, including, with the agreement of the Ivorian authorities, by providing electoral observation capacity and related technical assistance;

11. *Recalls* that it is fully prepared to impose targeted measures pursuant to paragraph 20 of resolution 1893(2009), including against persons who are determined to be a threat to the peace and national reconciliation process in Côte d'Ivoire, and recalls further that, pursuant to paragraph 6 of the above-mentioned resolution, any threat to the electoral process in Côte d'Ivoire, in particular any attack on or obstruction of the action of the Independent Electoral Commission in charge of the organization of the elections or the action of the operators mentioned in paragraphs 1.3.3 and 2.1.1 of the Ouagadougou Political Agreement shall constitute a threat to the peace and national reconciliation process for the purposes of paragraphs 9 and 11 of resolution 1572(2004) of 15 November 2004;

12. *Urges* the Ivorian parties to make further concrete progress, before and after the elections, to advance the reunification and disarmament processes;

13. *Reaffirms* paragraphs 14 to 17 of resolution 1880(2009), calls upon all Ivorian parties, with the continued support of the United Nations Operation in Côte d'Ivoire, to ensure the protection of civilians, including women and children, to fully implement the recommendations of the Security Council Working Group on Children and Armed Conflict on children and armed conflict in Côte d'Ivoire, including to adopt a national action plan to address sexual violence, and to ensure that the rule of law is strengthened and that all reported abuses are investigated and those responsible brought to justice, and calls, in particular, upon all parties to take appropriate measures to refrain from, prevent and protect civilians from all forms of sexual violence;

*Renewing the mandate
of the United Nations Operation in Côte d'Ivoire*

14. *Decides* to renew the mandate of the United Nations Operation in Côte d'Ivoire, as determined in resolution 1739(2007) of 10 January 2007, until 31 May 2010, in particular to support the organization in Côte d'Ivoire of open, free, fair and transparent elections;

15. *Requests* the United Nations Operation in Côte d'Ivoire, within its existing resources and mandate, to continue to bring its full support to the parties in the implementation of the remaining tasks under the Ouagadougou Political Agreement and its supplementary agreements, in particular those that are essential to the holding of open, free, fair and transparent presidential elections, to provide technical and logistical support to the Independent Electoral Commission for the preparation and holding of the elections in a secure environment, to continue to support the disarmament, demobilization and reintegration programme and the disarmament and dismantling of militias and to continue to contribute to the promotion and protection of human rights, including the protection of women and children, pursuant to paragraph 26 of resolution 1880(2009);

16. *Expresses its intention*, in principle, to raise for a limited period of time the current level of 7,450 authorized military personnel, as needed and up to no more than 7,950 personnel, when the final voters list is made public, and to this end requests the Secretary-General to keep the Council informed of his technical analysis;

17. *Stresses*, in this regard, that it will hold the Ivorian parties fully accountable for respecting the electoral timeline;

18. *Requests* the United Nations Operation in Côte d'Ivoire to continue to assist the Facilitator and his Special Representative in Abidjan in the conduct of the facilitation, including by helping the Facilitator, as appropriate and upon his request, to carry out his arbitration role according to the provisions of paragraph 8.1 of the Ouagadougou Political Agreement and paragraphs 8 and 9 of the third supplementary agreement;

19. *Requests* the Secretary-General to continue to take the measures necessary to ensure full compliance in the United Nations Operation in Côte d'Ivoire with the United Nations zero-tolerance policy on sexual exploitation and abuse and to keep the Council informed, and urges troop-contributing countries to take appropriate preventive action, including predeployment awareness training, and other action to ensure full accountability in cases of such conduct involving their personnel;

20. *Decides* to extend until 31 May 2010 the authorization that it provided to the French forces in order to support the United Nations Operation in Côte d'Ivoire, within the limits of their deployment and their capabilities;

21. *Expresses its intention* to review in full by 31 May 2010, with a view to possible significant modifications, the mandate of the United Nations Operation in Côte d'Ivoire, the authorization provided to the French forces supporting it, the level of troops of the United Nations Operation in Côte d'Ivoire and the benchmarks referred to in annex I to the report of the Secretary-General of 7 January 2010, in the light of the elections and the implementation of the key steps of the peace process;

22. *Requests* the Secretary-General to provide an update to the Council by mid-March 2010 and a full report by the end of April 2010, including detailed recommendations and options for the future of the United Nations Operation in Côte d'Ivoire as well as revised benchmarks based on the results of a technical assessment mission;

23. *Decides* to remain actively seized of the matter.

Inter-Ivorian dialogue

In February, the Facilitator of the inter-Ivorian direct dialogue, President Compaoré of Burkina Faso, issued two press releases on his recent consultations with the various Ivorian parties on difficulties in implementing the electoral process. The first release, sent to the Security Council by a 19 February letter [S/2010/100], mentioned difficulties due to the internal cross-checking of 429,000 disputed cases by the Independent Electoral Commission. It was noted that progress had been made in the electoral process, particularly with the production of a provisional electoral list of 5,300,000 persons who were successfully cross-checked by the appropriate national bodies. Ivorian politicians had expressed concerns regarding the latest developments in the crisis recovery process, and expressed desire to preserve the gains achieved and to pursue implementation of the Ouagadougou Political Agreement. The Facilitator urged Mr. Gbagbo to relaunch the electoral process so that it could reach a successful conclusion.

The Facilitator, in a second press release forwarded to the Security Council on 23 February [S/2010/104], said that he had visited Côte d'Ivoire to discuss means of resolving the current crisis there. At meetings with officials, he had discussed the Independent Electoral Commission (CEI), the relaunching of the electoral process in order to draw up a new electoral timetable and manage the litigation on the provisional electoral list, and the establishment of a new government. On the question of CEI, the Facilitator and the Ivorian stakeholders agreed that the CEI structure would be maintained in accordance with the Pretoria Agreement [YUN 2005, p. 232]; the Chairman and Vice-Chairmen of CEI would be replaced by the political groups that nominated them; and the CEI Bureau would be elected by 25 February. With respect to

relaunching the political process, the Facilitator and the Ivorian stakeholders recommended extension of the administrative and judicial litigation on the provisional electoral list for a period of 21 days from 1 to 21 March; production of the final electoral list as of 22 March; adherence to the *modus operandi* with respect to the administrative and judicial litigation on the provisional electoral list; review of the courts of judicial litigation that did not adhere to the *modus operandi* (written claims to CEI local offices); and preparation of a new electoral timetable with a view to holding the first round of the presidential election in late April or early May.

The Facilitator and the Ivorian stakeholders agreed that a government would be established on 23 February comprising representatives of all the parties that were signatories of the Linas-Marcoussis Agreement [YUN 2003, p. 166]—a plan for dividing power among political factions and establishing peace. They called for an end to demonstrations leading to the loss of human lives and destruction of property, and asked that measures be taken to restore dialogue and understanding. The Facilitator called on Ivorian politicians to increase efforts to safeguard the Ouagadougou Political Agreement in order to consolidate peace, reconciliation and national unity in Côte d'Ivoire.

Security Council statement (March). On 17 March [SC/9882], the Security Council expressed its concern at the continuing delays in the electoral process since January, and urged the Ivorian stakeholders to revive that process and to remain within the framework of the Ouagadougou Political Agreement and of the previous peace agreements endorsed by the Council.

Technical assessment mission. The Secretary-General, in response to Security Council resolution 1911(2010) (see p. 178), informed the Council by a letter of 26 April [S/2010/220] that an interdepartmental technical assessment mission travelled to Côte d'Ivoire from 12 to 23 April, and that the Secretariat was preparing a report on its work, which would be included in his forthcoming report on UNOCI. As the UNOCI mandate was due to expire at the end of May, he suggested that the Council authorize a technical rollover of the mandate for one month, until 30 June, to allow the inclusion of the technical mission's findings and his recommendations in his report.

On 29 April [S/2010/221], the Council requested the Secretary-General to report on UNOCI by 21 May, based on the results of the technical mission.

Report of Secretary-General (May). The Secretary-General, in his May report on UNOCI [S/2010/245], reviewed developments since his January report and made recommendations on benchmarks mentioned therein, based on the findings of the technical assessment mission. By the end of 2009, the

voter registration and identification operations had yielded a provisional electoral list of some 5.3 million persons confirmed by the technical operators (the so-called “white list”) and some 1.03 million persons who remained to be confirmed (the “grey list”). On the basis of that work, the *Cadre permanent de concertation*, composed of the main Ivorian political leaders—the President, Laurent Gbagbo; the Prime Minister, Guillaume Soro; the former President, Henry Konan Bedié, leader of the *Parti démocratique de Côte d’Ivoire*; and the former Prime Minister, Alassane Ouattara, leader of the *Rassemblement des républicains*—had welcomed the provisional voters list and endorsed a new electoral timetable providing for the completion of the final list in January and the presidential election by early March.

Reports in January about a separate parallel list of some 429,000 individuals, produced by the President of the CEI, Robert Beugré Mambéré, outside of the established procedure, however, brought the electoral process to a halt as the ruling *Front populaire ivoirien* (FPI) maintained that the President of the Commission had committed fraud, and it called for Mr. Mambéré’s resignation. The Facilitator consulted with the parties involved, but the President of the Commission declined his advice to resign, prompting President Gbagbo to dissolve the Commission and the Government. The President requested the Prime Minister to form a new Government, stating that this would allow the country to move forward with elections. The new Government and Commission were installed in late February. Meanwhile, political tension rose amid reports that the ruling party had requested courts in central Côte d’Ivoire to purge ineligible individuals from the provisional electoral list, triggering violent protests and at least eight deaths. In reaction, President Gbagbo and the ruling party claimed that the security situation in the north would not allow fair elections there, and therefore called for disarmament and reunification of the country before elections, as provided for in the fourth supplementary agreement to the Ouagadougou Agreement (Ouagadougou IV) [YUN 2008, p. 189]. The opposition parties accused the President of using the Agreement as a pretext for delaying the elections indefinitely.

At that point, the election process stalled due to differences on how to address fraud and resume the appeals process on the provisional voters list. Senior FPI members disseminated criticism of the Prime Minister and the *Forces nouvelles* Ministers for perpetuating the division of the country so as to continue to benefit from both the Government and a parallel economy in the north. On 10 April, the President and the Prime Minister agreed that the latter would continue to consult all stakeholders to resolve the impasse over the voters list.

As for the findings of the technical mission (see p. 180), it had visited the country at a time when

questions were being raised regarding the continuing relevance of the Ouagadougou agreements, the commitment of the signatories to the agreements and their confidence in the Facilitator, given the abrupt interruption of the electoral process and the media reports claiming that the President of Senegal, Abdoulaye Wade, was going to visit Côte d’Ivoire to engage in mediation. Those reports were refuted by President Wade.

At the time of the mission, attention was focused on Ouagadougou IV, which clarified the modalities and timeline for conducting before elections the cantonment and storage of weapons of former combatants of the ex-belligerent forces; the dismantling of the militias; the relaunch of the process to reunify the Ivorian defence and security forces and the *Forces nouvelles*; and the redeployment of State administration throughout the country, including the corps préfectoral, the judiciary and the fiscal and customs administrations. The implementation process of the Ouagadougou Agreement, originally envisaged for completion by January 2008, had been delayed by numerous factors, including underestimation of the time required to implement some tasks; lack of capacity of the national implementing institutions; logistical and other resource constraints; and differences among the parties on the practical modalities for certain tasks, such as the identification operations. The lack of political will also contributed significantly to the delays. Nevertheless, all stakeholders recognized that the agreements had achieved more progress than preceding peace agreements. Following violent incidents in February 2010, President Gbagbo and the ruling party insisted on disarmament and the reunification of the country before elections, consisting of the restoration of State authority with centralization of the treasury, disarmament and integration of *Forces nouvelles* in the military, gendarmerie and police, and reintegration and dismantling of militias.

The mission found three main issues that needed to be resolved to move the electoral process forward: the question of fraud in the voters list; the modalities for processing the lists of some 5.3 million persons confirmed by the technical operators (the so-called “white list”) and some 1.03 million persons who remained to be confirmed (the “grey list”) to produce the final voters list; and completion of the remaining technical processes. The President maintained there was massive fraud in the preparation of the provisional voters list, in particular that the list had been manipulated by the former President of the IEC, and that nationals of neighbouring countries had registered in attempts to become Ivorian citizens. The opposition political parties, on the other hand, insisted that the list had not been manipulated, and that the provisional list had not been compromised by the preparation of the parallel list of 429,000 individuals.

The Facilitator stressed that resolving the issues surrounding the electoral list was critical for progress in all other aspects of the peace process. He believed that nearly all the tasks related to the provisional voters list had been completed, and that while the “white list” was the outcome of a broadly accepted operation, it was essential to restore the confidence of the parties in the list. The Facilitator advised that all stakeholders should support the ongoing efforts by the Prime Minister to conduct additional technical verification of the list in order to restore the confidence of all parties. The UNOCI Electoral Assistance Division and Certification Cell were participating with the consultations as observers while providing technical assistance to the new Electoral Commission. On 2 May, the Prime Minister and the President of the Commission issued a joint statement setting out a new calendar for processing the provisional electoral list, first dealing with the appeals process for those on the “grey list” and secondly with the appeals process for those on the “white list”. Operations on the “grey list” began in late May.

Progress in the restoration of State authority had been limited, the technical mission reported. Despite the lifting of the zone of confidence which had divided the country and prevented the free movement of people and goods between the north and the south, Côte d’Ivoire remained a divided country, with the Forces nouvelles maintaining a parallel administration, economy, treasury, judicial system and security structures in the north. In that area, the Forces nouvelles maintained control of the local government and customs and revenue. Many courts in the north and the west were non-operational. President Gbagbo and the ruling party insisted that the Forces nouvelles dismantle the parallel economy, treasury, administration and security structures, and allow the redeployed State institutions to carry out their functions. They also pointed out that Côte d’Ivoire’s resources continued to be siphoned off illegally to neighbouring countries. Those issues were raised by the technical assessment mission with the Prime Minister and the Forces nouvelles. The Prime Minister announced further steps towards the reunification of the treasury and demobilization of combatants, while the Forces nouvelles informed the mission that discussions were ongoing on arrangements for dismantling the parallel economy and treasury. The opposition parties expressed the view that claims of the absence of State authority and recurring insecurity in the north were grossly overstated.

The Secretary-General suggested that the perennial delays in the peace process, in particular the uncertainty of the timeframe for elections and the situation on the ground, called for a further review of the role of UNOCI, adjusted most recently in Security Council resolution 1911(2010). All interlocutors of the technical mission advised that it would be premature to

withdraw UNOCI as long as there were still two armed forces and the country remained divided administratively and economically. They stressed that the United Nations should help implement the disarmament processes in keeping with Ouagadougou IV; restore State authority and reunify the economy; prepare a final voters list; and hold elections. The technical assessment mission concluded that the tasks set out for UNOCI in resolutions 1880(2009) [YUN 2009, p. 177] and 1911(2010) remained essential; however, other factors pertaining to the security situation and the peace process should be considered when renewing the mandate.

Attempts to merge some of the Ivorian defence forces and the Forces nouvelles into the Integrated Command Centre (ICC) remained limited, with only 1,053 out of the stipulated 8,000 having been assigned to the Centre’s mixed gendarmerie brigades and police units. Under the Ouagadougou Agreement, the Centre was responsible for supervising the disarmament and demobilization and cantonment of Forces nouvelles combatants and disarmament of the militias. UNOCI, the French Licorne force, the national defence and security forces and the Forces nouvelles jointly developed a security plan for the elections, which included the ICC and would be reviewed pending the Security Council’s decision on the future role of UNOCI before, during and after elections.

As mandated, UNOCI provided technical and logistical assistance to the CEI and other national institutions responsible for identification and electoral processes. Specifically, it provided transportation for electoral materials and registration officials, refurbished identification and voter registration centres, and trained judges and registration agents. All stakeholders requested that UNOCI continue to provide support. UNOCI assisted in the disarmament, demobilization and reintegration (DDR) of former combatants by constructing cantonment and DDR sites; providing planning assistance to the ICC and the National Programme for Reinsertion and Community Rehabilitation; and securing weapons and ammunition collected. The Forces nouvelles leadership requested financial and training assistance for the 5,000 former combatants earmarked to join the new army. The role of UNOCI in supporting the restoration of State authority had so far focused on monitoring and supporting the redeployment of civil servants, including the judiciary, to the north. UNOCI also strengthened the conflict management and conflict resolution capacities of local authorities.

The Secretary-General recommended maintaining UNOCI with the current total overall strength of its military and police components at 8,650 personnel until the end of 2010. For the seven months until then, the Ivorian parties could resolve their differences with the assistance of the Facilitator, demonstrate their

commitment to the peace process, and implement the remaining tasks under the Ouagadougou Agreement, in particular those related to elections, disarmament, and reunification of the country. He also recommended that the UNOCI mandate be adjusted to allow it to adapt to the new realities by focusing on helping the parties to implement the remaining tasks, namely, disarmament and reunification of the country, and elections. The provisional list of voters was the outcome of a credible process, and efforts should be made to restore confidence in the list. The Secretary-General recommended that UNOCI continue to provide technical and logistical support to enable the CEI to complete the remaining tasks: relaunching the interrupted appeals process; distributing the provisional and final voters lists; sensitizing the media; distributing identity cards and voters cards; and distributing electoral materials, including ballot papers. He called on UNOCI to advise the national partners in charge of DDR and dismantling of militias, to contribute to the refurbishment of the barracks of the four cantonment sites and support the cantonment process; to participate in arranging secure storage of weapons; and to provide microprojects for demobilized combatants.

In keeping with Ouagadougou IV, the Secretary-General recommended that UNOCI contribute to training the 5,000 Forces nouvelles personnel who were to be cantoned to prepare for their integration into the national army, including sensitization on human rights and international humanitarian law. Security sector reform was essential for the long-term sustainability of the security architecture in the country, and the United Nations would support that process, in coordination with the AU and ECOWAS. He recommended that UNOCI and the UN system play a more active role in support of the restoration of State authority, particularly administration and the rule of law. The UN system should also assist in supporting customs, public finance experts and administrative capacities of the regional presences of ministries where needed. With respect to the Integrated Command Centre, he recommended that UNOCI provide it with technical advice and logistical support and that the Government support the Centre with appropriate financing, logistics, communications and non-lethal crowd control equipment. An exemption to the arms embargo (see p. 195) should be considered in order to allow the Government to import riot control gear.

While UNOCI troop strength would remain the same, the reconfiguration of the Operation would change by increasing troop concentrations in identified high-risk areas and increasing the number of policemen while reducing the military. Under that plan, the current combined total authorized strength would be maintained at 8,650 personnel, with a military strength of 7,392, consisting of 7,200 troops and

192 military observers; a police strength of 1,250, consisting of 450 police officers and six formed police units for a total of 800 officers; and eight seconded customs officers. The Secretary-General warned that unrest before, during and after the elections remained a real threat, and he called for a strengthened force around election time.

SECURITY COUNCIL ACTION

On 27 May, the Security Council unanimously adopted **resolution 1924(2010)**. The draft [S/2010/253] was submitted by France.

The Security Council,

Recalling its previous resolutions, in particular resolutions 1893(2009) of 29 October 2009 and 1911(2010) of 28 January 2010, and the statements by its President relating to the situation in Côte d'Ivoire, and resolution 1885(2009) of 15 September 2009 on the situation in Liberia,

Considering the need to examine thoroughly the recommendations for a revised mandate of the United Nations Operation in Côte d'Ivoire included in the report of the Secretary-General of 20 May 2010,

Determining that the situation in Côte d'Ivoire continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to extend until 30 June 2010 the mandate of the United Nations Operation in Côte d'Ivoire as determined in resolution 1739(2007) of 10 January 2007;

2. *Decides also* to extend until 30 June 2010 the authorization that the Security Council provided to the French forces in order to support the United Nations Operation in Côte d'Ivoire, within the limits of their deployment and their capabilities;

3. *Decides further* to remain actively seized of the matter.

SECURITY COUNCIL ACTION

On 30 June, the Security Council unanimously adopted **resolution 1933(2010)**. The draft [S/2010/338] was submitted by France.

The Security Council,

Recalling its previous resolutions, in particular resolutions 1893(2009) of 29 October 2009, 1911(2010) of 28 January 2010 and 1924(2010) of 27 May 2010, and the statements by its President relating to the situation in Côte d'Ivoire, and resolution 1885(2009) of 15 September 2009 on the situation in Liberia,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Côte d'Ivoire, and recalling the importance of the principles of good-neighbourliness, non-interference and regional cooperation,

Recalling that it endorsed the agreement signed by President Laurent Gbagbo and Mr. Guillaume Soro in Ouagadougou on 4 March 2007 ("the Ouagadougou Political Agreement"), and that it welcomed the four subsequent supplementary agreements,

Recalling again that in its resolution 1721(2006) of 1 November 2006, it notably endorsed the decision of the Peace and Security Council of the African Union on the mandate of the Head of State, and recalling further that in the statement by its President of 28 March 2007, it endorsed the Ouagadougou Political Agreement, including chapter V thereof on the institutional framework for implementation, and that the Agreement provided for a period of ten months for the holding of the presidential elections,

Expressing again its appreciation to President Blaise Compaoré of Burkina Faso (“the Facilitator”) for his critical role and his continued efforts to support the peace process in Côte d’Ivoire, in particular through the follow-up mechanisms of the Ouagadougou Political Agreement, commending and encouraging the continued efforts of the African Union and the Economic Community of West African States to promote peace and stability in Côte d’Ivoire, and reiterating its full support for them,

Stressing the need for the Security Council to pursue a rigorous, strategic approach to peacekeeping deployments, the substantial engagement in which is more likely to lead to a sustainable peace when the parties to a conflict abide by their commitments and obligations, welcoming the intention of the Secretary-General to keep all peacekeeping operations under close review, and noting the importance of contingency planning,

Reiterating its strong condemnation of any attempt to destabilize the peace process, in particular by force, and expressing its intention to examine without delay the situation should any such attempt take place,

Having taken note of the report of the Secretary-General of 20 May 2010,

Noting again with concern, in spite of the sustained efforts to improve the overall human rights situation, the persistence of reported human rights and humanitarian law violations against civilians in different parts of the country, including numerous acts of sexual violence met with impunity, stressing that the perpetrators must be brought to justice, reiterating its firm condemnation of all violations of human rights and international humanitarian law in Côte d’Ivoire, and recalling its resolutions 1325(2000) of 31 October 2000, 1820(2008) of 19 June 2008, 1888(2009) of 30 September 2009 and 1889(2009) of 5 October 2009 on women and peace and security, its resolutions 1612(2005) of 26 July 2005 and 1882(2009) of 4 August 2009 on children and armed conflict and its resolutions 1674(2006) of 28 April 2006 and 1894(2009) of 11 November 2009 on the protection of civilians in armed conflict,

Determining that the situation in Côte d’Ivoire continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

Supporting the Ouagadougou political process and a credible electoral process

1. *Recalls* that the last presidential elections in Côte d’Ivoire were held on 22 October 2000 and expresses its deep concern at the continuing delays in the electoral process and the absence of a time frame for the holding of open, free, fair and transparent elections in Côte d’Ivoire,

and stresses that the events of February 2010 showed how fragile and unstable the situation remains;

2. *Urges* the relevant Ivorian stakeholders to ensure the publication of the final voters list without further delay, on the basis of the provisional list published in November 2009 and certified by the Special Representative of the Secretary-General for Côte d’Ivoire, to announce the official date of the first round of the presidential elections and to meet their commitments in full, stresses that it will hold the Ivorian parties fully accountable, and notes the joint statement issued on 2 May 2010 by the Prime Minister and the President of the Independent Electoral Commission and the work undertaken on a part of the provisional voters list;

3. *Reiterates its determination* to bring its full support to a credible electoral process in Côte d’Ivoire, and stresses that the publication of a final voters list certified by the Special Representative of the Secretary-General is crucial for the holding of open, free, fair and transparent elections as well as for the completion of the disarmament and reunification processes, as highlighted by the Secretary-General in his report of 20 May 2010;

4. *Reiterates* that the Special Representative of the Secretary-General shall certify that all stages of the electoral process provide all the necessary guarantees for the holding of open, free, fair and transparent presidential and legislative elections in accordance with international standards, and reaffirms its full support to the Special Representative in his certification role;

5. *Stresses* that it will base its assessment of the electoral process on the certification that will be prepared by the Special Representative of the Secretary-General consistent with the five-criteria framework referred to in the report of the Secretary-General of 15 April 2008 and after inclusive contacts with all stakeholders in Côte d’Ivoire, including civil society;

6. *Reiterates* the importance of the inclusive participation of Ivorian civil society in the electoral process and of ensuring equal protection of and respect for the human rights of every Ivorian as they relate to the electoral system, in particular respect for freedom of opinion and expression, and removing obstacles and challenges to the participation and full involvement of women in public life;

7. *Again urges* the political parties to comply fully with the Code of Good Conduct for Elections which they signed under the auspices of the Secretary-General, recalls the importance for the public throughout the country to have access to pluralistic and diverse information through the media, urges all relevant Ivorian stakeholders to allow equitable and broader access to the media, and, in particular, urges the Ivorian authorities to allow equitable access to State media;

8. *Expresses its concern* at the delays encountered in deploying and operationalizing the mixed units of the Integrated Command Centre responsible for securing the elections, and urges the Ivorian parties to take concrete steps in this regard;

9. *Urges* the Government of Côte d’Ivoire to provide the operators involved in the electoral process with the necessary support, and encourages the international community to continue its support to the electoral process, including, with the agreement of the Ivorian authorities,

by providing electoral observation capacity and related technical assistance;

10. *Urges* every Ivorian to refrain from any call for hatred, intolerance and violence, notes with interest that in his report of 20 May 2010 the Secretary-General encouraged the Security Council to impose targeted sanctions against media actors who fan political tension and incite violence, and reiterates that it is fully prepared to impose targeted measures pursuant to paragraphs 6 and 20 of resolution 1893(2009), including against persons who are determined to be a threat to the peace and national reconciliation process in Côte d'Ivoire or to be publicly inciting hatred and violence;

11. *Again urges* the Ivorian parties, with the support of the United Nations Operation in Côte d'Ivoire, as applicable, to make further concrete progress, before and after the elections, to advance the reunification and disarmament processes, including by covering the expenses required for these processes as set out in the framework of the Ouagadougou Political Agreement;

12. *Stresses* that the identification process is key to the long-term stability of Côte d'Ivoire, and again calls upon the Ivorian parties to continue the identification operations, including after the elections;

13. *Condemns* the persistence of reported human rights violations, in particular sexual violence, and calls upon all Ivorian parties, with the continued support of the United Nations Operation in Côte d'Ivoire, to ensure the protection of civilians, especially women, children and displaced persons, to fully implement the recommendations of the Security Council Working Group on Children and Armed Conflict on children and armed conflict in Côte d'Ivoire, notably to adopt and implement a national action plan to address sexual violence, and to ensure that rule of law is strengthened and that all reported abuses are investigated and those responsible for such violations brought to justice, calls upon all parties to take appropriate measures to refrain from, prevent and protect civilians from all forms of sexual violence, and reaffirms paragraphs 14 to 17 of its resolution 1880(2009) of 30 July 2009;

14. *Urges* the signatories to the Ouagadougou Political Agreement to work towards a sustainable solution for the voluntary return, reinstallation, reintegration and security of displaced persons, including by addressing land tenure issues, with the support of the United Nations system, and to fulfil in this regard their commitments in accordance with the Agreement and their obligations under international law;

15. *Requests* the United Nations Operation in Côte d'Ivoire, when implementing paragraph 16 below, to prioritize the consolidation of the stability of the country, including as determined in paragraph 16 (b) below, and the establishment of the final voters list, which is crucial for the peace process as a whole;

Mandate of the United Nations Operation in Côte d'Ivoire

16. *Decides* that, in order to support the parties in implementing the Ouagadougou Political Agreement more effectively, the United Nations Operation in Côte d'Ivoire shall have the following mandate from the date of adoption of the present resolution until 31 December 2010:

Contributing to the consolidation of the stability of the country

(a) Monitoring the armed groups

- To observe and monitor the implementation of the Ouagadougou Political Agreement of 4 March 2007 as far as the armed groups are concerned, to prevent, within its capabilities and its areas of deployment, any hostile action, including against civilians, and to investigate and report on any act of violence committed by the Ivorian parties to the Agreement;
- To support the Integrated Command Centre through continued technical advice, training and logistical support and to participate in the patrols of the Centre's mixed units in sensitive areas;
- To liaise with the National Armed Forces of Côte d'Ivoire and the military elements of the Forces nouvelles, in coordination with the French forces, in order to promote mutual trust among all the Ivorian forces involved and to ease tensions;
- To assist the Government of Côte d'Ivoire in monitoring the borders, with particular attention to any cross-border movement of combatants or transfer of arms and to the situation of Liberian refugees, in close coordination with the United Nations Mission in Liberia;
- To support, in coordination with the Ivorian authorities, the provision of security for members of the Government of Côte d'Ivoire and key political stakeholders, in view of the preparation and holding of the elections;

(b) Protection of civilians

- To protect, without prejudice to the primary responsibility of the Ivorian authorities, civilians under imminent threat of physical violence, within its capabilities and its areas of deployment, including in high risk areas identified by the United Nations Operation in Côte d'Ivoire on the basis of the comprehensive protection of civilians strategy and the threat assessment referred to in the report of the Secretary-General of 20 May 2010;
- To work closely with humanitarian agencies, particularly in relation to areas of tension and areas of return of displaced persons, and to exchange information on possible outbreaks of violence and other threats against civilians in order to respond thereto in a timely and appropriate manner;

(c) Monitoring of the arms embargo

- To monitor the implementation of the measures imposed by paragraph 7 of resolution 1572(2004) of 15 November 2004, in cooperation with the Group of Experts on Côte d'Ivoire established pursuant to resolution 1584(2005) of 1 February 2005, including by inspecting, as they deem it necessary and when appropriate without notice, all weapons, ammunition and related materiel regardless of location, consistent with resolution 1893(2009);
- To collect, as appropriate, arms and any related materiel brought into Côte d'Ivoire in violation of the measures imposed by paragraph 7 of resolution 1572(2004) and to dispose of such arms and related materiel as appropriate;

(d) Public information

- To promote the peace process arising from the Ouagadougou Political Agreement throughout the territory of Côte d'Ivoire through the public information capacity of the United Nations Operation in Côte d'Ivoire, in particular its radio broadcasting capability through ONUCI FM;
- To encourage the Ivorian mass media and the main political actors to fully implement the Code of Good Conduct for Elections that the Ivorian parties have signed under the auspices of the Secretary-General as well as to sign and adhere to the Code of Good Conduct for the Media;
- To monitor any public incidents of incitement to hatred, intolerance and violence, to bring to the attention of the Security Council all individuals identified as instigators of political violence, and to keep the Security Council Committee established pursuant to resolution 1572(2004) regularly informed of developments in this regard;

(e) Assistance in the field of human rights

- To contribute to the promotion and protection of human rights in Côte d'Ivoire, with special attention to violations committed against children and women and to all forms of sexual violence, to monitor, help to investigate and report on human rights and humanitarian law violations with a view to ending impunity, including as called for in resolutions 1612(2005) and 1882(2009), to support the efforts all parties should make pursuant to paragraph 13 above, to bring to the attention of the Council all individuals identified as perpetrators of serious human rights violations and to keep the Committee established pursuant to resolution 1572(2004) regularly informed of developments in this regard;

(f) Support for humanitarian assistance

- To facilitate the free flow of people, goods and humanitarian assistance, inter alia, by contributing to enhancing security and taking into account the special needs of vulnerable groups, especially women, children, elderly persons, persons with disabilities and displaced persons;

*Contributing to the electoral process
and to the identification of the population*

(g) Support for the organization of open, free, fair and transparent elections

- To provide, within its capabilities and its areas of deployment, technical and logistical support to the Independent Electoral Commission which is responsible for the preparation and holding of the elections, including to enable the Commission to continue the appeals process, to distribute the provisional and the final voters lists, to sensitize the media, to distribute identity cards and voters cards and to distribute and secure sensitive electoral material, notably ballot papers;
- To work with all relevant actors in implementing the agreed security plan for the elections, and, in particular, to contribute to securing the high-risk areas where voting is to take place;

- To ensure the coordination of the work of international observers and to contribute to their security, within its capabilities and areas of deployment;
- To provide to the Special Representative of the Secretary-General the assistance necessary to fulfil his role of certification of the electoral process consistent with paragraph 4 above;
- To monitor the implementation of the Code of Good Conduct for Elections and the efforts of the Ivorian authorities in guaranteeing equitable access to public media, in particular in the electoral context, and to keep the Committee established pursuant to resolution 1572(2004) regularly informed of the situation;
- To regularly inform the Council of any threat to the electoral process, as defined in paragraph 11 of resolution 1911(2010), and to bring to its attention all individuals identified as responsible for such a threat;

(h) Operations of identification of the population

- To contribute, within its capabilities and its areas of deployment, to the support provided by the United Nations country team and other relevant actors to the process of identification of the population;

*Contributing to the other remaining
tasks of the peace process*

(i) Disarmament, demobilization, storage of weapons and reintegration of former combatants of the two parties and members of militias

- To support the Integrated Command Centre in conducting the processes of:
 - Disarmament and secure storage of weapons of former combatants of the two parties;
 - Demobilization of the former combatants of the Forces nouvelles;
 - Disarmament, storage of weapons and dismantling of militias;
- To assist the Ivorian authorities in particular in moving forward with the implementation of planned training of the former combatants of the Forces nouvelles selected to join the ranks of the future national army who are to be cantoned in Bouaké, Korhogo, Man and Séguéla, including in the area of human rights and international humanitarian law;
- To contribute to the reintegration of former combatants and members of militias and to encourage donors to continue to support initiatives in this regard;

(j) Support to redeployment of Ivorian State administration and justice throughout the country

- To support, within its capabilities and its areas of deployment, enhancing the security conditions to enable the Government of Côte d'Ivoire and United Nations agencies to identify and implement peacebuilding priorities throughout the country;
- To assist the Government of Côte d'Ivoire, in conjunction with relevant regional organizations, in re-establishing the authority of the judiciary and the rule of law throughout Côte d'Ivoire;

(k) Reform of the security sector

- To advise the Government of Côte d'Ivoire, as appropriate, on security sector reform and the organization of the future national army, including on establishing an effective vetting mechanism, in accordance with international standards;
- To contribute, as appropriate, to the development by the Ivorian authorities of the capacities of the police and gendarmerie, in particular through crowd control training, and to restoring their presence throughout Côte d'Ivoire;

Other tasks

(l) Facilitation

- To coordinate with the Facilitator and his Special Representative in Abidjan, to assist them in the conduct of the facilitation, as needed and as appropriate and within available means, including by providing logistical support to the office of the Special Representative;

(m) Protection of United Nations personnel

- To protect United Nations personnel, installations and equipment and to ensure the security and freedom of movement of United Nations personnel;

17. *Authorizes* the United Nations Operation in Côte d'Ivoire to use all necessary means to carry out its mandate, within its capabilities and its areas of deployment;

18. *Calls upon* all parties to cooperate fully in the operations of the United Nations Operation in Côte d'Ivoire and the French forces which supporting it, in particular by guaranteeing their safety, security and freedom of movement, with unhindered and immediate access, as well as those of associated personnel, throughout the territory of Côte d'Ivoire, to enable them to fully carry out their mandates;

19. *Decides* that the United Nations Operation in Côte d'Ivoire shall comprise a maximum of 7,392 authorized military personnel, maintaining the current combined total authorized strength at 8,650 personnel, including a maximum of 7,200 troops and staff officers and 192 military observers, and a maximum of 1,250 police personnel and 8 seconded customs officers;

20. *Expresses its intention* to consider raising for a limited period of time, prior to and after the elections, the level of authorized military and police personnel up to a total of no more than 500 additional personnel, and requests the Secretary-General in this regard to continue to update the Council on his technical analysis in a timely manner for its consideration;

21. *Welcomes* the intention expressed by the Secretary-General in paragraphs 97 and 99 of his report of 20 May 2010 to reconfigure the United Nations Operation in Côte d'Ivoire to increase its presence in the identified high-risk areas and to strengthen the capabilities of its force reserve;

22. *Requests* the Secretary-General to continue to include in his reports relevant information on progress on the promotion and protection of human rights and international humanitarian law as well as on the strengthening of the rule of law, including on ending impunity in Côte d'Ivoire, with special attention to violence committed against children and women, and on progress on gender mainstreaming throughout the United Nations Operation in Côte d'Ivoire and all other aspects relating to the situation of women and girls, especially in relation to the need

to protect them from sexual and gender-based violence, and consistent with resolutions 1325(2000), 1612(2005), 1820(2008), 1882(2009), 1888(2009) and 1889(2009);

23. *Also requests* the Secretary-General to continue to take the measures necessary to ensure full compliance in the United Nations Operation in Côte d'Ivoire with the United Nations zero-tolerance policy on sexual exploitation and abuse and to keep the Council informed, and urges troop-contributing countries to take appropriate preventive action, including predeployment awareness training, and other action to ensure full accountability in cases of such conduct involving their personnel;

24. *Decides* to extend until 31 December 2010 the authorization that the Council provided to the French forces in order to support the United Nations Operation in Côte d'Ivoire, within the limits of their deployment and their capabilities;

25. *Underscores* the importance that the military and police concepts of operations and the rules of engagement be brought fully in line with the provisions of the present resolution, in particular paragraphs 15 to 19 above, and requests the Secretary-General to report on them to the Council and to troop- and police-contributing countries;

26. *Requests* the Secretary-General to monitor progress on the achievement of the existing benchmarks and to prepare a new set of benchmarks for a possible drawdown of the force, taking fully into account the necessary consolidation of the stability of the country;

27. *Underscores* the importance that the Ivorian security forces, in order to use only appropriate and proportionate force while maintaining public order, be equipped with appropriate crowd control equipment, consistent with the arms embargo imposed by paragraph 7 of resolution 1572(2004) and the exemption procedure set out in paragraphs 8 (b) and (e) of resolution 1572(2004);

28. *Requests* the Secretary-General to inform the Council of the publication of the final voters list and to provide to it a midterm report, no later than 22 October 2010, and a full report, no later than 30 November 2010, on the situation on the ground, on the implementation of the present resolution and on the revised benchmarks referred to in paragraph 26 above, which should include possible adjustments to the structure and strength of the United Nations Operation in Côte d'Ivoire, and also requests the Secretary-General to submit to the Council recommendations in this regard, as appropriate;

29. *Expresses its intention* to review the mandate, structure and strength of the United Nations Operation in Côte d'Ivoire, the authorization provided to the French forces supporting it and the benchmarks referred to in paragraph 26 above by 31 December 2010, and to consider all options, including those listed in the report of the Secretary-General of 20 May 2010, in the light of the consolidation of the stability of the situation, the implementation of the key steps of the peace process, the status of the elections and the political will demonstrated by the Ivorian parties;

30. *Decides* to remain actively seized of the matter.

Electoral preparations

The electoral process in Côte d'Ivoire gained new momentum in late 2010, culminating with presidential elections at the end of the year. In preparation for elections, the Secretary-General, by a letter of 14 Sep-

tember [S/2010/485], referred to Security Council resolution 1933(2010), in which the Council expressed the possibility of raising the troop level of UNOCI for a limited time during the election period from 8,650 to 9,150 uniformed personnel. He remarked that on 6 September, the Ivorian parties announced that they had reached agreement on the final voters list. The presidential decree concerning the national identity cards and final voters list was signed by President Gbagbo three days later. Presidential elections were scheduled for 31 October, to be followed by legislative elections 45 days after the announcement of the results of the presidential elections.

The Secretary-General reiterated that responsibility for providing security for the elections rested in the first instance with the Ivorian Integrated Command Centre, with support from UNOCI and the French Licorne force. The Ivorian security forces, however, were not yet able to deploy the full complement of 8,000 personnel as mixed units in the Integrated Command Centre, and lacked the capacity and means to provide a secure environment for the elections. Therefore, additional UNOCI troops were required. Burkina Faso had already offered up to 500 troops to form part of UNOCI during the election period, and the Secretariat had explored the possibility of augmenting existing military units and formed police units, and identified willing troop- and police-contributing countries. A total of 300 troops and 100 formed police unit personnel would be deployed as soon as possible for up to six months. The Secretary-General urged the Security Council to approve that proposal, which would cost \$11.3 million. Although at that time only 400 of the 500 personnel indicated in resolution 1933(2010) would be deployed, the full authorized strength was a contingency measure. In addition, the Secretariat was exploring the possibility of deploying an aviation unit for up to three months.

The Security Council responded on 17 September [S/2010/486], taking note of the information provided by the Secretary-General, and approving his proposed course of action.

Voters list. On 23 September [S/2010/493], the Secretary-General forwarded to the Security Council a statement by his Special Representative for Côte d'Ivoire, Choi Young-Jin, certifying that the final voters list was agreed upon by the Ivorian parties on 6 September. The Council had mandated in resolution 1765(2007) [YUN 2007, p. 180] that the Special Representative certify that all stages of the electoral process provide guarantees for holding open, free, fair and transparent elections. The Special Representative reviewed the progress and process of the election preparations. He had developed benchmarks for assessing whether conditions were conducive to fair elections. Over a period of five years, the certification of the

final voters list had focused on six steps: the mobile courts operation, the reconstitution of the civil status registers, the identification of the population, the voter registration process, the establishment of the provisional voters list and the appeals process. At the conclusion of each step, the Special Representative had “implicitly” certified each step through a press conference in which he made a positive evaluation of the work. In his view, the most important was the certification of the provisional voters list in November 2009 [YUN 2009, p. 183], establishing the “white list” of 5,277,392 traced people, and the “grey list” of 1,033,985 yet-to-be-traced people. At the current juncture, the certification of the final voters list focused on the appeals process. That process was measured against two yardsticks: peace and inclusiveness.

While the process had been mainly peaceful overall, the inclusiveness issue encountered significant challenges. The need for verification of the voters list was prompted by claims of the fraudulent preparation of a parallel list of 429,000 persons by the former president of the CEI in January. The dissolution of the IEC and the Government ensued on 12 February, and with the Facilitator's assistance, the new IEC was established two weeks later and the new Government took office on 4 March. On 14 April, the Prime Minister and the CEI President agreed to deal with the “grey list” of 1,033,985 persons in a separate manner; three months later a new provisional voters list of 5,776,784 persons was established by the validation of 434,000 persons whose names were merged into the “white list”. At the end of a long procedure, the Ivorian protagonists agreed on the results of the verification operation and of the appeals process with minimal modification of the provisional list, thus enabling the establishment of the final voters list by the IEC. After the completion of the appeals process, a presidential decree of 9 September authorized the distribution of national identity cards to 5,750,720 people on the final voters list, which was subsequently endorsed by the Standing Consultative framework of the Ouagadougou Political Agreement. The Special Representative stated that the list was solid, balanced, credible and certifiable. He concluded that the successful establishment of the final voters list by consensual decision-making yielded a crucial additional result—the identification of the population of Côte d'Ivoire.

The Secretary-General, in a statement issued by his Spokesman and attached to his letter, noted the certification of the list and congratulated the Ivorian political leaders and the Facilitator on the achievement. He expressed the hope that that step would lead to presidential and parliamentary elections, and reiterated the willingness of the United Nations to assist.

Report of Secretary-General (October). The Secretary-General, in his October report [S/2010/537],

also described the process of establishing the final voters list, as requested by the Security Council in resolution 1933(2010). The establishment of the list, he said, was a major breakthrough in the Ivorian peace process.

Following discussions by the Council of Ministers and based on a proposal by the CEI, Prime Minister Soro announced on 5 August that the first round of presidential elections would be held on 31 October 2010, and a presidential decree to that effect was issued the same day. A timeline was also issued for publication of the final voters list, distribution of voters cards, and a possible second round of presidential elections. On 28 September, the Special Representative briefed the Security Council on progress made in the electoral process. Following the establishment of the final voters list and its certification, the IEC, together with UNOCI, developed a plan to address the remaining tasks leading to elections: distribution of 11,658,719 identity and voters cards; establishment of 10,179 polling sites and 20,073 polling stations; identification, recruitment and training of 66,000 polling staff; coordination of electoral observers; transportation of electoral material; establishment of a results tally centre; and providing security for elections.

The limited capacity of the Integrated Command Centre (ICC), which was responsible for providing security during elections, remained a concern. The Ivorian security forces remained unable to deploy the full complement of the agreed 8,000 personnel as mixed units of ICC, as well as to provide a secure environment for elections. According to the Secretary-General, it would be necessary to rely on all available forces in Côte d'Ivoire to provide the required security, and UNOCI would continue to assist the Ivorian authorities in maintaining a secure environment for the completion of the peace process.

The Secretary-General expressed concern about reports that militia groups were threatening to disrupt the electoral process and affirmed that UNOCI would work to put in place the necessary arrangements. He agreed with the Permanent Consultative Framework that further efforts were needed to address outstanding tasks with regard to the reunification of the country, an ongoing process to be addressed by the new Government.

Permanent Consultative Framework. The Permanent Consultative Framework of the Ouagadougou Political Agreement met on 21 September in Ouagadougou under the auspices of President Compaoré of Burkina Faso, Facilitator of the Direct Inter-Ivorian Dialogue. In a final communiqué forwarded to the Security Council by Burkina Faso on 22 September [S/2010/494], the Framework members (President Gbagbo; Prime Minister Soro; Henri Konan Bédié, President of the Parti démocratique de Côte d'Ivoire-rassemblement démocratique africain; and Alassane Dramane Ouattara, President of the

Rassemblement des républicains) welcomed the significant progress made in the electoral process, and took note of the scheduling of the first round of the presidential election; adoption of the timetable for the key stages of the electoral process; and validation of the final electoral list and the authorization of national identity cards to the registered voters. The members appealed to all relevant stakeholders to ensure that the key stages of the electoral process were completed on time. They recommended that, following the presidential election, the status of the approximately 55,000 applicants who were removed from the final electoral list following verification of the provisional list should be examined by an ad hoc technical committee at the same time as all cases of duplication and other types of errors. In order to ensure that the presidential election was conducted as scheduled on 31 October, the members called on the political parties and candidates to comply with the Code of Good Conduct signed on 24 April 2008, and to conduct a peaceful election campaign. They emphasized the need for the CEI to ensure that all candidates had fair and equal access to the State media. Regarding reunification of Côte d'Ivoire, they welcomed the fact that the cantonment exercise of 5,000 Forces armées des Forces nouvelles, begun on 15 June 2010, was going smoothly.

SECURITY COUNCIL ACTION

On 29 September [meeting 6393], the Security Council unanimously adopted **resolution 1942(2010)**. The draft [S/2010/499] was submitted by France.

The Security Council,

Recalling its previous resolution 1933(2010) of 30 June 2010 concerning Côte d'Ivoire, and, in accordance with paragraph 20 thereof, recalling its intention to consider raising for a limited period of time, prior to and after the elections, the level of authorized military and police personnel up to a total of no more than 500 additional personnel,

Recalling also the letter dated 14 September 2010 from the Secretary-General to the President of the Security Council, in which the Secretary-General recommended a temporary increase of the authorized military and police personnel of the United Nations Operation in Côte d'Ivoire from 8,650 to 9,150,

Recalling further the letter dated 17 September 2010 from the President of the Security Council to the Secretary-General, in which the Council approved the course of action outlined in the above letter from the Secretary-General,

Taking note of the establishment of the final voters list, which was agreed upon by the Ivorian parties on 6 September 2010, and taking note also of the certification of this voters list by the Special Representative of the Secretary-General for Côte d'Ivoire on 24 September 2010 in Abidjan, as mentioned in the letter dated 23 September 2010 from the Secretary-General to the President of the Security Council,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to authorize, as recommended by the Secretary-General in his letter dated 14 September 2010 to the President of the Security Council, a temporary increase of the authorized military and police personnel of the United Nations Operation in Côte d'Ivoire from 8,650 to 9,150;

2. *Authorizes* the immediate deployment of those additional capacities for a period of up to six months;

3. *Decides* to remain actively seized of the matter.

Presidential elections

Report of Secretary-General (November). In his November report on UNOCI [S/2010/600], the Secretary-General stated that, as a result of the establishment of the final voters list, the first round of presidential elections in Côte d'Ivoire was held on 31 October following a generally peaceful electoral campaign period. The polling operation marked a historic day for the country. During the weeks prior to the first round, political parties and most candidates conducted meetings and pre-campaign activities in a relatively peaceful manner throughout the country.

The overall security situation remained stable but still fragile, given the ongoing electoral process and the unresolved aspects of the peace process, including disarmament and reintegration of former combatants and reunification of the country. Militia groups were more active preceding the elections, and they threatened to obstruct the electoral process if the Government failed to pay the demobilization allowances envisaged in Ouagadougou IV. Threats were made by an ex-militia group against UNOCI personnel, and some attempts were made to disrupt political rallies.

While electoral preparations remained on track following the establishment of the final voters list, controversy arose over polling procedures and distribution of electoral material. Ten days prior to the election, the CEI decided to tabulate the results manually rather than electronically, following claims by some Commission members that the private company contracted to carry out the electronic operation was too close to the ruling FPI party; however, Prime Minister Soro declared that the results would be transmitted both physically and electronically. The Commission was generally successful in overcoming logistical challenges in the weeks prior to election day, with the support of UNOCI and the UN country team. Distribution of 5,725,720 voter cards and 5,932,999 national identity cards was achieved, with few exceptions, in time for voting. The two-week campaign period was launched on 15 October, and the three main candidates (President Laurent Gbagbo of la Majorité Présidentielle alliance (LMP), former President Henri Konan Bédié of the Parti démocratique de Côte d'Ivoire (PDCI), and former

Prime Minister Alassane Ouattara of the Rassemblement des républicains (RDR) party) campaigned throughout the country, while the other 11 candidates mostly remained in their respective strongholds. In general, the campaign was conducted in a peaceful and free atmosphere. Candidates' access to State media significantly improved during the official campaign period.

On 31 October, the first round of presidential elections was held, and 83.7 per cent of eligible persons voted. The polls were observed by national officials and 423 international observers. Observer missions were sent by the AU, ECOWAS, the West African Economic and Monetary Union, the European Union (EU), the International Organization of la Francophonie, the Carter Center, the African Caribbean and Pacific Group of States, and the diplomatic missions of Japan and the United States. A total of 6,600 members of the ICC (out of the 8,000 envisaged by Ouagadougou IV) were deployed in 21 mixed units in the central, western and northern parts of the country. Ballot counting began immediately after some 20,000 polling stations closed and materials were sent to the tabulation centre in Abidjan. Difficulties and a few irregularities were encountered but none had a significant impact on the outcome. The Secretary-General, in a statement on 1 November, commended the Ivorian people for their conduct and called on the parties and candidates to accept the certified results.

The first partial results were published by the CEI on 2 November. The next day, the party of Mr. Bébié alleged irregularities in the tallying process and it called on the Commission to halt the announcement of results and requested a recount.

On 4 November, the Commission announced the provisional results of the presidential elections. President Gbagbo obtained 38.04 per cent, Mr. Ouattara 32.07 per cent, and Mr. Bébié 25.24 per cent. The other 11 candidates obtained a combined total of some 4 per cent. Following the announcement, some demonstrations occurred and some parties claimed irregularities had taken place. Two days later, the Constitutional Council proclaimed the final results of the first round of the presidential elections, validating the provisional results and necessitating a second round with Mr. Gbagbo and Mr. Ouattara on the ballot. The second round was scheduled for 28 November. The Secretary-General's Special Representative, who had followed the process closely, certified the results of the first round on 12 November, in accordance with criteria outlined in 2008 [YUN 2008, p. 179] and declared them peaceful, democratic and conducted in a transparent process.

The Secretary-General urged Ivorians to respect the outcome of the elections and to enter the next phase in a spirit of reconciliation. The electoral cycle would

be completed with the conduct of parliamentary elections. UNOCI would continue to provide support for the preparations for those elections expected to take place in early 2011. The peace process would still be incomplete without additional steps after elections, and a remaining aspect was the reunification-related tasks set out in Ouagadougou IV. The Secretariat and UNOCI would consult the new Government regarding implementation of the remaining steps of the peace process and prepare the requested new set of benchmarks for the drawdown of UNOCI, as well as proposals for the UN post-election presence in Côte d'Ivoire. The Secretary-General recommended the extension of the UNOCI mandate at its authorized strength for four months, until 30 April 2011, on the understanding that an extension would be proposed on the basis of an assessment of the evolving security situation in addition to peace prospects.

In a 22 November letter [S/2010/601], the Secretary-General informed the Security Council that the deployment of the additional 500 troops to UNOCI authorized by resolution 1942(2010) was completed on 18 October. In light of the impending second round of presidential elections and legislative elections, he believed it prudent to develop a contingency plan for a possible temporary transfer of troops and airplanes from the United Nations Mission in Liberia (UNMIL) to UNOCI should the situation require it. He sought the Council's advance approval of that arrangement.

Further developments

In a later report [S/2011/211] on UNOCI, the Secretary-General covered the results of the second round of the presidential election on 28 November, which was a vote between the two leading candidates from the first round, Mr. Gbagbo and Mr. Ouattara. Distribution of electoral materials and the retrieval of tally sheets in a timely manner remained logistical problems. Security arrangements included the deployment of 11,390 Ivorian forces (police and military) augmented by UNOCI forces and the French Licorne force. More than 300 international observers were deployed to observe the election. The one-week official campaign period for the second round was conducted from 20 to 26 November in an atmosphere of virulent verbal attacks by both sides. As President, Mr. Gbagbo imposed a curfew on 27 November, ostensibly to deter violence during elections, but his opposition saw it as a means to scare voters away from voting. The polling was conducted as scheduled on 28 November.

Three hours after the polls closed, Minister for Internal Affairs Désiré Togro denounced on State television what he described as violence committed by the Forces nouvelles against supporters of Mr. Gbagbo in the central, northern and western regions of the country, and other officials levelled charges of ir-

regularities; meanwhile, the spokesperson for RHDP denounced what he called a "series of manipulations" by Mr. Gbagbo to confiscate power. On 30 November, the spokesperson for the CEI, Bamba Yacouba, was physically prevented from announcing the partial results of the election by Commissioners representing Mr. Gbagbo's party.

On 2 December, the CEI Chair, Youssouf Bakayoko, announced the provisional results of the second round: Mr. Ouattara had garnered 54.1 per cent of the votes and Mr. Gbagbo had received 45.9 per cent. Voter turnout was 81 per cent. Later that day, the President of the Constitutional Council, Paul Yao N'Dré, declared the announcement to be null and void on the grounds that the Commission had missed the deadline for announcing the provisional results. The next day, the President of the Constitutional Council proclaimed the final results of the presidential elections, with Mr. Gbagbo receiving 51.45 per cent and Mr. Ouattara 48.55 per cent, and a voter turnout of 71.28 per cent. Alleging irregularities, including the use of violence, which had prevented people from voting, and the absence of signatures of LMP representatives on the tally sheets, the Constitutional Council cancelled the election results received from seven departments in the north of the country, all of which had voted overwhelmingly for Mr. Ouattara.

The Special Representative, following the announcement of the Constitutional Council, explicitly certified on 3 December the outcome of the second round as announced by the CEI, based on the same criteria as applied in the first round and using the same three established methods. The Special Representative pointed out that the results announced by the President of the Constitutional Council had not been based on facts. He had taken into consideration the complaints and had examined the signatures on tally sheets to determine whether fraud had occurred. The few irregularities found would not alter the outcome. Despite a few incidents, some of them violent in the west and north, the elections were conducted in a generally free and fair atmosphere. The Secretary-General endorsed the certification by the Special Representative and the international observers recognized the outcome.

On 4 December, Mr. Gbagbo took an oath of office before the Constitutional Council in Abidjan. Meanwhile, Mr. Ouattara, in a letter dated 3 December to the Constitutional Council, explained that, owing to the prevailing circumstances, he was unable to take the oath before the Council and therefore he was taking it in writing. Prime Minister Soro, reappointed by President Ouattara, formed a new 13-member cabinet. On 7 December, Mr. Gbagbo also appointed a new "government" of 37 members.

The ECOWAS heads of state, at an extraordinary session held in Abuja on 7 December, endorsed the outcome announced by the CEI and recognized

Mr. Ouattara as President-elect. The meeting called on Mr. Gbagbo to yield power without delay and suspended Côte d'Ivoire from the Community until the democratically elected President assumed power. On 8 December, the UN Security Council welcomed the ECOWAS decision and called on all Ivorian stakeholders to respect the outcome of the election, and the AU Peace and Security Council took similar action. The EU announced on 13 December that it would adopt targeted restrictive measures against those who were "jeopardizing the proper outcome of the electoral process". In late December, the EU and the United States imposed visa bans on dozens of individuals, including Mr. Gbagbo and his wife.

Communication. By a letter of 9 December [S/2010/697] to the Security Council, the AU released a communiqué issued by its Peace and Security Council on Côte d'Ivoire, in which it endorsed the decision of the ECOWAS Heads of State meeting on 7 December recognizing the results proclaimed by the CEI, as certified by the Special Representative, and Mr. Ouattara as the President-elect of Côte d'Ivoire. The AU decided to suspend the participation of Côte d'Ivoire in all AU activities, and urged Mr. Gbagbo to respect the results of the election.

SECURITY COUNCIL ACTION

On 24 November [meeting 6431], the Security Council unanimously adopted **resolution 1951(2010)**. The draft [S/2010/602] was submitted by France and the United States.

The Security Council,

Recalling its previous resolutions and the statements by its President relating to the situation in Côte d'Ivoire and in the subregion,

Taking note of the letter dated 22 November 2010 from the Secretary-General to the President of the Security Council concerning the planned run-off elections scheduled to take place in Côte d'Ivoire on 28 November 2010,

Recalling the inter-mission cooperation arrangements provided for in paragraphs 4 to 6 of its resolution 1609(2005) of 24 June 2005,

Mindful of the need to support the ability of the United Nations Mission in Liberia to carry out its mandate,

Determining that the situation in Côte d'Ivoire continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to authorize the Secretary-General to temporarily redeploy from the United Nations Mission in Liberia to the United Nations Operation in Côte d'Ivoire for a period of no more than four weeks a maximum of 3 infantry companies and 1 aviation unit comprising 2 military utility helicopters;

2. *Decides also* to remain actively seized of the matter.

Year-end developments. As the Secretary-General also later reported, shortly after the announcement on 2 December of the provisional results of the run-off

election for president, the regular security forces loyal to Mr. Gbagbo, and groups and militias associated with his political party, resorted to violent attacks against communities believed to be strongholds for President Ouattara, especially in several neighbourhoods of Abidjan. Forces loyal to Mr. Gbagbo erected roadblocks and deployed heavy weapons in positions around the Golf Hotel where President Ouattara, the President of the IEC and many leaders of RHDP, including Mr. Bédié, had taken refuge as the violence began to escalate. On 2 December, elements of the gendarmerie attacked the Abidjan headquarters of Mr. Ouattara's party, leaving eight persons dead and more than 20 wounded.

Tensions rose in Abidjan following statements by the commanders of the Republican Guard and the Forces de défense et de sécurité (FDS), calling on their troops to defend Côte d'Ivoire against "foreigners" who, they said, were taking over. On 13 December, a stand-off took place at a checkpoint between FDS forces loyal to Mr. Gbagbo and the Forces nouvelles. The situation was defused by the Special Representative's intervention and the deployment of UNOCI troops between the main checkpoint and the Golf Hotel. When threats continued and the situation remained tense, UNOCI progressively reinforced its deployment around the hotel. Restriction on the movement of people and goods around the hotel continued.

In other areas, thousands of supporters of Mr. Ouattara travelled from the north of the country towards Abidjan, but were stopped in Tiébissou, where FDS had reinforced its positions with troops and heavy combat equipment, and used tear gas and live ammunition to disperse the marchers. In Yamoussoukro, forces loyal to Mr. Gbagbo sealed off neighbourhoods considered to be strongholds for Mr. Ouattara and used excessive force to prevent residents from joining the march. At least 20 people were killed and more wounded during the ensuing incidents. In a statement issued on 17 December, the Security Council condemned the violence, warning that the perpetrators would be held accountable for attacks against civilians and urging restraint.

Following the elections, attacks against UN personnel and obstruction of UNOCI increased. On 17 December, Mr. Gbagbo's "minister for foreign affairs" called for the immediate departure of UNOCI and alleged that the mission was no longer impartial. Mr. Gbagbo's "government" began taking measures to strangle UNOCI operations, including by denying the mission access to vital supplies. It denied customs clearance for supplies at the port, cut off fuel supplies and prevented UN personnel from entering the Golf Hotel when they attempted to deliver supplies for mission personnel there. The denial of landing rights to chartered aircraft disrupted rotations of troops and police through Abidjan.

By resolution 1962(2010) of 20 December (see below), the Security Council renewed the mandate of UNOCI, as set out in resolution 1933(2010), until 30 June 2011; urged all the Ivorian parties and stakeholders to respect the will of the people and the outcome of the election in view of the recognition by ECOWAS and the AU of Alassane Dramane Ouattara as the newly elected President of Côte d'Ivoire; decided to maintain the authorized combined military and police strength of UNOCI at 8,650 and extended until 31 March 2011 the temporary deployment of up to 500 additional personnel; and extended authorization by up to four additional weeks of the temporary redeployment from UNMIL to UNOCI of a maximum of three infantry companies and one aviation unit, and affirmed its intention to authorize redeployment of further troops, as needed, between UNMIL and UNOCI on a temporary basis. The Council further extended until 30 June 2011 its authorization provided to the French Forces to support UNOCI. The Council also requested UNOCI to support, in coordination with the Ivorian authorities, the provision of security for the Government and key political stakeholders.

Security Council statement (December). Also on 20 December [SC/10135], the Security Council expressed its concern about the continued violence in Côte d'Ivoire, including armed attacks against UNOCI and multiple civilian fatalities, and urged all Ivorians to exercise maximum restraint, remain calm, resist provocative actions, refrain from violence and work together to restore sustainable peace.

SECURITY COUNCIL ACTION

On 20 December [meeting 6458], the Security Council unanimously adopted **resolution 1962(2010)**. The draft [S/2010/644] was submitted by Austria, Bosnia and Herzegovina, France, Gabon, Germany, Nigeria, Turkey, Uganda, the United Kingdom and the United States.

The Security Council,

Recalling its previous resolutions, in particular resolutions 1893(2009) of 29 October 2009, 1911(2010) of 28 January 2010, 1924(2010) of 27 May 2010, 1933(2010) of 30 June 2010, 1942(2010) of 29 September 2010, 1946(2010) of 15 October 2010 and 1951(2010) of 24 November 2010, and the statements by its President relating to the situation in Côte d'Ivoire, and its resolution 1938(2010) of 15 September 2010 on the situation in Liberia,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Côte d'Ivoire, and recalling the importance of the principles of good-neighbourliness, non-interference and regional co-operation,

Congratulating the Ivorian people for the holding of the two rounds of the presidential election on 31 October and 28 November 2010 with a massive and peaceful participation,

Condemning in the strongest possible terms the attempts to usurp the will of the people and undermine the integrity of the electoral process and any progress in the peace process in Côte d'Ivoire,

Expressing grave concern at the risk of escalation of violence, recalling that the Ivorian leaders bear primary responsibility for ensuring peace and protecting the civilian population in Côte d'Ivoire, and demanding that all stakeholders and parties to conflict act with maximum restraint to prevent a recurrence of violence and ensure the protection of civilians,

Welcoming the decisions taken at the Extraordinary Session of the Authority of Heads of State and Government of the Economic Community of West African States on Côte d'Ivoire, held in Abuja on 7 December 2010, and the decisions of the two hundred and fifty-second meeting of the Peace and Security Council of the African Union, held in Addis Ababa on 9 December 2010,

Taking note of the decision of the Economic Community of West African States, taken on 7 December 2010, to apply the provisions of article 45 of the Economic Community of West African States Protocol on Democracy and Good Governance relating to the imposition of sanctions on Côte d'Ivoire, including the suspension from all decision-making bodies of the Economic Community until further notice,

Taking note also of the communiqué of the Chairperson of the African Union of 6 December 2010 and the decision of the Peace and Security Council of the African Union, taken on 9 December 2010, to suspend the participation of Côte d'Ivoire in all African Union activities, until the democratically elected President effectively assumes State power,

Recalling that it endorsed the agreement signed at Ouagadougou on 4 March 2007 ("the Ouagadougou Political Agreement"), and that it welcomed the four subsequent supplementary agreements,

Paying tribute to President Blaise Compaoré of Burkina Faso ("the Facilitator") for his critical role to support the peace process and the holding and completion of the presidential election,

Commending the constructive role of the Secretary-General in Côte d'Ivoire, and reaffirming its full support for his Special Representative for Côte d'Ivoire in carrying out his mandate,

Commending also the continuing efforts of the African Union and the Economic Community of West African States to promote peace and stability in Côte d'Ivoire, and reiterating its full support for them,

Stressing the need for the Security Council to pursue a rigorous, strategic approach to peacekeeping deployments, the substantial engagement in which is more likely to lead to a sustainable peace when the parties to a conflict abide by their commitments and obligations, welcoming the intention of the Secretary-General to keep all peacekeeping operations under close review, and noting the importance of contingency planning,

Expressing its appreciation to troop- and police-contributing countries for their ongoing support to the peace process in Côte d'Ivoire,

Mindful of the inter-mission cooperation arrangements between the United Nations Operation in Côte d'Ivoire and the United Nations Mission in Liberia and the need to support the ability of the United Nations Mission in Liberia to carry out its mandate,

Reiterating its strong condemnation of any attempt to destabilize the peace process in Côte d'Ivoire, in particular by force, and expressing its intention to address without delay the situation should any such attempt take place,

Having taken note of the report of the Secretary-General of 23 November 2010,

Recalling its resolutions 1325(2000) of 31 October 2000, 1820(2008) of 19 June 2008, 1888(2009) of 30 September 2009 and 1889(2009) of 5 October 2009 on women and peace and security, its resolutions 1612(2005) of 26 July 2005 and 1882(2009) of 4 August 2009 on children and armed conflict and its resolutions 1674(2006) of 28 April 2006 and 1894(2009) of 11 November 2009 on the protection of civilians in armed conflict,

Determining that the situation in Côte d'Ivoire continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Urges* all the Ivorian parties and stakeholders to respect the will of the people and the outcome of the election in view of the recognition by the Economic Community of West African States and the African Union of Mr. Alassane Dramane Ouattara as President-elect of Côte d'Ivoire and representative of the freely expressed voice of the Ivorian people as proclaimed by the Independent Electoral Commission;

2. *Requests* the Secretary-General, including through his Special Representative for Côte d'Ivoire, to facilitate, as appropriate, political dialogue between the Ivorian stakeholders in order to ensure peace in Côte d'Ivoire and respecting the outcome of the presidential election as recognized by the Economic Community of West African States and the African Union;

3. *Decides* to renew the mandate of the United Nations Operation in Côte d'Ivoire, as set out in resolution 1933(2010), until 30 June 2011;

4. *Decides also* that the United Nations Operation in Côte d'Ivoire shall maintain its total authorized strength at 8,650 personnel, including a maximum of 7,200 troops and staff officers and 192 military observers, and a maximum of 1,250 police personnel and 8 seconded customs officers, as authorized by resolution 1933(2010), until 30 June 2011;

5. *Decides further* to authorize the Secretary-General, further to resolution 1942(2010), to extend until 31 March 2011 the temporary deployment of up to 500 additional personnel;

6. *Decides* to authorize the Secretary-General, further to resolution 1951(2010), to extend by up to four additional weeks the temporary redeployment from the United Nations Mission in Liberia to the United Nations Operation in Côte d'Ivoire of a maximum of 3 infantry companies and 1 aviation unit comprising 2 military utility helicopters;

7. *Affirms its intention* to consider authorizing the Secretary-General to redeploy further troops, as may be needed, between the United Nations Mission in Liberia and the United Nations Operation in Côte d'Ivoire on a temporary basis, in accordance with the provisions of its resolution 1609(2005) of 24 June 2005, and calls upon troop-contributing countries to support the efforts of the Secretary-General in this regard;

8. *Stresses* the importance of continued support by the United Nations Operation in Côte d'Ivoire to the Ivorian peace process in accordance with its mandate, especially the

completion of the unfinished tasks, including the legislative elections, the reunification of the country, the restoration of State authority throughout the country, the disarmament, demobilization and reintegration of ex-combatants, the dismantling of militias, the strengthening of rule of law institutions, the reform of the security sector and the promotion and protection of human rights, with particular attention to the situation of children and women;

9. *Condemns* the persistence of reported human rights and humanitarian law violations against civilians in different parts of the country, including numerous acts of sexual violence met with impunity, calls upon all Ivorian parties, with the continued support of the United Nations Operation in Côte d'Ivoire, to ensure the protection of civilians, especially women, children and displaced persons, stresses that the perpetrators must be brought to justice, calls upon all parties to take appropriate measures to refrain from, prevent and protect civilians from all forms of sexual violence, and reaffirms paragraphs 14 to 17 of its resolution 1880(2009) of 30 July 2009;

10. *Urges* all parties to cooperate fully with the operations of the United Nations Operation in Côte d'Ivoire and the French forces supporting it, in particular by ensuring their safety, security and freedom of movement, with unhindered and immediate access throughout the territory of Côte d'Ivoire, including the administrative and State bodies, to enable them to fully carry out their mandates;

11. *Requests* the United Nations Operation in Côte d'Ivoire to support, in coordination with the Ivorian authorities, the provision of security for the Government of Côte d'Ivoire and key political stakeholders;

12. *Urges* all the relevant Ivorian stakeholders to restore without delay the broadcasting of all non-governmental media in Côte d'Ivoire, and further urges them to allow equitable and broader access to media and, in particular, to State media and to refrain from using it to incite the population to hatred, intolerance and violence;

13. *Stresses* the importance for the United Nations Operation in Côte d'Ivoire to continue to observe and monitor the continued compliance by the parties with the comprehensive ceasefire agreement of 3 May 2003 in order to prevent a resumption of hostilities;

14. *Recalls* its authorization given to the United Nations Operation in Côte d'Ivoire to use all necessary means to carry out its mandate, within its capabilities and its areas of deployment;

15. *Reiterates* the importance for the United Nations Operation in Côte d'Ivoire to implement its protection of civilians mandate, particularly in the light of the current risks for human rights and civilians in the country;

16. *Reaffirms its readiness* to impose measures, including targeted sanctions, against persons who, among other things, threaten the peace process and national reconciliation, including by seeking to undermine the outcome of the electoral process, obstruct the work of the United Nations Operation in Côte d'Ivoire and other international actors and commit serious violations of human rights and international humanitarian law, as set out in resolution 1946(2010);

17. *Decides* to extend until 30 June 2011 the authorization that the Security Council provided to the French forces in order to support the United Nations Operation

in Côte d'Ivoire, within the limits of their deployment and their capabilities;

18. *Requests* the Secretary-General to provide to the Council a midterm report, no later than 31 March 2011, on the situation on the ground, to include an assessment of the need to extend the temporary personnel deployments authorized by resolution 1942(2010) and a full report, no later than 31 May 2011, on the situation on the ground and the implementation of the present resolution;

19. *Also requests* the Secretary-General to deploy a technical assessment mission to Côte d'Ivoire, following legislative elections due to take place in early 2011, that will focus on the evolving security situation, as well as the prospects of consolidating the stability of the country following the completion of the electoral cycle, and further requests the Secretary-General to submit to the Council recommendations on possible adjustments in the structure and strength of the United Nations Operation in Côte d'Ivoire, as appropriate, in the final report referred to in paragraph 18 above;

20. *Decides* to remain seized of the matter.

Sanctions

The Security Council Committee established pursuant to resolution 1572(2004) [YUN 2004, p. 187] concerning Côte d'Ivoire continued to monitor implementation of the arms embargo, travel restrictions and assets freeze on designated individuals and entities, and the ban on the import of all rough diamonds from Côte d'Ivoire. Those sanctions were renewed by resolutions 1643(2005) [YUN 2005, p. 251], 1782(2007) [YUN 2007, p. 188], 1842(2008) [YUN 2008, p. 194] and 1893(2009) [YUN 2009, p. 186].

The Sanctions Committee, in its report on 2010 activities [S/2010/687], said that during the year, the Committee considered a total of seven media and arms embargo monitoring reports, which were prepared by UNOCI in accordance with Security Council resolutions. The Committee also considered four quarterly UNOCI human rights reports. It noted that the Group of Experts on Côte d'Ivoire observed that possible violations of the sanctions regime continued to occur in both the north and the south of the country. Inspections to military sites continued to be unsuccessful, particularly to those controlled by the Republican Guard. The Group also noted that consistent revenues derived from natural resources remained unaccounted for, with the risk of being utilized for the illicit purchase of weapons and materiel in violation of the embargo. On the embargo on diamonds, the Group stressed that rough stones continued to leave the territory of Côte d'Ivoire to reach the international diamond market through neighbouring countries.

The Committee remarked that the primary responsibility for implementation of the sanctions rested with Member States. For its part, the Committee benefited from the information provided by the Group of Experts, UNOCI and other sources.

Report of Group of Experts. In accordance with resolution 1893(2009), the Group of Experts monitoring the implementation of the sanctions concerning Côte d'Ivoire, in a midterm report issued in April [S/2010/179], reviewed cooperation with stakeholders, monitoring of the embargo, violations of the arms embargo, financing of arms purchases, the diamond embargo, the status of aviation used for military purposes, customs control, and sanctions against individuals. The Group had sought, without much success, responses from both the Government and the Forces nouvelles to questions about sources of arms supplies and requests for inspection of military sites and weapons. The Group expressed that it was concerned by the unwillingness of certain Member States to cooperate with its requests for information. It intended, in its final report, to compile a list of all entities, including Member States, international organizations and private companies, which had not responded in an adequate and timely manner to its requests for information. The Group continued investigations into suspected shipments of arms and ammunition into the north and south of the country, some of which appeared to be relatively large. With regard to financing, the Group noted that, while the Government and Forces nouvelles might portray themselves as taking steps towards reunification of the country, in reality, economic interests within each party impeded accomplishing that purpose. The Group continued to investigate industries in the country, including gas and petroleum, mining (gold, manganese, nickel and copper), and agriculture (in particular, cocoa). Ongoing diamond mining in northern Côte d'Ivoire provided the impetus for exports of Ivorian rough diamonds in violation of the sanctions regime, and neighbouring States, specifically Burkina Faso, Guinea, Liberia and Mali, were either unable or unwilling to monitor and enforce the embargo. The Group asserted that the majority of Member States were not taking the necessary measures to curtail the diamond trade.

Among its recommendations, in addition to those it made in 2009 [YUN 2009, p. 186], the Group recommended that UNOCI no longer provide 48-hour notification of weapon inspections and that Burkina Faso investigate arms transfers from its territory to northern Côte d'Ivoire. It called on the Government of Côte d'Ivoire to facilitate the Group's investigations into the finances of the oil, gas and mining sectors by granting access to documents. The Government and the Forces nouvelles were urged to keep records of diamond production in the Séguela and Tortiya, and to record diamond sale details. Mali and Burkina Faso were urged to monitor their borders closely for the possible transit of Ivorian diamonds through their customs territories. The Group recommended that UNOCI regularly monitor any activity around unmanned aerial vehicles, and that it monitor all civil

aircraft stationed there and report immediately any use of a military nature. The Group urged neighbouring countries, in particular Burkina Faso, to enact customs controls on all transit shipments destined for, or leaving, the territory of Côte d'Ivoire. It suggested that UNOCI conduct inspections of goods on the basis of a risk assessment methodology, and it proposed that UNOCI reinforce its embargo cell with additional customs experts.

SECURITY COUNCIL ACTION

On 15 October [meeting 6402], the Security Council unanimously adopted **resolution 1946(2010)**. The draft [S/2010/525] was submitted by France.

The Security Council,

Recalling its previous resolutions and the statements by its President relating to the situation in Côte d'Ivoire, in particular resolutions 1880(2009) of 30 July 2009, 1893(2009) of 29 October 2009, 1911(2010) of 28 January 2010 and 1933(2010) of 30 June 2010,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Côte d'Ivoire, and recalling the importance of the principles of good-neighbourliness, non-interference and regional cooperation,

Taking note of the report of the Secretary-General of 20 May 2010 and of the reports of the Group of Experts on Côte d'Ivoire transmitted on 7 October 2009 and 9 April 2010,

Emphasizing the continued contribution to Côte d'Ivoire's stability, in particular in the context of the planned presidential elections, of the measures imposed by resolutions 1572(2004) of 15 November 2004 and 1643(2005) of 15 December 2005, and stressing that these measures aim at supporting the peace process in Côte d'Ivoire,

Welcoming the conclusions of the most recent meeting of the Permanent Consultative Framework, held in Ouagadougou on 21 September 2010 under the aegis of the Facilitator, President Blaise Compaoré of Burkina Faso, welcoming also the establishment and the certification of the voters list, taking note of the commitments of the Ivorian stakeholders to hold the first round of the presidential elections on 31 October 2010, and urging them to ensure that elections take place as scheduled and to complete this electoral process in open, free, fair and transparent conditions, within the time frame fixed by the Independent Electoral Commission,

Noting with concern, in spite of the sustained improvement in the overall human rights situation, the persistence of reported human rights and humanitarian law violations against civilians in different parts of the country, including acts of sexual violence, stressing that the perpetrators must be brought to justice, reiterating its firm condemnation of all violations of human rights and international humanitarian law in Côte d'Ivoire, and recalling its resolutions 1325(2000) of 31 October 2000, 1820(2008) of 19 June 2008, 1888(2009) of 30 September 2009 and 1889(2009) of 5 October 2009 on women and peace and security, its resolutions 1612(2005) of 26 July 2005 and 1882(2009) of 4 August 2009 on children and armed conflict and its resolutions 1674(2006) of

28 April 2006 and 1894(2009) of 11 November 2009 on the protection of civilians in armed conflict,

Determining that the situation in Côte d'Ivoire continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to renew until 30 April 2011 the measures on arms and the financial and travel measures imposed by paragraphs 7 to 12 of resolution 1572(2004) and the measures preventing the importation by any State of all rough diamonds from Côte d'Ivoire imposed by paragraph 6 of resolution 1643(2005);

2. *Decides also* to review the measures renewed in paragraph 1 above in the light of the progress achieved in the electoral process and in the implementation of the key steps of the peace process, as referred to in resolution 1933(2010), by the end of the period mentioned in paragraph 1 above, and decides further to carry out during the period mentioned in paragraph 1 above a review of the measures renewed in paragraph 1 above no later than three months after the holding of open, free, fair and transparent presidential elections in accordance with international standards, with a view to possibly modifying, lifting or maintaining the sanctions regime, in accordance with progress in the peace process;

3. *Calls upon* the Ivorian parties to the Ouagadougou Political Agreement and all States, in particular those in the subregion, to fully implement the measures renewed in paragraph 1 above, including, as appropriate, by making the necessary rules and regulations, calls upon the United Nations Operation in Côte d'Ivoire to bring its full support, within its capacities and its mandate, and calls upon the French forces to support the United Nations Operation in Côte d'Ivoire in this regard, within the limits of their deployment and their capabilities;

4. *Demands* that the Ivorian parties to the Ouagadougou Political Agreement, in particular the Ivorian authorities, provide unhindered access, particularly to the Group of Experts on Côte d'Ivoire first established pursuant to paragraph 7 of resolution 1584(2005) of 1 February 2005, to equipment, sites and installations referred to in paragraph 2 (a) of resolution 1584(2005) and to all weapons, ammunition and related materiel, regardless of location, when appropriate without notice and including those under the control of Republican Guard units, and demands further that they provide access under the same conditions to the United Nations Operation in Côte d'Ivoire in order to enable it to carry out its mandate and to the French forces supporting it, as set out in resolutions 1739(2007) of 10 January 2007, 1880(2009) and 1933(2010);

5. *Decides*, in line with paragraph 27 of resolution 1933(2010) and in addition to the provisions of paragraph 8 of resolution 1572(2004), that the arms embargo shall not apply to the supplies of non-lethal equipment intended solely to enable the Ivorian security forces to use only appropriate and proportionate force while maintaining public order, as approved in advance by the Security Council Committee established pursuant to resolution 1572(2004);

6. *Underlines* that it is fully prepared to impose targeted measures against persons to be designated by the Committee

in accordance with paragraphs 9, 11 and 14 of resolution 1572(2004) who are determined to be, among other things:

(a) A threat to the peace and national reconciliation process in Côte d'Ivoire, in particular by blocking the implementation of the peace process, as referred to in the Ouagadougou Political Agreement;

(b) Attacking or obstructing the action of the United Nations Operation in Côte d'Ivoire, the French forces supporting it, the Special Representative of the Secretary-General for Côte d'Ivoire, the Facilitator, or his Special Representative in Côte d'Ivoire;

(c) Responsible for obstacles to the freedom of movement of the United Nations Operation in Côte d'Ivoire and the French forces supporting it;

(d) Responsible for serious violations of human rights and international humanitarian law committed in Côte d'Ivoire;

(e) Publicly inciting hatred and violence;

(f) Acting in violation of the measures imposed by paragraph 7 of resolution 1572(2004);

7. *Notes with concern* the media monitoring reports of the United Nations Operation in Côte d'Ivoire and the media outlets referenced therein for inciting violence and a resumption of internal conflict, and stresses that it remains ready to impose sanctions against those who obstruct the electoral process, specifically the action of the Independent Electoral Commission and all other operators involved, and the proclamation and certification of the results of the presidential and parliamentary elections;

8. *Requests* all States concerned, in particular those in the subregion, to cooperate fully with the Committee, and authorizes the Committee to request whatever further information it may consider necessary;

9. *Decides* to extend the mandate of the Group of Experts, as set out in paragraph 7 of resolution 1727(2006) of 15 December 2006, until 30 April 2011, and requests the Secretary-General to take the necessary administrative measures;

10. *Decides also* that the report referred to in paragraph 7 (e) of resolution 1727(2006) may include, as appropriate, any information and recommendations relevant to the possible additional designation by the Committee of the individuals and entities described in paragraphs 9 and 11 of resolution 1572(2004), and further recalls the report of the Informal Working Group of the Security Council on General Issues of Sanctions on best practices and methods, including paragraphs 21, 22 and 23 thereof, which discuss possible steps for clarifying methodological standards for monitoring mechanisms;

11. *Requests* the Group of Experts to submit a report as well as recommendations to the Council, through the Committee, fifteen days before the end of its mandated period, on the implementation of the measures imposed by paragraphs 7, 9 and 11 of resolution 1572(2004) and paragraph 6 of resolution 1643(2005);

12. *Requests* the Secretary-General to communicate, as appropriate, to the Council, through the Committee, information gathered by the United Nations Operation in Côte d'Ivoire and, where possible, reviewed by the Group of Experts, concerning the supply of arms and related materiel to Côte d'Ivoire;

13. *Requests* the Government of France to communicate, as appropriate, to the Council, through the Commit-

tee, information gathered by the French forces and, where possible, reviewed by the Group of Experts, concerning the supply of arms and related materiel to Côte d'Ivoire;

14. *Requests* the Kimberley Process to communicate, as appropriate, to the Council, through the Committee, information which, where possible, has been reviewed by the Group of Experts, concerning the production and illicit export of diamonds from Côte d'Ivoire, and further decides to renew the exemptions set out in paragraphs 16 and 17 of resolution 1893(2009) with regard to the securing of samples of rough diamonds for scientific research purposes coordinated by the Kimberley Process;

15. *Urges* all States, relevant United Nations bodies and other organizations and interested parties to cooperate fully with the Committee, the Group of Experts, the United Nations Operation in Côte d'Ivoire and the French forces, in particular by supplying any information at their disposal on possible violations of the measures imposed by paragraphs 7, 9 and 11 of resolution 1572(2004) and paragraph 6 of resolution 1643(2005) and reiterated in paragraph 1 above; and further requests the Group of Experts to coordinate its activities, as appropriate, with all actors involved to promote the political process in Côte d'Ivoire;

16. *Urges*, in this context, that all Ivorian parties and all States, particularly those in the region, ensure:

- The safety of the members of the Group of Experts;
- Unhindered access by the Group of Experts, in particular to persons, documents and sites, in order for the Group of Experts to execute its mandate;

17. *Decides* to remain actively seized of the matter.

Children and armed conflict

The Secretary-General, in his April report on children and armed conflict [A/64/742-S/2010/181], stated that UNOCI child protection officers continued to monitor compliance by Forces de défense et de sécurité des Forces nouvelles (FDS-FN) and militia groups with their respective action plan commitments on recruitment and use of child soldiers by conducting regular verification visits to checkpoints, areas around camps or military sites, police stations and customs posts. Both the leadership of FDS-FN and militia groups agreed to an "open door" policy with UNOCI, whereby any allegations of the use of child soldiers could be immediately investigated with their full cooperation and with unrestricted access. During the reporting period, there was no substantiated evidence of child-soldier use by those parties. The prevalence of rape and other forms of sexual violence against children remained the most urgent concern in Côte d'Ivoire, with no substantial improvement compared to the previous reporting period. The situation was more serious in the northern parts of the country controlled by FDS-FN, and was aggravated by the continued impunity of perpetrators. There was a similar concern in the western parts of the country under the control of pro-Government militias.

UNOCI

The United Nations Operation in Côte d'Ivoire (UNOCI) was established in 2004 by Security Council resolution 1528(2004) [YUN 2004, p. 173] to replace the United Nations Mission in Côte d'Ivoire and ECOWAS forces. Its mandate was to monitor the ceasefire and the movement of armed groups; assist in disarmament, demobilization, reintegration, repatriation and resettlement; protect UN personnel and civilians; support implementation of the peace process; and provide assistance in the monitoring of human rights, public information and law and order. The UNOCI mandate was revised in 2007 [YUN 2007, p. 170] to include supporting the work of the Integrated Command Centre, monitoring the cessation of hostilities and movement of armed groups, and providing other security-related assistance. UNOCI was supported by the French Licorne forces. Headquartered in Abidjan, UNOCI was headed by the Special Representative of the Secretary-General, Choi Young-Jin (Republic of Korea).

The Council, by resolution 1911(2010) (see p. 178) of 28 January, renewed the mandate of UNOCI until the end of May, at which time it adopted resolution 1924(2010) (see p. 183) extending the mandate briefly, until 30 June. By resolution 1933(2010) (*ibid.*) of 30 June, the Council renewed the mandate until the end of the year and expanded its functions. By resolution 1962(2010) of 20 December, the Security Council renewed the mandate of UNOCI, as set out in resolution 1933(2010), until 30 June 2011.

Financing

In June 2010, the General Assembly considered the Secretary-General's performance report on the budget of UNOCI for the period from 1 July 2008 to 30 June 2009 [A/64/584 & Corr.1], the proposed budget for UNOCI from 1 July 2010 to 30 June 2011 [A/64/673] and the related report by ACABQ [A/64/660/Add.7]. The performance report for the period from 1 July 2008 to 30 June 2009 showed actual expenditures at \$475,373,300 against an appropriation of \$475,402,600. The proposed UNOCI budget for the period from 1 July 2010 to 30 June 2011 amounted to \$492,535,700, which provided for the deployment of 7,250 military contingent personnel, 200 military observers, 450 UN police officers, 750 formed police unit personnel, 451 international staff, 829 national staff, 176 UN Volunteers and eight Government-provided personnel, including 14 international temporary positions and 10 national temporary personnel. ACABQ recommended that the budget for that period be reduced to \$491,578,200. The General Assembly took action on the recommendations in resolution 64/273 (see below).

GENERAL ASSEMBLY ACTION

On 24 June [meeting 101], the General Assembly, on the recommendation of the Fifth Committee [A/64/822], adopted **resolution 64/273** without vote [agenda item 148].

Financing of the United Nations Operation in Côte d'Ivoire

The General Assembly,

Having considered the reports of the Secretary-General on the financing of the United Nations Operation in Côte d'Ivoire and the related report of the Advisory Committee on Administrative and Budgetary Questions,

Recalling Security Council resolution 1528(2004) of 27 February 2004, by which the Council established the United Nations Operation in Côte d'Ivoire for an initial period of twelve months as from 4 April 2004, and the subsequent resolutions by which the Council extended the mandate of the Operation, the latest of which was resolution 1924(2010) of 27 May 2010, by which the Council extended the mandate of the Operation until 30 June 2010,

Recalling also its resolution 58/310 of 18 June 2004 on the financing of the Operation and its subsequent resolutions thereon, the latest of which was resolution 63/289 of 30 June 2009,

Reaffirming the general principles underlying the financing of United Nations peacekeeping operations, as stated in General Assembly resolutions 1874(S-IV) of 27 June 1963, 3101(XXVIII) of 11 December 1973 and 55/235 of 23 December 2000,

Mindful of the fact that it is essential to provide the Operation with the financial resources necessary to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

1. *Requests* the Secretary-General to entrust the Head of Mission with the task of formulating future budget proposals in full accordance with the provisions of General Assembly resolutions 59/296 of 22 June 2005, 60/266 of 30 June 2006, 61/276 of 29 June 2007 and 64/269 of 24 June 2010, as well as other relevant resolutions;

2. *Takes note* of the status of contributions to the United Nations Operation in Côte d'Ivoire as at 30 April 2010, including the contributions outstanding in the amount of 36.1 million United States dollars, representing some 1 per cent of the total assessed contributions, notes with concern that only forty-eight Member States have paid their assessed contributions in full, and urges all other Member States, in particular those in arrears, to ensure payment of their outstanding assessed contributions;

3. *Expresses its appreciation* to those Member States which have paid their assessed contributions in full, and urges all other Member States to make every possible effort to ensure payment of their assessed contributions to the Operation in full;

4. *Expresses concern* at the financial situation with regard to peacekeeping activities, in particular as regards the reimbursements to troop contributors that bear additional burdens owing to overdue payments by Member States of their assessments;

5. *Also expresses concern* at the delay experienced by the Secretary-General in deploying and providing adequate resources to some recent peacekeeping missions, in particular those in Africa;

6. *Emphasizes* that all future and existing peacekeeping missions shall be given equal and non-discriminatory treatment in respect of financial and administrative arrangements;

7. *Also emphasizes* that all peacekeeping missions shall be provided with adequate resources for the effective and efficient discharge of their respective mandates;

8. *Reiterates its request* to the Secretary-General to make the fullest possible use of facilities and equipment at the United Nations Logistics Base at Brindisi, Italy, in order to minimize the costs of procurement for the Operation;

9. *Requests* the Secretary-General to give consideration to making the fullest possible use of the facilities at the logistics hub at Entebbe, Uganda;

10. *Also requests* the Secretary-General to ensure that proposed peacekeeping budgets are based on the relevant legislative mandates;

11. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions, subject to the provisions of the present resolution, and requests the Secretary-General to ensure their full implementation;

12. *Decides* to establish five additional National Officer posts and six additional national General Service posts in the Medical Services Section;

13. *Emphasizes* the continuing efforts of the Facilitator of the Ouagadougou Political Agreement and his Special Representative in supporting the peace process in Côte d'Ivoire;

14. *Notes* the financial situation of the "Programme de sortie de crise" of the United Nations Development Programme in support of the Facilitator and his representative, and in this regard urges Member States to provide the "Programme de sortie de crise" with voluntary contributions;

15. *Requests* the Secretary-General to ensure the full implementation of the relevant provisions of its resolutions 59/296, 60/266, 61/276 and 64/269;

16. *Also requests* the Secretary-General to take all action necessary to ensure that the Operation is administered with a maximum of efficiency and economy;

17. *Further requests* the Secretary-General, in order to reduce the cost of employing General Service staff, to continue efforts to recruit local staff for the Operation against General Service posts, commensurate with the requirements of the Operation;

Financial performance report for the period from 1 July 2008 to 30 June 2009

18. *Takes note* of the report of the Secretary-General on the financial performance of the Operation for the period from 1 July 2008 to 30 June 2009;

Budget estimates for the period from 1 July 2010 to 30 June 2011

19. *Decides* to appropriate to the Special Account for the United Nations Operation in Côte d'Ivoire the amount of 514,490,400 dollars for the period from 1 July 2010 to 30 June 2011, inclusive of the amount of 485,078,200 dollars for the maintenance of the Operation, 24,909,700 dollars for the support account for peacekeeping operations and 4,502,500 dollars for the United Nations Logistics Base;

Financing of the appropriation

20. *Also decides* to apportion among Member States the amount of 514,490,400 dollars for the period from 1 July 2010 to 30 June 2011, at a monthly rate of 42,874,200 dollars, in accordance with the levels updated in General Assembly resolution 64/249 of 24 December 2009, and taking into account the scale of assessments for 2010 and 2011, as set out in resolution 64/248 of 24 December 2009, subject to a decision of the Security Council to extend the mandate of the Operation;

21. *Further decides* that, in accordance with the provisions of its resolution 973(X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 20 above, their respective share in the Tax Equalization Fund of 13,222,800 dollars, comprising the estimated staff assessment income of 10,800,200 dollars approved for the Operation, the prorated share of 2,062,400 dollars of the estimated staff assessment income approved for the support account and the prorated share of 360,200 dollars of the estimated staff assessment income approved for the United Nations Logistics Base;

22. *Decides* that, for Member States that have fulfilled their financial obligations to the Operation, there shall be set off against their apportionment, as provided for in paragraph 20 above, their respective share of the unencumbered balance and other income in the total amount of 7,016,700 dollars in respect of the financial period ended 30 June 2009, in accordance with the levels updated in General Assembly resolution 61/243 of 22 December 2006, taking into account the scale of assessments for 2009, as set out in resolution 61/237 of 22 December 2006;

23. *Also decides* that, for Member States that have not fulfilled their financial obligations to the Operation, there shall be set off against their outstanding obligations their respective share of the unencumbered balance and other income in the total amount of 7,016,700 dollars in respect of the financial period ended 30 June 2009, in accordance with the scheme set out in paragraph 22 above;

24. *Further decides* that the increase of 47,900 dollars in the estimated staff assessment income in respect of the financial period ended 30 June 2009 shall be added to the credits from the amount of 7,016,700 dollars referred to in paragraphs 22 and 23 above;

25. *Emphasizes* that no peacekeeping mission shall be financed by borrowing funds from other active peacekeeping missions;

26. *Encourages* the Secretary-General to continue to take additional measures to ensure the safety and security of all personnel participating in the Operation under the auspices of the United Nations, bearing in mind paragraphs 5 and 6 of Security Council resolution 1502(2003) of 26 August 2003;

27. *Invites* voluntary contributions to the Operation in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure and practices established by the General Assembly;

28. *Decides* to include in the provisional agenda of its sixty-fifth session the item entitled "Financing of the United Nations Operation in Côte d'Ivoire".

Liberia

The Government of Liberia continued its efforts in 2010 to improve governance and security, consolidate State authority, manage natural resources, address human rights issues, and build a better economy. Assistance in those efforts was provided by the United Nations Mission in Liberia (UNMIL), along with other international and regional organizations. Preparations for the presidential and legislative elections to be held in 2011 with UNMIL assistance intensified during the year. Seven candidates, including President Ellen Johnson-Sirleaf, declared their intention to contest the presidential election, and political parties began preparations for the elections.

UNMIL continued to support Liberia in the implementation of the 2003 Agreement on Ceasefire and Cessation of Hostilities [YUN 2003, p. 189] and the peace process. As part of the process, Liberia gave special attention in 2010 to reform of rule-of-law institutions and the security sector, in particular the Liberian National Police and the Armed Forces of Liberia, both of which needed assistance for upgrading training and management capabilities. Liberia requested to be added to the agenda of the Peacebuilding Commission, and hosted a visit from the Commission. On its acceptance, the Government specified rule of law, security sector reform and national reconciliation as priority areas to the Commission.

In accordance with Security Council resolution 1885(2009) [YUN 2009, p. 197], UNMIL completed the third stage of its drawdown in May 2010, reducing the total military personnel by 2,209. From a maximum troop strength of 15,250 in 2006, the total UNMIL troop count, following drawdowns in 2008, 2009 and 2010, reached the authorized strength of 8,102. In anticipation of the eventual withdrawal of UNMIL after elections, joint planning for the transition of security responsibilities from UNMIL to national authorities began. The security situation, while stable, was fragile as a result of disputes over land and resources, as well as ethnic and communal tensions. Other factors included high unemployment and enduring ethno-religious divides.

Political and security developments

Report of Secretary-General (February). The Secretary-General, in his twentieth progress report on UNMIL, issued in February [S/2010/88], said that the debate surrounding the recommendations contained in the report of the Truth and Reconciliation Commission, issued in 2009 [YUN 2009, p. 195], continued to play a major role in Liberian political dynamics as the country endeavoured to find a route to reconcili-

ation. The Commission's final report, issued in December 2009, expanded upon the recommendations for the "Palava Hut" mechanism: a traditional conflict resolution mechanism presided by a committee of members of integrity in the community to be set up in every district, where perpetrators could publicly request forgiveness. The Commission recommended that an appearance before such a committee could lead to a reduction or waiver of an individual's public sanction. The Commission also recommended that the powers of the Independent National Commission on Human Rights be expanded to include prosecution of human rights violations before a court.

President Ellen Johnson-Sirleaf welcomed the final report and affirmed that efforts were under way to implement it in a way that would balance the need for national reconciliation, peace and justice. The public debate focused on whether the leaders of the warring factions and others found to be responsible for atrocities should be prosecuted. There was also debate on whether individuals who had reportedly supported factions should be banned from holding public office for 30 years, as recommended by the Commission. Liberian society remained divided on the main issues.

In view of the upcoming national elections scheduled for 2011, UNMIL, the UN country team, the National Electoral Commission and other stakeholders developed a multisector electoral assistance project, including the provision of logistical support, coordination of international electoral assistance and facilitation of a climate conducive to peaceful elections. The project focused on strengthening the National Electoral Commission's capacity, since Liberians would be in charge of the 2011 elections, with international assistance. Election-related amendments to the Constitution, which would facilitate the 2011 elections, however, had not been adopted. On 20 January 2010, the Senate finally concurred with the House and passed the Threshold Bill, which defined the threshold for the delineation of electoral constituencies.

The overall security situation in Liberia remained generally stable but fragile. Armed robbery, rape and mob violence were the most commonly reported security incidents. The lack of public confidence in the justice system continued to fuel incidents of mob violence. Tensions between the Armed Forces of Liberia and other security agencies continued.

The situation along Liberia's borders remained calm, but concerns arose following the attempted assassination on 3 December 2009 of the Guinean military leader. UNMIL continued to monitor the border closely and participated in joint operations with Liberian, Guinean and Sierra Leonean security agencies, as well as with the United Nations Mission in Côte d'Ivoire (UNOCI). Porous borders and the limited

capacity of law enforcement agencies exposed Liberia's vulnerability to drug trafficking, which threatened stability in the region.

The two battalions of the Armed Forces of Liberia completed a training programme by the United States Army in late 2009, marking the conclusion of the initial training phase of the new army. The next phase provided for intensive mentoring under the Liberia defence sector reform programme, supported by 61 United States serving military personnel, who arrived in Liberia in January 2010. On 1 January 2010, the Government of Liberia assumed responsibilities for the development of the new army. Weapons and ammunition, however, remained under United States control. UNMIL initiated joint training with the Armed Forces of Liberia for specialized units such as engineering, military police, and signal and headquarters staff personnel. Development of the coast guard had begun, with financial and training support from the United States. It was assessed that the Armed Forces of Liberia would not be independently operational before 2010, given that the officer corps needed additional experience. The Liberian National Police established an operational planning team that would work with UNMIL police and the National Electoral Commission to prepare for the 2011 elections.

As at 1 February 2010, the military strength of UNMIL stood at 9,360 personnel, including 9,150 troops, 126 military observers and 84 staff officers. In accordance with Security Council resolution 1885(2009), the mission was conducting the third stage of its drawdown and would reduce its size to 7,952 military personnel by 31 May. The police strength stood at 1,351 personnel as at 1 February.

The Secretary-General said that although Liberia continued to make progress towards consolidating peace and stability, significant challenges remained in the development of the country's security and rule-of-law institutions on which the UNMIL exit strategy was hinged. With the release of the final edited version of the Truth and Reconciliation Commission report [YUN 2009, p. 194], the time had come for Liberia to define the way forward. The Mission continued to monitor progress towards accomplishing its consolidation, drawdown and withdrawal benchmarks, in particular the core benchmarks related to preparations for the 2011 elections and capacity-building in Liberia's security sector. Those benchmarks were reflected in the UN Development Assistance Framework, which served as the integrated strategic framework of the United Nations for Liberia.

Report of Secretary-General (August). In his twenty-first report on UNMIL, issued in August [S/2010/429], the Secretary-General noted that preparations for the presidential and legislative elections

to be held in 2011 had intensified over the previous six months. Civil society and other stakeholders had stepped up pressure on the legislature and the President to resolve the impasse on the Threshold Bill, which concerned constituency reapportionment. Earlier versions had been vetoed twice by the President for constitutional and financial reasons. On 22 July, the legislature passed the Bill, and it was signed by the President on 2 August. The compromise Bill maintained the 64 electoral districts from the 2005 elections while allocating nine new seats to the more populated counties.

The House, on 13 July, adopted a resolution amending four constitutional provisions, including reducing the residency requirement to five years for presidential and vice-presidential candidates. Constitutional amendments required ratification by two thirds of voters in a national referendum held at least one year after adoption by the legislature. Delayed agreement on the resolution, according to the National Elections Commission, limited the feasibility of holding a referendum on the proposed amendments before the 2011 elections.

At the time of the report, seven candidates, including President Johnson-Sirleaf, had declared their intention to contest the presidential election, and political parties had started preparations for the 2011 elections.

In accordance with the 2005 Act establishing the Truth and Reconciliation Commission, the President reported in March on progress in implementation of the Commission's recommendations, but there had been little change.

The overall security situation in Liberia was generally stable, but fragile. Ethnic and communal tensions, disputes over access to land and resources, and a lack of confidence in the criminal justice system continued to affect security. Minor incidents often escalated, as exemplified by widespread violence in Lofa County in February between the predominantly Christian Lorma and Muslim Mandingo communities that was triggered by allegations of a ritual killing. Four people were killed, 18 wounded, and numerous churches, mosques and homes were destroyed. The intervention of UNMIL and Liberian National Police was required to restore order.

UNMIL continued to monitor the transitional and electoral process in Guinea closely. Regular joint border patrols involving UNMIL and Guinean and Liberian security forces confirmed that the situation along Liberia's borders with Guinea remained calm, apart from a minor boundary dispute between Liberian and Guinean authorities in Lofa County. The presence of Liberian ex-combatants and refugees in western Côte d'Ivoire remained a concern for the mission. UNMIL, UNOCI and the United Nations Development

Programme (UNDP) conducted a joint field mission to western Côte d'Ivoire in June, which found that the estimated 1,500 to 2,000 Liberian combatants associated with Ivorian militias did not pose an immediate threat to Liberia. Owing to porous borders, weak security institutions and inadequate legislation, Liberia remained vulnerable to other security threats, including drug and human trafficking.

Development of a national security strategy and architecture remained a concern for the Government, with training and capacity-building under way across security agencies. After much delay, the Government forwarded the draft Liberia Security Reform and Intelligence Bill to the legislature in June as a step towards creating a security architecture. Nevertheless, the proposed 2010–2011 national budget did not allocate sufficient resources for key security agencies. The Armed Forces of Liberia assumed budgetary and functional responsibility for training troops following the completion of the United States-sponsored training programme in late 2009. Progress was made in the development of the Liberia National Police. The UNMIL police component assisted in developing a database to record and track cases of police misconduct. The Emergency Response Unit expanded to 344 officers, whose duties included responding to violent operations and threats to law and order. The Unit continued to face challenges in its command structure, owing to vacant supervisory posts and a lack of incentives to serve due to budgetary constraints, as well as insufficient vehicles and other equipment. Priority was given to training and equipping the Police Support Unit, which was deemed critical to security for the 2011 elections and for upcoming transition planning.

The Secretary-General said that it was crucial that the development of the security sector become a priority for the Government so that those institutions could become independently operational. Strategic planning for the rule-of-law sector was important for both the Ministry of Justice and the judiciary, but implementation was long overdue. He urged the Government to promptly nominate Commissioners for the Independent National Commission on Human Rights, and for the legislature to confirm them to make the Commission operational as soon as possible. That would enable follow-up to the implementation of the recommendations of the Truth and Reconciliation Commission, and ensure that Liberia had a publicly accessible human rights institution.

With assistance from its international partners, the Government had initiated planning for the eventual handover of security responsibilities from UNMIL to national authorities. It was important that the planning be informed by a comprehensive situational assessment, including an institutional and legislative

gap analysis, so that critical remaining needs in the security sector could be addressed. The success of the transition would require the full support and engagement of all stakeholders in the process, including Liberia's national authorities, and the Secretary-General urged the international community to increase support for the country's security sector to ensure that remaining gaps were addressed.

UNMIL deployment and planning. In accordance with Security Council resolution 1885(2009), UNMIL completed the third stage of its drawdown between October 2009 and May 2010, reducing the total military personnel by 2,209. From a maximum troop strength of 15,250 in 2006, the total UNMIL troop count, following drawdowns in September 2008, March 2009 and May 2010, reached the authorized strength of 8,102, including 150 troops deployed at the Special Court for Sierra Leone in Freetown. The Secretary-General reiterated the recommendation made in his 2009 report [YUN 2009, p. 192] that the 7,952 troops in Liberia be maintained until after the 2011 elections. The timelines for further reduction of the military component would be determined on the findings of a technical assessment mission after elections that would focus on preparations for the handover of security responsibilities from UNMIL to national authorities.

UNMIL maintained its force headquarters in Monrovia, and had operating forces deployed to two sectors, each with three infantry battalions. Forty-four troop-contributing countries were represented in the force. As at 30 July, the UNMIL police strength stood at 1,347 personnel of an authorized ceiling of 1,375.

In anticipation of the eventual withdrawal of UNMIL after elections, joint planning for the transition of security responsibilities from UNMIL to national authorities was begun. On 15 July, the National Security Council, chaired by the President, formally initiated the transition planning process, forming a joint transition planning working group of Government and UN representatives.

SECURITY COUNCIL ACTION

On 15 September [meeting 6383], the Security Council unanimously adopted **resolution 1938(2010)**. The draft [S/2010/475] was submitted by the United States.

The Security Council,

Recalling its resolutions and the statements by its President concerning the situation in Liberia and the subregion, in particular resolutions 1509(2003) of 19 September 2003, 1626(2005) of 19 September 2005, 1836(2008) of 29 September 2008 and 1885(2009) of 15 September 2009,

Welcoming the report of the Secretary-General of 11 August 2010, and taking note of the recommendations contained therein,

Welcoming also the efforts of the Government of Liberia to further national reconciliation and economic recovery and to combat corruption and promote efficiency and good governance, in particular steps taken with regard to strengthening Government control over natural resources and to address the important issue of land reform,

Taking note of the final report and recommendations of the Truth and Reconciliation Commission, which is an important opportunity for the people of Liberia to move the national reconciliation agenda forward and engage in a constructive national dialogue on the root causes of the Liberian conflict,

Recognizing that lasting stability in Liberia and the sub-region will require well-functioning and sustainable government institutions, including security and rule of law sectors,

Recalling the benchmarks for the drawdown phase of the United Nations Mission in Liberia, including core benchmarks on the Liberia National Police and the national security strategy, welcoming the progress achieved, and noting with concern those areas where progress is still slow,

Taking note of the recommendation of the Secretary-General to deploy a technical assessment mission to Liberia after the elections that will focus on ongoing preparations for the handover of security responsibilities from the Mission to the national authorities and recommending timelines for the further reduction of the military component of the Mission,

Welcoming the request of the Government of Liberia for Peacebuilding Commission engagement on security sector reform, the rule of law and national reconciliation,

Recognizing the significant challenges that remain across all sectors, including continuing problems with violent crime,

Welcoming the efforts of the Secretary-General to keep all peacekeeping operations, including the Mission, under close review, and reiterating the need for the Security Council to pursue a rigorous, strategic approach to peacekeeping deployments,

Expressing its appreciation for the continuing support of the international community, the Economic Community of West African States and the African Union,

Noting with concern the threats to subregional stability, including to Liberia, in particular those posed by drug trafficking, organized crime and illicit arms,

Commending the work of the Mission, under the leadership of the Special Representative of the Secretary-General for Liberia, for its continuing and significant contribution to maintaining peace and stability in Liberia, and noting with satisfaction the close cooperation between the Mission and the United Nations Operation in Côte d'Ivoire, as well as the neighbouring Governments, in coordinating security activities in the border areas in the subregion,

Noting that the Mission has completed the third stage of its drawdown as recommended by the Secretary-General in his special report of 10 June 2009, and welcoming the fact that the planning process to transfer security responsibilities from the Mission to national authorities has been initiated,

Noting with concern the delays in the preparation for the October 2011 general presidential and legislative elections, and stressing that the responsibility for the preparation and

conduct of the elections rests with the Liberian authorities, with the support of the international community,

Recalling its resolutions 1325(2000) of 31 October 2000, 1820(2008) of 19 June 2008, 1888(2009) of 30 September 2009 and 1889(2009) of 5 October 2009 on women and peace and security, condemning the continuing sexual violence, welcoming the continuing efforts of the Mission and the Government of Liberia to promote and protect the rights of civilians, in particular women and children, recognizing the challenges that remain in addressing the serious issues of gender-based violence and sexual exploitation and abuse, and calling upon Member States to increase support to the Government in its efforts,

Welcoming the efforts to establish the Independent National Commission on Human Rights, and noting the role that a fully functioning Commission could play as a key publicly accessible human rights institution and as a mechanism to monitor and follow up on the implementation of the recommendations of the Truth and Reconciliation Commission,

Reiterating the continuing need for support by the Mission for the security of the Special Court for Sierra Leone, subject to periodic review as the work of the Court progresses,

Determining that the situation in Liberia continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the mandate of the United Nations Mission in Liberia shall be extended until 30 September 2011;

2. *Authorizes* the Mission to assist the Government of Liberia, as requested, with the 2011 general presidential and legislative elections by providing logistical support, particularly to facilitate access to remote areas, coordinating international electoral assistance and supporting Liberian institutions and political parties in creating an atmosphere conducive to the conduct of peaceful elections;

3. *Calls upon* the Liberian authorities to ensure that any outstanding issues regarding the electoral framework are finalized to facilitate adequate preparations for the elections;

4. *Endorses* the recommendation of the Secretary-General that the conduct of free, fair and peaceful elections be a core benchmark for the future drawdown of the Mission;

5. *Encourages* the Mission and the Government of Liberia to continue to make progress in the transition planning process, especially towards conducting a comprehensive situational assessment and identifying critical gaps that need to be filled in order to facilitate a successful transition, and requests that the Secretary-General draw up, in coordination with the Government, a joint transition plan on the transfer of responsibility for internal security from the Mission to the appropriate national authorities and brief regularly on its progress and, if applicable, its implementation;

6. *Reaffirms its intention* to authorize the Secretary-General to redeploy troops, as may be needed, between the Mission and the United Nations Operation in Côte d'Ivoire on a temporary basis, in accordance with the provisions of resolution 1609(2005) of 24 June 2005, and calls upon

troop-contributing countries to support the efforts of the Secretary-General in this regard;

7. *Emphasizes* the need for coherence between, and integration of, peacekeeping, peacebuilding and development to achieve an effective response to post-conflict situations, requests that the Secretary-General coordinate and collaborate with the Peacebuilding Commission, and encourages the Commission, following close consultation with the Government of Liberia, to report on the findings of its recent mission and its recommendations on how it can best accelerate progress first and foremost on security sector reform, the rule of law and national reconciliation;

8. *Underscores* the importance of the military concept of operations and rules of engagement being regularly updated and fully in line with the provisions of the present resolution, and requests the Secretary-General to report on them to the Security Council and troop-contributing countries;

9. *Requests* the Secretary-General to continue to monitor progress on core benchmarks, in particular on preparations for the 2011 elections, and on building the capability of the Liberia National Police, in that regard requests the Secretary-General to ensure that the police component of the Mission has the required specialized expertise, including civilian expertise, in accordance with its mandate, and further requests a revision of current benchmarks to include transition benchmarks, and requests the Secretary-General to report regularly on that progress to the Council;

10. *Calls upon* the Government of Liberia, in coordination with the Mission, the United Nations country team and international partners to redouble efforts to develop national security and rule of law institutions that are fully and independently operational, and to this end encourages coordinated progress on the implementation of all security and justice development plans;

11. *Requests* the Secretary-General to keep the Council regularly informed of the situation on the ground as Liberia enters this next critical phase and to provide by 15 February 2011 a midterm report and by 15 August 2011 a report on the issues addressed in paragraphs 2, 5 and 9 above;

12. *Decides* to remain seized of the matter.

Year-end developments. The Secretary-General later reported [S/2011/72] that at the end of the year, political developments in Liberia were dominated by preparations for the 2011 elections. In August 2010, the legislature adopted a joint resolution proposing amendments to the election-related provisions of the 1986 Constitution. Those amendments included changing the requirement of the electoral system from an absolute to a simple majority for all elections except for president and vice-president; moving election day from October to November; and revising the residency clause for presidential and vice-presidential candidates from 10 to five consecutive years immediately prior to elections. The required referendum on the amendments was scheduled for 23 August 2011.

Political parties positioned themselves for the elections. The Unity Party finalized its merger with the Liberia Action Party and the Liberia Unification Party, and officially nominated President Johnson-Sirleaf as

its candidate. The National Elections Commission certified three new political parties, bringing to 20 the number of certified parties.

Limited progress was made in the implementation of the recommendations of the Truth and Reconciliation Commission. In her second quarterly progress report to the legislature on implementation of the recommendations, submitted in August, Ms. Johnson-Sirleaf proposed tasks for various bodies but offered few specifics on implementation. After much delay, the Senate confirmed the nominees for the Independent National Commission on Human Rights in September. In addition to its human rights mandate, the Truth and Reconciliation Commission Act gave the Independent National Commission on Human Rights a key role in following up the implementation of the recommendations.

The security situation, while stable, was fragile as a result of disputes over access to land and resources, as well as ethnic and communal tensions. Other factors included high unemployment and enduring ethno-religious divides, particularly in Lofa County, where violence broke out between two communities in Zorzor in December. An increasing number of incidents involved firearms. The President signed an executive order on 26 October banning the use of firearms by private citizens, excluding hunting guns. Mob violence continued to be a problem with four incidents occurring in September and October against police officers, and an attempt in December to burn down a police depot, halted by UNMIL.

The completion of the political transition in Guinea significantly lessened tensions along Liberia's border with Guinea. The Government of Liberia and UNMIL continued to conduct joint border operations with the Governments of Guinea and Sierra Leone. Developments related to the presidential election in Côte d'Ivoire posed a serious threat to the security of the subregion, particularly Liberia. Liberia received most of the Ivorian refugees, who had been absorbed peacefully. Amid reports that Liberians had been recruited to fight in Côte d'Ivoire, President Johnson-Sirleaf made two public statements in December warning citizens not to participate in the crisis. An estimated 2,000 Liberian former fighters associated with Ivorian militias remained in western Côte d'Ivoire after the Liberian conflict.

There was some progress in implementing security sector reform, in particular the drafting by security agencies of strategic plans. More resources, however, were needed to ensure completion of the national security sector reform strategy in such areas as infrastructure, logistics and mobility. The Government and UNMIL were developing a joint justice and security programme in order to address rule-of-law issues comprehensively.

The Armed Forces of Liberia, with the support of 50 United States mentors, continued to build a professional force. The Army worked towards improving operational relationships with the Liberia National Police and implementing an annual training plan. UNMIL provided the new Army with training in preventive medicine, radio operations, unexploded ordnance identification and reporting, civil-military cooperation and other areas. The new Army was officially scheduled to become fully operational by mid-2012, but financial and other constraints remained to be resolved. The development of the Liberia National Police continued, with emphasis on training and equipping the armed Police Support Unit. Deployment of the Unit throughout the country was critical for establishing conditions for elections and for the eventual assumption by Liberia of UNMIL security responsibilities.

Preparations for elections in 2011 continued in late 2010. The National Elections Commission established 1,780 voter registration centres, trained staff, distributed materials, and conducted civic education in collaboration with civil society organizations. The Liberia National Police prepared security plans for voter registration that would begin in early 2011, and worked with the Commission to define security requirements for the entire electoral period, including manpower, mobility and deployment.

Planning for the eventual transition of the peace-keeping operation was undertaken in September by the joint transition working group, comprised of Government and UN representatives. It prepared a draft comprehensive situational and threat assessment, outlining the security environment and an initial review of basic capability gaps. The assessment was considered by the transition core group and the National Security Council in December.

Sanctions

The Security Council received in 2010 three reports on implementation of sanctions imposed on Liberia, pursuant to Council resolutions 1521(2003) [YUN 2003, p. 208], 1792(2007) [YUN 2007, p. 206] and 1903(2009) [YUN 2009, p. 201]. Those resolutions banned arms and related materiel, as well as the export of certain natural resources and international travel by designated individuals, and froze the assets of designated individuals. The designated individuals constituted a threat to the peace in Liberia and the subregion. Financial sanctions were also imposed on former Liberian President Charles Taylor, his family and senior officials of the former Taylor regime by resolution 1532(2004) [YUN 2004, p. 204]. The Council terminated sanctions on timber in 2006 by resolution 1689(2006) [YUN 2006, p. 226] and on diamonds in 2007 by resolution 1753(2007) [YUN 2007, p. 202].

By resolution 1903(2009) [YUN 2009, p. 201], it redefined the arms embargo by directing States to take the measures necessary to prevent the supply, sale or transfer from their territories or by their nationals, or using their vessels or aircraft, of arms and related materiel to non-governmental entities and individuals in Liberia.

Appointments. On 8 February [S/2010/79], the Secretary-General informed the Security Council, as requested in resolution 1903(2009), that he had appointed three experts to the Panel of Experts in the areas of finance, arms and natural resources.

Implementation

Report of Panel of Experts (June). In June, the Chairman of the Security Council Committee established pursuant to resolution 1521(2003) concerning Liberia transmitted to the Council a report [S/2010/319] of the Panel of Experts reviewing the export of diamonds, forestry and other natural resources management, the ban on travel of designated individuals, the freezing of assets of certain individuals, and the arms embargo.

Liberia, as a participant in the Kimberley Process since 2007, required certificates for diamond shipment, controls for importing and exporting rough diamonds, and recording and reporting statistics. During 2009, the Government of Liberia issued 67 Kimberley Process certificates, authorizing the export of over 27,700 carats of rough diamonds valued at almost \$9.13 million. The Government earned over \$273,769 in royalties from those exports. Both the Expert Panel and the Kimberley Process recommended the establishment of full State control, improved collaboration, law enforcement training and insistence on application of the law. The Presidential Task Force on Diamonds had reconvened on 10 December 2009 after 14 months and approved a plan to transition to a Precious Minerals and Kimberley Process Oversight Committee. Liberia had submitted its annual report to the Kimberly Process. The Panel had not yet assessed whether Liberia had addressed compliance issues regarding data-sharing requirements. The General Auditing Commission of Liberia released an audit in February 2010 that found problems with the functioning of regional diamond offices, and other issues such as variances in declared revenues and audited payments of mineral licensing fees.

The Panel conducted investigations with regard to its mandated task of assessing the contribution of forestry and other natural resources to peace, security and development in Liberia within the context of the country's evolving legal framework, through such means as reviewing legislation; developing a methodological framework for assessment; and collection of data on the forestry, mining, oil and gas, and agriculture sec-

tors. Unregulated natural resource extraction activities, including pit-sawing and mining, continued in many areas of the country. The Panel witnessed unlicensed gold mining activity in south-eastern Liberia during its trip in March 2010. Re-establishing full control in rural, natural resource-rich areas remained a challenge for the Government. The Lands Commission office in Monrovia, formally opened on 11 March, was set up to propose, advocate and coordinate reforms of land policy, laws and programmes.

The Security Council Committee established pursuant to resolution 1521(2003) concerning Liberia had de-listed one individual—Ali Kleilat—since its previous report in December 2009. At the time of the Panel's June 2010 report, there were 45 individuals on the travel ban list and 22 on the assets freeze list, as well as 30 entities on the assets freeze list. The Panel had reported earlier that Charles "Chuckie" Taylor, Jr., the son of the former President, had been sentenced in January 2009 to 97 years in prison. On 5 February 2010, the United States federal court, in a civil case against Mr. Taylor, Jr., awarded a total of \$22.4 million in damages to five torture victims for atrocities they endured at his hands and by forces under his command. The Panel collected identifying information on three designated individuals: Slobodan Tesic, Orhan Dragas and Aleksic Jovan, all residing in Serbia. The Panel found no evidence of violations of the travel ban for the reporting period. It continued to investigate past violations and alleged violations of exemptions/waivers granted by the sanctions Committee.

The Panel focused its attention on seeking to evaluate whether the Government of Liberia had moved forward on implementation of the assets freeze. There was currently no additional evidence that the Government had implemented the assets freeze or had any intention of enforcing it. The Panel approached the Financial Action Task Force, an international supervisory body, to obtain its support in encouraging a more proactive approach to compliance with the assets freeze.

The arms embargo in 2010 applied only to exports to non-State actors and individuals in Liberia, as a result of the Security Council having lifted the embargo on arms and ammunition exports to the Government in resolution 1903(2009). States were required, however, to notify the Committee of any shipment of arms to the Government, or any provision of military assistance, advice or training. During the reporting period, the Panel found no evidence of unauthorized shipments of arms or ammunition or unauthorized provision of assistance, advice of training related to military activities, but there were reports of cross-border movements of single-barrel guns and ammunition between Guinea, Côte d'Ivoire and Liberia. On 25 February, the United Kingdom notified the Committee of its intention to provide various weapons to the Armed Forces of Liberia as part of

a United States training programme. That advance notice, required under resolution 1903(2009), did not mention the proposed date of delivery. China, France, Nigeria, Rwanda, Sierra Leone, the United Kingdom and the United States were conducting different types of training activities for the Liberian National Police and the Armed Forces inside and outside Liberia.

The Panel recommended that the Kimberley Process reconsider the wording of a decision for sharing information with UN panels/groups of experts to ensure that their mandates were not affected by delays or the unwillingness of some participants to share necessary information. It recommended that the Security Council renew the UNMIL mandate to provide assistance to Liberia in re-establishing proper administration of its natural resources and authority in mining and forestry areas. In order to improve communication about waivers and de-listing of individuals, the Panel proposed that UNMIL communicate directly with Liberian ministries. The Panel called on the Government to implement the assets freeze in Liberia. It urged Member States to forward the required information to the Panel as expeditiously as possible. It recommended that UNMIL support the creation of an explosive ordnance disposal specialized unit as part of the Liberian police and gradually hand over that activity to Liberia.

Report of Panel of Experts (December). On 15 December, the Sanctions Committee Chairman transmitted the report of the Panel of Experts [S/2010/609] to the Security Council.

Concerning diamonds, the Panel reported that Liberia authorized the export of 11,951 carats of rough diamonds valued at \$11.9 million during the first nine months of 2010. The Government earned \$356,000 in royalties from those exports. The Panel found that progress had been made by Liberia on data maintenance and sharing, especially with regard to reporting of export statistics, and also for imports of diamonds, although its records did not completely reconcile with importing countries. Liberia reported 40 certificates in the first half of 2010, while importing participants reported only 33 certificates from Liberia. According to the Kimberley Process, the annual report of Liberia to the Process needed to be strengthened so that it presented a more detailed description of its import and export processes and its internal controls system. Liberia expressed concern that it was not receiving import confirmation from many participants. Both the Panel and the Kimberley Process stressed the need for strengthening the rule of law, including full State control, law enforcement training and insistence on application of the law. The Panel noted reports that large numbers of Ivorian rough diamonds were passed into the Liberian diamond trading system. Given the possibility of infiltration of Ivorian diamonds into Liberia for export, the Panel encouraged the Kimberley

Process and Liberia to develop a production footprint and an export footprint for Liberian diamonds.

The Government had enacted laws that sought to improve natural resource governance and management through more open and competitive bidding for concessions, transparency requirements for resource payments, and improved benefit-sharing. While Liberia had made a number of advances in terms of legal requirements, significant challenges hindered the potential for the country's natural resources to contribute to peace, security and development in the long term. Documented problems included non-payment of fees related to some concessions; cases of non-competitive allocation of large concessions; corruption; and lack of consultation with county authorities, district authorities and affected communities. In addition, government capacity to monitor commercial concessions was extremely limited in relation to the scope of agreements being allocated and information was often difficult to obtain.

As at the end of October, five companies were exporting timber from Liberia. Since 2005, the Government had allocated 12 offshore oil exploration areas to seven companies. Bids were closed in March for five more exploration blocks. In terms of agriculture, the Government had renegotiated or allocated almost a million hectares, according to the Panel's data, for concessions that included rubber and palm oil plantations and a rice farm. Two concessions were approved in 2010. There were complaints and concerns with concession allocation, in particular complaints that Liberian officials failed to follow competitive bidding procedures, as well as with corruption. The Panel recommended that the Security Council continue to task UNMIL to assist the Government of Liberia in establishing its authority over its natural resources and that its focus involve continued assessment of hotspots and potential problem areas, especially given the potential for links between high-value resources, drugs and weapons both in Liberia and the region. The Panel recommended that Liberia and the Peacebuilding Commission identify natural resource governance as a focus area for funding, and that the Government request assistance from the UN-EU initiative for natural resource management with regard to identifying potential support and funding opportunities to assist with improving natural resource governance.

Violations of the arms embargo were documented during the reporting period. Locally manufactured guns and pistols, apparently made in Guinea, were found in border areas and proliferation was becoming a major concern. The absence of a harmonized regional legal and regulatory framework was also problematic, but a process was begun to revise the Liberian law on firearms. An effort to stem the proliferation was made by the entry into force in November 2009 of the ECO-

was Convention on Small Arms and Light Weapons, their Ammunition and Other Related Material. No progress was made in building Liberian capacities for marking and the disposal of weapons and ammunitions. UNMIL needed to revisit its firearms inspection procedures, especially with regard to the arms and ammunitions imported for training the Armed Forces of Liberia. There were no established procedures for tracking such weapons once they were imported. The Panel called for the establishment of a Liberian ammunitions and weapons collection and disposal unit to enable Liberia to gradually take over that responsibility of public safety. In accordance with Security Council resolution 1903(2009), two States (United Kingdom, United States) notified the Security Council Committee of weapons they were exporting to Liberia for training and equipping the Armed Forces of Liberia.

As at 1 November 2010, 33,074 small arms and light weapons had been collected in Liberia, including 30,175 weapons recovered as part of the formal disarmament process that ended on 31 October 2004 and 2,899 weapons collected since then. It was estimated that approximately 11,000 weapons were still unaccounted for in Liberia. UNMIL continued to carry out operations of weapons and ammunition collections all over Liberian territory.

The impact of the modification of the arms embargo by resolution 1903(2009) was not significant as at 1 November. The Panel recommended that any further change to the arms embargo should not be considered before a strong law and regulation framework was in place in Liberia. That framework should be compliant with the ECOWAS Convention. In addition, a national authority should be designated to maintain a national registry of weapons and to control weapons in the possession of the national defence forces and police. The Panel recommended that the Security Council bring to the attention of Guinea the presence and movement of small arms into Liberia and remind it of its obligations under resolutions 1521(2003) and 1903(2009).

The Panel had no further information on alleged travel of designated individuals. The Panel had requested information from Liberia's Bureau of Immigration and Naturalization records on the travel of Cyril Allen, Edwin Snowe and other designated individuals. The information was not forthcoming prior to the submission of the report.

At meetings with officials in Liberia, the Panel became aware of a lack of knowledge and intention to freeze assets previously identified by the Panel. The Panel looked for a different direction to resolve the problem, specifically by approaching the Financial Action Task Force, an international financial system, to require Liberia to develop compliance provisions for asset freezing.

SECURITY COUNCIL ACTION

On 17 December [meeting 6454], the Security Council unanimously adopted **resolution 1961(2010)**. The draft [S/2010/643] was submitted by the United States.

The Security Council,

Recalling its previous resolutions and the statements by its President on the situation in Liberia and West Africa,

Welcoming the sustained progress made by the Government of Liberia since January 2006 in rebuilding Liberia for the benefit of all Liberians, with the support of the international community,

Recalling its decision not to renew the measures in paragraph 10 of resolution 1521(2003) of 22 December 2003 regarding round logs and timber products originating in Liberia, and stressing that Liberia's progress in the timber sector must continue with the effective implementation and enforcement of the National Forestry Reform Law signed into law on 5 October 2006 and other new legislation related to revenue transparency (the Liberia Extractive Industries Transparency Initiative Act) and resolution of land and tenure rights (the Community Rights Law with respect to Forest Lands and the Lands Commission Act),

Recalling also its decision to terminate the measures in paragraph 6 of resolution 1521(2003) regarding diamonds, welcoming the Government of Liberia's participation and leadership at the regional and international levels in the Kimberley Process, and encouraging the Government to redouble its commitment and efforts to ensure the effectiveness of the Kimberley Process Certification Scheme,

Stressing the continuing importance of the United Nations Mission in Liberia in improving security throughout Liberia and helping the Government of Liberia to establish its authority throughout the country, particularly in the regions producing diamonds, timber and other natural resources, and border areas,

Taking note of the final report of the Panel of Experts on Liberia including on the issues of diamonds, timber, targeted sanctions, and arms and security, submitted pursuant to paragraph 9 (f) of resolution 1903(2009) of 17 December 2009,

Having reviewed the measures imposed by paragraphs 2 and 4 of resolution 1521(2003) and paragraph 1 of resolution 1532(2004) of 12 March 2004 and the progress made towards meeting the conditions set out in paragraph 5 of resolution 1521(2003), noting the cooperation of the Government of Liberia with the Mission in weapons marking, and concluding that insufficient progress has been made towards that end,

Underlining its determination to support the Government of Liberia in its efforts to meet the conditions of resolution 1521(2003), welcoming the engagement of the Peacebuilding Commission, and encouraging all stakeholders, including donors, to support the Government in its efforts,

Acknowledging the implementation of the guidelines of the Department of Peacekeeping Operations of the Secretariat on cooperation and information-sharing between the United Nations peacekeeping missions and the Security Council sanctions committees' expert panels,

Determining that, despite significant progress having been made in Liberia, the situation there continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to renew the measures on travel imposed by paragraph 4 of resolution 1521(2003) for a period of twelve months from the date of adoption of the present resolution;

2. *Recalls* that the measures imposed by paragraph 1 of resolution 1532(2004) remain in force, notes with serious concern the lack of progress with regard to the implementation of the financial measures imposed by paragraph 1 of resolution 1532(2004), and demands that the Government of Liberia make all necessary efforts to fulfil its obligations;

3. *Decides* to renew for a period of twelve months from the date of adoption of the present resolution the measures on arms, previously imposed by paragraph 2 of resolution 1521(2003) and modified by paragraphs 1 and 2 of resolution 1683(2006) of 13 June 2006, by paragraph 1 (b) of resolution 1731(2006) of 20 December 2006 and by paragraphs 3 to 6 of resolution 1903(2009);

4. *Reconfirms its intention* to review the measures imposed by paragraph 1 of resolution 1532(2004) at least once a year, and directs the Security Council Committee established pursuant to resolution 1521(2003), in coordination with the Government of Liberia and relevant designating States and with the assistance of the Panel of Experts on Liberia, to update, as necessary, the publicly available reasons for listing for entries on the travel ban and assets freeze lists as well as the Committee's guidelines;

5. *Decides* to review any of the above measures at the request of the Government of Liberia, once the Government reports to the Council that the conditions set out in resolution 1521(2003) for terminating the measures have been met and provides the Council with information to justify its assessment;

6. *Decides also* to extend the mandate of the Panel of Experts appointed pursuant to paragraph 9 of resolution 1903(2009) for a further period, until 16 December 2011, to undertake the following tasks:

(a) To conduct two follow-up assessment missions to Liberia and neighbouring States, in order to investigate and compile a midterm report and a final report on the implementation, and any violations, of the measures on arms as amended by resolution 1903(2009), including any information relevant to the designation by the Committee of the individuals described in paragraph 4 (a) of resolution 1521(2003) and paragraph 1 of resolution 1532(2004), and including the various sources of financing, such as from natural resources, for the illicit trade in arms;

(b) To assess the impact and effectiveness of the measures imposed by paragraph 1 of resolution 1532(2004), including, in particular, with respect to the assets of former President Charles Taylor;

(c) To identify and make recommendations regarding areas where the capacity of Liberia and the States in the region can be strengthened to facilitate the implementation of the measures imposed by paragraph 4 of resolution 1521(2003) and paragraph 1 of resolution 1532(2004);

(d) Within the context of Liberia's evolving legal framework, to assess the extent to which forests and other natural resources are contributing to peace, security and development rather than to instability and to what extent relevant legislation (the National Forestry Reform Law, the Lands Commission Act, the Community Rights Law with respect to Forest Lands and the Liberia Extractive Indus-

tries Transparency Initiative Act) and other reform efforts are contributing to this transition, and to provide recommendations, if appropriate, on how such natural resources could better contribute to the country's progress towards sustainable peace and stability;

(e) To assess the compliance of the Government of Liberia with the Kimberley Process Certification Scheme and to coordinate with the Kimberley Process in assessing compliance;

(f) To provide a midterm report to the Council, through the Committee, by 1 June 2011 and a final report to the Council, through the Committee, by 1 December 2011 on all the issues listed in the present paragraph, and to provide informal updates to the Committee, as appropriate, before those dates, especially on progress in the forest sector since the lifting of the measures imposed by paragraph 10 of resolution 1521(2003) in June 2006, and in the diamond sector since the lifting of the measures imposed by paragraph 6 of resolution 1521(2003) in April 2007;

(g) To cooperate actively with other relevant panels of experts, in particular the Group of Experts on Côte d'Ivoire re-established by paragraph 9 of resolution 1946(2010) of 15 October 2010 and the Group of Experts on the Democratic Republic of the Congo re-established by paragraph 5 of resolution 1952(2010) of 29 November 2010 with respect to natural resources;

(h) To cooperate actively with the Kimberley Process Certification Scheme;

(i) To assist the Committee in updating the publicly available reasons for listing for entries on the travel ban and assets freeze lists;

7. *Requests* the Secretary-General to reappoint the Panel of Experts and to make the necessary financial and security arrangements to support the work of the Panel;

8. *Calls upon* all States and the Government of Liberia to cooperate fully with the Panel of Experts in all aspects of its mandate;

9. *Recalls* that responsibility for controlling the circulation of small arms within the territory of Liberia and between Liberia and neighbouring States rests with the relevant governmental authorities in accordance with the Economic Community of West African States Convention on Small Arms and Light Weapons, Their Ammunition and Other Related Materials, of 2006;

10. *Reiterates* the importance of the Mission's continuing assistance to the Government of Liberia, the Committee and the Panel of Experts, within its capabilities and areas of deployment and, without prejudice to its mandate, continuing to carry out its tasks set forth in previous resolutions, including resolution 1683(2006);

11. *Urges* the Government of Liberia to implement the recommendations of the 2009 Kimberley Process review team to strengthen internal controls over diamond mining and exports;

12. *Encourages* the Kimberley Process to continue to cooperate with the Panel of Experts and to report on developments regarding implementation by Liberia of the Kimberley Process Certification Scheme;

13. *Decides* to remain actively seized of the matter.

Report of Security Council Committee. According to its December report [S/2010/689] on its 2010 activities, the Security Council Committee established

pursuant to resolution 1521(2003) concerning Liberia considered three requests for travel-ban waivers, of which two were granted. It received and approved two notifications of the use of funds exempted from measures to prevent former Liberian President Charles Taylor, his immediate family members and senior officials of the former Taylor regime from using misappropriated funds to interfere in the restoration of peace in Liberia. The Committee also received and approved one notification in accordance with an exemption on the grounds that funds were needed for ordinary expenses. The Committee received four notifications about shipment of arms and related materiel to the Government of Liberia, or any advice or training related to the Government's military activities. The Committee also received two notifications in accordance with the exemption from the arms ban for supplies of non-lethal military equipment intended solely for humanitarian or protective use and related assistance and training. During the year, the Committee received five reports from UNMIL on the results of the Mission's inspections of inventories of weapons and ammunition used by the Liberian military, to ensure that all such weapons and ammunition were accounted for.

The Committee received de-listing requests with regard to four individuals on its travel-ban list (and assets-freeze list, where applicable). The Committee did not accede to two of the four de-listing requests, and the other two requests remained under consideration at the end of the year.

On 30 March, the Committee adopted revised guidelines for the conduct of its work to take account of relevant provisions of resolution 1903(2009).

Peacebuilding Commission

Communications. In a letter of 19 July [A/64/870-S/2010/389] to the Chairperson of the Peacebuilding Commission, the President of the Security Council, referring to Liberia's request of 27 May, transmitted by the Secretary-General to the Council on 14 June, that the Secretary-General place Liberia on the agenda of the Peacebuilding Commission, said that the Council supported the request and invited the Peacebuilding Commission to provide advice on the situation in Liberia. The Council sought the Commission's advice on the requirements to help accelerate progress in meeting key benchmarks, such as those set out by UNMIL, in the areas of rule of law, security sector reform and national reconciliation.

The Chair of the Commission, in a letter to the Council dated 21 September [A/65/387-S/2010/390], stated that the Commission, having received the Council's letter, had dispatched an exploratory mission to Liberia from 16 to 27 August. Subsequently the Commission's Organizational Committee agreed to place Liberia on the Commission's agenda.

The Commission established a country configuration for Liberia, and elected Prince Zeid Ra'ad Zeid Al-Hussein, the Permanent Representative of Jordan, as its Chair. The Liberia configuration would develop an instrument of engagement to help focus the Commission's advice on the peacebuilding priorities identified by the Government.

Activities. Following its visit to Liberia, the Commission issued the statement of mutual commitment on peacebuilding in Liberia [PBC/4/LBR/2], which focused on the three priorities for action identified by Liberia and endorsed by the Security Council. Periodic reviews of the engagement based on targets would be carried out every nine months to monitor progress and amend the statement as needed.

Under the priority of strengthening the rule of law, a legislative review was envisaged, as were increased access to the justice system through expanded public defender offices, legal aid centres and prosecution services, and enhanced capacity of the judiciary through training at all levels and a case management and tracking system. Regarding the priority of security sector reform, with the anticipated drawdown of UNMIL, Liberian security forces needed to be equipped and capable, and activities were needed in the areas of legislative action, enhanced capacity, oversight mechanism, regional collaboration and promotion of human rights. As for the third priority, promoting national reconciliation, land rights and tenure required attention. In view of the complexity of the issue, expertise from the international community should be enlisted to identify the best way forward, drawing on lessons learned in other countries emerging from conflict.

Among the Government's commitments were to prioritize the political will to facilitate the work of the Law Reform Commission and the Land Commission; increase budgetary allocations for the justice sector and reduce pretrial detention; strengthen human resource management of judicial staff with training and understanding of the law in the counties; engage in public outreach and inform citizens of their rights in the legal system; create a case management and tracking system; establish oversight mechanisms for the justice system; pass and implement the National Security Reform and Intelligence Act; increase funding for the security institutions; establish and maintain five regional hubs; reform the Bureau of Immigration and Naturalization and continue reform of the Liberia National Police; establish oversight mechanisms for national security institutions; continue engagement in ECOWAS regional initiatives; hold dialogue over national reconciliation, including the Truth and Reconciliation Commission report and land issues; and generate political will for the Independent National Commission for Human Rights.

The Peacebuilding Commission's commitments included to mobilize resources for the identified peacebuilding priorities; broaden the donor base; take steps to advocate within the international community for the peacebuilding process; work with regional actors, particularly ECOWAS and the Makona River Initiative, to build peace in Liberia and the subregion; advise Liberia on lessons learned, particularly on land tenure and rights, harmonization of traditional and statutory legal systems, and from experience in other situations; contribute to discussions on Liberia, in particular in the Security Council, by advising on the three peacebuilding priorities; collaborate with UNMIL and the UN country team on peacebuilding activities; encourage coordination of UN and other actors with respect to national strategies; and monitor implementation of the priority plan, seeking to ensure that the priorities in the statement were addressed.

The Peacebuilding Commission, in a review of its work from 1 July 2009 to 31 December [A/65/701-S/2011/41], said that its engagement with Liberia was marked by innovative features, central to those being the statement of mutual commitment. On 15 November, the Chair presided over a meeting of the Commission. The President of Liberia participated from Monrovia and reaffirmed her Government's obligations under the statement of mutual commitment. The first project was approved—an allocation of \$3 million to support the establishment of the first of five regional hubs that will extend security and justice services throughout the country.

On 10 December, the Chair met with the Security Council for an informal exchange of views on the findings of his visit to Liberia. The dialogue focused on the Chair's principal impressions and on how the Commission could play an effective and complementary role in peace consolidation in Liberia, including by assisting UNMIL in meeting the benchmarks required for its withdrawal.

UNMIL

The United Nations Mission in Liberia (UNMIL), established by Security Council resolution 1509(2003) [YUN 2003, p. 194], was mandated to support the implementation of the 2003 Agreement on Ceasefire and Cessation of Hostilities [ibid., p. 189] and the peace process; protect UN staff, facilities and civilians; support humanitarian and human rights activities; and assist in national security reform, including national police training and the formation of a new, restructured military. By resolution 1638(2005) [YUN 2005, p. 267], the Council enhanced the mandate to include the apprehension and detention of former President Taylor in the event of his return to Liberia, as well as his transfer to the Special Court for Sierra Leone. By resolution 1750(2007) [YUN 2007, p. 194], the Coun-

cil included in the Mission's mandate the provision of administrative and related support and security, on a cost-reimbursable basis, for activities conducted in Liberia by the Special Court for Sierra Leone with the consent of the Government. By resolution 1885(2009) [YUN 2009, p. 197], the Council approved the Secretary-General's recommendation to implement the third stage of the drawdown of UNMIL, leaving the military strength at 8,202 personnel, of whom 250 would be based at the Special Court for Sierra Leone, and keeping the police component at the authorized strength of 1,375 officers.

When run-off elections were scheduled for 28 November in Côte d'Ivoire, the Council, by resolution 1951(2010) (see p. 192), authorized the Secretary-General to temporarily redeploy from UNMIL to UNOCI for no more than four weeks a maximum of three infantry companies and an aviation unit of two military utility helicopters. Following the two rounds of elections and amid ensuing increased tension in Côte d'Ivoire, the Council, by resolution 1962(2010) (see p. 193) of 20 December, authorized the Secretary-General to extend by up to four additional weeks the temporary redeployment. The Council affirmed in the resolution its intention to consider authorizing the Secretary-General to redeploy further troops between UNMIL and UNOCI on a temporary basis, and called on troop-contributing countries to support the Secretary-General's efforts in that regard.

Appointment. In an exchange of letters with the Security Council President on 11 and 13 October [S/2010/523, S/2010/524], the Secretary-General appointed Major General Muhammad Khalid (Pakistan) as Force Commander of UNMIL, to replace Lieutenant General Sikander Afzal (Pakistan), whose tour of duty ended on 28 November.

Financing

In June, the General Assembly considered the performance report on the UNMIL budget for 1 July 2008 to 30 June 2009 [A/64/601], showing a total expenditure of \$593,521,700 against an appropriation of \$603,760,800, and the proposed budget for 1 July 2010 to 30 June 2011 [A/64/647] in the amount of \$536,049,600, together with the related ACABQ report [A/64/660/Add.9] and the OIOS report on the programme evaluation of UNMIL performance and achievement of results [A/64/712]. The proposed budget provided for the deployment of 8,202 military personnel, including 133 military observers, 498 UN police officers, 845 formed police unit personnel, 543 international and 1,041 national staff, inclusive of 59 National Officers, as well as 2 international and 1 national General Service general temporary assistance positions, 237 United Nations Volunteers and 32 Government-provided personnel. ACABQ made suggestions for

savings and recommended approving the proposed budget for 2010–2011 in the amount of \$529,760,000. OIOS evaluated the Mission's accomplishments and made 12 recommendations to help improve its performance and promote the achievement of results.

GENERAL ASSEMBLY ACTION

On 24 June, the General Assembly, on the recommendation of the Fifth Committee [A/64/828], adopted **resolution 64/280** without vote [agenda item 157].

Financing of the United Nations Mission in Liberia

The General Assembly,

Having considered the reports of the Secretary-General on the financing of the United Nations Mission in Liberia, the related report of the Advisory Committee on Administrative and Budgetary Questions and the report of the Office of Internal Oversight Services on the programme evaluation of the performance and the achievement of results by the Mission,

Recalling Security Council resolution 1497(2003) of 1 August 2003, by which the Council declared its readiness to establish a United Nations stabilization force to support the transitional government and to assist in the implementation of a comprehensive peace agreement in Liberia,

Recalling also Security Council resolution 1509(2003) of 19 September 2003, by which the Council decided to establish the United Nations Mission in Liberia for a period of twelve months, and the subsequent resolutions by which the Council extended the mandate of the Mission, the latest of which was resolution 1885(2009) of 15 September 2009, by which the Council extended the mandate of the Mission until 30 September 2010,

Recalling further its resolution 58/315 of 1 July 2004,

Recalling its resolution 58/261 A of 23 December 2003 on the financing of the Mission and its subsequent resolutions thereon, the latest of which was resolution 63/296 of 30 June 2009,

Reaffirming the general principles underlying the financing of United Nations peacekeeping operations, as stated in General Assembly resolutions 1874(S-IV) of 27 June 1963, 3101(XXVIII) of 11 December 1973 and 55/235 of 23 December 2000,

Noting with appreciation that voluntary contributions have been made to the Mission,

Mindful of the fact that it is essential to provide the Mission with the financial resources necessary to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

1. *Requests* the Secretary-General to entrust the Head of Mission with the task of formulating future budget proposals in full accordance with the provisions of General Assembly resolutions 59/296 of 22 June 2005, 60/266 of 30 June 2006, 61/276 of 29 June 2007 and 64/269 of 24 June 2010, as well as other relevant resolutions;

2. *Takes note* of the status of contributions to the United Nations Mission in Liberia as at 30 April 2010, including the contributions outstanding in the amount of 41.6 million United States dollars, representing some 1 per

cent of the total assessed contributions, notes with concern that only forty-nine Member States have paid their assessed contributions in full, and urges all other Member States, in particular those in arrears, to ensure payment of their outstanding assessed contributions;

3. *Expresses its appreciation* to those Member States which have paid their assessed contributions in full, and urges all other Member States to make every possible effort to ensure payment of their assessed contributions to the Mission in full;

4. *Expresses concern* at the financial situation with regard to peacekeeping activities, in particular as regards the reimbursements to troop contributors that bear additional burdens owing to overdue payments by Member States of their assessments;

5. *Also expresses concern* at the delay experienced by the Secretary-General in deploying and providing adequate resources to some recent peacekeeping missions, in particular those in Africa;

6. *Emphasizes* that all future and existing peacekeeping missions shall be given equal and non-discriminatory treatment in respect of financial and administrative arrangements;

7. *Also emphasizes* that all peacekeeping missions shall be provided with adequate resources for the effective and efficient discharge of their respective mandates;

8. *Reiterates its request* to the Secretary-General to make the fullest possible use of facilities and equipment at the United Nations Logistics Base at Brindisi, Italy, in order to minimize the costs of procurement for the Mission;

9. *Requests* the Secretary-General to give consideration to making the fullest possible use of facilities at the logistics hub at Entebbe, Uganda;

10. *Also requests* the Secretary-General to ensure that proposed peacekeeping budgets are based on the relevant legislative mandates;

11. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions, subject to the provisions of the present resolution, and requests the Secretary-General to ensure their full implementation;

12. *Requests* the Secretary-General to ensure the full implementation of the relevant provisions of resolutions 59/296, 60/266, 61/276 and 64/269;

13. *Also requests* the Secretary-General to take all action necessary to ensure that the Mission is administered with a maximum of efficiency and economy;

14. *Further requests* the Secretary-General, in order to reduce the cost of employing General Service staff, to continue efforts to recruit local staff for the Mission against General Service posts, commensurate with the requirements of the Mission;

15. *Takes note* of the report of the Office of Internal Oversight Services, and requests the Secretary-General to ensure the full implementation of the recommendations contained therein;

Financial performance report for the period from 1 July 2008 to 30 June 2009

16. *Takes note* of the report of the Secretary-General on the financial performance of the Mission for the period from 1 July 2008 to 30 June 2009;

Budget estimates for the period from 1 July 2010 to 30 June 2011

17. *Decides* to appropriate to the Special Account for the United Nations Mission in Liberia the amount of 555,770,200 dollars for the period from 1 July 2010 to 30 June 2011, inclusive of 524 million dollars for the maintenance of the Mission, 26,906,700 dollars for the support account for peacekeeping operations and 4,863,500 dollars for the United Nations Logistics Base;

Financing of the appropriation

18. *Also decides* to apportion among Member States the amount of 138,942,550 dollars for the period from 1 July to 30 September 2010, in accordance with the levels updated in General Assembly resolution 64/249 of 24 December 2009, and taking into account the scale of assessments for 2010, as set out in Assembly resolution 64/248 of 24 December 2009;

19. *Further decides* that, in accordance with the provisions of its resolution 973(X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 18 above, their respective share in the Tax Equalization Fund in the amount of 3,855,525 dollars, comprising the estimated staff assessment income of 3,201,300 dollars approved for the Mission, the prorated share of 556,950 dollars of the estimated staff assessment income approved for the support account and the prorated share of 97,275 dollars of the estimated staff assessment income approved for the United Nations Logistics Base;

20. *Decides* to apportion among Member States the amount of 416,827,650 dollars for the period from 1 October 2010 to 30 June 2011, at a monthly rate of 46,314,183 dollars, in accordance with the levels updated in resolution 64/249 and taking into account the scale of assessments for 2010 and 2011, as set out in resolution 64/248, subject to a decision of the Security Council to extend the mandate of the Mission;

21. *Also decides* that, in accordance with the provisions of its resolution 973(X), there shall be set off against the apportionment among Member States, as provided for in paragraph 20 above, their respective share in the Tax Equalization Fund in the amount of 11,566,575 dollars, comprising the estimated staff assessment income of 9,603,900 dollars approved for the Mission, the prorated share of 1,670,850 dollars of the estimated staff assessment income approved for the support account and the prorated share of 291,825 dollars of the estimated staff assessment income approved for the United Nations Logistics Base;

22. *Further decides* that, for Member States that have fulfilled their financial obligations to the Mission, there shall be set off against their apportionment, as provided for in paragraph 18 above, their respective share of the unencumbered balance and other income in the total amount of 23,809,500 dollars in respect of the financial period ended 30 June 2009, in accordance with the levels updated in General Assembly resolution 61/243 of 22 December 2006, and taking into account the scale of assessments for 2009, as set out in Assembly resolution 61/237 of 22 December 2006;

23. *Decides* that, for Member States that have not fulfilled their financial obligations to the Mission, there shall be set off against their outstanding obligations their respec-

tive share of the unencumbered balance and other income in the total amount of 23,809,500 dollars in respect of the financial period ended 30 June 2009, in accordance with the scheme set out in paragraph 22 above;

24. *Also decides* that the decrease of 172,400 dollars in the estimated staff assessment income in respect of the financial period ended 30 June 2009 shall be set off against the credits from the amount of 23,809,500 dollars referred to in paragraphs 22 and 23 above;

25. *Emphasizes* that no peacekeeping mission shall be financed by borrowing funds from other active peacekeeping missions;

26. *Encourages* the Secretary-General to continue to take additional measures to ensure the safety and security of all personnel participating in the Mission under the auspices of the United Nations, bearing in mind paragraphs 5 and 6 of Security Council resolution 1502(2003) of 26 August 2003;

27. *Invites* voluntary contributions to the Mission in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure and practices established by the General Assembly;

28. *Decides* to include in the provisional agenda of its sixty-fifth session the item entitled "Financing of the United Nations Mission in Liberia".

Sierra Leone

Ten years after the end of the civil war, the Government of Sierra Leone continued in 2010 to work towards peace consolidation and economic recovery, in line with the programme laid out in President Ernest Bai Koroma's Agenda for Change. The Government was assisted in its efforts to shift from peacekeeping efforts to focus on peacebuilding and development by the United Nations Integrated Peacebuilding Office in Sierra Leone (UNIPSIL), established in 2008 as the successor to the peacekeeping mission in the country. In September, the Security Council extended the mandate of UNIPSIL for one year, with a view to providing continued peacebuilding assistance to the Government, including preparations for presidential, legislative and local council elections in 2012. It was also mandated to carry out other tasks such as promoting dialogue among political parties and all stakeholders; tackling youth unemployment; providing assistance in promoting good governance, the rule of law and human rights; combating illicit drug trafficking and organized crime; combating corruption; and strengthening national capacity in law enforcement and the justice system.

In September, the Security Council lifted the last remaining sanctions against Sierra Leone, affirming that the Government had fully re-established control over its territory, and former rebel fighters had been disarmed and demobilized under the auspices of the national army.

The Special Court for Sierra Leone drew close to concluding its trials of those bearing the greatest responsibility for serious violations of international and national humanitarian laws committed in the country since 1996. The trial of the former Liberian President, Charles Taylor, which opened in July 2009, remained the only case before the Court, which concluded the evidentiary phase of the case in November 2010. Closing arguments were scheduled for February 2011.

Political and security developments

Report of Secretary-General (March). The Secretary-General, in his March report on UNIPSIL [S/2010/135], covered developments in Sierra Leone over the previous six months. The implementation of the joint communiqué signed on 2 April 2009 [YUN 2009, p. 208] by the major opposition party, the Sierra Leone People's Party (SLPP), and the ruling All People's Congress (APC) continued, and the Peacebuilding Fund provided related financial support. The Independent Review Panel, appointed by President Koroma in 2009 as stipulated in the joint communiqué to inquire into the causes of the political violence in March 2009, began its proceedings in February 2010. Nonetheless, the relationship between the ruling party and the major opposition party was characterized by deep mistrust and mutual suspicion. While there had been an improvement in the overall political situation, difficulties remained in fostering a culture of political tolerance.

In December 2009 and January 2010, the National Electoral Commission and the Ministry of Internal Affairs jointly organized paramount chieftaincy elections in several chiefdoms in the country, with the financial assistance from several donors under the management of UNDP. The National Human Rights Commission strengthened its outreach programme and its reporting on the human rights situation in the country. The Government made a commitment to cover the operational costs of the Commission in 2010, and UNIPSIL mobilized international donor support to help implement the Commission's strategic plan. Progress was made in the implementation of the recommendations of the Truth and Reconciliation Commission, in particular through the reparations programme. With support from the Peacebuilding Fund, micro-grants were provided to more than 13,000 eligible victims of the civil war to enable them to set up small-scale businesses. In addition, 7,000 child victims, mainly war orphans and children born as a result of sexual violence, received financial support to pay fees and buy learning materials.

Implementation of the Joint Vision of the United Nations Family for Sierra Leone, a strategic framework

adopted in 2009 [YUN 2009, p. 207] that outlined common priority areas and joint operational and logistical arrangements, was progressing. UN agencies worked in an integrated manner to identify programme deliverables for each of the 21 programmes of the Joint Vision to ensure that agencies did not duplicate efforts. Cost sharing agreements between UNIPSIL and UN agencies were concluded. A new field office to serve the UN family in Bo became operational.

The Secretary-General welcomed the recognition by President Koroma of the challenge corruption posed and the swift action taken by the Anti-Corruption Commission to combat the problem, urged further efforts to ensure that corruption did not weaken progress, and called for joint action by all national stakeholders to deal with the matter. Noting the shortfall in anticipated donor funding required for the implementation of the Government's Agenda for Change, which identified priorities for development, the Secretary-General appealed to Sierra Leone's international development partners to assist Sierra Leone in implementing its Agenda for Change, including in developing infrastructure and increasing agricultural productivity. While encouraged by improvements in the political climate since the signing of the joint communiqué, the Secretary-General said the challenge of fostering political tolerance and promoting non-violence remained.

Report of Secretary-General (September). In his September report on UNIPSIL [S/2010/471], the Secretary-General said three significant developments had occurred since his previous report. First, the country had entered a pre-election mode, with the Government and the main political parties gearing their actions towards the 2012 elections. Second, the Government had accelerated initiatives to conclude important mining agreements, through which Sierra Leone could become a major exporter of mineral resources. Third, presidential elections in neighbouring Guinea (see p. 235) could add a new democracy within the Mano River Basin with the first democratically elected government in that country.

The Secretary-General visited Sierra Leone on 14 and 15 June, during which time he joined President Koroma in launching the Sierra Leone Broadcasting Corporation (SLBC) as an independent national broadcaster. In meetings with the President and ministers, discussions focused on efforts by the Government to implement its Agenda for Change and achieve the Millennium Development Goals.

Implementation of the 2009 joint communiqué continued. The Independent Review Panel established by that document to investigate the causes of the political violence in March 2009 submitted its report to President Koroma on 29 July. The Panel was supported by the Peacebuilding Fund. Other stipulations

in the joint communiqué, including the strengthening of the country's democratic institutions, continued to be implemented. Repairs to the SLPP headquarters, damaged during the March 2009 disturbances, were completed. The All Political Parties Youth Association, which comprised the youth wings of the four main political parties, was activated. The Association helped to promote political tolerance in several by-elections and was expected to play a similar role in the 2012 elections. The women's wings of three main parties held meetings to develop gender policies and action plans. Notwithstanding the progress made in implementing the joint communiqué, the relationship between APC and SLPP remained strained.

On 28 May, the Government announced plans to hold an inquest into the executions on 29 December 1992 of a former Inspector-General of police and 27 others. The executions were carried out during the administration of the National Provisional Ruling Council (NPRC), a military regime that overthrew the APC Government in April 1992. The plans raised questions because an inquest could involve some leading members of opposition party SLPP, who held positions in the NPRC administration. The Government emphasized that the inquest would be conducted to establish facts about the executions and to bring closure to the affected families, while SLPP objected and noted that it violated the amnesty granted under the 1999 Lomé Peace Agreement. Some civil society organizations and the National Human Rights Commission also expressed concerns that an inquest could lead to demands for inquiries into similar executions carried out by previous administrations. Furthermore, the planned inquest generated ethnically motivated and inflammatory attacks in the local media. Following consultations with international partners and others, the Executive Representative of the Secretary-General and Head of UNIPSIL relayed to the Government their concerns that an inquest might impede efforts towards political reconciliation and national cohesion. Since then, the Government had not disclosed whether it would proceed with the inquest.

In December 2009, the Minister of Finance and Economic Development had requested technical and financial assistance from the United Nations for elections to be held in 2010, including presidential, parliamentary and local council elections. In response, an electoral needs assessment mission visited Sierra Leone in February 2010. Following consultations with key stakeholders, the mission recommended providing technical and financial assistance to the Government for the 2012 elections. It observed that the potential for violence was high; accordingly UNIPSIL undertook a conflict and risk mapping exercise with proposed interventions for mitigation. Following the mission's report, UNDP prepared a draft document outlining

support to the National Electoral Commission, the Political Parties Registration Commission, the police and the judiciary. Discussions were commenced with international partners on assistance required for the 2012 elections.

The Yenga boundary dispute [YUN 2004, p. 217] between Sierra Leone and Guinea remained unresolved. On 26 March, the armed forces protested by letter to the Guinean Chief of Defence Staff regarding an incursion by Guinea soldiers into Sierra Leonean territory. Nevertheless, the relationship between the two countries remained cordial and high-level visits between senior Government officials continued.

UN Radio transferred its assets, including eight radio transmission sites and three broadcast studios, to the Sierra Leone Broadcasting Corporation, launched on 15 June as an independent national broadcaster. Grants for operational and technical costs were made by the UN Peacebuilding Fund and the trust fund.

The Secretary-General observed that considerable progress had been made in Sierra Leone in consolidating peacebuilding and achieving national reconciliation; however, efforts were needed to ensure that the gains were not reversed. Endemic unemployment among young people was a challenge to the stability of the country. Sustaining efforts at combating corruption was also crucial. Recently concluded mining agreements gave Sierra Leone hope for financial self-sufficiency in the coming years. The challenge of securing funding had made the implementation of President Koroma's Agenda for Change extremely difficult. In need of support was the multi-donor trust fund for implementation of the Joint Vision strategy, which was aligned with the Agenda for Change. The absence of funds for those efforts had affected the Government's plans to promote more robust political and socio-economic development initiatives. The Secretary-General urged the Peacebuilding Commission to take the lead in helping to mobilize the necessary resources. While commending President Koroma and his Government in promoting the rights of women and girls, the Secretary-General warned that resources would be required to strengthen support offices located in police stations around the country and related institutions to enable them to address sexual and gender-based violence.

Looking forward to the 2012 elections, which would represent an important milestone in consolidating democracy in Sierra Leone, the Secretary-General called on the political parties to continue to engage in dialogue and resolve their differences in the spirit of the joint communiqué of 2 April 2009. He urged the political parties to adhere to the code of conduct of the Political Parties Registration Commission and work closely with the National Electoral Commission

on arrangements for the 2012 elections. In his view, the Government's announcement to hold an inquest into the 1992 executions could have a negative impact on the peace consolidation process. In view of the need for continued assistance to Sierra Leone in the areas of consolidating peace, providing support for the 2012 elections, supporting national reconciliation, advancing good governance, combating corruption as well as drug trafficking and transnational organized crime, addressing youth unemployment and mobilizing donor support, the Secretary-General recommended that the mandate of UNIPSIL be renewed for an additional year.

SECURITY COUNCIL ACTION

On 29 September [meeting 6392], the Security Council unanimously adopted **resolution 1941(2010)**. The draft [S/2010/496] was submitted by the United Kingdom.

The Security Council,

Recalling its previous resolutions and the statements by its President concerning the situation in Sierra Leone, in particular resolution 1886(2009) of 15 September 2009,

Welcoming the visit by the Secretary-General to Sierra Leone, and commending the valuable contribution that the United Nations Integrated Peacebuilding Office in Sierra Leone has made to peacebuilding efforts and to the peace, security and development of the country,

Welcoming also the report of the Secretary-General of 17 September 2010 and his recommendation that the mandate of the United Nations Integrated Peacebuilding Office in Sierra Leone be extended for a period of one year, with a view to providing continued peacebuilding assistance to the Government of Sierra Leone, including preparations for the elections in 2012,

Mindful of the United Nations efforts in assisting the Government of Sierra Leone to address the capacity challenges of the national electoral institutions, and noting the potential for an increase in tensions during the preparation for and the period leading up to the 2012 elections in Sierra Leone, due to political, security, socio-economic and humanitarian challenges,

Calling upon the Government of Sierra Leone and the international community to focus on fostering an environment that is conducive to the holding of free and fair elections by strengthening institutions that administer and oversee the electoral process and, in so doing, to contribute to the institutional development and continued stability of the country,

Emphasizing the importance of the continued integrated support of the United Nations system and the international community for the long-term peace, security and development of Sierra Leone, particularly through strengthening of the capacity of the Government of Sierra Leone,

Welcoming the steady progress that the Government of Sierra Leone has made in implementing the Agenda for Change, as indicated in the joint progress report undertaken by the Government in close collaboration with its international partners and civil society, noting the chal-

lenges that remain to be addressed in the Government's national peacebuilding strategy and the efforts being made to address them, and calling upon all international partners to align their assistance with the priorities outlined in the joint progress report,

Acknowledging the role that the Peacebuilding Commission plays in support of the peacebuilding efforts in Sierra Leone, welcoming the review of the outcome of the High-level Special Session of the Peacebuilding Commission on Sierra Leone, of 28 September 2010, and noting the contribution that the Peacebuilding Fund has made to peacebuilding in Sierra Leone,

Welcoming the ongoing implementation of the joint communiqué of 2 April 2009 by the political parties and their contributions towards a sustained cessation of the political violence in Sierra Leone, and calling upon all political parties to continue to adhere to its provisions and ensure its full implementation,

Commending the United Nations Integrated Peacebuilding Office in Sierra Leone and the United Nations country team's continuing efforts to work together to achieve the integration of the political, development and humanitarian mandates of the mission set forth in the United Nations Joint Vision, encouraging all United Nations entities in Sierra Leone to continue the implementation of the Joint Vision, and calling upon Sierra Leone's bilateral and multilateral partners to provide the necessary resources to implement the Joint Vision,

Reiterating its appreciation for the work of the Special Court for Sierra Leone, stressing the importance of the trial of former President of Liberia Charles Taylor by the Court, welcoming the completion of all the other cases, as well as effective outreach on the trials at the local level, reiterating its expectation that the Court will finish its work as soon as possible, and calling upon Member States to contribute generously to the Court and the proposed Residual Special Court,

Reaffirming its resolution 1940(2010) of 29 September 2010 lifting all remaining sanctions in relation to Sierra Leone, and recalling that the responsibility for controlling the circulation of small arms within the territory of Sierra Leone and between Sierra Leone and neighbouring States rests with the relevant governmental authorities in accordance with the Economic Community of West African States Convention on Small Arms and Light Weapons, Their Ammunition and Other Related Materials, of 2006,

Welcoming the role played by the Economic Community of West African States, and encouraging the States members of the Mano River Union and other regional organizations to continue their dialogue aimed at consolidating regional peace and security,

1. *Decides* to extend the mandate of the United Nations Integrated Peacebuilding Office in Sierra Leone, as set out in Security Council resolutions 1829(2008) of 4 August 2008 and 1886(2009), until 15 September 2011;

2. *Emphasizes* the importance of the United Nations Integrated Peacebuilding Office in Sierra Leone achieving, jointly with the United Nations country team, the objectives outlined in the United Nations Joint Vision within their respective mandates, including focusing on:

- (i) Providing support to the Government of Sierra Leone for the preparation of the 2012 elections as requested;
- (ii) Providing assistance to conflict prevention and mitigation efforts, and promoting dialogue among political parties, the Government and all relevant stakeholders;
- (iii) Assisting the Government and national institutions in tackling youth unemployment, including by supporting training, education and skills provision;
- (iv) Providing assistance to the Government in promoting good governance, the rule of law and human rights, including institutional reform; combating illicit drug trafficking and organized crime; combating corruption; providing support to the National Human Rights Commission; and assisting in strengthening national capacity-building in the areas of law enforcement, forensics, border management, money-laundering and the strengthening of criminal justice institutions;

3. *Calls upon* the Government of Sierra Leone, with the support of the United Nations Integrated Peacebuilding Office in Sierra Leone and all other stakeholders in the country, to increase their efforts to take measures to combat corruption, improve accountability and promote the development of the private sector in order to generate wealth and employment opportunities;

4. *Also calls upon* the Government of Sierra Leone, with the support of the United Nations Integrated Peacebuilding Office in Sierra Leone, development partners and other stakeholders, to continue good governance reform by supporting the Anti-Corruption Commission to increase the transparency and management of Sierra Leone's natural and mineral resources for the benefit of all Sierra Leoneans and mitigating the risk of resource-based conflict; to intensify efforts against illicit drug trafficking through the strengthening of the Transnational Organized Crime Unit; and to promote human rights, including through the implementation of the recommendations of the Truth and Reconciliation Commission;

5. *Encourages* the Executive Representative of the Secretary-General for Sierra Leone to continue with the progress already made to enhance the integration and effectiveness of United Nations efforts on the ground, in support of the implementation of the Joint Vision for Sierra Leone and the recovery and development priorities of the Government and people of Sierra Leone;

6. *Calls upon* the Secretary-General to continue to report on progress achieved towards meeting the benchmarks, including in supporting the capacity of key national institutions to be able to adequately address the causes of conflict and manage political disputes by themselves, for the transition of the United Nations Integrated Peacebuilding Office in Sierra Leone into a United Nations country team as agreed upon by the Government of Sierra Leone and the United Nations in the Joint Vision for Sierra Leone, and the particular challenges involved in preparing for the 2012 elections;

7. *Emphasizes* that the Government of Sierra Leone bears the primary responsibility for peacebuilding, security and long-term development in the country, and encourages the Government to continue its implementation of the

Agenda for Change, and international partners to continue to provide support to the Government;

8. *Encourages* the Peacebuilding Commission to provide support to the Government of Sierra Leone in preparation for the 2012 elections as requested, including the potential to mobilize support from international partners, that is required for the implementation of the Government's Agenda for Change and the United Nations Joint Vision strategy and in that regard to advise and keep the Security Council updated, including on progress made in meeting core peacebuilding objectives, as necessary;

9. *Urges* the Government of Sierra Leone to accelerate the promotion of national unity and reconciliation;

10. *Commends* the Government of Sierra Leone for recognizing the important role of women in the prevention and resolution of conflicts and in peacebuilding, as referred to in resolutions 1325(2000) of 31 October 2000 and 1820(2008) of 19 June 2008, by establishing national strategies, underscores the importance that the Government continue its efforts in addressing sexual and gender-based violence, and encourages the United Nations Integrated Peacebuilding Office in Sierra Leone to work with the Government in this area;

11. *Requests* that the Secretary-General keep the Council informed every six months of progress made in the implementation of the mandate of the United Nations Integrated Peacebuilding Office in Sierra Leone and the present resolution;

12. *Decides* to remain actively seized of the matter.

Year-end developments. The Secretary-General later reported [S/2011/119] that as part of preparations for the 2012 presidential, parliamentary and local council elections in Sierra Leone, agreement was reached in late 2010 between the electoral management bodies, the Government, its donor partners and the United Nations, on the cost and related arrangements. As a step to enhance national unity, President Koroma on 4 December appointed new ministers, which diversified representation within his administration. The main risks to peace consolidation continued to be youth unemployment, corruption and illicit drug trafficking and organized crime.

Implementation of some aspects of the joint communiqué continued. At a national delegates' conference on 3 December in Makeni in the northern region, the youth wings of SLPP, APC, the National Democratic Alliance (NDA) and the People's Movement for Democratic Change (PMDC), with support from UNIPSIL and the UN Peacebuilding Fund, established the All Political Parties Youth Association, with the goal of preventing political violence among youths and fostering greater cooperation among youths with diverse political backgrounds. As part of efforts to enhance the political participation of women as called for in the joint communiqué, UNIPSIL facilitated dialogue sessions in those four parties. The Sierra Leone Broadcasting Corporation made progress in providing unbiased coverage and fair access to all political parties, including granting air time to SLPP presidential candidates.

UNIPSIL and UNDP provided technical and capacity support to the Corporation, and the UN "Providing as one" fund gave \$792,000 for its activities.

Progress was made in finalizing the UN electoral support programme to be managed by UNDP, with contributions from the United Kingdom, Ireland and Japan, and the European Commission and the United Nations. The programme was aimed at supporting the National Electoral Commission, improving voter registration, electoral administration, legal reform and electoral dispute resolution.

To further consolidate the peace process, support was provided to democratic institutions, including the National Electoral Commission, the Political Parties Registration Commission and the Independent Media Commission. In December, UNIPSIL trained 80 members of the Transnational Organized Crime Unit of the security agencies on issues related to human rights and human trafficking.

Work continued on implementing the recommendations of the Truth and Reconciliation Commission. On 12 and 13 October, the Human Rights Commission of Sierra Leone, in collaboration with UNIPSIL, organized the second conference on the status of implementation. The conference noted some progress and underscored the need to implement the remaining recommendations, such as the separation of the offices of the Attorney-General and the Minister of Justice, the decriminalization of libel, a constitutional review, the abolition of the death penalty and the repeal of discriminatory provisions against women.

Efforts were also made to implement the United Nations Joint Vision for Sierra Leone. On 28 and 29 October, the Executive Representative led the annual retreat of the UN country team in Sierra Leone, during which the UN country team renewed its support to implementation of the Government's Agenda for Change, and reiterated its commitment to promote the Paris Declaration on Aid Effectiveness. The team pledged to work together in an integrated manner to assist the country in conducting peaceful, credible and transparent elections.

Peacebuilding Commission

The Peacebuilding Commission, in a report for its fourth session [A/65/701-S/2011/41] reviewing its work from 1 July 2009 to 31 December 2010, said that during that period it had worked towards good governance and the rule of law, the employment of youth and combating drug trafficking, with gender and regional perspectives as cross-cutting issues. In those areas, the Commission provided political accompaniment, helped to bring partners together and worked to mobilize resources, while opting for a lighter form of engagement.

The configuration decided to focus its engagement on support for national actors to help them prepare the country for free and fair elections in 2012. In response to the Commission's encouragement, the Government and its partners unveiled a three-year joint response to youth employment in Sierra Leone (2010–2012) that would result in the employment of 106,000 young people on a sustainable basis. The joint response was announced at an informal meeting of the Sierra Leone configuration on 26 March. Austria, a member of the configuration, in collaboration with the Peacebuilding Support Office, organized a regional seminar on strategies and lessons learned on sustainable reintegration and job creation in West Africa, held in Freetown on 2 and 3 December, which reviewed the experience of four countries.

In March, a high-level delegation of the Commission visited Sierra Leone and met with Government and relevant stakeholders, highlighting the importance of the Commission's remaining actively engaged, in particular in view of the 2012 elections. During a visit to Sierra Leone from 29 November to 3 December, the Chair, Ambassador John McNee (Canada), emphasized to the three main political parties and governmental commissions the need to strengthen political dialogue. He also underscored that lessons learned in other countries about mineral wealth might be useful in helping Sierra Leone take advantage of its natural resources transparently, peacefully and inclusively.

Several traditional and non-traditional donors provided aid through the Peacebuilding Fund amounting to \$37 million for Sierra Leone. The Commission recognized that to implement the UN Joint Vision a total requirement of \$345 million would be needed, of which \$229 million had been secured or committed. As a result, the configuration, at its meeting on 28 September, agreed to produce a resource mobilization strategy to guide its work.

High-level Special Session. The Peacebuilding Commission's High-level Special Session on Sierra Leone, at its fourth session on 28 September [PBC/4/SLE/3], welcomed the progress report on the Agenda for Change issued by the Government, UNIPSIL, the UN country team, international partners and civil society. The Commission welcomed the steady progress made, among other steps, towards peace consolidation and economic development by Sierra Leone, in particular efforts by the major political parties to implement agreements in the 2 April 2009 joint communiqué, the conclusion of the independent inquiry into the events of March 2009, and the Government's commitment to restructure the Political Parties Registration Commission in order to enable it to play a greater role in promoting mediation among the parties and in regulating their conduct. The Commission commended the UN family, under the leadership of

the Executive Representative, for aligning international assistance with the Agenda for Change.

The Peacebuilding Commission reiterated its decision to focus on good governance and the rule of law, drug trafficking and youth employment, as well as its decision to advocate for greater subregional cooperation and the promotion of gender equality and human rights. The Commission requested the Government to provide an annual progress report on the implementation of the Agenda for Change no later than September 2011, to be preceded by a brief update six months prior, and welcomed the recommendation to develop a results framework for the Agenda. Among its recommendations, the Commission called on the Government to engage all relevant national stakeholders to build national unity through open dialogue; fight corruption, maintaining a zero-tolerance approach; strengthen the role of Parliament and the administration of justice; implement the remaining recommendations of the Truth and Reconciliation Commission; improve youth employment by matching skills training with market demand; and decentralize power to local authorities so that services could be provided throughout Sierra Leone. Political parties were called on to further implement the joint communiqué and engage in multi-party dialogue.

The Commission recommended that international partners provide assistance in line with the Agenda for Change through, among other mechanisms, the multi-donor trust fund for financing peace consolidation and economic development; assist in preparations for the 2012 elections; support institutionalization and decentralization of the Anti-Corruption Commission; support subregional cooperation in combating drug trafficking, especially through ECOWAS and the Mano River Union; support the new youth employment strategy, the establishment of the National Youth Commission and youth employment and empowerment programmes; and assist the Government in implementing the remaining recommendations of the Truth and Reconciliation Commission.

Participation in configuration. On 8 April [PBC/4/OC/5], the Chairperson of the Peacebuilding Commission responded to a request from the International Criminal Police Organization (INTERPOL) to participate in the work of the Sierra Leone configuration. The members of the Organizational Committee had no objection; accordingly, INTERPOL was invited to participate in all future meetings of the configuration.

Sanctions

The Security Council Committee established pursuant to resolution 1132(1997) [YUN 1997, p. 135] concerning Sierra Leone submitted a report [S/2010/659] on its activities from 1 January to 29 September 2010, when the Committee was dissolved by the

Security Council in resolution 1940(2010) (see below). The Committee monitored and implemented the 1998 embargo on the sale or supply of arms to non-governmental forces in Sierra Leone and the travel ban on leading members of the former military junta in Sierra Leone and of the Revolutionary United Front (RUF), imposed by resolution 1171(1998) [YUN 1998, p. 169].

Although the Committee held no formal meetings or informal consultations during the reporting period, it carried out its work through written procedures. The Committee received three notifications during the reporting period of exports of arms and related materiel to Sierra Leone pursuant to resolution 1171(1998). On 14 June, the Netherlands notified the Committee of the temporary transfer of Issa H. Sesay from Kigali to The Hague to appear as a witness in the trial of Charles Taylor before the Special Court for Sierra Leone. Mr. Sesay was convicted by the Special Court for Sierra Leone on 25 February 2009 and was serving his prison sentence in Rwanda. He was subject to the travel ban imposed by resolution 1171(1998), and his travel to The Hague took place as an exemption to the ban provided for by resolution 1793(2007). In a letter dated 31 August, the Netherlands notified the Committee that Mr. Sesay, who had appeared as a witness before the Special Court for Sierra Leone in The Hague, was due to return to Kigali on 2 September to serve the remainder of his prison sentence.

During the reporting period, no violations or alleged violations of the sanctions regime were brought to the attention of the Committee.

SECURITY COUNCIL ACTION

On 29 September [meeting 6392], the Security Council unanimously adopted **resolution 1940(2010)**. The draft [S/2010/495] was submitted by the United Kingdom.

The Security Council,

Recalling all its previous resolutions on Sierra Leone, in particular resolutions 1132(1997) of 8 October 1997 and 1171(1998) of 5 June 1998,

Recalling also its readiness to terminate the measures once the control of the Government of Sierra Leone has been fully re-established over all its territory, and when all non-governmental forces have been disarmed and demobilized,

Reaffirming its commitment to support the recovery of Sierra Leone from conflict and to the peace, security and development of the country,

Commending the continuing role of the United Nations Integrated Peacebuilding Office in Sierra Leone in this regard,

Welcoming the letter dated 9 September 2010 from the Permanent Representative of Sierra Leone to the United Nations addressed to the President of the Security Council, updating the Council on the situation in Sierra Leone and requesting that the measures in place be lifted,

Commending the work of the Security Council Committee established pursuant to paragraph 10 of resolution 1132(1997) concerning Sierra Leone,

Taking note of the 2009 report of the Committee and, in particular, the observations of the Chair contained in paragraph 17 thereof,

Urging all States to cooperate with and render assistance to the Special Court for Sierra Leone, or any institution to which the Court has transferred his case, to bring Mr. Johnny Paul Koroma to justice if he is found to be alive, and calling upon him to surrender,

Calling upon all States to cooperate with the International Criminal Police Organization (INTERPOL) in apprehending and transferring Mr. Koroma, if he is found to be alive,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to terminate, with immediate effect, the measures set forth in paragraphs 2, 4 and 5 of resolution 1171(1998);

2. *Decides also* to dissolve the Security Council Committee established pursuant to paragraph 10 of resolution 1132(1997) with immediate effect.

UNIPSIL

The United Nations Integrated Peacebuilding Office in Sierra Leone (UNIPSIL) was established on 1 October 2008 by Security Council resolution 1829(2008) [YUN 2008, p. 215] as the successor mission to the United Nations Integrated Office in Sierra Leone (UNIOSIL), with a mandate focused on strengthening governmental capacities. Its mandate included assisting the Government in providing political support to national and local efforts for identifying and resolving tensions and threats of conflict; monitoring and promoting human rights, democratic institutions and the rule of law; consolidating good governance reforms, with a focus on anti-corruption efforts; strengthening the Parliament and key governance institutions and coordinating strategy among UN agencies in Sierra Leone. In resolution 1886(2009) [YUN 2009, p. 210], the Security Council emphasized the importance of UNIPSIL in supporting the Government in constitutional reform; building police capacity; tackling corruption, illicit drug trafficking and organized crime; addressing youth unemployment; supporting preparations for the 2012 elections; and assisting the work of the Peacebuilding Commission. The Council, in resolution 1941(2010) (see p. 215) of 29 September 2010, reiterated the importance of the Office's focus on those objectives as outlined in the UN Joint Vision, in particular support for the Government for preparations for elections, and extended the mandate of UNIPSIL until 15 September 2011.

Financing

In an October report [A/65/328/Add.3 & Corr.1] providing budgets for 2011 in respect of special politi-

cal missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council grouped under thematic cluster III (UN offices, integrated offices and commissions), the Secretary-General proposed resource requirements for UNIPSIL in the amount of \$16,629,600, which ACABQ recommended to the General Assembly for approval [A/65/602].

On 24 December, in section XIII of **resolution 65/259** (see p. 1433), the Assembly endorsed the recommendations of ACABQ and approved the budgets of 11 special political missions, including the UNIPSIL budget, under section 3, Political affairs, of the programme budget for 2010–2011 biennium.

Special Court for Sierra Leone

The Special Court for Sierra Leone, jointly established by the Government of Sierra Leone and the United Nations in 2002 [YUN 2002, p. 164] pursuant to Security Council resolution 1315(2000) [YUN 2000, p. 205], continued in 2010 to try those bearing the greatest responsibility for violations of international humanitarian and Sierra Leonean laws committed in Sierra Leone since November 1996. By 2010, the Court had tried and convicted eight persons. One person indicted by the Court remained at large, Johnny Paul Koroma.

The trial of *Prosecutor v. Charles Ghankay Taylor*, the former President of Liberia, continued at The Hague as the sole case before the Court. A June completion strategy was based on the expectation that evidentiary proceedings in the trial would conclude in October and closing arguments would be made in December [A/66/563]. Unforeseen developments in the judicial proceedings, however, resulted in a shift in the timeframe, as the number of witnesses, including rebuttal witnesses, lengthened the expected trial proceedings, as did examination and cross-examination of defence witnesses. The Court concluded its evidentiary proceedings on 12 November, marking the first shift in the projected milestones, and the Chamber ordered that closing arguments take place in February 2011.

The Secretary-General, in a 9 July letter to the Security Council [S/2010/384], said that the current projection for completion of the Taylor trial was June 2011, and an appeal, if any, would be around February 2012. Upon completion of its judicial activities, the Court would be closed. Some essential tasks would remain after closure—the trial of the fugitive or referring his case to a national jurisdiction; maintaining, preserving and managing archives; providing for witness and victim protection and support; responding to requests for access to evidence by national prosecution authorities; supervising the enforcement of sentences

of convicted persons; reviewing convictions and acquittals; conducting contempt of court proceedings; providing defence counsel and legal aid; responding to requests from national authorities with respect to claims for compensation; and preventing double jeopardy. Those tasks would have to be done by a small and cost-effective international residual mechanism established by the United Nations and Sierra Leone, and funded from voluntary contributions. The Secretary-General intended to negotiate and conclude with Sierra Leone an agreement on a mechanism with its statute, and he sought the Security Council's agreement before proceeding.

On 15 July [S/2010/385], the Council members took note of his intention and agreed to the proposed manner of proceeding.

In August 2010, the Agreement between the United Nations and the Government of Sierra Leone on the Establishment of a Residual Special Court for Sierra Leone was finalized. The Statute of the Residual Special Court enumerated the residual functions after the cases would be closed. It guaranteed continuity of the Court's jurisdiction, rights and obligations. In coordination with the Management Committee, the Office of Legal Affairs and other relevant stakeholders, the Court's Registry would manage the legal, budgetary and logistical tasks in setting up the Residual Special Court.

The International Criminal Court (icc) [A/65/313] provided courtroom services, facilities, and detention services and other assistance to the Special Court for Sierra Leone in its trial of Charles Taylor in The Hague for the first few months of 2010. In view of its increased trial activity, icc reached agreement with the Special Court that from 13 May, the Special Court would cease to use the icc courtroom facilities and would instead use the facilities of the Special Tribunal for Lebanon. In December, the original Court records were transferred to the Netherlands to be housed in the Dutch national archives. A public copy remained in Sierra Leone. In light of the staff downsizing and transfer of materials, the Mongolian Guard Force was withdrawn.

Financing

The Secretary-General, in a letter of 6 October [S/2010/560], brought to the attention of the Security Council the current situation—that the Special Court for Sierra Leone would run out of funding by the end of that month and that voluntary contributions necessary for the Court to complete its work could not be found. Under article 6 of the Agreement between the United Nations and the Government of Sierra Leone on the Establishment of a Special Court for Sierra Leone, should voluntary contributions be insufficient for the Court to implement its mandate, the Secretary-General and the Security

Council should explore alternate means of financing. The Secretary-General, pointing out that immediate steps were needed, proposed to the Council that the costs be provided by assessment. Because the Court was conducting its final case, which was projected to be completed, along with any appeal, by early 2012, a collapse at that stage would raise substantial issues for the international community. The shortfall for the period from November 2010 until the closure of the Court in early 2012 was estimated at \$18.4 million.

In a letter of 29 October [S/2010/561], the Council President, having consulted with the members, said they had no objection to the proposal. It was not expected that there would be additional subventions for the Court. In addition, it was understood that the UN Secretariat, the Management Committee and the Registrar and other officials of the Court would intensify their efforts to fund the activities of the Court through voluntary contributions.

The Secretary-General submitted a November report [A/65/570] to the General Assembly, setting out the overall level of resources required for the completion of the Court's activities for the period from 1 November 2010 to 29 February 2012. The approval of a subvention of up to \$17,916,560 was sought from the Assembly, of which \$4,502,355 covered a shortfall of requirements owing to the unpaid pledge of \$1,233,045, and \$3,269,310 for projected expenditures from 1 November to 31 December 2010. The estimated requirements for 2011 were \$12,290,500. It was anticipated that a pledge of \$1,233,045 would be received in 2011; therefore, the net requirement would amount to \$11,057,455. An amount of \$2,356,750 would be required from 1 January to 29 February 2012 to allow the Court to finish its work by that time. Those amounts were intended to supplement voluntary contributions that were expected to be received by the Court, but had not materialized. Any voluntary funds received would reduce the amounts sought from the Assembly accordingly.

ACABQ reviewed the Secretary-General's request for a subvention to the Court in a December report [A/65/603]. Noting that the Court was completing its workload, ACABQ encouraged the Court to keep a documentary record of best practices and lessons learned, including those relating to the downsizing and liquidation processes, so that other international tribunals could benefit from its experiences. The Committee was informed that after the Secretary-General's report was issued, the Court received pledges totalling \$5,088,405, putting the Court in a position to continue operating without a subvention until 31 December 2010. Subsequently, the request was revised for a subvention amounting to \$12,239,344. In view of the importance of the Court's activities, ACABQ recommended that the General Assembly approve that

amount for 1 January 2011 to 29 February 2012 to supplement the voluntary financial resources. The amount of \$9,882,594 would be applied to 2011 and \$2,356,750 for 1 January to 29 February 2012. It recommended that the Assembly note that an additional subvention of the 2012 amount would be included as a first charge against the provision for special political missions under section 3, Political affairs, of the proposed programme budget for the 2012–2013 biennium. ACABQ stressed that the recommendation was made on the understanding that any regular budget funds appropriated for the Special Court would be refunded when the Court was liquidated, should sufficient voluntary contributions be received; that it was not expected that there would be additional subventions for the Court; and that the United Nations Secretariat, the Management Committee, the Registrar and other Court officials would intensify their efforts to fund the Court's activities through voluntary contributions.

The General Assembly, in section XII of **resolution 65/259** (see p. 1433), endorsed the conclusions and recommendations contained in the ACABQ report. Noting the funding amounts mentioned in the report, the Assembly authorized the Secretary-General, as an exceptional measure, to enter into commitments in an amount not to exceed the recommended amount for 2011, on the understanding that any additional funds from the regular budget would be refunded to the United Nations when the Court was liquidated, and that senior officials of the Court would intensify their efforts to seek funds through voluntary contributions.

Guinea-Bissau

On 1 January 2010, the United Nations Integrated Peacebuilding Office in Guinea-Bissau (UNIOGBIS) was established as the successor to the United Nations Peacebuilding Support Office in Guinea-Bissau (UNOGBIS). With a greatly reduced staff, the new Office was mandated to strengthen national capacities to maintain constitutional order, public security and the rule of law; support law enforcement and criminal justice systems; support political dialogue and national reconciliation; provide strategic and technical support to the Government in security sector reform; and assist in national efforts to combat drug trafficking and organized crime.

Progress towards those goals was ongoing until 1 April, when certain elements within the armed forces, led by the Deputy Chief of General Staff, detained the Prime Minister and the Chief of General Staff and other senior military officers. The action constituted a major setback to the process of consolidating stability and implementing key reforms. The unprecedented violation of the UN premises on that

date resulted in the extraction of the former Chief of Defence Staff, who had sought asylum at the UNIOGBIS headquarters.

Despite those circumstances, the Mission, other UN bodies and international and regional organizations continued to work with the Government of Guinea-Bissau towards consolidating peace in a number of issues.

On 22 December, the Government released the officials detained on 1 April.

Political and security developments

Report of Secretary-General (February). The Secretary-General, in his February report on developments in Guinea-Bissau and on the activities of UNIOGBIS [S/2010/106], said that the situation in early 2010 remained relatively calm. He commended the Government for fighting corruption, drug trafficking and organized crime, and welcomed progress made in the security sector, public administration and fiscal reforms. The Secretary-General's Special Representative for UNIOGBIS, Joseph Mutaboba, held consultations with national authorities in regard to former Navy Chief of Staff, Rear Admiral Bubo Na Tchuto, who on 28 December 2009 had returned clandestinely from the Gambia, having been in exile since fleeing Guinea-Bissau following accusations of involvement in a coup attempt in August 2008. On returning to Guinea-Bissau, he sought protection at UN premises, and said he wanted to face justice to clear his name. The Government indicated that it lacked the capacity to try him, preferring to return him to the Gambia. On 8 January 2010, an agreement was signed between the United Nations and the national authorities. While both parties recognized their obligations under international law, consultations would continue between the Government delegation and Bubo Na Tchuto for his voluntary departure from the UN compound.

Progress was made to improve security sector reform. The Ministries of Interior and Defence reached a compromise on the creation of a 1,700-strong new entity with military status and police functions called the "Guarda Nacional". UNIOGBIS provided assistance to the Government with planning, evaluation, review and implementation of a holistic security sector reform programme.

Efforts to combat drug trafficking and organized crime continued. Representatives of UNOWA, the Department of Peacekeeping Operations (DPKO), the UN Office on Drugs and Crime (UNODC) and INTERPOL conducted an assessment in Guinea-Bissau from 1 to 15 February. That mission was initiated as part of the 2008–2011 ECOWAS regional action plan to fight drug trafficking, organized crime and drug abuse. The team undertook an evaluation of national capabili-

ties, legal frameworks and explored the possibility of creating a transnational crime unit in Guinea-Bissau.

International financial institutions continued their engagement with the Government. On 26 January, it was announced that IMF had reached a preliminary agreement on a medium-term economic programme under the IMF Extended Credit Facility. The target for 2010 was for Guinea-Bissau to reach the completion point under the Heavily Indebted Poor Countries Initiative, which would lead to debt relief of \$700 million. An African Development Bank mission visited Guinea-Bissau from 24 to 28 January to consult with authorities, including on the Bank's portfolio and budget support programme to the country.

A UN strategic planning retreat was held in Bissau from 3 to 5 February to revise the current UN Development Assistance Framework, prepare the new integrated strategic framework and agree on its implementation and coordination structures. The retreat brought together the senior leadership of UNIOGBIS, the UN country team and representatives of the Government and international partners, reviewed progress in implementing the UN development assistance Framework, and agreed on the following four priority objectives for implementation by the UN system in Guinea-Bissau for 2010: promotion of the rule of law and security sector reform; governance, democracy and political dialogue; economic revitalization and poverty alleviation; and the provision of basic social services and the protection of the vulnerable. Specific outputs and indicators to measure progress were drawn up under each priority area.

The Secretary-General commented that he was encouraged by President Sanha's and the Government's efforts to consolidate peace and promote stability in Guinea-Bissau. Security sector reform remained the centrepiece of priority stabilization goals, and the national authorities were taking measures to pave the way for creating the legal framework for reforms.

Report of Secretary-General (June). According to the Secretary-General in his June report on Guinea-Bissau and UNIOGBIS [S/2010/335], political tension began to resurface in the run-up to the second ordinary session of the National Assembly, which took place from 18 February to 18 March. The opposition Social Renewal Party (PRS) launched a campaign accusing Prime Minister Carlos Gomes Júnior of bad governance and blaming him for insecurity in the country. The opposition lobbied for the dismissal of the Prime Minister and tried to exploit dissensions within the ruling African Party for the Independence of Guinea and Cape Verde (PAIGC). President Sanha called on the leadership of the ruling party and the opposition to avoid creating a new climate of political instability and to focus on development of the country instead.

The impasse in the negotiations over the modalities for the voluntary departure of Rear Admiral Bubo Na Tchuto from UN premises also had a negative impact on the political situation. Despite the 8 January agreement between the Government and the United Nations, subsequent discussions to facilitate his voluntary departure remained inconclusive. The divergence of views between President Sanha and Prime Minister Gomes Júnior on the case had a negative impact on the political environment.

Meanwhile, dissensions also resurfaced within the leadership of the armed forces, between the Chief of General Staff, Vice Admiral José Zamora Induta, and his Deputy, Major General António N'djai. The Chief of General Staff rotated several military officers loyal to his Deputy, who protested to the President and Prime Minister.

Action by armed forces

On 1 April, troops acting under the orders of the Deputy Chief of General Staff took control of the armed forces headquarters and detained the Chief of General Staff, as well as the head of the military intelligence service, Colonel Samba Djaló. Prime Minister Gomes Júnior was also briefly detained by the military, but was released later following the intervention of President Sanha. On the same day, five armed military elements, under the orders of the Deputy Chief of General Staff, forced their way into UN premises in Bissau, demanding the immediate release of Rear Admiral Bubo Na Tchuto, who subsequently left the premises after signing a statement that he was leaving voluntarily and peacefully.

In an unprecedented show of public rejection of the military action, on the same day large crowds gathered outside the office of the Prime Minister to express support for the civilian authorities and denounce the breach of constitutional order by the armed forces. Despite threats by the Deputy Chief of General Staff to use force against civilians, the crowds dispersed only after the Prime Minister was released and appealed to them to return to their homes.

The international community and national stakeholders reacted strongly to the unlawful action by the military. On 1 April, the Secretary-General issued a statement calling on the military and political leadership to resolve differences by peaceful means and maintain constitutional order, as well as ensure respect for the rule of law. The Special Representative denounced the violation of UN premises and sought clarifications by the civilian and military leadership on the arrest of the Prime Minister and detention of officers.

Security Council statement. On the same day [SC/9900], the Security Council stated its concern over

the military incidents in Guinea-Bissau and urged all parties to avoid acts of violence, uphold constitutional order and respect the rule of law.

As the Secretary-General further reported, during the night of 1 April, the Deputy Chief of General Staff conveyed his apologies to the Special Representative for the violation of UN premises by elements of the armed forces. He also apologized in public to the Prime Minister and for the behaviour of the armed forces. The army leadership reiterated their subordination to the Government and State institutions.

In a nationwide address on 10 April, the President condemned the events of 1 April, noting that they had taken place when Guinea-Bissau was beginning to achieve political stability and economic growth. He underscored the need to reform the defence and security sectors to create a professional and functional armed forces that would be subordinate to civilian authorities. The President and Prime Minister subsequently initiated regular consultations, including on how to end the impasse on leadership of the military. In parallel, the President continued consultations with a wide segment of the military, as well as with leaders of political parties and civil society organizations. In addition, he convened a series of meetings in early May with the Ministers of Defence and Finance to discuss measures to improve the working and living conditions of members of the armed forces.

The ECOWAS Chiefs of Staff dispatched to Bissau a high-level delegation from 4 to 8 May and met with key national and international stakeholders, except the Prime Minister, who was away from the country. The delegation urged the leadership of the armed forces to refrain from any actions that could undermine constitutional order and to demonstrate commitment to undertake reforms in the defence and security sectors. The EU called on the President and Prime Minister to facilitate the immediate and unconditional release of the detained Chief of General Staff, pending a judicial process. They called for disciplinary measures against those responsible for the 1 April breach of constitutional order, and also called for credible appointment of the leadership of the armed forces. For his part, the Special Representative expressed the following concerns: no political gains should be expected from the 1 April action; national authorities should show commitment to advancing reforms, including in the security sector; the President and the Prime Minister must appoint credible leaders of the armed forces; and the security and the right to a fair and legal procedure of those arrested on 1 April should be respected. Following a meeting on 26 April, the Peacebuilding Commission sent a letter to Guinea-Bissau expressing concern over the recent events and requested that the national authorities provide assurances of their commitment to sustain the progress that had been made.

The Permanent Commission of the National Assembly commissioned an investigation into the events of 1 April, but on 17 May the Speaker of the National Assembly ruled that the report was extempore and left it to the judiciary to establish the facts and determine responsibilities. On 8 April, the United States Treasury Department decided to designate the current Chief of Staff of the Air Force, Lieutenant General Ibraima Papa Camará, and Rear Admiral Bubo Na Tchuto as drug kingpins.

In May, the National Assembly approved a package of legislation related to security sector reform, including amendments on the basic organic law on the armed forces, and laws on the National Guard, the Public Order Police and the State Security Information Services. UNIOGBIS initiated a programme to support the Ministry of the Interior in developing and implementing a vetting process for the Public Order Police. UNDP developed a project in support of rule-of-law programmes over two years, with a budget of \$5 million, which would facilitate access to justice and provide an interface between formal and traditional justice mechanisms. The UN Department of Economic and Social Affairs sent a mission to Guinea-Bissau from 5 to 9 April, in the framework of a joint project with the Office for Disarmament Affairs, to support the Government in the fight against the illicit proliferation of small arms. UNODC continued to provide logistical support to the Judiciary Police and the national INTERPOL office, and it undertook an assessment of the penitentiary system to develop a strategy for prison reform, with the support of UNIOGBIS. The Peacebuilding Fund continued to support four projects, namely the refurbishment of military barracks, support to vocation training programmes, youth employment and the rehabilitation of prisons. Other support from the United Nations through a number of its bodies, especially UNIOGBIS, was provided in the areas of education, professional training, human rights, the rule of law and gender issues.

During the period under review, UNIOGBIS and the UN country team made progress towards integration, and finalized a UN framework for peace and development in Guinea-Bissau. The framework brought together the political, development and human rights work of the UN system and prioritized actions in four areas: governance, democracy and political dialogue; economic revitalization; security sector reform and rule of law; and social services and protection of vulnerable groups. The framework included a detailed matrix of priority actions and indicators for measuring progress and ensuring accountability.

The Secretary-General described the actions of 1 April as a major setback to the process of consolidating stability following the restoration of constitutional order in Guinea-Bissau after the assassinations and elections of 2009 [YUN 2009, pp. 216 & 221]. The

unprecedented violation of UN premises was unacceptable and condemnable. He urged the national authorities to comply with their obligation to protect UN installations, personnel and assets. The Secretary-General called on the armed forces to demonstrate their resolve to remain subordinate to the civilian leadership, who enjoyed legitimacy as a result of fair elections. In addition to warning about the effects of the military actions on 1 April, the Secretary-General observed that the growing influence of transnational crime, including drug trafficking, in some sections of the military and the State apparatus, and in the economy, threatened to further compromise the fragility of the State. He was concerned over reports linking drug trafficking with the events of 1 April. Security sector reform was a *sine qua non* condition for stabilization. Unless strong action was taken against organized crime and drug trafficking, however, efforts to restructure the defence sector would be undermined. The scourge of drug trafficking, which affected the entire subregion, needed to be addressed by national, bilateral and multilateral partners through coordinated and robust strategies in support of the 2008–2011 ECOWAS regional action plan to fight illicit drug trafficking, organized crime and drug abuse.

SECURITY COUNCIL ACTION

On 22 July [meeting 6364], following consultations among Security Council members, the President made statement **S/PRST/2010/15** on behalf of the Council:

The Security Council recalls its previous statements and resolutions on Guinea-Bissau and further recalls the events of 1 April 2010. The Council notes the efforts of the Government of Guinea-Bissau towards achieving stability in the country, but expresses concern at the current security situation and threats to constitutional order. The Council stresses the critical importance of the President, Government, political leaders, armed forces and people of Guinea-Bissau meeting their responsibilities to work towards national reconciliation, maintaining stability and constitutional order, fighting impunity and respecting the rule of law.

The Council calls upon the Government of Guinea-Bissau to release immediately all those detained during the events of 1 April 2010 or prosecute them with full respect for due process.

The Council stresses that genuine security sector reform requires the creation of effective professional and accountable security forces and respect for the rule of law. The Council therefore calls upon the Government of Guinea-Bissau to create the conditions for reform of the security services, calls upon the security forces, in particular the military, to fulfil their commitment to abide by civilian control and calls upon both to implement current programmes for security sector reform on schedule.

The Council expresses serious concern about the continued growth in drug trafficking, as well as organized crime, which threatens peace and security in Guinea-Bissau and in the subregion. The Council calls upon the

authorities of Guinea-Bissau to create the environment necessary to ensure that actions to tackle drug trafficking and organized crime, including actions supported by the international community, are effective.

The Council also recognizes the shared responsibility of States where drugs are produced and consumed, as well as transit States, to take measures to hold accountable those who engage in, or otherwise facilitate, drug trafficking through Guinea-Bissau. In this regard, the Council welcomes the commitment of the Economic Community of West African States with the European Union, the United Nations and other partners for the immediate implementation of the Economic Community of West African States plan of action against drug trafficking and organized crime in West Africa, including options for targeted sanctions against those individuals identified as members or supporters of the drug trafficking network. The Council agrees to keep the situation under active review and to consider appropriate action.

The Council welcomes the final communiqué of the 38th ordinary session of the Authority of Heads of State and Government of the Economic Community of West African States expressing the need to promptly establish a mechanism for ensuring the safety of State civilian institutions in Guinea-Bissau. The Council invites the Government of Guinea-Bissau and the international community to cooperate fully with the Economic Community of West African States to that effect.

The Council welcomes the continued engagement of the Peacebuilding Commission and also calls for the swift implementation of the United Nations Framework for Peace and Development in Guinea-Bissau. The Council further welcomes the role of the efforts of the United Nations Integrated Peacebuilding Office in Guinea-Bissau to coordinate actions by partners, in particular the African Union, the Economic Community of West African States, the European Union and the Community of Portuguese-speaking Countries, for their assistance in the area of security sector reform.

The Council acknowledges the plans of the National Assembly to convene a national conference on the theme 'Conflicts in Guinea-Bissau: causes, prevention, resolution and consequences', scheduled for January 2011 and underscores the need to conduct a genuine and inclusive political dialogue aimed at ensuring effective functioning of State institutions and national reconciliation. The Council welcomes, in that regard, efforts made by regional leaders, in particular President Pedro Pires of Cape Verde, to engage in a constructive dialogue with the leadership of Guinea-Bissau.

The Council requests the Secretary-General to brief the Council, as appropriate, on progress made in addressing these issues as well as on what further action may be required to support continued implementation.

Further developments

Report of Secretary-General (October). In his October report on Guinea-Bissau and UNIOGBIS activities [S/2010/550], the Secretary-General said that the reporting period was dominated by the efforts by Guinea-Bissau authorities to sustain interna-

tional support for the country following the events of 1 April, as well as to resolve contentious issues, including the leadership of the armed forces and national strategies to stabilize the country.

On 24 June, the Council of Ministers endorsed a proposal by the Minister of Defence for the nomination of Major General António Indjai as the new Chief of General Staff and forwarded it to President Sanha. The next day, the President signed a decree dismissing Vice Admiral José Zamora Induta as Chief of General Staff and appointing Major General Indjai, promoting him to Lieutenant General. Two days later, the ruling PAIGC praised the efforts of the President and the Prime Minister to find a solution to the crisis affecting the country since 1 April. The opposition party PRS also welcomed the appointment, while civil society organizations voiced concern over what they saw as a pattern of impunity in the armed forces.

The international partners of Guinea-Bissau, including the AU, ECOWAS, the EU and the United States, criticized the appointment of Lieutenant General Indjai because of his leading role in the 1 April events. They expressed concern over the detention since 1 April of the former Chief of General Staff. ECOWAS postponed a meeting of the Chiefs of Defence Staff of the subregion, scheduled for 28 and 29 June in Bissau, and on 29 June, the United States announced the suspension of its support for the security sector reform process in the country. The EU called for a review of its engagement with Guinea-Bissau. At their summit in Cape Verde on 2 and 3 July, ECOWAS Heads of State urged President Sanha to create an environment conducive to the resumption of collaboration with international partners in support of defence and security sector reforms. On 14 July, the President stressed that his priority was to re-engage with his country's partners in support of the reform programmes in Guinea-Bissau. He travelled to Angola from 22 to 24 July to attend the summit of CPLP. The Luanda Declaration adopted at the end of the summit reiterated CPLP concerns over the evolving situation in Guinea-Bissau and stressed that military insubordination was the major obstacle to the reform of the defence and security sectors, as well as a contributing factor in the resurgence of drug trafficking. It requested a firm commitment from the national authorities to work towards improved security and political stability.

On the margins of the AU summit, held in Kampala from 19 to 27 July, President José Eduardo dos Santos of Angola, in his capacity as CPLP Chairman, stated that he would not exclude the possibility of deployment of an international mission in Guinea-Bissau to support the country's stabilization, if it were requested by the national authorities. Meanwhile, the Chairperson of the AU Commission, Jean Ping, appointed Sebastião Isata of Angola as his Special Envoy for Guinea-Bissau.

At a meeting on 5 August, CPLP and ECOWAS agreed to set up a joint task force to coordinate their actions to establish conditions for implementing the reform of the defence and security sectors. A joint delegation visited Bissau from 9 to 12 August for consultations with national authorities on prospects for enhancing stability in Guinea-Bissau. The ECOWAS Committee of the Chiefs of Defence Staff and their Angolan counterpart met in Bissau on 11 and 12 August. In their final report, they concluded that the non-implementation of key security sector reform was at the core of instability in the country. They proposed a road map envisaging the deployment of units to enhance the security of State institutions, the demobilization and reinsertion of selected members of the armed forces, and mobilization of funds for implementation and fast-tracking of the restructuring process of the armed forces and the establishment of a protection mechanism for key national figures. An extraordinary summit of ECOWAS, held in Abuja on 17 September, took note of the road map and requested President Sanha to specify the assistance required by Guinea-Bissau to protect its institutions and to help accelerate the security sector reform programme.

The International Contact Group on Guinea-Bissau, meeting on 24 September in New York, stressed the responsibility of Guinea-Bissau for maintaining stability and constitutional order, fighting impunity, respecting the rule of law and promoting national reconciliation. It welcomed the emerging partnership between ECOWAS and CPLP in support of the Government's efforts to stabilize the country and called for greater commitment in combating drug trafficking.

At the national level, the main opposition parties, notably PRS and the Republican Party for Independence and Development (PRID), rejected the concept of a stabilization mission, while civil society organizations expressed support for such a mission. The Chief of General Staff stated that, while the armed forces disagreed in principle with the deployment of an international stabilization mission, they would abide by the decision of the civilian authorities. PAIGC issued a statement endorsing the principle of a stabilization mission and requesting the Government to engage in consultations with international partners, in particular the AU, CPLP, ECOWAS, and the United Nations, to agree on a definitive proposal concerning the mandate, composition, duration and objectives of the mission. On 20 August, the Government, at a Council of Ministers meeting, accepted the principle of the proposed stabilization mission. It stressed that the deployment should first be endorsed by all State institutions concerned and the United Nations. It called for immediate negotiations with international partners on the modalities and mandate of such a stabilization mission and the road map proposed by ECOWAS.

In the aftermath of the 1 April military events and the appointment of the new Chief of General Staff, the EU Council, citing political instability and lack of respect for the rule of law in the country, announced on 2 August the closure on 30 September of its security sector reform mission in Guinea-Bissau. UNIOGBIS continued to work closely with key stakeholders to enhance coordination of assistance provided by international partners in support of the defence and security sector reform process. The Minister of Defence of Guinea-Bissau requested UNIOGBIS assistance in developing a proposal to set up an electronic platform for all security sector reform projects, creating a collective data system for stakeholders in the security sector reform process. A UN Secretariat project to provide assistance to the Government for reducing illicit small arms, initiated in 2005 and concluded in July 2010, contributed to the establishment and capacity-building of a national commission on small arms; however, the political and security situation in the country impeded full implementation of the project. The Government requested UNIOGBIS to provide assistance for improving the country's weapons and ammunition stockpile infrastructure, as well as capacity-building on weapons and ammunition stockpile management.

In the justice sector, UNDP provided technical advice for elaborating a national police for the justice sector, organic laws for judicial training centres and training regulations. It supported the formulation of the National Assembly's strategic development plan, especially on parliamentary oversight of security sector reform. UNDP and the EU financed research on the traditional justice mechanisms and customary law of six ethnic groups. UNIOGBIS made progress in implementing its mandated tasks, despite staffing challenges facing its police component. The Office continued to provide assistance for the vetting and certification process for the Public Order Police, for which a strategy paper was finalized in August and approved officially on 21 September. It was intended to help tackle impunity and increase accountability. Portugal and Brazil provided training for police personnel.

UNODC, UNIOGBIS and other international partners continued to assist Guinea-Bissau in the fight against drug trafficking, in the framework of the West Africa Coast Initiative and the ECOWAS regional action plan to address the growing problem of drug trafficking, organized crime and drug abuse in West Africa. In particular, they assessed the country's policing and internal security capabilities and identified priority needs for preventing and countering crime.

The Secretary-General was encouraged by the outcome of the meetings held by the AU, CPLP, ECOWAS, and the International Contact Group on Guinea-Bissau, as well as the emerging partnership between

CPLP and ECOWAS for the stabilization of Guinea-Bissau. He remained concerned, however, about the persistence of impunity, as well as unwarranted delays in providing due legal process, as exemplified by the continued detention, without charge, of the former Chief of General Staff, Vice Admiral Zamora Induta and others. He urged Guinea-Bissau to continue to demonstrate commitment to tackling drug trafficking and organized crime, as well as threats to the stability of the country and the subregion.

Recalling that the mandate of UNIOGBIS would expire at the end of the year, the Secretary-General said that, in view of the leadership that the Mission was called upon to play in implementing security sector reform and the need for continued UN support for peacebuilding processes, he recommended that the Mission's mandate be extended for another year.

SECURITY COUNCIL ACTION

On 23 November [meeting 6428], the Security Council unanimously adopted **resolution 1949(2010)**. The draft [S/2010/591] was submitted by Nigeria.

The Security Council,

Recalling its previous resolutions and the statements by its President concerning the situation in Guinea-Bissau, in particular resolution 1876(2009) of 26 June 2009,

Expressing its deep concern at the continuing instability in Guinea-Bissau, in particular the lack of civilian oversight and control of the armed forces and the continued detentions without due process of law that followed the events of 1 April 2010,

Stressing the fact that such developments demonstrate the fragility of the political situation and jeopardize the efforts to consolidate peace and stability as well as the rule of law in Guinea-Bissau,

Noting with deep concern the threats to national and sub-regional security and stability posed by the growth in drug trafficking and organized crime in Guinea-Bissau,

Recognizing the need to tackle the problem of drug trafficking in the countries of origin, transit and final destination through an approach of common and shared responsibility,

Reaffirming that the Government of Guinea-Bissau and all stakeholders must remain committed to national reconciliation through genuine and inclusive political dialogue, respect for constitutional order, security sector reform, the promotion of the rule of law and human rights, and the fight against impunity and illicit drug trafficking,

Stressing the importance of security sector reform, and reiterating the continued support of the United Nations and the international community for the long-term security and development of Guinea-Bissau, particularly in the fields of security sector reform, justice, and building the capacity of the Government to tackle illicit drug trafficking,

Reiterating the importance of regional and subregional cooperation in addressing the challenges faced by Guinea-Bissau, and in this regard welcoming the appointment by the Chairperson of the African Union Commission of a Special Representative for Guinea-Bissau as well as the es-

tablishment and operationalization of the African Union Liaison Office in the country,

Welcoming the efforts of the Economic Community of West African States and the Community of Portuguese-speaking Countries to support the reform of the defence and security sector in Guinea-Bissau, and encouraging the international community to remain engaged in addressing key challenges in the country,

Encouraging relevant stakeholders to remain engaged in addressing key governance and peacebuilding challenges in the country,

Welcoming the letter dated 20 September 2010 from President Malam Bacai Sanha to the Economic Community of West African States requesting support and assistance in the implementation of security sector reform in Guinea-Bissau,

Emphasizing that the Government of Guinea-Bissau bears the primary responsibility for security, the protection of its civilian population, peacebuilding and long-term development in the country,

Recalling its appreciation for the work of the Peacebuilding Commission and the United Nations Integrated Peacebuilding Office in Guinea-Bissau in coordinating the assistance provided by the United Nations and international partners to Guinea-Bissau,

Reaffirming its full commitment to the consolidation of peace and stability in Guinea-Bissau,

1. *Decides* to extend the mandate of the United Nations Integrated Peacebuilding Office in Guinea-Bissau as established in paragraph 3 of resolution 1876(2009), until 31 December 2011;

2. *Takes note* of the report of the Secretary-General of 25 October 2010 on Guinea-Bissau and of the recommendations contained therein, and welcomes the activities of the United Nations Integrated Peacebuilding Office in Guinea-Bissau;

3. *Requests* the Secretary-General to develop a strategic workplan with appropriate benchmarks to measure and track progress on the implementation of the mandate of the United Nations Integrated Peacebuilding Office in Guinea-Bissau;

4. *Urges* the Government and all political stakeholders in Guinea-Bissau to work together to consolidate peace and stability in the country and to intensify efforts for genuine and inclusive political dialogue and national reconciliation, and requests the Secretary-General, including through his Special Representative for Guinea-Bissau, to support such efforts;

5. *Urges* members of the armed forces of Guinea-Bissau, in particular its leaders, to respect constitutional order, civilian rule and oversight, as well as the rule of law and human rights, to refrain from any interference in political issues, to guarantee the security of the national institutions, as well as the population in general, and to fully participate in the reform of the defence and security sector;

6. *Urges* Guinea-Bissau's political leaders to refrain from involving the military and the judiciary in politics, and calls upon them to use legal and peaceful means to resolve differences;

7. *Calls upon* the Government of Guinea-Bissau to conclude the investigations into the political assassinations of March and June 2009 and ensure that the results of the investigations and the work of the national commission of

inquiry are credible, transparent and consistent with internationally agreed standards and to ensure the prosecution of those responsible for criminal acts so that they are held accountable;

8. *Requests* the Secretary-General to assist in the conclusion of these investigations and overall efforts to end impunity and promote the rule of law and constitutional order in Guinea-Bissau;

9. *Calls upon* the Government of Guinea-Bissau to ensure the prosecution, with full respect for due process, of those responsible for criminal acts, such as political assassinations and drug trafficking, and calls upon the African Union, the Economic Community of West African States, the European Union, the Community of Portuguese-speaking Countries and bilateral partners to support these efforts;

10. *Reiterates its call upon* the authorities of Guinea-Bissau to release immediately all those detained during the events of 1 April 2010 or prosecute them with full respect for due process and to set free those under incarceration who were recently acquitted;

11. *Welcomes* the partnership between the Economic Community of West African States and the Community of Portuguese-speaking Countries, and looks forward to the final endorsement by the Economic Community of West African States of the road map developed by the Chiefs of Defence Staff to, inter alia, provide training and protection to Guinea-Bissau State institutions within the framework of security sector reform and as part of the stabilization of the country's political and security environment, and requests the Secretary-General, through his Special Representative, to present to the Security Council comprehensive information detailing the proposed modalities, timing and resources relating to the implementation of the Economic Community of West African States road map;

12. *Requests* the Secretary-General to engage with the Economic Community of West African States and the Community of Portuguese-speaking Countries with a view to undertaking a joint assessment of the requirements to support the rapid implementation of the road map once endorsed by the Economic Community of West African States, including how the necessary resources can best be mobilized, in coordination with relevant partners, including the States members of the African Union, the European Union, the Economic Community of West African States and the Community of Portuguese-speaking Countries;

13. *Also requests* the Secretary-General, through his Special Representative, to extend political support for the implementation of the road map;

14. *Urges* the Government of Guinea-Bissau to continue to tackle corruption, including by implementing the United Nations Convention against Corruption, and to create an environment conducive to the implementation of the West Africa Coast Initiative in Guinea-Bissau, and urges relevant national entities to establish a Transnational Crime Unit in Guinea-Bissau through adequate mechanisms;

15. *Urges* the international community, including the Peacebuilding Commission and regional organizations such as the African Union, the European Union, the Economic Community of West African States and the Community of Portuguese-speaking Countries, as well as bilateral partners as appropriate, to increase their political

and financial support to the West Africa Coast Initiative to fight transnational organized crime and drug trafficking, which threaten peace and security in Guinea-Bissau and in the subregion; welcomes in this regard the commitment of the Economic Community of West African States with the United Nations, the European Union and other partners for the immediate implementation of the Economic Community of West African States plan of action against drug trafficking and organized crime in West Africa, including options for targeted sanctions against those individuals identified as members or supporters of the drug trafficking network, and agrees to keep the situation under active review and to consider appropriate action;

16. *Requests* the Secretary-General, through his Special Representative, to continue to support national efforts to effectively coordinate international assistance for credible security sector reform under the principle of full civilian control of the military and on the basis of a comprehensive threat assessment, taking into account the work already undertaken by the European Union and other international actors in this area;

17. *Requests* the Peacebuilding Commission to continue to support the implementation of Guinea-Bissau's peacebuilding priorities as well as to continue to provide advice to the Council on how to remove critical obstacles to peacebuilding in Guinea-Bissau, in particular security sector reform and drug trafficking, and to keep the Council updated on progress it has made in helping to address these;

18. *Encourages* the Special Representative to continue to pursue efforts to enhance the integration and effectiveness of the United Nations on the ground in support of the stabilization, peace and development priorities of the Government and people of Guinea-Bissau;

19. *Emphasizes* the important role of women in the prevention and resolution of conflicts and in peacebuilding, as recognized in resolutions 1325(2000) of 31 October 2000, 1820(2008) of 19 June 2008, 1888(2009) of 30 September 2009 and 1889(2009) of 5 October 2009, underlines that a gender perspective should be taken into account in implementing all aspects of the mandate of the United Nations Integrated Peacebuilding Office in Guinea-Bissau, and encourages the Office to work with national authorities in this regard, and relevant stakeholders to improve women's participation in peacebuilding;

20. *Requests* the Secretary-General to report on progress made in implementing the present resolution and the mandate of the United Nations Integrated Peacebuilding Office in Guinea-Bissau as outlined in resolution 1876(2009), every four months, including in his first report details of progress made in undertaking the joint assessment referred to in paragraph 12 above and the implementation of the road map, once endorsed by the Economic Community of West African States;

21. *Decides* to remain actively seized of the matter.

Year-end developments. In late 2010, the political leadership of Guinea-Bissau and major Government institutions made significant efforts to improve the political and security environment, as well as the country's relationship with regional and international partners, according to the Secretary-General in a later report [S/2011/73]. The Special Representative contin-

ued his efforts to promote dialogue between the President and the Prime Minister.

On 22 December, the former Chief of General Staff, Vice-Admiral Zamora Induta, and the former head of military intelligence, Colonel Samba Djaló, were released from the custody of the armed forces. The officers had been detained in connection with the events of 1 April (see p. 223). Four other officers were released, having spent 19 months in detention in connection with the assassination of former Chief of General Staff Tagme Na Waie in March 2009 [YUN 2009, p. 216].

The ECOWAS Chiefs of Defence Staff, the CPLP defence and security chiefs and CPLP representatives held an extraordinary session on 22 and 23 November in Abuja to discuss the road map developed by the two organizations in support of security sector reform in Guinea-Bissau. The participants recommended the swift mobilization of \$95 million to implement a programme of reforms as part of the plan, which included the rehabilitation of two military barracks and the deployment of police training units, 100 security and close protection personnel and 3 formed police units. The twenty-eighth meeting of the ECOWAS Mediation and Security Council, in Abuja on 24 November, discussed the recommendations and the road map and called for the map's adoption and resource mobilization for its implementation. On 23 December, the AU Peace and Security Council welcomed the commitment of the Guinea-Bissau authorities to reform the defence and security sectors on the basis of the recommendations.

From October to December, UNIOGBIS and the Ministry of Defence organized awareness-raising seminars on the rule of law, human rights, gender, democracy and military justice to enhance the capacity of military officers in the process of consolidating peace and the rule of law; they also recommended the adoption of a code of conduct to prevent impunity and renew public trust in the armed forces. UNIOGBIS and UNDP continued to provide support to the National Security Sector Reform Steering Committee.

Several training courses designed by the standing police capacity were held in November and December as part of the training programme for the personnel of the future model police station in Bissau, which was under construction. The courses covered human rights and gender perspectives, criminal investigation and leadership, and focused on governance and human resources management. UNIOGBIS security sector reform advisers joined various official bodies to provide on-the-job training, mentoring, coaching and capacity-building in logistical and administrative areas. The Mission established a protection and facilitation programme for witnesses and victims—a crucial element in addressing drug trafficking; organized crime;

political, sexual and gender-based violence; and other serious crimes. UNIOGBIS and the Portuguese Embassy organized a training seminar for 100 senior law enforcement officers on crime reporting and criminal investigation, in Bissau, from 2 to 6 December.

UNODC and UNIOGBIS provided assistance to national authorities as part of the West Africa Coast Initiative in support of the 2008–2011 ECOWAS regional action plan to address the growing problem of illicit drug trafficking, organized crime and drug abuse in West Africa. On 3 December, a memorandum of understanding for the establishment of a transnational crime unit to combat organized crime and drug trafficking in the country was signed by the Justice, Interior and Finance Ministers.

Peacebuilding Commission

Mission. A delegation of the Guinea-Bissau configuration of the Peacebuilding Commission visited Bissau from 18 to 20 January and issued a report on 9 February [PBC/4/GNB/4]. The purpose of the mission was to assess jointly with stakeholders progress made in implementing the Strategic Framework for Peacebuilding [YUN 2009, p. 225], confirm priorities identified for the near future based on conclusions in the Framework, and exchange views on areas of support by the Peacebuilding Fund in its second allocation to the country. Interlocutors informed the mission that progress had been made in consolidating peace, and they pointed to the fact that the Government had normalized the payment of civil servants and had approved the 2010 budget on time (for the first time in recent history).

In discussions on priorities, all stakeholders stressed the importance of reconciliation that was inclusive of all sectors of society. Regarding security sector reform, the Government said that all relevant legislation had already been adopted by the Council of Ministers, although most of it was pending legislative approval. A critical measure yet to be addressed concerned reintegration processes for the military to be demobilized; another urgent issue was a pension fund for the military. The Government was considering a similar fund for the security forces.

Interlocutors emphasized the need to create an enabling environment for the private sector in order to jump-start the economy by such action as reducing the time necessary for opening new businesses. There was a demand for microcredit schemes, especially on the part of women and youth. Infrastructure bottlenecks needed to be addressed, particularly in the energy sector. The World Bank assisted the Government in providing generators. While work continued on the Gambia River Basin Development Organization hydroelectric project, the Government planned

to develop alternative sources of energy. Among social issues, the Government highlighted challenges in education: more than half of the population was illiterate and current resources were insufficient to cover teachers' salaries. The need for investments in sanitation was emphasized, and the issue of child trafficking to neighbouring countries was stressed. Despite the declining trend in drug seizures in Guinea-Bissau, interlocutors pointed to the changing nature of drug trafficking in the region. Drugs were being processed in clandestine laboratories in the country, and local consumption had reportedly increased.

The exchanges with the Government and other stakeholders revealed that the priorities in the Strategic Framework (see below) remained valid. The launching of the pension fund for the military was seen as a matter of utmost priority.

Peacebuilding Strategic Framework. The Peacebuilding Commission, on 9 February, issued conclusions and recommendations of its first review [PBC/4/GNB/3] of the Strategic Framework for Peacebuilding in Guinea-Bissau. Noting the recent positive steps taken by the Government, the Commission made recommendations to the Government as well as to itself on future directions. It called on the Government to implement security sector and defence strategy as a matter of priority, in particular by expediting the creation of a pension fund and disarmament, demobilization and reintegration schemes; address cross-border security threats by cooperating with neighbouring countries and regional actors such as the AU and ECOWAS; continue efforts towards reforming the justice sector; expedite investigations into the 2009 political assassinations; consolidate progress in public finances; create an enabling environment for increased private investment; address bottlenecks in infrastructure, in particular in the energy sector; address the socioeconomic challenges before the country, especially the concerns of youth, women and other vulnerable groups; finalize a study on a public pension fund; create a data centre for the management of public sector information; enhance dialogue and reconciliation among political parties and national stakeholders; and integrate a gender perspective in peacebuilding efforts.

The Peacebuilding Commission was urged to enhance coordination among partners in security sector reform; prioritize supporting the Government in fighting drug trafficking and organized crime, including through the West Africa Coast Initiative; support the Government in justice sector reform and strengthening judicial mechanisms and institutions; assist the Government in consolidating progress in public reform; support an inclusive national dialogue among political parties and stakeholders; and support the Government in integrating a gender dimension in all peacebuilding efforts.

Report of Peacebuilding Commission. The Peacebuilding Commission, reporting on its fourth session and its work in late 2009 and in 2010 [A/65/701-S/2011/41], reviewed the work of its Guinea-Bissau configuration. In 2010, visits were made to the country by the Chair (17–20 January), a Commission delegation (15–21 January) and meetings of the configuration (8 February, 26 April, 16 July, 5 and 22 November).

The configuration devoted several sessions to a discussion on the implications of the events of 1 April for the Commission's engagement with the country. On 5 May, the Chair, in a letter to the Foreign Minister of Guinea-Bissau, expressed deep concern at the events and called for the authorities to ensure that the aftermath of the events was addressed in a manner consistent with constitutional norms and the rule of law. In reply, the Minister underlined the commitment of the Government to the peacebuilding process and urged the Commission to continue to support peacebuilding priorities, in particular security sector reform and the establishment of a pension fund for the military. At a meeting in New York with the configuration, the Minister indicated that Guinea-Bissau could not tackle the problems of security sector reform and drug trafficking by itself. Members of the configuration stressed the need for civilian control of the armed forces. Members also indicated that the type and level of the Commission's engagement should be calibrated to the political situation.

The Commission had planned a high-level meeting for June to mobilize resources for the launch of a military pension fund, but the events of 1 April caused a change in plans. The Commission, however, continued to advocate for increased resources to meet the priority needs for peacebuilding. The Chair wrote a letter dated 1 December to members of the configuration requesting them to support, at IMF and the World Bank, the decision to declare that Guinea-Bissau had attained the completion point of the Heavily Indebted Poor Countries Debt Initiative, in line with the recommendation of those institutions. That decision was taken by the IMF and the World Bank Executive Boards on 13 and 16 December, respectively.

During the reporting period (1 July 2009–31 December 2010), the Peacebuilding Fund made an initial \$6 million allocation of funds to support projects in three priority areas: the rehabilitation of selected prisons; the rehabilitation of military barracks; and youth professional training and employment. The Fund supported a \$1.5 million project aimed at empowering young people through special vocational training and a microcredit scheme. Since December 2008, a total of 145 young people had been trained in civil construction, trade, electricity, auto repair, sewing, refrigeration and air conditioning. Twenty-one

business plans were prepared by young beneficiaries selected for a microfinance scheme.

Participation in configuration. Through an exchange of letters on 21 June and 2 July [PBC/4/OC/7], the Chairperson of the Peacebuilding Commission informed Equatorial Guinea that it was invited to participate in meetings of the Guinea-Bissau configuration.

UNIOGBIS

The United Nations Integrated Peacebuilding Office in Guinea-Bissau (UNIOGBIS) was established on 1 January 2010 as the successor to the United Nations Peacebuilding Support Office in Guinea-Bissau (UNOGBIS) by Security Council resolution 1876(2009) [YUN 2009, p. 219]. The original Office had been established in 1999 by a decision of the Secretary-General and supported by Security Council resolution 1233(1999) [YUN 1999, p. 140], and its mandate was revised in 2004 [YUN 2004, p. 229] and 2007 [YUN 2007, p. 230]. The Special Representative of the Secretary-General and Head of UNIOGBIS was Joseph Mutaboba (Rwanda).

With a reduced staff, the new Office was assigned the following key tasks: strengthening national capacities to maintain constitutional order, public security and the rule of law; assisting the Peacebuilding Commission in addressing critical peacebuilding needs in the country; supporting law enforcement and criminal justice systems; supporting inclusive political dialogue and national reconciliation; providing strategic and technical support to the Government in security sector reform; assisting national efforts to combat drug trafficking, organized crime and human trafficking; supporting efforts to reduce small arms proliferation; promoting human rights; mainstreaming a gender perspective in peacebuilding; and enhancing cooperation with regional organizations and international assistance.

Financing

In an October report [A/65/328/Add.3] dealing with estimated requirements for 2011 for special political missions grouped under thematic cluster III (UN offices, peacebuilding support offices, integrated offices and commissions), the Secretary-General proposed resource requirements for UNIOGBIS in the amount of \$18,440,100 for 2011, which ACABQ recommended for approval [A/65/602].

On 24 December, in section XIII of **resolution 65/259** (see p. 1433), the General Assembly endorsed the recommendations of ACABQ and approved the budgets for 29 special political missions, including the UNIOGBIS budget, under section 3, Political affairs, of the programme budget for 2011.

Cameroon–Nigeria

Cameroon and Nigeria continued to cooperate in implementing the 2002 ruling of the International Court of Justice (ICJ) [YUN 2002, p. 1265] on the land and maritime boundary between the two countries through the Cameroon-Nigeria Mixed Commission. The United Nations Office for West Africa provided support to the Commission's fieldwork in the demarcation of the border by constructing and emplacing cement pillars. By the end of the year, the two countries agreed on 1,466 kilometres of the total length of an estimated 1,950 kilometre land boundary, not taking into account an additional section of 95 kilometres currently being assessed. Some 175 kilometres of boundary were permanently marked by pillars. Progress had slowed due to the geographical terrain becoming more difficult to access and irregular meetings of the parties.

The Follow-up Committee on the situation in the Bakassi Peninsula held meetings in Geneva in July and in October. The parties considered and endorsed the reports to the Peninsula by the joint Observers group in April and October.

Cameroon-Nigeria Mixed Commission

The Cameroon-Nigeria Mixed Commission—the body established by the Secretary-General in 2002 at the request of the Presidents of Cameroon and Nigeria to facilitate the implementation of the ICJ ruling on their border dispute [YUN 2003, p. 8]—was responsible for the demarcation of the land and maritime boundaries between the two countries; the withdrawal of civil administration, military and police forces and a transfer of authority in relevant areas along the boundary; the demilitarization of the Bakassi peninsula; the protection of the rights of the affected populations; the development of projects to promote joint economic ventures and cross-border cooperation; and the reactivation of the five-member Lake Chad Basin Commission (Cameroon, Central African Republic, Chad, Niger, Nigeria), created in 1964 for the regulation and planning of the uses of the Lake and other natural resources of the conventional basin. In 2007, all four sections of the ICJ ruling had been resolved to the satisfaction of the two parties: the withdrawal and transfer of authority in the Lake Chad area in 2003; the withdrawal and transfer of authority along the land border in 2004; the agreement on the modalities of withdrawal and transfer of authority in the Bakassi peninsula in 2006; and the agreement on the delineation of the maritime boundary in 2007 [YUN 2007, p. 232]. In 2008, the transfer of authority from Nigeria to Cameroon was finalized [YUN 2008, p. 231], and in 2009 the emplacement of the boundary demarcation pillars was begun [YUN 2009, p. 226].

The Mixed Commission in 2010 continued its work on the delimitation and demarcation process. Construction of permanent cement pillars also continued in 2010.

At its twenty-sixth session held in Abuja on 23 and 24 September, the Mixed Commission reviewed the progress in the demarcation process. The process, at that time, had resulted in the onsite installation of 388 boundary pillars constructed with the support of Trust Fund resources. The parties, however, had expressed concern over the cost of the pillar emplacement work coordinated by the United Nations Office for Project Services (UNOPS). The United Nations was preparing an updated estimate of the total cost to be reviewed at its next session in January 2011. The Mixed Commission also adopted recommendations for the formulation of a "resource clause" on off-shore petroleum fields straddling the maritime boundary, paving the way for cross-boundary cooperation on oil and gas.

Regarding the Bakassi peninsula, the thirteenth and fourteenth meetings of the Follow-up Committee were held in Geneva on 5 and 6 July and 28 and 29 October, respectively. The parties endorsed the reports of the visits to the peninsula by the joint Observers Group from 5 to 7 April and 18 to 20 October. The Committee underscored the atmosphere of peace prevailing in the peninsula among the communities, as well as between the inhabitants and the security and defence forces in their respective areas.

As part of the efforts to promote confidence-building measures among the affected populations in the Bakassi peninsula and the Lake Chad area, the Secretary-General's Special Representative convened a meeting in Dakar with the UN Resident Coordinators in Cameroon and Nigeria, on 6 November, which resulted in organizing a meeting between the two UN country teams, scheduled for 7 December in Abuja.

Activities. By mid-2010, Cameroon and Nigeria had agreed on a total distance of 1,463 kilometres of their joint border, which was estimated to be 1,950 kilometres, according to the Secretary-General in his June report on UNOWA [S/2010/324]. Pillar emplacement activities, under the management of UNOPS, continued in the first half of the year, with some 175 kilometres of boundary permanently demarcated. Remaining work would depend on ensuring funding from extrabudgetary sources for the remaining demarcation contracts. The commitment of Cameroon and Nigeria to maintain good neighbourly relations was reinforced by the attendance of President Goodluck Jonathan of Nigeria at the National Day celebration of Cameroon on 20 May. On 27 May, President Paul Biya of Cameroon sent his Minister-Delegate for Justice to Nigeria to discuss matters of common interest, including all pending issues related to withdrawal and transfer of authority in the Bakassi Peninsula.

At that time, the Secretary-General noted the progress achieved so far by the two countries in the demarcation process and commended the two Presidents for their efforts aimed at building good neighbourly relations. He asserted that the Cameroon-Nigeria Mixed Commission and the Follow-up Committee would continue to play an active role in support of the process with a view to overcoming the remaining challenges and paving the way for the conclusion of the unprecedented example of peaceful conflict resolution and peacebuilding.

By a letter of 7 December [S/2010/637], the Secretary-General updated the Security Council on the progress made by the Cameroon-Nigeria Mixed Commission over the year. Progress continued to be made in demarcation of the land boundary; the two countries agreed on 1,466 kilometres, not taking into account an additional section of 95 kilometres currently being assessed. Progress had slowed due to the geographical terrain becoming more difficult to access and irregular meetings of the parties. The rate of implementation of demarcation contracts funded through extrabudgetary resources increased through 2010. UNOPS continued demarcation activities, but faced constraints, including incomplete provision of technical specifications for pillar locations and security incidents involving border communities.

The Follow-up Committee, in addition to its meetings in Geneva, sent observer visits to the Bakassi Peninsula. The Committee noted the efforts undertaken to sensitize the populations on fishing rules and regulations as well as on wood exploitation and security, along with the readiness of the Cameroonian authorities to undertake investigations into any alleged incidents brought to their attention.

Although it was difficult to predict an exact date for the completion of the Mixed Commission's work, the Secretary-General expected demarcation activities to be completed by 2015. The feasibility of completion by that date would depend on the ability of the parties to reach agreement on all areas under discussion and the availability of the required additional extrabudgetary funding. He recalled that from 2004 to 2010, the Mixed Commission had been funded through the UN regular budget, with support provided in kind for the substantive and technical work in addition to the logistical support provided by Cameroon and Nigeria and voluntary contributions from a number of countries. Given the cost-effectiveness of the mission and the important tasks remaining to help advance the peaceful implementation of the ICJ ruling, the Secretary-General requested resources from the regular budget for the Commission's work in 2011.

On 10 December [S/2010/638], the Security Council took note of the Secretary-General's intention to continue support to the Mixed Commission and urged

the members of the Mixed Commission to work with international donors to seek further voluntary contributions.

Financing

In an October report [A/65/328/Add.3] dealing with estimated requirements for 2011 for special political missions grouped under thematic cluster III (UN offices, peacebuilding support offices, integrated offices and commissions), the Secretary-General proposed resource requirements for the Mixed Commission in the amount of \$8,714,200 for 2011, which ACABQ recommended for approval [A/65/602].

On 24 December, in section XIII of **resolution 65/259** (see p. 1433), the General Assembly endorsed the recommendations of ACABQ and approved the budgets for 29 special political missions, including the Mixed Commission's budget, under section 3, Political affairs, of the programme budget for 2011.

Guinea

At the beginning of the year, President Moussa Dadis Camara of Guinea remained in Morocco where he was receiving medical treatment, having been wounded in an assassination attempt on 3 December 2009 [YUN 2009, p. 231]. Mr. Camara had established a National Council for Democracy and Development (CNDD), which ruled the country with a group of military officers, and in his absence, Vice President Sékouba Konaté served as interim President.

In mid-January, Mr. Camara and General Konaté met in Ouagadougou with President Compaoré of Burkina Faso, who acted as mediator in the political discussions on Guinea. He led the talks on finding a way to achieve a timely and peaceful restoration of the normal constitutional order through a civilian-led transition. In the Joint Declaration issued at the end of the meeting, the CNDD leaders set out a list of principles for planning a new government. They agreed to a return to civilian rule in Guinea by elections within six months, and that the current leaders of a transitional government would not be eligible to run for office. On 21 January, Jean-Marie Doré was appointed Prime Minister of the transitional Government and a unity Government was designated on 15 February. Those moves were welcomed by the Security Council, which called on the international community to support the Guinean authorities in regard to comprehensive security and justice sectors reform.

The Secretary-General described the situation in Guinea as having evolved positively following the Ouagadougou Joint Declaration of 15 January, which provided for General Konaté to serve as interim head of State during a six-month transition. The United Nations, in particular UNOWA and the Secretary-

General's Special Representative, joined regional organizations including the AU and ECOWAS, and other organizations and individual countries, in guiding and assisting the transitional government through the process leading to presidential elections. The organizations and interested countries acted together as the International Contact Group for Guinea and issued a communiqué on the situation.

Presidential elections were scheduled for June and July—the first democratic multiparty election in the history of the country. The first round of elections was held on 27 June and a run-off was required. After several postponements amid allegations that the Independent National Electoral Commission had acted unfairly, the run-off election was held on 7 November. Provisional results were released shortly thereafter and were declared by the candidate Cellou Dalein Diallo to be fraudulent. Violent protests broke out followed by the use of military forces to dispel the crowds, leaving ten people dead and many more injured. On 3 December, the Supreme Court confirmed Alpha Condé as President-elect, and later Mr. Diallo announced that he accepted the decision.

Political and security developments

Ouagadougou Joint Declaration. President Moussa Dadis Camara of Guinea, Acting President (Vice President) Sékouba Konaté of Guinea and President Blaise Compaoré of Burkina Faso, in his role as Mediator in the crisis in Guinea, issued a joint declaration on 15 January, which they transmitted to the Security Council three days later [S/2010/34]. Expressing their resolve to promote reconciliation among Guineans and to establish the democratic rule of law in the country, the signatories, having held consultations on 13 and 14 January, listed measures they agreed on with a view to a peaceful transition in Guinea: respect for public freedoms, including freedom of the press and opinion; security of individuals and property; reorganization and reform of the defence and security forces; establishment of a National Transitional Council, a deliberative political body presided over by a religious figure and composed of 101 members; appointment of a Prime Minister and Chairman of the Council of Ministers from within Guinea's Forum des Forces Vives (the opposition to CNDD); formation of a Government of National Unity; revision of the electoral rolls; organization of presidential elections within six months; proscribing members of the transitional government and active defence and security force personnel from being candidates in the presidential elections; use of civilian and military observers from ECOWAS; and establishment of an entity for monitoring, assessment and support. The signatories called for the international community to lend support for implementing the measures.

SECURITY COUNCIL ACTION

On 16 February [meeting 6272], following consultations among Security Council members, the President made statement **S/PRST/2010/3** on behalf of the Council:

The Security Council welcomes the recent positive developments in Guinea, while remaining concerned about the situation. It reaffirms the statement by its President of 28 October 2009. It looks forward to the timely restoration of the normal constitutional order in a peaceful manner through a civilian-led transition.

The Council reiterates its support for the efforts of the Economic Community of West African States and the African Union. It commends President Blaise Compaoré of Burkina Faso for his mediation efforts and welcomes the communiqués issued on 26 January 2010 by the International Contact Group on Guinea and on 3 February 2010 by the African Union summit.

The Council welcomes the Joint Declaration of Ouagadougou of 15 January 2010, which, consistent with the proposals made on 6 January 2010 by the interim President, General Sékouba Konaté, provides, in particular, for the establishment of a National Unity Government led by a civilian Prime Minister designated by the opposition, the holding of elections within six months, the commitment that the Head of State of the transition, the members of the Conseil National pour la démocratie et le développement, the Prime Minister, the members of the National Unity Government and the defence and security forces in active service will not stand in the forthcoming presidential elections.

The Council welcomes further the appointment on 21 January 2010 of Mr. Jean-Marie Doré as Prime Minister and the designation of a National Unity Government on 15 February 2010. It calls upon all Guinean stakeholders to implement the Joint Declaration of Ouagadougou in full and to engage actively in the transition towards the restoration of the normal constitutional order through the holding of elections within six months. It calls upon the international community to bring its support to the Guinean authorities led by interim President Sékouba Konaté and Prime Minister Jean-Marie Doré, including with regard to comprehensive security and justice sector reform, upon request from the Guinean authorities.

The Council recalls that it strongly condemned the violence committed on 28 September 2009 and its aftermath. It urges the national authorities to prevent any further violence and to uphold the rule of law, including the promotion and protection of and respect for human rights and due process, and stresses their obligations towards the victims and witnesses. It emphasizes the responsibility of States to comply with their relevant obligations to end impunity.

The Council commends the work of the International Commission of Inquiry established by the Secretary-General and supported by the Economic Community of West African States and the African Union to investigate the facts and circumstances of the events of 28 September 2009 in Guinea, consistent with its mandate. It takes note positively of the submission by the Commission of its report.

The Council notes that the International Contact Group on Guinea has invited relevant international stakeholders, including the Economic Community of West African States, the African Union and the Mediator, to consider deploying, as soon as possible and in consultation with the Guinean authorities, a possible joint civil-military mission in Guinea with a view to discussing modalities for defence and security sector reform and contributing to security conditions for the electoral process. It encourages them to plan for such a possible mission.

The Council reiterates the call made in its resolution 1888(2009) to increase the representation of women in mediation processes and decision-making processes with regard to conflict resolution and peacebuilding.

The Council expresses its intention to remain seized of the situation and to react, as appropriate, to any threat or action against the transition. It requests the Secretary-General to continue to update it, as appropriate, on the situation on the ground, the potential implications for the subregion, the fight against impunity, the efforts of the Economic Community of West African States and the African Union and the actions of the United Nations Secretariat.

International Contact Group. Guinea, in a 25 February letter to the Security Council [S/2010/121], transmitted the final communiqué of the eleventh meeting of the International Contact Group on Guinea, held in Conakry, Guinea on 22 February. The Group, established in 2009 at the consultative meeting on the situation in Guinea [YUN 2009, p. 228], was composed of the United Nations, the AU, ECOWAS and a number of other regional organizations and several countries. Following presentations by the Transitional Prime Minister, the Chairperson of the National Transitional Council, the spokesperson of Forces vives, and various other leaders of the transition Government, the Group assessed the evolution of the political and security situation in Guinea since its tenth meeting, held in Addis Ababa on 26 January. The Group welcomed the formation of the board of the National Transitional Council, and the designation of the President and Vice-Presidents of the National Transitional Council, as well as the finalization of the electoral budget, and the proposal of an electoral calendar by the Independent National Electoral Commission (INEC).

The Group congratulated all stakeholders in the Guinea transition for their commitment to the process and encouraged them to ensure a transition culminating in credible presidential and legislative elections. It commended President Compaoré for his work as ECOWAS Facilitator towards a successful transition, and welcomed the fact that the parties to the transition agreed to comply with all provisions of the Ouagadougou Joint Declaration as the guiding instrument for the transition. The Group urged stakeholders to proceed with designating the members of the National Transitional Council and provide it with a budget as early as possible.

The Group noted the work by INEC on holding elections, particularly the completion of voter registration. It urged all stakeholders to use that data for finalizing the voters register for the presidential elections proposed for 27 June. It encouraged the stakeholders to adopt a timetable consistent with the one agreed in the Ouagadougou Joint Declaration and urged the authorities to carry out reforms of the constitution and electoral code before the presidential elections. The Group commended the commencement of assistance for defence and security sector reform by the ECOWAS-AU-UN mission led by General Lamine Cissé. The Group urged ECOWAS, the AU, the United Nations, the EU and others to agree on the modalities for civil-military assistance as a contribution to securing the electoral process, and it invited the authorities to request as soon as possible deployment of international election observer missions. In seeking international support for economic recovery, the Group identified the demilitarization of the Territorial Administration and the reform of the justice sector as priority tasks. In light of the progress already achieved towards restoring constitutional order, it invited those organizations that had imposed sanctions on certain Guineans, including those relating to the September 2009 events [YUN 2009, p. 229], to reconsider their stand. The Group appreciated the commitment of the Head of the Transition, General Konaté, to conduct the transition within the time frame agreed in the Ouagadougou Joint Declaration.

Reports of Secretary-General (June, December).

The Secretary-General, in his June and December reports on UNOWA [S/2010/324, S/2010/614], described the situation in Guinea as having evolved positively following the Ouagadougou Joint Declaration of 15 January, which provided for General Konaté to serve as interim head of State during a six-month transition to elections. All the transitional institutions, including the Government of National Unity headed by a Prime Minister and tasked with preparing the presidential elections, and the National Transitional Council, charged with revising the Constitution and the electoral code, were established by 15 March. General Konaté issued a decree on 6 May confirming 27 June for the first round of presidential elections, as proposed by INEC. He also declared that Guineans in the diaspora should participate in the elections. The revised Constitution and the new electoral code were promulgated by decree in May, thus completing the legal framework for the election. On 24 May, INEC published the list of eligible candidates. Twenty-four of 42 candidates were declared fit to contest the presidential elections. On 18 May, a special force comprising 16,000 national police and gendarmerie members was created by decree to provide security during the elections.

The thirty-seventh ordinary session of the ECOWAS Authority of Heads of State and Government and the

International Contact Group on Guinea, which held four meetings during the first half of 2010, encouraged Guinean stakeholders to continue with the transition and called for international assistance to stabilize the situation. They urged Guineans to ensure that those responsible for the massacre of 28 September 2009 were held accountable. They called for a review of regional (ECOWAS and AU) and international sanctions. ECOWAS directed its Commission's President to revise its list targeting only those found to have been directly involved in the massacre, or impeding the implementation of the Ouagadougou Declaration. At all meetings of the International Contact Group on Guinea, the Secretary-General's Special Representative called for increased engagement of the international community, particularly during the transition, to ensure that tensions did not disrupt the process of returning to constitutional order.

On 16 January, the Special Representative and his counterparts from ECOWAS and the AU undertook a mission to Ouagadougou, during which they persuaded the former President, Captain Dadis Camara, not to return to Guinea, thus allowing for a smooth implementation of the Ouagadougou Joint Declaration. Nevertheless, by the time the International Contact Group met in early April, tension had developed between the Prime Minister and the President of the National Transitional Council over the adoption of the Constitution and the date of the presidential election. To address those difficulties, the Special Representative visited Conakry on 22 April for discussions with the Prime Minister and the President of the Council, and initiated a joint ECOWAS-AU-UN mission to Conakry on 29 and 30 April in an effort to preempt obstacles to the presidential election. Further discussions in early May led to the National Transitional Council adopting the draft Constitution by consensus. The new Constitution and the electoral law were promulgated by decree and signed into law on 7 and 24 May, respectively.

The Government of Guinea convened on 24 and 25 May a workshop on security during elections with the support of UNOWA and UNDP. The meeting discussed Guinea's national plan to provide security during the presidential election and concluded with practical recommendations. On 9 April, the Special Representative met with women leaders of civil society organizations in Guinea and from the Mano River Union region to encourage them to play a positive role in support of the transition and in promoting violence-free elections.

Presidential elections

Guinea held a democratic multiparty presidential election on 27 June, for the first time in the history of the country. The Secretary-General reported that the

conduct of the poll was peaceful and credible. Out of 24 candidates who contested the election, two leading candidates emerged: Cellou Dalein Diallo of the Union des Forces Démocratiques de Guinée (UFDG), and Alpha Condé of the Rassemblement du Peuple de Guinée (RPG), claiming 43.69 per cent and 18.25 per cent of the vote, respectively. The run-off, scheduled to take place on 18 July, was repeatedly postponed due to lack of consensus among the major stakeholders, especially between the two leading candidates, on the timing and modalities for conducting the second round and on technical and logistical constraints. During the period of the election, the United Nations deployed high-level electoral and mediation advisers in Guinea to provide support to regional mediation efforts in collaboration with the UN Resident Coordinator. An ECOWAS-AU-UN mission visited Guinea from 19 to 20 August and reviewed progress towards holding the run-off, which was rescheduled for 19 September, as well as difficulties encountered during the first round.

The two candidates for the run-off signed a memorandum of understanding on 3 September in Ouagadougou under the aegis of President Compaoré of Burkina Faso, the ECOWAS Mediator in Guinea, in which they undertook to work for free, transparent and democratic elections, and to preserve social cohesion and national unity. On 2 and 3 September, the International Contact Group for Guinea reviewed with national stakeholders progress and challenges in the run-off preparatory process, including the issue of cooperation between INEC and Ministry of Territorial Administration and Political Affairs. On 4 September, an AU-ECOWAS-UN delegation briefed President Compaoré in Ouagadougou on developments in Guinea and on the conclusions of the meeting of the International Contact Group for Guinea, stressing the crucial role that the ECOWAS Mediator could play in ensuring a credible and peaceful transition in Guinea.

Security Council statement. On 17 September [SC/10035], the Security Council expressed its concern at clashes that occurred on 11 and 12 September in Guinea, regretted the postponement of the second round of the presidential elections, and urged the Independent National Electoral Commission to set a new date and organize it as soon as possible.

As the Secretary-General further reported, the ECOWAS extraordinary summit on Guinea, held in Abuja on 17 September and attended by the Special Representative, issued a communiqué calling for setting, without further delay, a date for the run-off of the presidential election. It called on the two candidates to abide by the memorandum of understanding they had signed on 3 September. Disagreements over the credibility and leadership of INEC and increased tensions led to another ECOWAS-AU-UN mission to

Conakry, facilitated by UNOWA, from 18 to 20 September, to help guide the transition process. The delegation secured a commitment from the two candidates that they would show restraint and call for calm among their supporters, as well as a pledge to establish regular channels of communication with one another. The interim President, General Konaté, insisted that the candidates and INEC agree on a run-off date.

Following consultations among the Secretary-General, the Mediator for Guinea, the ECOWAS-AU-UN mission members, the ECOWAS Chair and others on moving the process forward, General Konaté announced on 2 October the establishment of a follow-up commission to support INEC in organizing the election. On 5 October, he issued a decree fixing 24 October as the new date for the run-off, but that date could not be met owing to a number of issues, including divergent views on INEC leadership. As the differences persisted, General Konaté appointed the adviser to INEC of the Organization of la Francophonie, retired General Siaka Toumani Sangaré of Mali, as the new Chair of INEC. The appointment was welcomed by the two candidates.

The Special Representative travelled to Conakry on 13 October to discuss the potential for election-related violence with stakeholders, including the interim President and Prime Minister. His interlocutors affirmed the determination of the Government to maintain law and order during and after the election.

Having consulted all stakeholders, the new INEC Chair proposed 31 October as the date for the run-off. Upon consideration, General Konaté set 7 November as the date, and the voting took place as scheduled. During the ballot counting, Mr. Diallo's camp began challenging the credibility of the process, alleging fraud in some constituencies. Although the election was held in an orderly manner, tensions remained high over the release of provisional results by INEC, which were contested by Mr. Diallo. The release of provisional results was followed by days of protests, mainly by supporters of Mr. Diallo, resulting in a number of deaths, injuries and the destruction of property, amid allegations of the excessive use of force by members of the armed forces. Calm returned after the Government declared a state of emergency on 17 November.

The Special Representative returned to Conakry from 11 to 16 November to help manage post-election tensions. He remained in touch with all stakeholders, especially the two candidates, and urged them to preserve peace, accept the results and resort to legal means for their claims. With other members of the International Contact Group, he met Mr. Diallo to express concerns about Mr. Diallo's statement that he would not accept the provisional results until his claims were processed by INEC. The INEC Chair

assured Mr. Diallo that all claims had already been examined and that the results correctly reflected the votes cast.

On 16 November, INEC announced the full provisional results: Alpha Condé won with 52.52 per cent of the votes against 47.48 per cent for Cellou Dalein Diallo. UFDG, led by Mr. Diallo, rejected the results and announced it would challenge the results at the Supreme Court. The Special Representative met with Mr. Diallo and urged him to appeal to his supporters to exercise restraint. The Special Representative also met with the interim President and expressed concern over reported use of excessive force by the security forces during street protests. For his part, the interim President requested the Special Representative to assist in promoting dialogue between the two candidates to ensure they would not renege on earlier commitments that the winner would work towards forming a government of national unity. On 3 December, the Supreme Court of Guinea declared Mr. Condé the winner of the presidential election. At the invitation of Mr. Diallo, the AU-UN delegation attended a public gathering, during which Mr. Diallo declared that he accepted the Supreme Court ruling.

Mauritania

In 2010, the United Nations Office for West Africa (UNOWA) continued to follow the political situation in Mauritania, as efforts continued to be made by national stakeholders to achieve a consensus on the conditions and modalities for national dialogue and reconciliation after the election and installation of President Mohamed Ould Abdel Aziz in 2009 [YUN 2009, p. 232]. As the Secretary-General noted in his December report on UNOWA activities [S/2010/614], a series of meetings in June and July between President Ould Abdel Aziz and opposition figures raised expectations for a productive dialogue. Concrete outcomes from that initiative, however, did not materialize.

During a national address on 4 August, the President asserted that his administration had taken up both issues of good governance and socio-economic challenges, and that there was no political crisis in the country that would justify a dialogue with the opposition. Two days later, the Coordination of Democratic Opposition (COD) accused the Government of undermining the Dakar Framework Agreement, signed on 4 June 2009 by the three main political groups in Mauritania [YUN 2009, p. 232]. Opposition leaders accused the President of reneging on his previous commitments to national political dialogue.

The Secretary-General's Special Representative for West Africa travelled to Nouakchott on 1 September to meet with national stakeholders to discuss the national dialogue process, insecurity and terrorism in

the Sahel, and prospects for regional cooperation on those issues. The talks confirmed that mistrust between the Government and the opposition remained, and that there was no consensus on the terms of reference envisaged for national dialogue. The opposition insisted on the need to implement the Dakar Agreement, while the Government wanted no reference to that agreement.

Horn of Africa

Sudan

In 2010 in the Sudan, the parties to the 2005 Comprehensive Peace Agreement (CPA) made progress on a number of fronts. National elections successfully conducted in April marked a milestone in CPA implementation. Discussions on holding the Southern Sudan and Abyei referendums continued, with the parties showing renewed commitment to negotiating the post-referendum process and structure. While preparations for the referendum in Southern Sudan, scheduled for 9 January 2011, gained momentum with the establishment of the Southern Sudan Referendum Commission, arrangements for the Abyei referendum were behind schedule, exacerbating an already tense situation. Registration for the Southern Sudan Referendum commenced in November, and by the end of December, more than 3.8 million voters had registered. In September, the Secretary-General appointed a panel to monitor the referendum processes in Southern Sudan and Abyei.

The United Nations Mission in the Sudan (UNMIS) continued to support the resolution of core CPA issues. In April, the Security Council extended the mandate of UNMIS for another 12 months.

The commitment of the international community to CPA implementation and to a peaceful, comprehensive and inclusive resolution of the situation in Darfur was reaffirmed by a Security Council mission to the region in October. Earlier in the year, there were some indicators of progress in Darfur, as the Governments of the Sudan and Chad took an important step forward to improve their relations by signing a protocol on border security, and in February and March, respectively, the Government of the Sudan signed separate agreements with the Justice and Equality Movement (JEM) and the newly formed Liberation and Justice Movement (LJM), setting parameters for peace negotiations. The elections in April were conducted without any major incidents, but afterwards violence flared up again, making May the deadliest month since the establishment of the African Union-United Nations Hybrid Operation in Darfur (UNAMID). Tribal conflict, displacements, criminality

and human rights violations drove tens of thousands of Darfurians from their homes.

With a view to enhance civil society participation in the peace process, UNAMID and the Government of Qatar jointly organized in Doha in July the second conference of Darfur civil society representatives. In September, the Government of the Sudan endorsed a new political and security strategy for Darfur aimed at facilitating participation and enhancing local ownership of the peace process, to be supplemented by socio-economic development and support for the return of the some 2 million internally displaced persons (IDPs). In December, JEM agreed to resume negotiations with the Government on a ceasefire, while relations between the Government and the Sudan Liberation Army-Minni Minawi (SLA-MM) deteriorated to the point that Minni Minawi was declared an enemy of the Government.

In July, the Security Council extended the mandate of UNAMID for one year, and later strengthened the arms embargo to ensure that States provided the necessary end-user documentation to prevent breaches of prior resolutions when exporting arms to the Sudan.

Political and security developments

The parties to the 2005 Comprehensive Peace Agreement (CPA) [YUN 2005, p. 301] made progress on a number of fronts, including resolution of the long-standing dispute over the results of the 2008 census [YUN 2008, p. 239] and advances in the north-south border demarcation. Discussions around arrangements for the holding of the Southern Sudan and Abyei referendums continued, with the parties showing renewed commitment to negotiating issues related to the post-referendum process and structure.

Communications. On 5 February [S/2010/73], the Sudan informed the President of the Security Council that it wished to have retained on the list of matters of which the Council was seized the "Letter dated 20 February 1958 from the Representative of the Sudan addressed to the Secretary-General" [YUN 1958, p. 541], listed in the Secretary-General's summary statement of 21 January [S/2010/10] as item 59. On 9 March [S/2010/146], the Sudan transmitted a 3 March resolution by the Council of the League of Arab States (LAS) expressing strong support for peace, unity, territorial integrity and development in the Sudan.

Report of Secretary-General (April). In an April report [S/2010/168] submitted pursuant to Security Council resolution 1590(2005) [YUN 2005, p. 304], the Secretary-General provided an assessment of the overall situation in the Sudan since his January report [YUN 2009, p. 241], as well as an update on the activities of the United Nations Mission in the Sudan (UNMIS) through 20 March. The report covered key aspects of

CPA implementation, including preparations for the forthcoming national elections, scheduled for 11 to 13 April, and the referendums, scheduled for 9 January 2011, as well as issues related to Abyei, Southern Kordofan, wealth-sharing, border demarcation and other peace agreements in the Sudan.

According to the Secretary-General, preparations for the national elections (see p. 240) dominated the political scene. While the parties to the CPA made important progress in implementing the Agreement, particularly in regard to the elections, much remained to be done to prepare for the referendums.

On 10 February 2010, Government of Southern Sudan President Salva Kiir established the Southern Sudan 2011 Taskforce, chaired by the Government of Southern Sudan Vice-President Riek Machar, which would act as a planning team for referendum and post-referendum arrangements. On 20 February, the Presidency of the Government of National Unity issued a resolution urging the parties to the CPA to assure the Sudanese people that the parties would reach agreement on the post-referendum arrangements, preferably before the conduct of the referendum, and to mobilize support from and agree on a well-defined role of the international community. The parties to the Agreement had not, however, agreed on a structure, mechanism or timetable. The National Congress Party (NCP) announced in mid-March that the parties had agreed on a structure for the post-referendum negotiations. Regarding UNMIS support for the referendums, an assessment mission led by the UN Department of Peacekeeping Operations (DPKO) was deployed to the Sudan from 18 to 30 March to evaluate the Mission needs. Progress on technical preparations for the referendums was hampered by delays in the appointment of posts in the Southern Sudan and Abyei Referendum Commissions.

Insecurity prevented progress on the physical demarcation of the Abyei boundary in accordance with the Permanent Court of Arbitration award of 22 July 2009 [YUN 2009, p. 238]. Humanitarian operations in the northern portions of the Abyei Area were significantly impeded, after the Abyei Security Management Team declared the Misseriya-dominated villages of Dumboloya, Um Khaer and Shegei to be restricted areas for UN and NGO civilian movements and operations, following a complaint from Misseriya leadership to the Abyei Area Joint Military Committee regarding UNMIS use of armoured personnel carriers. Misseriya elements continued to deny UNMIS Joint Monitoring Teams access to some locations.

Popular consultations in Southern Kordofan, to be conducted by the elected State Legislature, were seriously behind the schedule set out in the CPA; with the delay in elections in Southern Kordofan, there was a pressing need to find ways of moving that work forward.

The issue of border demarcation was accorded special attention by the parties during the reporting period. In February, the Technical ad hoc Border Committee expanded the number of contested areas from three to five, adding Kaka Town (along the border of northern Upper Nile State) and the area on either side of the Bahr al-Arab/Kiir River (on the border between Southern Darfur and Northern Bahr El Ghazal). Also in February, the President instructed the Border Committee to commence demarcation from the border with Ethiopia to the meeting point of the Blue Nile and Sennar States. UNMIS continued to provide technical support to the Border Committee.

In Eastern Sudan, the political and security situation remained calm, but minimal progress was made in implementing the outstanding benchmarks of the 2006 Eastern Sudan Peace Agreement [YUN 2006, p. 264], including the reintegration of ex-combatants under the disarmament, demobilization and reintegration (DDR) programme; funding to the Eastern Sudan Recovery and Development Fund; and representation of Eastern Sudanese in the national civil service. Differences were widening among the Agreement signatories in the run-up to the elections as they competed as distinct political parties, and there had been several complaints of harassment and intimidation.

As to the Darfur peace process, the Government of the Sudan and the Justice and Equality Movement (JEM) on 23 February finalized and signed a framework agreement, which was facilitated under the sponsorship of the President of Chad, Idris Déby, and which committed the two parties to an immediate ceasefire, release of prisoners and negotiation of a final agreement by 15 March. Despite lack of progress in the negotiations, the ceasefire between JEM and the Government was respected. Following the announcement of the creation of the Liberation and Justice Movement (LJM) by the Sudan Liberation Movement (SLM)-Revolutionary Forces and three movements from the Road Map Group in Doha, Qatar, on 23 February, the Government of the Sudan and LJM signed framework and ceasefire agreements on 18 March, committing themselves to negotiating a final accord by 31 March. Building on the momentum of the November 2009 Darfur civil society conference in Doha [YUN 2009, p. 160], the Darfur Mediation, in collaboration with UNAMID, launched a series of civil society consultations aimed at bringing together the views and interests of Darfur's diverse communities and providing popular support for the peace process (see p. 238).

The security environment in the UNMIS area of operations remained relatively stable, although significant security incidents occurred in Southern Sudan.

Tensions in Abyei escalated steadily during the reporting period. The failure to hold a community con-

ference on migration arrangements, and the insistence of the Sudan People's Liberation Army (SPLA) that the Misseriya relinquish their personal firearms before entering the south, impeded the Misseriya's southward migration, trapping them in the northern portion of the Abyei Area, which placed greater strain on the area's water and pasture resources. With UNMIS and United Nations Development Programme (UNDP) guidance and support, a framework agreement was reached on 4 March between the Misseriya and local authorities on facilitating the annual migration into Abiemnon County and into Unity State in general. UNMIS monitored the Government of Southern Sudan-led forced civilian disarmament process in Jonglei, Warrap and Lakes States.

UNMIS facilitated a 10-State Governors' conference in Kadugli, a three-State conference in Bentiu and a Warrap-Unity Governors' conference, as well as Nuba-Misseriya, Nuer-Misseriya and Dinka-Malual-Rezeigat inter-communal conferences. It also worked closely with authorities and communal leaders in Jonglei State to prevent the mobilization of armed Dinka Bor youth and facilitated Government of Southern Sudan efforts to de-escalate conflicts in Warrap and Jonglei States. UNMIS and UNDP continued to facilitate round-table meetings of the Southern Sudan political parties as part of a wider conflict mitigation strategy.

As at 26 January, the Sudanese Armed Forces (SAF) had redeployed 100 per cent from Southern Sudan, while SPLA had redeployed from Northern Sudan approximately 35 per cent of its stated strength of 59,168, up from approximately 33 per cent during the previous reporting period. UNMIS, however, experienced restrictions on its freedom of movement, including denials and refusals by national monitors to participate in the monitoring and verification of redeployment.

The re-verification exercise, previously scheduled for completion by 15 November 2009, was still ongoing. SAF Major General Yahya transferred command of the Joint Integration Unit (JIU) to his former deputy, SPLA Major General Marial, on 27 January, in accordance with the regular rotation of JIU leadership.

The Government of Southern Sudan took encouraging steps to reorganize, reform and restructure the Southern Sudan Police Service, including through the passage of a new Police Act, the appointment of a new Inspector General of Police, and the recruitment of 6,000 high school graduates to replace elderly and infirm personnel. The UNMIS police component focused on training local police on elections security, conducting 322 training sessions for 22,800 local officers. UNMIS also compiled the official Election Security Handbook.

The Government of Sudan's DDR programme progressed, but the gap between demobilization and reintegration continued to widen, in part because of inadequate funds for the latter. Since the launch of the DDR programme in February 2009 [YUN 2009, p. 242], as at 16 March 2010 approximately 21,037 former combatants and members of special needs groups had been demobilized and received reinsertion packages, comprising around 33 per cent of the caseload for phase one of the programme. In Southern Kordofan State, demobilization continued in Kadugli after the successful completion of the demobilization of former SPLA combatants in Julud. In Southern Sudan, demobilization in Rumbek (Lakes State) was suspended as of mid-December 2009, owing to a shortage in food support provided by the World Food Programme (WFP).

The major shortcomings of the DDR programme concerning registration and verification procedures of the demobilization process, as identified by an independent assessment initiated by UNMIS [YUN 2009, p. 242], had been largely addressed through the newly established DDR High-Level Committee, which signed on 3 March standard operating procedures to govern candidate eligibility verification, as well as the identification and verification of Women Associated with Armed Forces and Groups in Southern Sudan.

As part of ongoing efforts to deliver life-saving assistance to the victims of inter-communal violence, 26 major emergency operations were under way in nine southern States. Coordinated by the Government of Southern Sudan and the UN Office for the Coordination of Humanitarian Affairs (OCHA), and with support from UNMIS humanitarian sections, those operations involved all UN humanitarian agencies and nearly 100 NGOs, with assistance delivered to at least 1.5 million people. Reaching populations in need was particularly difficult during the first months of the year since several of the most affected areas had almost no UN or NGO presence, due to insecurity, poor roads and lack of government capacity.

Security Council statement (February). On 25 February [SC/9869], the Security Council welcomed the Framework Agreement for the Resolution of the Conflict in Darfur signed by the Government of Sudan and JEM on 23 February in Doha, and called on the parties to move to quickly implement the Agreement in full, as an important step towards peace in Darfur. It further called on all other parties in Darfur to join the Doha peace process and the Agreement.

Communication. On 13 April [S/2010/192], the Sudan transmitted an updated progress report on CPA implementation as of 30 October 2009.

Elections

The successful conduct of the national elections marked a milestone in the implementation of the CPA and provided for the expansion of the political space available for democratic change. The elections were generally peaceful, albeit with some significant exceptions. There were a number of reports of harassment, intimidation, arbitrary arrests and detention of voters, political party agents and supporters, and of National Elections Commission (NEC) officials.

Reports of Secretary-General (April). In a 5 April report [S/2010/168] on UNMIS, the Secretary-General noted that on 21 February, the NCP and SPLM members of the Presidency of the Government of National Unity had reached agreement resolving a number of outstanding election-related disputes, particularly related to the 2008 census [YUN 2008, p. 239]. The agreement provided that SPLM would drop its objections to the national census results, in return for allocation of an additional 40 seats in the National Assembly, which were to be filled by appointment of the Presidency with the National Assembly's endorsement on a proportional representation basis after the elections. It was also agreed by the Presidency of the Government of National Unity that State-level elections in Southern Kordofan would be postponed to allow for a new census and the reallocation of State constituencies, while the State would receive an additional four seats in the National Assembly. Under that agreement, Abyei would receive an additional two seats in the Assembly, and NEC would appoint a committee to oversee elections for the Abyei Administration.

The agreement to allocate extra seats to the South, Abyei and Southern Kordofan would allow SPLM to retain its veto power in the National Assembly regarding any constitutional amendment. Reflecting that agreement, on 11 March NEC issued a resolution stating that State-level elections in Southern Kordofan would be postponed for 60 days. Several opposition parties denounced the proposed measures as unconstitutional because they were not approved by the National Assembly and failed to address perceived census irregularities in other parts of the country. Thus far, NEC had not taken a decision on the agreement of the Government of National Unity on the additional seats. NEC also decided to postpone elections for the State Legislative Assembly in Gezira State, following the 27 December 2009 decision of the Supreme Court regarding constituency delimitation. The delay would allow Gezira State to redraw constituencies and increase Assembly seats from 48 to 84, in accordance with the decision. In Southern Sudan, more than 300 SPLM members had registered to run as independent candidates, asserting that the SPLM internal candidate selection procedures ignored

the party's rank-and-file. Although SPLM Secretary General Pagan Amum acknowledged "irregularities" and "shortcomings" in the selection process, on 18 February the SPLM political bureau took a decision to disown all party members running as independent candidates. A small number of NCP-affiliated politicians also declared independent candidacies after failing to secure party nominations.

UNMIS was using its good offices to work with all concerned in assisting to establish an environment where the elections were acceptable to the people of the Sudan. The African Union (AU) High-Level Implementation Panel for the Sudan, led by the former President of South Africa, Thabo Mbeki, also continued its efforts towards creating an enabling environment. During a meeting organized by the Panel in Juba on 2 to 3 March, 15 southern political parties, including SPLM and SPLM-Democratic Change, led by Lam Akol, signed a code of conduct and a declaration of commitments agreement. NCP and some northern parties signed the same agreements on 8 and 9 March in Khartoum, bringing the total number of signatories to 26 political parties.

On 27 April [S/2010/168/Add.1], pursuant to Security Council resolution 1590(2005) [YUN 2005, p. 304], the Secretary-General reported on the elections in the Sudan, which served as an important benchmark in the implementation of the CPA. He noted that the voting period was relatively peaceful, with isolated incidents of violence and reports of harassment and intimidation in some locations. In the immediate post-election period, there had been some disputes over election results, especially in Southern Sudan, and early results strongly in favour of the SPLM in the south and the NCP in the north.

There were delays in the printing of ballot papers and in preparing the final voter roll and list of polling stations, the Secretary-General acknowledged. Nonetheless, polling materials arrived at almost all polling stations in time for the start of polling on 11 April. Due to security-related incidents, polling was interrupted in some locations, mainly in Southern Sudan, but also in Western Darfur. In Southern Sudan, there were widespread reports of interference in the electoral process, particularly in Northern Bahr El Ghazal and Unity States.

Following the end of polling on 15 April, the first announcements of results by NEC were made on 16 April, and results from geographical constituencies began to be announced on 19 April. On 20 April, the winning candidate for the office of Governor of Khartoum, from NCP, was announced, followed by an announcement on 21 April of NCP victories for the office of Governor in River Nile and Northern States. On 22 April, the winning SPLM candidate of Blue Nile State and the winning NCP candidates for

Governor in Red Sea, White Nile, Sinnar, Gezira and Gadaref States were announced, and on 26 April, NEC announced that incumbent Omar Al-Bashir had won the national presidential election, while incumbent Salva Kiir Mayardit won the Presidency of the Government of Southern Sudan.

UNMIS continued to advise and assist NEC and the State High Committees. It also worked with NEC in developing plans for the elections to be rerun within 60 days, and for the elections in Southern Kordofan (Governor and State Assembly) and Gezira (State Assembly) that had been postponed until later in the year. UNMIS encouraged NEC to deal with challenges and appeals to the process in a serious and transparent manner.

While the election process had thus far proceeded without any major violence, the Secretary-General observed, there were incidents in some areas in Southern Sudan, particularly where intercommunal conflict had occurred in the past, or where close races took place between independent candidates and incumbents. Tensions and localized violence had been most prevalent in the southern States, where the SPLM-nominated Governors faced considerable competition by independent candidates.

Although ensuring security during the elections and post-election periods remained the prime responsibility of the Government of the Sudan, UNMIS increased confidence-building and conflict management efforts, as well as contingency planning regarding potential humanitarian needs. Those activities included a strengthened field presence of all UNMIS components, increased early warning activities, monitoring of potential conflict areas, and human rights reporting. UNMIS also engaged in dialogue with the Sudanese authorities as well as other political actors to ensure awareness of potential conflict issues and to promote solutions; in that regard, the Mission worked closely with humanitarian agencies, which undertook substantial emergency preparedness. During the movement of elections material, including its retrieval after polling, UNMIS provided military second-line transport support, in addition to protecting UN personnel and assets.

The United Nations continued to encourage both NCP and SPLM to continue recognizing their common need for cooperation and a mutual desire to maintain the CPA partnership as the Sudan moved towards the referendums. The Secretary-General called on both parties to quickly form a government that could address the challenges facing the Sudan. He also encouraged SPLM to form an inclusive government in Juba and actively pursue reconciliation measures. He called on both parties to further open the political space for the opposition parties and civil society groups, in order to ensure that the elections process was not

another step in their marginalization. The goals of peace and security in the Sudan would require that the international community work closely with the Sudanese towards an inclusive, transformative final year of CPA implementation.

Communication. On 19 April [S/2010/201], the Sudan transmitted a communiqué issued by the Chairperson of the AU Commission, commending the people of the Sudan and the Sudanese political parties for peacefully conducting multiparty general elections from 11 to 15 April, and commending NEC's efforts.

SECURITY COUNCIL ACTION

On 29 April [meeting 6304], the Security Council unanimously adopted **resolution 1919(2010)**. The draft [S/2010/215] was submitted by the United States.

The Security Council,

Recalling all its resolutions and the statements by its President concerning the situation in the Sudan,

Reaffirming its resolutions 1674(2006) of 28 April 2006 and 1894(2009) of 11 November 2009 on the protection of civilians in armed conflict, in which it reaffirms, inter alia, the relevant provisions of the 2005 World Summit Outcome, its resolutions 1612(2005) of 26 July 2005 and 1882(2009) of 4 August 2009 on children and armed conflict, its resolution 1502(2003) of 26 August 2003 on the protection of humanitarian and United Nations personnel and its resolutions 1325(2000) of 31 October 2000, 1820(2008) of 19 June 2008, 1888(2009) of 30 September 2009 and 1889(2009) of 5 October 2009 on women and peace and security,

Taking note of the report of the Secretary-General of 5 April 2010 on the United Nations Mission in the Sudan, recalling the report of the Secretary-General of 10 February 2009 on children and armed conflict in the Sudan, including his recommendations, and the report of the Secretary-General of 29 August 2007 on children and armed conflict in the Sudan, and recalling the conclusions on children and armed conflict in the Sudan endorsed by the Security Council Working Group on Children and Armed Conflict,

Reaffirming its commitment to the sovereignty, unity, independence and territorial integrity of the Sudan and to the cause of peace, stability and security throughout the region,

Stressing the importance of the full implementation of the Comprehensive Peace Agreement of 9 January 2005, including, in particular, the importance of pursuing further efforts to make unity attractive and respecting the right to self-determination of the people of Southern Sudan, to be exercised through a referendum to determine their future status,

Emphasizing the need for the United Nations and the international community to support the consolidation of mutual trust between the two parties,

Taking note of the nationwide elections conducted in April 2010, as elections are a component of the implementation of the Comprehensive Peace Agreement, and commending the people in the Sudan who are working toward democracy,

Recognizing that, regardless of the results of the referendum, both parties to the Comprehensive Peace Agreement will need to continue to discuss critical issues in a peaceful and constructive manner and that the United Nations, the African Union and other regional organizations can play an important role in supporting and promoting this dialogue,

Commending the work of the United Nations Mission in the Sudan and the continuing commitment of troop- and police-contributing countries in support of the Comprehensive Peace Agreement and the Mission,

Commending also the work of the African Union in the Sudan, in particular the African Union High-Level Implementation Panel for the Sudan and the role that it has played in focusing attention on the interrelatedness of conflicts in the Sudan and assisting the Sudanese parties to comprehensively address these issues, along with the Intergovernmental Authority on Development and other regional actors,

Commending further the continuing work of the Assessment and Evaluation Commission,

Condemning all acts and forms of violence perpetrated by any party that prevent or hinder peace and stability in the Sudan and the region, deploring their effects on the civilian population, in particular on women and children, and calling for compliance by all parties with their obligations under international humanitarian and human rights law,

Stressing the ongoing importance of providing humanitarian and development assistance to the civilian populations throughout the Sudan, encouraging comprehensive preparedness efforts by the United Nations in view of the upcoming referendum, including the need for increased humanitarian and development assistance in the south for the remainder of the Comprehensive Peace Agreement implementation period as well as post-Agreement and the need for continued cooperation among the parties to the Agreement, the United Nations and humanitarian organizations, and urging donors to support the implementation of the Agreement and to honour all pledges of financial and material support,

Acknowledging that the Comprehensive Peace Agreement has reached a critical stage, and stressing the need to complete all remaining implementation tasks under the Agreement,

Welcoming the increased and continuing cooperation among the United Nations Mission in the Sudan and all other United Nations missions in the region, and stressing the importance of continued sharing of information among them to help to counter regional threats, such as the activities of militias and armed groups, including but not limited to such groups as the Lord's Resistance Army,

Determining that the situation in the Sudan continues to constitute a threat to international peace and security,

1. *Decides* to extend the mandate of the United Nations Mission in the Sudan until 30 April 2011, with the intention to renew it for further periods as may be required;

2. *Requests* the Secretary-General to continue reporting to the Security Council every three months on the implementation of the mandate of the Mission, progress in the implementation of the Comprehensive Peace Agreement and respect for the ceasefire;

3. *Also requests* the Secretary-General to provide in his quarterly reports information, including (1) a detailed plan of measures that the Mission is taking to support the referendum and popular consultation processes, consistent with paragraph 7 below, including lessons learned from the 2010 elections, (2) the status of United Nations engagement with the parties to the Comprehensive Peace Agreement and progress by the parties concerning the critical tasks that will need to be accomplished post-referendum and, as appropriate, information on (3) planning by the Mission in consultation with the parties concerning the United Nations presence in the Sudan post-interim period;

4. *Deplores* the persistent localized conflict and violence and its effect on civilians, especially within Southern Sudan, and underscores the importance of the Mission making full use of its authority and capabilities, as stated in paragraph 16 of resolution 1590(2005) of 24 March 2005, to take the action necessary to provide improved security to the civilian population, humanitarian and development actors and United Nations personnel under imminent threat of violence, and stresses that this mandate includes the protection of refugees, displaced persons, returnees and other civilians with regard to the activities of militias and armed groups, including but not limited to such groups as the Lord's Resistance Army, as recognized in resolution 1663(2006) of 24 March 2006;

5. *Reiterates its call upon* the Mission to coordinate strategies with other United Nations missions in the region for information on the protection of civilians in the light of the attacks by the Lord's Resistance Army, and requests the Secretary-General to include in his quarterly reports on the Mission information on cooperation between United Nations missions in dealing with the threats of the Lord's Resistance Army;

6. *Calls upon* the Mission to implement a Mission-wide civilian protection strategy, comprehensively throughout the Mission area, including the implementation of tribal conflict resolution mechanisms, and urges the Mission to enhance its presence in areas at high risk of localized conflict, including by conducting frequent patrols;

7. *Recalls* the provision in the Comprehensive Peace Agreement for referendums, as well as the responsibility of the parties to pursue efforts to make unity attractive, reaffirms the support of the Mission for these activities, requests that the Mission be prepared to play a lead role in international efforts to provide assistance, as requested, to support preparations for the referendums in 2011, including in consultation with those Member States able and willing to provide support, and an advisory role related to security arrangements for the referendums, and urges the international community to provide technical and material assistance, including observation capacity for the referendums, as requested by the relevant Sudanese authorities to support the referendums and popular consultations;

8. *Stresses* the importance of full and expeditious implementation of all elements of the Comprehensive Peace Agreement, the agreements on Darfur and the Eastern Sudan Peace Agreement of 14 October 2006, and calls upon all parties to respect and abide by their commitments to these agreements without delay;

9. *Requests* the Mission, within its current mandate and capabilities, to continue to assist the parties, as requested,

in the implementation of all elements of the Comprehensive Peace Agreement, including creation of, and appointments to, the referendum and popular consultation commissions, implementation of the decision of the Permanent Court of Arbitration in The Hague regarding Abyei, north-south border demarcation, wealth-sharing, security arrangements, and resolution of conflict in Southern Kordofan and Blue Nile states;

10. *Welcomes* continuing military capability reviews conducted on the deployment of the Mission, stresses the importance of appropriate and flexible deployment of the Mission in order to deter and prevent violence in areas where civilians are under threat of violence, and requests regular reviews of the deployment of the Mission to ensure that the Mission is best placed to support the implementation of the Comprehensive Peace Agreement and protect civilians under imminent threat of violence;

11. *Also welcomes* the sustained commitment of the parties to the Comprehensive Peace Agreement to work together, urges their continued cooperation in carrying out their responsibilities in further implementing the Agreement, and calls upon the parties to the Agreement to cooperate fully with all the United Nations operations in the implementation of their mandates;

12. *Reiterates its concern* over the restrictions and impediments placed on Mission personnel and materiel and the adverse impact that such restrictions and impediments have on the ability of the Mission to perform its mandate effectively, and in that regard calls for all parties to cooperate by providing full and unrestricted access to the Mission in monitoring and verification within its area of responsibility, with special emphasis on monitoring of the Abyei region, and urges the Mission, consistent with its mandate and within its means and capabilities, to consult with the parties and to deploy sufficient personnel to the Abyei region to improve conflict prevention efforts and security for the civilian population;

13. *Expresses its concern* for the health and welfare of the civilian populations in the Sudan, calls upon the parties to the Comprehensive Peace Agreement and the communiqué signed by the United Nations and the Government of National Unity in Khartoum on 28 March 2007 to support and protect all humanitarian personnel and facilitate all humanitarian operations in the Sudan, and urges the Government of the Sudan to continue working with the United Nations to ensure the continuity of humanitarian assistance throughout the Sudan;

14. *Notes* that conflict in one area of the Sudan affects conflict in other areas of the country, and therefore urges the Mission, consistent with its current mandate, to cooperate closely with all United Nations entities operating in the region, including the African Union-United Nations Joint Mediation Support Team and other stakeholders, so that the implementation of the mandates of those bodies supports the overall objective of peace in the Sudan and the region;

15. *Recognizes* the detrimental impact of the proliferation of arms, in particular small arms, on the security of civilians by fuelling armed conflict, encourages the Mission to continue its efforts in providing assistance to the Government of Southern Sudan with regard to the civilian disarmament process, in particular by strengthening

the capacity of local authorities to deter inter-communal conflicts and by monitoring forced civilian disarmament initiatives in an effort to avert disarmament operations that could exacerbate insecurity in Southern Sudan;

16. *Requests* the Mission, acting within its current mandate and within its current means and capabilities, to continue to provide technical and logistical support to the Ad Hoc Technical Border Committee, as requested, to help the parties to urgently conclude the process of demarcation of the north/south border of 1956, in accordance with the Comprehensive Peace Agreement;

17. *Encourages* the Mission, consistent with its mandate, and within authorized levels of civilian police, to continue efforts to assist the parties to the Comprehensive Peace Agreement in promoting the rule of law, restructuring the police and corrections services throughout the Sudan, particularly in the south, owing to the lack of development of the police services, and assisting in the training of civilian police and corrections officers;

18. *Also encourages* the Mission to work closely with the Sudanese Armed Forces and the Sudan People's Liberation Army to reinvigorate the disarmament, demobilization and reintegration process and to assist in voluntary disarmament and weapons collection and destruction efforts in implementation of the disarmament, demobilization and reintegration process under the Comprehensive Peace Agreement, to ensure the timely provision of sustainable reintegration programmes, which will help to promote continued and enhanced funding support from donors for the reintegration phase, and to coordinate with local authorities and with the United Nations agencies, funds and programmes initiatives that strengthen disarmament, demobilization and reintegration with the creation of economic opportunities for reintegrated individuals, further urges donors to respond to calls for assistance to the disarmament, demobilization and reintegration process, in particular the reintegration phase, calls upon donors to honour all obligations and pledges of assistance, and takes note in this context of the need to also assist the victims in conflict-affected communities;

19. *Welcomes* the adoption by the Sudan People's Liberation Army of an action plan to release all children still associated with its forces by the end of 2010, and in order to achieve this goal, calls for timely implementation of this action plan, requests the Mission, consistent with its mandate and in coordination with the relevant parties and with particular emphasis on the protection, release and reintegration with their families of children recruited to and participating with armed forces and armed groups, to increase its support for the National Disarmament, Demobilization and Reintegration Coordination Council and the Northern and Southern Sudan Disarmament, Demobilization and Reintegration Commissions and to monitor the reintegration process;

20. *Also welcomes* the continuing organized return of internally displaced persons and refugees to the Three Areas and Southern Sudan, and requests the Mission, within its current mandate, capabilities and areas of deployment, to coordinate with United Nations and other partners to facilitate sustainable returns, including by helping to establish and maintain the necessary security conditions;

21. *Stresses* the critical role of the Assessment and Evaluation Commission in overseeing and monitoring the implementation of the Comprehensive Peace Agreement, and urges all parties to cooperate fully with the Commission and to implement its recommendations;

22. *Also stresses* the importance of achievable and realistic targets against which the progress of the Mission can be measured, and in this regard requests the Secretary-General to report on and assess the progress in meeting benchmarks in each quarterly report, as well as any consequent recommendations regarding the configuration of the Mission;

23. *Encourages* the periodical update and review of the concept of operations and rules of engagement of the Mission, fully in line with the provisions of the mandate of the Mission under relevant Council resolutions, and requests the Secretary-General to report on progress against the concept and rules to the Council and troop-contributing countries in each quarterly report, and to provide to the Council in the same report specific updates on the security situation in the area of responsibility of the Mission;

24. *Requests* the Secretary-General to continue the measures necessary to ensure full compliance by the Mission with the United Nations zero-tolerance policy on sexual exploitation and abuse and to keep the Council fully informed, and urges troop-contributing countries to take appropriate preventive action, including predeployment awareness training, and other action to ensure full accountability in cases of such conduct involving their personnel;

25. *Decides* to remain actively seized of the matter.

Further developments

Report of Secretary-General (July). In July [S/2010/388], the Secretary-General, pursuant to Security Council resolution 1590(2005) [YUN 2005, p. 304], provided an assessment of the situation in the Sudan since his 5 April report, as well as an update on UNMIS activities until 30 June. In accordance with the Council's request, the report also included updates on support for the referendum and popular consultation process, UN engagement with the parties on critical post-referendum tasks and planning for a UN presence in the Sudan after the end of the six-year interim period in July 2011.

Following national and state-level elections in April, Omar Al-Bashir was elected President of the Republic, with 68 per cent of the vote. Despite his withdrawal, Yassir Arman, the presidential candidate of SPLM, won 21.6 per cent of the ballot. On 29 May, Salva Kiir Mayardit and Ali Osman Mohamed Taha were sworn in as First Vice-President and Vice-President, respectively. In the new national Government sworn in on 16 June, NCP was allocated 24 ministerial positions, including that of Minister of Foreign Affairs. SPLM was allocated eight positions, including the newly established post of Oil Minister, while three positions went to Northern opposition parties.

In Southern Sudan, Salva Kiir was elected President of the Government of Southern Sudan, with 92.99 per cent of the vote, and on 14 June, Riek Machar was sworn in as Vice-President. On 21 June, President Kiir issued a decree appointing his new Government, in which SPLM held 27, NCP two and Southern political parties three ministerial posts.

NCP secured a 72 per cent-majority in the National Assembly by winning 319 seats. The SPLM share of the vote was 22 per cent, with 99 seats. Further representation in the National Assembly included the Popular Congress Party (PCP), the Democratic Unionist Party, the Federal Umma Party, the National Umma Party, the Umma Reform and Development Party, SPLM-Democratic Change (SPLM-DC), the Democratic Unionist Party-Original and the Muslim Brotherhood. Three seats were won by independent candidates. In the Southern Sudan Legislative Assembly, SPLM won 159 seats, which amounted to 93.52 per cent of the total, while SPLM-DC won three seats and seven seats went to independent candidates.

On 29 May, the Presidency formally requested the National Assembly to make appropriate legislative amendments in connection with the allocation of additional seats, in conformity with the 21 February agreement between the parties. The allocation of 40 seats for Southern Sudan, four for Southern Kordofan State and two for Abyei was pending further agreement on the modalities for the allocation.

At the gubernatorial level, NCP candidates won the elections in all but one of the Northern states; only the incumbent SPLM Governor, Malik Agar, retained his seat. Similarly, SPLM candidates won the gubernatorial elections in nine of the 10 Southern states. The Western Equatoria governorship went to Bangasi Joseph Bakosoro, an independent candidate, formerly of SPLM.

Elections were not held in April for 18 national and 26 State Assembly constituencies in 10 Northern and four Southern states for various reasons, including ballot-printing errors, candidate deaths and legal challenges. NEC conducted elections for 31 of those constituencies in June, postponing polling for the remaining constituencies until after the rainy season. As in the April elections, UNMIS, in cooperation with UNDP, provided extensive logistical support to the Commission and the State High Committees in the procurement, distribution and retrieval of polling materials, the repacking of sensitive materials, air transport to and from inaccessible locations, and the storage of election materials. UNAMID provided important logistical support for UNMIS electoral operations.

NEC was seeking UNMIS, UNDP and other donor support for the postponed elections in Gezira and Southern Kordofan States. The new census exercise in Southern Kordofan started on 15 June, with UNMIS

providing transport of staff and material. On 4 and 5 May, UNMIS, UNDP and the International Foundation for Electoral Systems held a lessons-learned workshop to assess international assistance for the electoral process.

A high-level meeting on 7 May emphasized the importance of a strategic partnership between the United Nations and the AU at a critical time of CPA implementation. At a consultative meeting on 8 May (Addis Ababa, Ethiopia), representatives of the AU, the United Nations, the Intergovernmental Authority on Development (IGAD), the League of Arab States (LAS), the Organization of the Islamic Conference (OIC), the European Union (EU), permanent members of the Security Council and the Assessment and Evaluation Commission, as well as Finland, Italy, Japan, Norway, Qatar and Sweden, decided to establish a consultative forum co-chaired by the AU and the United Nations, which would serve as a mechanism to harmonize international efforts in support of implementing the CPA, post-referendum arrangements and the search for a political solution to the Darfur conflict. The forum was to meet every two months, with the first meeting having been held in Khartoum on 17 July.

In anticipation of the needs related to the referendum process, UNMIS strengthened its Strategic Planning Cell and, jointly with the UN country team, established an integrated mission planning team in Khartoum. The Secretary-General's Special Representative established five strategic objectives for the United Nations in the pre-referendum phase: organization of credible referendums in Southern Sudan and Abyei; organization of productive popular consultations in Southern Kordofan and Blue Nile States; negotiation of post-referendum transitional arrangements and their peaceful implementation; maintenance of a secure environment and protection of civilians in the Mission area; and development of governance and rule-of-law capacities in Southern Sudan. UNMIS and the UN country team also had drawn up an integrated action plan to coordinate UN activities in respect of those goals. The national Government and the Government of Southern Sudan had both indicated a desire for expanded UN involvement in the conduct of the referendums, beyond the role played during the elections; UNMIS stood ready to provide increased technical and logistical assistance within its mandate and capacity and was assessing available infrastructure and resource and logistics requirements. Planning for the UN role in the post-referendum phase would be developed over the coming months.

On 24 June (Addis Ababa), the parties to the CPA signed a procedural framework agreement governing formal talks on post-referendum arrangements. The negotiations were to be bilateral, with an AU facilita-

tor supported by the United Nations, IGAD and IGAD Partners Forum to assist when needed. The parties also agreed on a joint Sudanese secretariat, with administrative support from the Assessment and Evaluation Commission.

Within the framework of the Darfur peace process, talks resumed on 6 June between LJM and the Government of the Sudan. The two parties agreed on a work programme and formed six committees to negotiate on the following areas: power-sharing and the administrative status of Darfur; wealth-sharing, including land rights; compensation for and the return of internally displaced persons (IDPs) and refugees; security arrangements; justice and reconciliation; and agreement on the resolution of disputes.

JEM and the Government failed to agree on a ceasefire implementation protocol or final agreement by the 15 March deadline, owing largely to disputes over the participation of other movements in the peace talks and the insistence by JEM that all of its prisoners held in Khartoum be released by the Government. In May, JEM announced that it had frozen its participation in the negotiations in Doha, Qatar, and shortly thereafter, it withdrew its delegation from the talks.

On 12 July, Pre-Trial Chamber I of the International Criminal Court (ICC) issued a second warrant of arrest against President Al-Bashir, considering that there were reasonable grounds to believe him responsible for three counts of genocide committed against the Fur, Masalit and Zaghawa ethnic groups in Darfur.

The Secretary-General congratulated the parties on the establishment of the Southern Sudan Referendum Commission and urged them to recognize that the pending issues had to be addressed immediately in order for the referendum to be conducted within the CPA time frame. The parties' ongoing difficulties in addressing critical outstanding issues, including the establishment of the Abyei Referendum Commission, border demarcation and the resolution of voter eligibility questions in Abyei, were likely to further impede timely preparation. International monitoring, stipulated in the CPA as necessary, would be critical for the credibility and acceptance of the referendum outcomes and for subsequent peace. Further capacity-building of police and rule-of-law institutions in Southern Sudan would be critical for maintaining a peaceful environment during the referendums.

The Secretary-General considered the popular consultations process a unique opportunity for a nuanced and detailed review of CPA implementation. He warned that the risk associated with the demobilization of increasing numbers of former combatants without suitable reintegration programmes in place was a serious security concern. He encouraged all parties to continue their efforts to ensure both integrity and progress of the DDR programme. The Secretary-

General urged donors to ensure that the much-needed humanitarian assistance was not curtailed by underfunding, and to safeguard the continuation of live-saving pipelines. He also encouraged them to strengthen longer-term recovery activities in parallel with immediate relief efforts to ensure stability and sustainable development, in particular in the South.

Appointments. By a letter of 17 September [S/2010/491], the Secretary-General transmitted a letter of 17 July from the CPA signatories requesting UN assistance in the referendum process, by providing funding, technical expertise, and logistical assistance, as well as the main monitoring mission. The Secretary-General informed the Security Council that he had decided to establish a three-member panel to monitor and assess the referendum processes for Southern Sudan and the Abyei Area, including the political and security situation on the ground. The panel would also engage the parties to take corrective measures and would issue public statements on the referendums. It would be distinct from UNMIS and would report to the Secretary-General through the UN Department of Political Affairs. Benjamin Mkapa, former President of Tanzania, had been appointed to head the panel, whose other members would be António Monteiro, former Minister of Foreign Affairs of Portugal, and Bhojraj Pokharel, former Chair of the Elections Commission of Nepal. By a response of 21 September [S/2010/492], the Security Council took note of his intention.

High-level meeting. On 24 September, on the margins of the UN General Assembly, the Secretary-General hosted a high-level meeting on the Sudan to discuss CPA-related key issues, the Darfur peace process, capacity development in Southern Sudan and the Eastern Sudan peace process. The meeting was attended by 12 Heads of State, including President Obama of the United States. Sudanese Vice-President Taha and First Vice-President Kiir participated as well. The meeting adopted a final communiqué [SG/2165-AFR/2043] in which the Sudanese parties re-committed themselves to overcoming all challenges necessary to hold the 9 January 2011 referendums. The communiqué also highlighted the strong international support for CPA processes and the need for the parties to resolve key post-referendum arrangements. The participants expressed support for the Darfur peace process, while taking note with concern of the serious security situation in Darfur.

Security Council mission

On 4 October 2010 [S/2010/509], the President of the Security Council informed the Secretary-General that the Council had agreed to send a mission to Uganda and the Sudan from 4 to 10 October, led by Ambassador Ruhakana Rugunda of Uganda

(Uganda), United Kingdom Ambassador Mark Lyall Grant (El Fasher) and United States Ambassador Susan Rice (Juba). Ambassadors Rice and Grant would co-lead the mission visit to Khartoum. The mission's terms of reference were annexed to the Council President's letter.

In its report [S/2011/7], the Security Council mission noted that it had visited the Sudan in order to reaffirm the commitment of the international community to and its support for full and timely CPA implementation and to encourage a peaceful, comprehensive and inclusive resolution of the situation in Darfur. The Council urged cooperation between NCP and SPLM on the referendums and in resolving outstanding issues related to the CPA, including the successful completion of border demarcation and negotiations on post-referendum arrangements. The Council also emphasized the importance of the partnership between the United Nations and the AU in support of the Sudanese peace process.

The Council visit was also undertaken to reiterate its support for UNMIS and UNAMID, as well as the work of the AU-UN Joint Chief Mediator, and to assess the assistance provided by UNMIS and UNAMID within their current mandates and capabilities. In that context, the Council underlined its concern for the security of humanitarian aid workers and reiterated the vital importance of allowing their full, safe and unhindered freedom of movement and access.

The mission reported [S/2011/7] that in Uganda, it had met with President Yoweri Kaguta Museveni to discuss, among other issues, CPA implementation, including the holding of the 9 January 2011 referendums in Southern Sudan and Abyei. It also encouraged the improvement of relations among the countries of the region and increased regional cooperation in addressing the security challenges posed by the Lord's Resistance Army (LRA).

In Juba, the mission met with First Vice-President Salva Kiir and other members of the Government of Southern Sudan, as well as with the Southern Sudan Referendum Bureau and with civil society leaders. The mission informed First Vice-President Kiir that the international community was united in supporting the full and timely implementation of the CPA, as reiterated in the communiqué adopted after the 24 September high-level meeting (see p. 246). The mission underscored the responsibility of the relevant Sudanese authorities to ensure the safety of peacekeeping and humanitarian personnel. In turn, members of the Government of Southern Sudan offered their reassurance that UN personnel would be protected and that the referendum would be conducted in a free and fair environment to ensure that the people of Southern Sudan could express their views, whether in favour of unity or of secession. The First

Vice-President requested the Council members to strengthen the UNMIS mandate, especially with regard to the protection of civilians. He assured the Council that his Government would not resort to a unilateral declaration of independence, but added that, if NCP refused to cooperate, the internationally monitored referendum could take place without the participation of Northern Sudan.

The mission met with the Southern Sudan Referendum Bureau in Juba and was briefed on the status of referendum preparations, and also met with civil society leaders and visited a police training facility in Rajaf, Central Equatoria State.

In Darfur, the mission met with humanitarian agencies' representatives and with a delegation of IDPs. The Council members expressed deep concern about the upsurge of violence, the number of civilian casualties and victims of sexual and gender-based violence, the recruitment of children by armed groups, the flow of illegal arms into Darfur and the continued restriction of humanitarian access. They also underlined their concern for the security of civilians, humanitarian aid workers and peacekeepers. The mission expressed concern about the upsurge of violence—which, according to UN statistics, had increased by 240 per cent over the previous year—and the lack of security for peacekeepers and aid workers. The mission reiterated its support for the peace process, urged rebel groups to join the process without further delay and called on all parties to make progress towards the immediate cessation of hostilities and a negotiated settlement.

In Khartoum, the mission met with, among others, the Governor and other officials of Blue Nile and Southern Kordofan States, the Chair of the Southern Sudan Referendum Commission, Foreign Minister Ali Karti and other members of the Government of National Unity including Vice-President Taha, as well as representatives of Southern Sudanese residing in Northern Sudan. The Council reiterated its support for the popular consultations as an integral part of the CPA and underscored the importance of inclusive, timely and credible consultations processes in Blue Nile and Southern Kordofan States. The Chair of the Southern Sudan Referendum Commission, Muhammad Ibrahim Khalil, informed the mission of various challenges related to meeting the 9 January 2011 deadline. Council members noted that sufficient time should be allocated for voter registration in order to ensure the credibility of the referendum. The Chair emphasized that the timeline for registration and post-registration would have to be condensed in order to abide by the timetable indicated in the Referendum Act and still meet the 9 January 2011 deadline; he also stated that if the date remained 9 January 2011, there might not be enough time for voters to register and challenge the voter registry list, which could put the credibility of the

process at risk. The mission recalled that both parties had recommitted themselves to holding a referendum on time and urged the Chair to seek flexibility in the timetable of the Referendum Act.

Referring to the 24 September communiqué (see p. 246) and the mission's terms of reference, Council members reiterated their support for full and timely CPA implementation, emphasized that the parties must exercise flexibility in ensuring that the referendums took place on time, and called on the Government to provide all necessary resources for the Southern Sudan Referendum Commission. They expressed deep concern about the delay in establishing the Abyei Commission and called on the parties to resolve outstanding issues. The mission emphasized that it would be essential to address key post-referendum issues, including citizenship, oil and border management. The delegation also raised the issue of humanitarian access in Darfur and called on the Government and all relevant parties to ensure freedom of movement for aid workers and peacekeepers. Council members also met with representatives of Southern Sudanese residing in Northern Sudan.

Report of Secretary-General (October). In a report of 14 October [S/2010/528], submitted pursuant to Security Council resolution 1510(2005) [YUN 2005, p. 304], the Secretary-General provided an assessment of the overall situation in the Sudan since his July report, as well as an update on the activities of UNMIS through 30 September.

The Secretary-General noted that while the Sudan's political focus had shifted largely to the upcoming referendums, disagreement between the CPA parties continued to delay technical preparations for the referendum process. Following the establishment of the Southern Sudan Referendum Commission on 28 June, a dispute arose between the parties over who should be appointed to serve as its Secretary-General, which prevented the Commission from commencing operations for most of the reporting period.

On 9 August, the members of the Juba-based Southern Sudan Referendum Bureau were sworn in, followed by the swearing in of the members of the Southern State High Committee on 23 August. On 29 August, the Presidency agreed to a joint proposal by UNMIS and the AU High-Level Implementation Panel to vest the Commission's executive, administrative and operational functions in four separate posts (Secretary-General and deputy, Chief Referendum Operations Officer and deputy), two of those posts to be filled by a Northerner and two by Southerners. On 14 September, Mohamed Osman al-Noujoumi was appointed by the Presidency to serve as the Commission's Secretary-General. The United Nations was in the process of deploying an additional 596 security, logistics and technical personnel to UNMIS to assist

in providing technical and logistical support to the Referendum Commissions and their subcommittees, including at the county level; close to 60 per cent had already been deployed. The UNMIS/UNDP integrated referendum support team had prepared operational plans, voter registration manuals and internal regulations for consideration by the Commission.

On 28 September, the Chairperson of the Southern Sudan Referendum Commission stated that voter registration for the referendum was likely to begin in the second half of November. No progress had been made, however, by the CPA parties on referendum preparations in Abyei since the adoption of the Abyei Referendum Act in December 2009 [YUN 2009, p. 242]. Although the parties continued to voice their public commitment to the 2009 decision of the Permanent Court of Arbitration [*ibid.*, p. 238] and the Abyei Protocol [YUN 2004, p. 254], including the referendum timetable, they had not been able to agree on a chairperson for the Abyei Referendum Commission. Any further delay in establishing the Commission would jeopardize the holding of the Abyei referendum within the established timeline. UNMIS, together with the AU High-Level Implementation Panel and other international partners, would continue to assist the parties in breaking the deadlock.

On 21 September, in response to a request from the CPA parties, the Secretary-General announced the establishment of a three-member panel to monitor the referendums.

Based on the 23 June memorandum of understanding signed at Mekelle, Ethiopia at the facilitation of the AU High-Level Implementation Panel, the CPA parties officially launched negotiations on post-referendum arrangements on 10 July. Although the parties had made progress in defining procedural issues related to the conduct of the negotiations, they had made little progress in reaching agreement on key substantive issues. On 19 July, with the support of the Panel and UNMIS, the parties convened a workshop to mark the beginning of the substantive phase of the negotiations, during which they agreed on an initial schedule and procedural details for four working groups on wealth-sharing, citizenship, security and international legal instruments. The working groups, which so far consisted of CPA parties, met on 9 and 10 August and continued to meet sporadically after that. The parties also agreed to establish a joint secretariat for the negotiations.

The situation in Abyei remained tense. An attack on Tagalei, north of Abyei town, on 5 July, by unidentified armed elements left seven civilians and one policeman dead and contributed to a general feeling of insecurity. Lack of progress on referendum preparations, Misseriya frustrations over fears of their inability to migrate to the south and rumours of

Misseriya plans to organize large-scale settlements in the northern parts of the Abyei Area further polarized the Misseriya and Ngok Dinka ethnic groups and hardened their positions on key issues. The Misseriya paramount chief and other tribal leaders in Muglad, who had initially focused attention on voter eligibility, began to reject the referendum entirely and consolidated their opposition to the 2009 decision of the Permanent Court of Arbitration [YUN 2009, p. 238] on Abyei's borders.

In accordance with the SPLM/NCP agreement to postpone elections in Southern Kordofan until a new census was done, NEC conducted a new state-wide census exercise between 15 and 29 June with UNMIS support. National and state governments provided significant support in mobilizing census staff and both CPA parties expressed satisfaction with the process. The census results had not yet been released, but voter registration was scheduled for November and polling for February 2011.

In Eastern Sudan, the political and security situation remained stable, although the Eastern Sudanese parties continued to accuse the Government of failing to meet its obligations under the 2006 Eastern Sudan Peace Agreement [YUN 2006, p. 264] regarding eastern representation in the civil service.

The Joint AU-UN Chief Mediator for Darfur continued to pursue his three-strand strategy to ensure civil society involvement in the peace process; facilitate the negotiation of a peace agreement between the belligerent parties through an inclusive process; and encourage the improvement of regional relations between Chad, the Sudan and the Libyan Arab Jamahiriya. From 12 to 15 July, the AU-UN Joint Mediation, UNAMID and the Government of Qatar organized a second Darfur civil society conference in Doha, which was attended by a wide cross section of Darfurian society. In the first half of July, the Government of Sudan and LJM continued negotiations on power-sharing and the administrative status of Darfur; wealth-sharing including land rights; compensation and IDP and refugee return; security arrangements; justice and reconciliation; and resolution of disputes. From the end of July, the Joint Mediation worked to consolidate the work of the joint LJM-Government of the Sudan committees to develop a draft agreement, also taking into account previously concluded peace agreements; the framework agreements reached in Doha (see p. 258); the actions taken by the parties to implement the framework agreements; the recommendations of the two civil society conferences held in Doha in November 2009 [YUN 2009, p. 259] and in July 2010 (see above); and the Sudan People's Initiative [YUN 2008, pp. 242 & 257]. To make the process inclusive, the Joint Mediation continued to pursue efforts to persuade SLM, led by Abdel Wa-

hid al-Nur (SLM-AW), and JEM, led by Khalil Ibrahim, to rejoin the talks.

The security situation in Southern Sudan remained of concern, as violent challenges to the election results by former SPLA and SPLM affiliates continued. In what appeared to be a concerted effort to promote stability in advance of the referendum, governors in Upper Nile, Jonglei, Lakes and Northern Bahr El Ghazal States convened inter-tribal peace conferences to mediate local disputes; UNMIS was working closely with UN agencies and Sudanese authorities to support those efforts and had consulted newly elected State governors and County commissioners to further develop its conflict management and mitigation strategy. In collaboration with UNDP and the International Organization for Migration, UNMIS continued to facilitate and support political party round tables in all 10 southern States with a view to providing a platform for inter-party dialogue that would contribute to reducing tensions and creating a conducive atmosphere for peaceful political processes, particularly the referendum.

SAF had redeployed all their forces from Southern Sudan, while SPLA redeployment remained at 34.8 per cent of a stated strength of 59,168.

The AU and the United Nations convened the first meeting of the Sudan Consultative Forum (Khartoum, 17 July), bringing together IGAD, LAS, OIC, the EU, the neighbouring States and other bilateral partners. The Forum stressed the need for cooperation between NCP and SPLM and for international support to the referendum processes. The Secretary-General stated that the Southern Sudan Referendum Commission had to move quickly if it were to fulfil its mandate in the time remaining; any further delays would have a major impact on the technical and logistical realities of preparing for and conducting the referendum on time. A fully operational Commission was essential for effective and timely assistance by the international community. He expressed deep concern about the situation in Abyei. Preparations for the Abyei referendum were even further behind schedule, and the continued lack of progress was exacerbating an already tense and volatile situation on the ground. The disputes holding up the preparations could be effectively addressed only through a comprehensive package including wealth-sharing, access to water and grazing land, residence and property ownership, and border demarcation. He called on the CPA parties to make immediate progress on those interrelated issues, recognize the need to establish the Abyei Referendum Commission, address the concerns of the local communities, and uphold their obligations under the Agreement to conduct a timely and credible referendum.

The Secretary-General commended the parties on launching their negotiations on post-referendum arrangements, and the AU High-Level Implementation Panel for its leadership in supporting and facilitating the process. He was concerned, however, about continued delays in border demarcation. The CPA parties had a great deal of work to do not only on demarcating the border, but also in addressing the concerns of border communities and determining how they would manage the border regions.

Despite recent progress, the Secretary-General said, logistical, political and security constraints would render the planned demobilization and reintegration of 180,000 ex-combatants by the end of the CPA period extremely difficult. Overall relief efforts also remained seriously hampered by continued funding shortfalls and a shortage of humanitarian partners to deliver supplies across six emergency pipelines: food, nutrition, non-food items and emergency shelter, emergency medical kits, seeds and tools, and water and sanitation. An increase in donor assistance was required in order to guard against a serious deterioration in humanitarian conditions during the referendum period and beyond.

SECURITY COUNCIL ACTION

On 16 November [meeting 6425], following consultations among Security Council members, the President made statement **S/PRST/2010/24** on behalf of the Council:

The Security Council emphasizes that the situation in the Sudan represents one of the most urgent challenges facing the Council.

The Council reaffirms its strong commitment to the sovereignty, independence, peace and stability of the Sudan and to a peaceful and prosperous future for all Sudanese people, and underlines its support for the full and timely implementation by the Sudanese parties of the Comprehensive Peace Agreement, including the holding of the referendums on the self-determination of the people of Southern Sudan and on the status of Abyei and of the popular consultations in Southern Kordofan and Blue Nile, and for a peaceful, comprehensive and inclusive resolution of the situation in Darfur.

The Council recalls that the Sudanese parties have full responsibility for the implementation of the Comprehensive Peace Agreement, reaffirms its support for and encourages their further efforts to that end and welcomes the leadership of the African Union and the support provided by the African Union High-level Implementation Panel on the Sudan, under the leadership of President Thabo Mbeki, and by the Intergovernmental Authority on Development. The Council recognizes the commitment of the parties to the implementation of the Agreement, remains actively seized of the matter and expresses its readiness to act as necessary in support of full implementation of the Agreement by the parties. The Council underlines the importance of close coordination between international actors involved in assisting the Sudanese peace processes.

The Council urges the parties to the Comprehensive Peace Agreement, while working to make unity attractive and recognizing the right to self-determination of the people of Southern Sudan, to take urgent action to implement their commitment, reaffirmed at the high-level meeting on the Sudan, held in New York on 24 September 2010, to ensure peaceful, credible, timely and free referendums that reflect the will of the people of Southern Sudan and Abyei, as provided for in the Agreement. In this regard, the Council welcomes the start of registration for the Southern Sudan referendum on 15 November 2010 and encourages further efforts to ensure that the referendums are held on 9 January 2011 in accordance with the Agreement and as scheduled in the timeline published for the Southern Sudan referendum by the Southern Sudan Referendum Commission. The Council is concerned by the continued delays in releasing to the Commission the full funding needed for preparations to continue to move forward. The Council calls upon the parties and all Member States to respect the outcome of credible referendums, held in accordance with the Agreement, that reflect the will of the people of Southern Sudan and Abyei. It requests all parties to refrain from unilateral action and to implement the Agreement.

The Council underlines the importance of the parties to the Comprehensive Peace Agreement making rapid progress on a way forward for Abyei's referendum, on outstanding Agreement issues and on resolving critical post-referendum issues in a peaceful, mutually beneficial manner, including the border, security, citizenship, debts, assets, currency and natural resources. In this context, the Council welcomes progress in the negotiations, led by President Mbeki, towards a 'Framework for Resolving Outstanding Issues Relating to the Implementation of the Comprehensive Peace Agreement and the Future Relations of North and South Sudan', on which agreement was reached on 13 November 2010. The Council urges the parties to resume negotiations on Abyei expeditiously and to reach agreement on all outstanding issues without further delay.

The Council underlines the need for the parties to the Comprehensive Peace Agreement to promote calm, including by providing immediate and ongoing reassurance to people of all nationalities in the Sudan, including Southerners in the North and Northerners in the South, that their rights, safety and property will be respected whatever the outcome of the referendums. The Council calls for an immediate end to statements threatening the security of vulnerable populations. The Council also emphasizes that the protection of civilians is primarily the responsibility of the Sudanese authorities. The Council urges the parties to work actively with local leaders to mitigate tensions in Abyei and other border areas.

The Council reaffirms its support for the United Nations Mission in the Sudan and reiterates its call for all parties to cooperate fully with the Mission in the discharge of its mandate in this crucial period, in particular by ensuring full, unhindered access and freedom of movement for Mission personnel and equipment, and for the delivery of materials for the referendums. The Council welcomes and encourages the work of the United Nations in contingency planning around the referendums

and calls upon Member States to support the efforts of the Mission.

The Council reaffirms its support for the Secretary-General's Panel on the Referenda in the Sudan, led by President Benjamin Mkapa. The Council underlines the importance of close coordination between the Panel and all domestic and international observation missions.

The Council underlines that, whatever the outcome of the referendums, continued cooperation between the parties to the Comprehensive Peace Agreement will remain essential for managing the transition process, implementing the post-referendum arrangements and maintaining peace and prosperity, and stresses the mutual benefits of partnership in this regard. The Council encourages the international community to support these efforts. The Council urges the parties to the Agreement to respect their obligations.

The Council reaffirms its support for the African Union-United Nations-led peace process for Darfur, hosted by Qatar, the work of the African Union-United Nations Joint Chief Mediator for Darfur, Mr. Djibril Bassolé, and the principles guiding the negotiations. The Council strongly urges all rebel movements to join the peace process without further delay or preconditions, and all parties immediately to cease hostilities and engage constructively in negotiations with a view to finding a lasting peace in Darfur. The Council expresses concern about attacks on civilians by militias and calls for all support to such groups to cease. The Council expresses its willingness to consider measures against any party whose actions undermine peace in Darfur.

The Council expresses deep concern about the increase in violence and insecurity in Darfur, including ceasefire violations, attacks by rebel groups, aerial bombardment by the Government of the Sudan, increased inter-tribal fighting, and attacks on humanitarian personnel and peacekeepers, which have restricted humanitarian access to conflict areas where vulnerable populations reside. In this context, the Council calls upon all parties to protect civilians and maintain full, safe and unhindered access for humanitarian workers to the population in need of assistance. The Council notes the need to support efforts to halt arms flows into Darfur in contravention of the arms embargo strengthened by resolution 1945(2010). The Council recalls the importance it attaches to an end to impunity, and to justice for crimes committed in Darfur.

The Council reaffirms its support for the African Union-United Nations Hybrid Operation in Darfur and reiterates its call upon the Government of the Sudan and all relevant parties to cooperate fully with the Operation in discharging its mandate and to provide full unhindered access and freedom of movement, as well as its call for an end to impunity for those who attack peacekeepers and humanitarian workers.

The Council welcomes improved relations between the Sudan and Chad and encourages them to cooperate further in order to contribute to peace and stability in Darfur and the wider region.

The Council encourages full implementation of the Eastern Sudan Peace Agreement, including the provisions regarding rehabilitation, recovery and development, and welcomes the initiative of the Government of

Kuwait to hold a conference on investment and development in Eastern Sudan in December 2010.

The Council calls for respect for international law, international human rights law and international humanitarian law; the protection of freedom of expression; humanitarian access across the Sudan, including in the border areas; and an end to all harassment of civil society. The Council underlines the importance of increased participation of women in the Sudanese peace processes.

The Council notes the considerable humanitarian, early recovery and peacebuilding needs of the Sudan and encourages the Sudanese authorities and international donors to fulfil their pledges to address them.

The Council underlines that full and timely implementation of the Comprehensive Peace Agreement is essential to peace and stability in the Sudan and the region and to future cooperation between the Sudan and the international community, and recognizes that enduring cooperation between the parties will be essential for the benefit of all Sudanese people. The Council affirms that the core objective of the international community and all stakeholders in the Sudan is the peaceful coexistence of the people of the Sudan, democratic governance, the rule of law, accountability, equality, respect, human rights, justice and economic development, in particular the establishment of the conditions for conflict-affected communities to build strong, sustainable livelihoods.

SECURITY COUNCIL ACTION

On 16 December [meeting 6452], following consultations among Security Council members, the President made statement **S/PRST/2010/28** on behalf of the Council:

The Security Council welcomes the reaffirmations by the Sudanese parties of their commitment to full and timely implementation of the Comprehensive Peace Agreement, and reaffirms its strong support for the efforts of the parties in this regard. The Council welcomes the conclusion of a peaceful registration process for the Southern Sudan referendum in the Sudan, and encourages the parties to continue this forward momentum towards peaceful and credible referendums on 9 January 2011 that reflect the will of the people. The Council strongly urges the parties to the Agreement to promptly fulfil their remaining commitments to finance the Southern Sudan Referendum Commission and the Southern Sudan Referendum Bureau.

The Council reaffirms its support for the Secretary-General's Panel on the Referenda in the Sudan led by President Benjamin Mkapa, and welcomes its work, including its statement of 9 December 2010 noting that the registration process provides the basis for a credible referendum. The Council extends its appreciation for the efforts of international and domestic observers.

The Council notes with deep concern the absence of an agreement on Abyei. The Council strongly urges the parties to calm rising tensions in Abyei, to urgently reach agreement on Abyei and other outstanding Comprehensive Peace Agreement issues, and to resolve critical post-referendum issues, including the border, security, citizenship, debts, assets, currency and natural resources.

The Council welcomes the work of the African Union High-level Implementation Panel on the Sudan led by the former President of South Africa, Mr. Thabo Mbeki, and its continuing efforts in this regard.

The Council reiterates its call for all parties to cooperate fully with the United Nations Mission in the Sudan in the discharge of its mandate, specifically with respect to the protection of civilians and to granting unhindered access and freedom of movement.

The Council reiterates the urgent need for the parties to provide immediate and ongoing reassurance to people of all nationalities in the Sudan, so that their rights, safety and property will be respected whatever the outcome of the referendums, and the urgent need to focus on the security and protection of minorities, including Southerners in the North and Northerners in the South. The Council urges the parties to ensure that citizenship and residency arrangements are in accordance with applicable international obligations and refrain from arbitrarily depriving an individual of citizenship. The Council urges the parties to the Comprehensive Peace Agreement to respect their obligations.

The Council stresses the importance of inclusive, timely and credible popular consultations processes in Blue Nile and Southern Kordofan States, in accordance with the Comprehensive Peace Agreement. The Council also stresses the need for Southern Kordofan state-level elections to be held in accordance with the timeline established by the National Elections Commission.

The Council underlines that, whatever the outcome of the referendums, continued cooperation between the parties to the Comprehensive Peace Agreement will remain essential. The Council stresses the importance of the parties abiding by the commitments recorded in the statement by the African Union High-level Implementation Panel of 15 November 2010, including to find peaceful solutions to all outstanding matters, to never to resort to war again, and that neither party should take any action, or support any group, that would undermine the security of the other. The Council is deeply concerned about the recent military incidents in the Kiir River Valley and the subsequent displacement of civilians, and urges all parties to exercise restraint, avoiding escalation.

The Council reaffirms its support for the African Union-United Nations-led peace process for Darfur, hosted by the Government of Qatar. The Council strongly urges all rebel movements to join the peace process without further delay or preconditions. The Council reiterates the importance of increased participation of women in the Sudanese peace processes. The Council reiterates its deep concern about the increase in violence and insecurity in Darfur, including recently in Khor Abeche, such as ceasefire violations, attacks by rebel groups, increased inter-tribal fighting, attacks on humanitarian personnel and peacekeepers and aerial bombardment by the Government of the Sudan. The Council recalls the importance it attaches to an end to impunity, and to justice for crimes committed in Darfur. The Council reiterates its willingness to consider measures against any party whose actions undermine peace in the Sudan.

Report of Secretary-General (December). On 31 December [S/2010/681], pursuant to Security Council resolution 1590(2005) [YUN 2005, p. 304], the Secretary-General provided an assessment of the overall situation in the Sudan since his October report, as well as an update on UNMIS activities up to 30 December.

Considerable progress had been made in preparations for the Southern Sudan referendum scheduled for 9 January 2011, with voter registration having been concluded. Both parties to the CPA continued to reaffirm publicly their commitment to the holding of the referendum, the implementation of outstanding CPA provisions and the resolution of the situation in Abyei through dialogue. In conformity with the pledge, the parties sought to manage security incidents through the ceasefire mechanisms, including the Ceasefire Joint Military Committee and the Joint Defence Board, which was tasked by the Presidency to investigate claims of troop build-up along the border.

On 15 November, the Southern Sudan Referendum Commission launched the voter registration exercise throughout the Sudan and in eight other countries. Registration proceeded largely without major incidents. Owing in part to the low turnout in Northern Sudan, the Commission extended the registration period by seven days, until 8 December, without changing the date of the referendum. Turnout in Southern Sudan remained high during the referendum period. The UN Integrated Referendum and Electoral Division worked closely with the Commission, providing technical and logistical support.

As at 28 December, 3.7 million voters had registered in Southern Sudan, with 98 per cent of registration centres having reported; in addition, 116,311 voters had registered in Northern Sudan and 60,243 voters had registered abroad.

The panel appointed by the Secretary-General to monitor the referendum visited the Sudan three times during the reporting period (10–15 October, 13–22 November, 18–22 December). While it concluded that the process was generally transparent and free from organized fraud, there were some reports and accusations of voter intimidation.

Little progress had been made on establishing the Abyei Referendum Commission. The AU High-Level Implementation Panel continued to facilitate the discussion on Abyei at the level of the Presidency, but so far the talks remained inconclusive.

In support of security arrangements for the referendum, UNMIS was co-chairing the High Referendum Security Committee and providing assistance to its secretariat.

At the conclusion of United States-mediated talks on Abyei (Addis Ababa, 4–13 October), the CPA parties agreed to convene a second round of talks, facilitated by the AU High-level Implementation Panel, to discuss

all outstanding issues and post-referendum arrangements. UNMIS worked closely with the Panel and other stakeholders to support the mediation efforts. During talks facilitated by the Panel (7–13 November), the parties reaffirmed their commitment to work for the successful conduct of the Southern Sudan referendum and pledged to respect its outcome, but failed to reach agreement on Abyei or on citizenship.

The situation in Abyei remained volatile, with rising tensions between the Ngok Dinka residents and the Misseriya nomads. UNMIS and UN agencies made efforts to mitigate tensions, with UNMIS reinforcing its military presence on the ground and intensifying its monitoring and verification activities with a view to preventing any escalation of violence and any violation of the ceasefire agreement.

A number of high-level meetings on the Sudan were convened during the reporting period and attended by the parties: the AU hosted the Sudan Consultative Forum (Addis Ababa, 6 November), and IGAD held the sixteenth Extraordinary Summit of IGAD Heads of State and Government on the Sudan (23 November). Sudanese Government representatives, international and national academics and other experts attended a symposium jointly convened by the Office of the United Nations High Commissioner for Refugees (UNHCR) and UNMIS (Khartoum, 6–7 November), concerning the technical and legal aspects of post-referendum citizenship.

In Eastern Sudan, the political and security situation remained stable. The signatories to the Eastern Sudan Peace Agreement [YUN 2006, p. 264] remained fully engaged with the Government of the Sudan in preparing for the Eastern Sudan donor conference hosted by Kuwait (1–2 December) and attended by 42 countries and nearly 200 funds, organizations and companies, which collectively pledged \$3.55 billion to fund 177 development projects.

With regard to the Darfur peace process (see p. 258), the negotiating committees of the Government of the Sudan and LJM concluded work early in November on power- and wealth-sharing, land rights, compensation, returns of IDPs and refugees, security arrangements, accountability and reconciliation. Since then, the AU-UN Joint Mediation team worked with the parties individually, encouraging both to develop compromising positions that addressed the interests of all parties and stakeholders. The team was currently consulting with all parties, as well as regional and international partners. The AU-UN Joint Chief Mediator for Darfur continued to encourage SLM-AW and JEM to support and participate in the peace process.

While the security environment in Southern Sudan had shown significant improvement, the situation remained potentially volatile. Attacks by LRA in Southern Sudan appeared to be declining, with no evidence of a permanent LRA presence there.

Despite significant progress, the reintegration component of the DDR programme was still lagging behind due to a shortfall in funds pledged by donors. An independent review of the national DDR programme was conducted at the request of UNDP, in consultation with UNMIS, major donors and the Northern and Southern Sudan Disarmament, Demobilization and Reintegration Commissions. Preliminary findings and recommendations were presented to the United Nations, donors and the Commissions in Khartoum on 15 December.

UNDP continued to deliver critical technical guidance and capacity support to the Southern Kordofan government's designated peacebuilding body, the Reconciliation and Peaceful Coexistence Mechanism. The UN joint programme on conflict prevention and peacebuilding completed its assessment phase, identifying locations and conflicts for initial interventions in Southern Kordofan and Warrap States.

The Secretary-General observed that the determination of the parties to the CPA to sustain peace, stability and coexistence would be the deciding factor in setting that course. He noted with satisfaction the efforts of his panel on the referendum and called on the parties to continue supporting its work and making the best possible use of its assistance. He considered recent progress in negotiations on post-referendum arrangements a welcome development, and commended the mediation role of the AU High-level Implementation Panel, as well as the efforts of the United Nations, UNMIS and other international partners in support of the process.

The continuing stalemate over Abyei and the Abyei referendum, however, was a cause for alarm. Although some progress appeared to have been made in the discussion facilitated by the AU High-level Implementation Panel, an agreement was not yet in sight, and tensions were building up on the ground. The Secretary-General urged all partners to intensify their efforts and provide support to all Sudanese in order to ensure the successful holding of the referendum and respect the choice made by the people by endorsing and implementing its outcome.

Children and armed conflict

Communication. On 26 January [S/2010/46], the President of the Security Council forwarded to the Secretary-General a letter of 11 January from the Chairman of the Security Council Working Group on Children and Armed Conflict, established by Security Council resolution 1612(2005) [YUN 2005, p. 863], based on the Working Group's conclusions adopted on 18 December 2009 [YUN 2009, p. 246]. As a follow-up to the Group's conclusions, the Chairman was entrusted to welcome the Secretary-General's recommendation to UNAMID, UNMIS and the United Nations Children's Fund (UNICEF) (UN Task Force

on Monitoring and Reporting) to facilitate the preparation and implementation of action plans, including by entering into dialogue with all parties to the conflict, in accordance with Council resolutions 1539(2004) [YUN 2004, p. 787], 1612(2005) [YUN 2005, p. 863] and 1882(2009) [YUN 2009, p. 739], and follow up and report on that aspect, as well as on specific commitments to address other grave violations and abuses; invite the Secretary-General to continue strengthening the Task Force on Monitoring and Reporting and to liaise with national institutions, NGOs and civil society networks to ensure effective collaboration of child protection activities; invite the Secretary-General to facilitate, given the regional dimensions of the crisis involving the Central African Republic, Chad and the Sudan, and other grave implications for children, better information exchange and closer cooperation between respective UN country teams and peacekeeping missions on child protection issues; invite the Secretary-General to promote dialogue among relevant stakeholders' organizations aiming at enhancing child protection and prevention of child recruitment in the region, including cross-border issues; and request the Secretary-General to ask his Special Representative for Children and Armed Conflict, based on her follow-up visit to the Sudan in November 2009 [YUN 2009, p. 246], to assess the situation for children, facilitate dialogue with the parties to the conflict, continue holding consultations with the Government during report preparations, and assess progress in the implementation of the Working Group's recommendations.

Report of Secretary-General (April). In an April report [A/64/742-S/2010/181] on children and armed conflict, the Secretary-General reviewed developments in the Sudan. Although there had been no reports of active child recruitment by SPLA, the demobilization of children from the group remained a concern. Some children who had previously been demobilized by the South Sudan Disarmament Demobilization and Reintegration Commission had voluntarily rejoined SPLA in order to carry out military and domestic chores for the army. While SPLA had made efforts to remove children from payrolls, some children interviewed stated they were still receiving salaries to support their families. Children also remained or returned to military barracks as they had access to food, shelter and even some schooling provided by SPLA. SPLA expressed concern regarding the inadequate provision of reintegration services for the released children, and it had little choice but to provide such services to the children itself. The lack of provision of such services by the United Nations was due to the lack of capacity and resources, among other constraints. That had made it increasingly difficult for the United Nations to continue advocating for the release and integration of children.

In Darfur, the association of children with the Sudan Armed Forces, Government forces such as the Central Reserve Police and Border Intelligence Forces, and pro-Government militias remained a concern, although the numbers had decreased; the Government had no policy to recruit children, and directives had been issued in that regard.

LRA's sporadic attacks and incursions into villages and abductions continued to be a threat to children in southern Sudan, in particular in Western Equatoria state. As a result of such attacks, 177 Sudanese children had been abducted, 18 had been killed and 19 had been injured in 2009. The number of children who escaped or were rescued from LRA increased in 2009 as a result of joint military operations by the Uganda People's Defence Force, the Forces armées de la République démocratique du Congo (FARDC) and SPLA. From January to November 2009, 192 LRA-affected children, including 154 Sudanese, 35 Congolese and three Ugandans, had been rescued.

Child abduction also continued in the context of conflict between and within tribal communities in Jonglei state. Official figures provided by the Jonglei state Government indicated a total of 227 children who had been abducted both by the Murle and the Lou Nuer groups in Pibor county from November 2008 to November 2009.

The Secretary-General anticipated that recent developments deriving from the Doha peace dialogue and normalization of relations between the Sudan and Chad might have positive implications for children.

UNMIS

The United Nations Mission in the Sudan (UNMIS), established by Security Council resolution 1590(2005) [YUN 2005, p. 304], continued to support implementation of the Comprehensive Peace Agreement signed by the Government of the Sudan and the Sudan People's Liberation Movement/Army; facilitate and coordinate the voluntary return of refugees and IDPs, and humanitarian assistance; assist with demining; and protect and promote human rights. On 29 April, by resolution 1919 (2010) (see p. 242), the Security Council extended the mandate of UNMIS until 30 April 2011.

As at 30 December, 9,745 of the authorized 10,000 military personnel were deployed, including 466 military observers, 198 staff officers and 9,081 troops. Freedom of movement continued to be a challenge for UNMIS operations. While the United Nations was working on options for possibly augmenting UN troops in the Sudan to prevent any deterioration of the security situation after the referendum, UNMIS had increased its presence in hot spots using its existing force, redeploying company-size additional troops to Abyei, Southern Kordofan and a new team site near the border between Upper Nile and White Nile States.

The UNMIS police component comprised 662 advisers, of an authorized strength of 715. As at the end of 2010, UNMIS police had trained 25,840 Southern Sudan Police Service personnel, including 2,254 female officers, in referendum security duties. The Mission continued to co-chair the meetings of the High Referendum Security Committee in Southern Sudan and was embedded in the State referendum security committees. In addition, UNMIS police supported the development of a three-year strategic plan for the Service, which had been recently approved by the Minister of the Interior.

Appointments. By a 29 January letter [S/2010/57], the Secretary-General informed the President of the Security Council of his intention to appoint Haile Menkerios of South Africa as his Special Representative for the Sudan with effect from 1 March. He would succeed Ashraf Jehangir Qazi of Pakistan, who had served in that position since 4 September 2007 [YUN 2007, p. 244]. On 31 January [S/2010/58], the President responded that the Council had taken note of the Secretary-General's intention.

On 8 June [S/2010/305], the Secretary-General informed the Council President of his intention to appoint Major General Moses Bisong Obi of Nigeria as Force Commander of UNMIS, to replace Lieutenant General Paban Jung Thapa of Nepal. In his response of 9 June [S/2010/306], the President stated that the Council took note of that intention.

Financing

Budget performance for the period
1 July 2008 to 30 June 2009

In a performance report on the budget of UNMIS for the period from 1 July 2008 to 30 June 2009 [A/64/566], the Secretary-General requested that the General Assembly decide on the treatment of the unencumbered balance of \$10,788,300, representing the difference between the assessed amount totalling \$871,276,400 and expenditure of \$860,488,100, and that it decide on the treatment of other income/adjustments for the period ended 30 June 2009 amounting to \$37,698,800, from interest income (\$8,590,500), other/miscellaneous income (\$10,129,800), prior-period adjustments (\$4,900) and cancellations of prior-period adjustments (\$18,983,400).

The Advisory Committee on Administrative and Budgetary Questions (ACABQ), in a 19 March 2010 report [A/64/660/Add.3], recommended that the unencumbered balance and other income be credited to Member States in a manner to be determined by the Assembly.

In resolution 64/283 of 24 June, the General Assembly took note of the Secretary-General's report.

Budget for the period 1 July 2010 to 30 June 2011

In a 22 January report [A/64/632], the Secretary-General submitted budget estimates for UNMIS for the period from 1 July 2010 to 30 June 2011, totalling \$977,309,700. He recommended that the General Assembly appropriate that amount and assess it at a monthly rate of \$81,442,475, should the Security Council decide to continue the Mission's mandate.

In a 19 March report [A/64/660/Add.3], ACABQ recommended appropriations of \$938,345,400 for the 12-month period, reflecting an overall reduction of \$35 million under operational costs.

GENERAL ASSEMBLY ACTION

On 24 June [meeting 101], the General Assembly, on the recommendation of the Fifth Committee [A/64/831], adopted **resolution 64/283** without vote [agenda item 159].

Financing of the United Nations Mission in the Sudan

The General Assembly,

Having considered the reports of the Secretary-General on the financing of the United Nations Mission in the Sudan and the related report of the Advisory Committee on Administrative and Budgetary Questions,

Recalling Security Council resolution 1590(2005) of 24 March 2005, by which the Council established the United Nations Mission in the Sudan for an initial period of six months as from 24 March 2005, and the subsequent resolutions by which the Council extended the mandate of the Mission, the latest of which was resolution 1919(2010) of 29 April 2010, by which the Council extended the mandate of the Mission until 30 April 2011,

Recalling also its resolution 59/292 of 21 April 2005 on the financing of the Mission and its subsequent resolutions thereon, the latest of which was resolution 63/273 B of 30 June 2009,

Recalling further its resolution 58/315 of 1 July 2004,

Reaffirming the general principles underlying the financing of United Nations peacekeeping operations, as stated in General Assembly resolutions 1874(S-IV) of 27 June 1963, 3101(XXVIII) of 11 December 1973 and 55/235 of 23 December 2000,

Noting with appreciation that voluntary contributions have been made to the Trust Fund in Support of the Peace Process in the Sudan,

Mindful of the fact that it is essential to provide the Mission with the financial resources necessary to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

1. *Requests* the Secretary-General to entrust the Head of Mission with the task of formulating future budget proposals in full accordance with the provisions of General Assembly resolutions 59/296 of 22 June 2005, 60/266 of 30 June 2006, 61/276 of 29 June 2007 and 64/269 of 24 June 2010, as well as other relevant resolutions;

2. *Takes note* of the status of contributions to the United Nations Mission in the Sudan as at 30 April 2010, including the contributions outstanding in the amount of 52.7 million United States dollars, representing some 1 per cent of the total assessed contributions, notes with concern that only forty-seven Member States have paid their assessed contributions in full, and urges all other Member States, in particular those in arrears, to ensure payment of their outstanding assessed contributions;

3. *Expresses its appreciation* to those Member States which have paid their assessed contributions in full, and urges all other Member States to make every possible effort to ensure payment of their assessed contributions to the Mission in full;

4. *Expresses concern* at the financial situation with regard to peacekeeping activities, in particular as regards the reimbursements to troop contributors that bear additional burdens owing to overdue payments by Member States of their assessments;

5. *Also expresses concern* at the delay experienced by the Secretary-General in deploying and providing adequate resources to some recent peacekeeping missions, in particular those in Africa;

6. *Emphasizes* that all future and existing peacekeeping missions shall be given equal and non-discriminatory treatment in respect of financial and administrative arrangements;

7. *Also emphasizes* that all peacekeeping missions shall be provided with adequate resources for the effective and efficient discharge of their respective mandates;

8. *Reiterates its request* to the Secretary-General to make the fullest possible use of facilities and equipment at the United Nations Logistics Base at Brindisi, Italy, in order to minimize the costs of procurement for the Mission;

9. *Acknowledges with appreciation* that the use of the logistics hub at Entebbe, Uganda, has been cost-effective and has resulted in savings for the United Nations, and welcomes the expansion of the logistics hub to provide logistical support to peacekeeping operations in the region and to contribute further to their enhanced efficiency and responsiveness, taking into account the ongoing efforts in this regard;

10. *Requests* the Secretary-General to ensure that proposed peacekeeping budgets are based on the relevant legislative mandates;

11. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions, subject to the provisions of the present resolution, and requests the Secretary-General to ensure their full implementation;

12. *Reaffirms* section XX of resolution 61/276, and encourages the Secretary-General, where feasible, to enhance regional and inter-mission cooperation with a view to achieving greater synergies in the use of the resources of the Organization and the implementation of mandates of the missions, while bearing in mind that individual missions are responsible for the preparation and implementation of their own budgets and for controlling their own assets and logistical operations;

13. *Requests* the Secretary-General to ensure that future budget submissions contain sufficient information, explanation and justification of the proposed resource requirements relating to operational costs in order to allow Member States to take well-informed decisions;

14. *Also requests* the Secretary-General to ensure the full implementation of the relevant provisions of resolutions 59/296, 60/266, 61/276 and 64/269;

15. *Further requests* the Secretary-General to take all necessary action to ensure that the Mission is administered with a maximum of efficiency and economy;

16. *Requests* the Secretary-General, in order to reduce the cost of employing General Service staff, to continue efforts to recruit local staff for the Mission against General Service posts, commensurate with the requirements of the Mission;

17. *Notes* that resource requirements related to support by the Mission for the referendums in Southern Sudan and Abyei have yet to be determined and that no provision for them has been included in the budget for 2010/11, and decides to revert to this issue, as required, during the sixty-fifth session of the General Assembly to allocate the necessary resources;

Financial performance report for the period from 1 July 2008 to 30 June 2009

18. *Takes note* of the report of the Secretary-General on the financial performance of the Mission for the period from 1 July 2008 to 30 June 2009;

Budget estimates for the period from 1 July 2010 to 30 June 2011

19. *Decides* to appropriate to the Special Account for the United Nations Mission in the Sudan the amount of 994,880,200 dollars for the period from 1 July 2010 to 30 June 2011, inclusive of 938,000,000 dollars for the maintenance of the Mission, 48,172,800 dollars for the support account for peacekeeping operations and 8,707,400 dollars for the United Nations Logistics Base;

Financing of the appropriation

20. *Also decides* to apportion among Member States the amount of 829,066,833 dollars for the period from 1 July 2010 to 30 April 2011, in accordance with the levels updated in General Assembly resolution 64/249 of 24 December 2009, and taking into account the scale of assessments for 2010 and 2011, as set out in Assembly resolution 64/248 of 24 December 2009;

21. *Further decides* that, in accordance with the provisions of its resolution 973(X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 20 above, their respective share in the Tax Equalization Fund of 25,009,250 dollars, comprising the estimated staff assessment income of 21,104,917 dollars approved for the Mission, the prorated share of 3,323,750 dollars of the estimated staff assessment income approved for the support account and the prorated share of 580,583 dollars of the estimated staff assessment income approved for the United Nations Logistics Base;

22. *Decides* to apportion among Member States the amount of 165,813,367 dollars for the period from 1 May to 30 June 2011, at a monthly rate of 82,906,683 dollars, in accordance with the levels updated in resolution 64/249, and taking into account the scale of assessments for 2011, as set out in its resolution 64/248, subject to a decision of the Security Council to extend the mandate of the Mission;

23. *Also decides* that, in accordance with the provisions of resolution 973(X), there shall be set off against the ap-

portionment among Member States, as provided for in paragraph 22 above, their respective share in the Tax Equalization Fund of 5,001,850 dollars, comprising the estimated staff assessment income of 4,220,983 dollars approved for the Mission, the prorated share of 664,750 dollars of the estimated staff assessment income approved for the support account and the prorated share of 116,117 dollars of the estimated staff assessment income approved for the United Nations Logistics Base;

24. *Further decides* that, for Member States that have fulfilled their financial obligations to the Mission, there shall be set off against their apportionment, as provided for in paragraph 20 above, their respective share of the unencumbered balance and other income in the total amount of 48,487,100 dollars in respect of the financial period ended 30 June 2009, in accordance with the levels updated in General Assembly resolution 61/243 of 22 December 2006, and taking into account the scale of assessments for 2009, as set out in Assembly resolution 61/237 of 22 December 2006;

25. *Decides* that, for Member States that have not fulfilled their financial obligations to the Mission, there shall be set off against their outstanding obligations their respective share of the unencumbered balance and other income in the total amount of 48,487,100 dollars in respect of the financial period ended 30 June 2009, in accordance with the scheme set out in paragraph 24 above;

26. *Also decides* that the increase of 2,243,700 dollars in the estimated staff assessment income in respect of the financial period ended 30 June 2009 shall be added to the credits from the amount of 48,487,100 dollars referred to in paragraphs 24 and 25 above;

27. *Emphasizes* that no peacekeeping mission shall be financed by borrowing funds from other active peacekeeping missions;

28. *Encourages* the Secretary-General to continue to take additional measures to ensure the safety and security of all personnel participating in the Mission under the auspices of the United Nations, bearing in mind paragraphs 5 and 6 of Security Council resolution 1502(2003) of 26 August 2003;

29. *Invites* voluntary contributions to the Mission in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure and practices established by the General Assembly;

30. *Decides* to include in the provisional agenda of its sixty-fifth session the item entitled "Financing of the United Nations Mission in the Sudan".

Additional appropriations

In a 14 October report [A/65/509], the Secretary-General requested additional appropriations in the amount of \$85.7 million for UNMIS support of the preparations of the self-determination referendums in Southern Sudan and the Abyei Area. He noted that the Security Council, by resolution 1919(2010) of 29 April (see p. 242), had emphasized the Mission's lead role in supporting those preparations, and that the General Assembly, in resolution 64/283 (see p. 255), had decided to revert to the issue of resource

requirements for referendum-support to allocate the necessary resources.

ACABQ, on 12 November [A/65/571], recommended that the General Assembly appropriate the requested \$85,705,600 for the support of the referendums, in addition to the \$938,000,000 already appropriated for maintaining the Mission. The Committee also recommended an assessment of \$71,421,334 for the period from 1 July 2010 to 30 April 2011, and an amount of \$14,284,266 at a monthly rate of \$7,142,133, should the Security Council decide to continue the Mission mandate beyond the latter date.

GENERAL ASSEMBLY ACTION

On 24 December [meeting 73], the General Assembly, on the recommendation of the Fifth Committee [A/65/656], adopted **resolution 65/257 A** without vote [agenda item 157].

Financing of the United Nations Mission in the Sudan

The General Assembly,

Having considered the note by the Secretary-General on the financing arrangements for the United Nations Mission in the Sudan for the period from 1 July 2010 to 30 June 2011 and the related report of the Advisory Committee on Administrative and Budgetary Questions,

Recalling Security Council resolution 1919(2010) of 29 April 2010, by which the Council extended the mandate of the Mission until 30 April 2011,

Recalling also its resolution 64/283 of 24 June 2010 on the financing of the Mission,

1. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions, subject to the provisions of the present resolution, and requests the Secretary-General to ensure their full implementation;

Financing arrangements for the period from 1 July 2010 to 30 June 2011

2. *Decides* to appropriate to the Special Account for the United Nations Mission in the Sudan the amount of 70,026,300 United States dollars for the maintenance of the Mission for the period from 1 July 2010 to 30 June 2011, in addition to the amount of 938 million dollars already appropriated for the maintenance of the Mission for the same period under the terms of its resolution 64/283;

Financing of the appropriation

3. *Also decides*, taking into account the amount of 829,066,833 dollars already apportioned under the terms of its resolution 64/283 for the period from 1 July 2010 to 30 April 2011, to apportion among Member States the additional amount of 58,355,250 dollars for the same period, in accordance with the levels updated in General Assembly resolution 64/249 of 24 December 2009, and taking into account the scale of assessments for 2010 and 2011, as set out in its resolution 64/248 of 24 December 2009;

4. *Further decides* that, in accordance with the provisions of its resolution 973(X) of 15 December 1955, there shall be set off against the apportionment among Member

States, as provided for in paragraph 3 above, their respective share in the Tax Equalization Fund of the amount of 826,500 dollars, representing the increase in the estimated staff assessment income approved for the Mission for the period from 1 July 2010 to 30 April 2011;

5. *Decides* to apportion among Member States the additional amount of 11,671,050 dollars at a monthly rate of 5,835,525 dollars for the period from 1 May to 30 June 2011, in accordance with the levels updated in General Assembly resolution 64/249, and taking into account the scale of assessments for 2011, as set out in its resolution 64/248, subject to a decision of the Security Council to extend the mandate of the Mission;

6. *Also decides* that, in accordance with the provisions of its resolution 973(X), there shall be set off against the apportionment among Member States, as provided for in paragraph 5 above, their respective share in the Tax Equalization Fund of the amount of 165,300 dollars, representing the increase in the estimated staff assessment income approved for the Mission for the period from 1 May to 30 June 2011;

7. *Further decides* to keep under review during its sixty-fifth session the item entitled "Financing of the United Nations Mission in the Sudan".

Darfur

The situation in Darfur during 2010 remained a concern, as progress was followed by renewed conflict. On 15 January, the Governments of the Sudan and Chad took an important step forward to improve their relations by signing a protocol on border security. The Joint Border Force, established in February, was having a positive impact in terms of security and opening cross-border trade and movement. In May, however, with the elections over, violence flared up again between government forces and JEM troops, in flagrant breach of their commitments to cease hostilities, causing May to be the deadliest month since the establishment of the African Union-United Nations Hybrid Operation in Darfur (UNAMID) in 2007 [YUN 2007, p. 251]. In addition, tribal conflict, displacements, criminality and violations of human rights continued to cause suffering throughout the year.

Following the signing of a Framework Agreement to Resolve the Conflict in Darfur between the Government of the Sudan and JEM on 23 February, and of the Framework and Ceasefire Agreements between the Government and the Liberation and Justice Movement (LJM)—a newly created alliance of smaller Darfuri rebel groups—on 18 March, further negotiations were suspended early in April as the Government withdrew its delegation for the electoral period. From early April until early June, the AU-UN Joint Mediation, led by Joint Chief Mediator Djibril Bassolé, conducted a series of workshops aimed at enabling the armed movements to strengthen their cohesion, capacity and readiness to engage in direct negotiations with the Government.

The new UNAMID Joint Special Representative Ibrahim Gambari (Nigeria) arrived in the Mission area to assume his duties on 22 January. On 30 July, by resolution 1935(2010) (see p. 262), the Security Council extended the mandate of UNAMID for a further 12 months, until 31 July 2011.

Political and security developments

Report of Secretary-General (January).

Pursuant to Security Council resolution 1881(2009) [YUN 2009, p. 255], the Secretary-General reported on 29 January [S/2010/50] on progress made towards implementing the mandate of UNAMID, as well as on the political process, the security and humanitarian situation, and compliance by all parties with their international obligations. In accordance with the Council's request, the report, which covered the period from 1 November 2009 to 31 January 2010, included an assessment of the Mission's progress made against benchmarks contained in his November 2009 report [YUN 2009, p. 158].

The Secretary-General noted that UNAMID had made significant progress towards full deployment and was now focused on its critical tasks of protecting civilians and facilitating humanitarian delivery. Serious challenges remained, however, including military confrontations between the Government of the Sudan and other armed elements, attacks on UNAMID and humanitarian convoys, and armed attempts to prevent UNAMID from patrolling. The most serious impediment to sustainable peace continued to be the failure of some parties to engage in the peace process in a meaningful way.

Communications. On 17 February [S/2010/87], the Sudan transmitted the El Fasher Declaration, issued by the Arab League Council at its extraordinary session held at El Fasher, capital of Northern Darfur State, on 14 February. The meeting demonstrated the improvement in both security and humanitarian fields towards lasting and durable peace, the Sudan noted.

By separate letters of 24 February, Qatar [S/2010/118] and the Sudan [S/2010/98] transmitted the Framework Agreement between the Government of the Sudan and JEM, signed in Doha, Qatar, on 23 February, which, according to the Sudan, constituted a breakthrough towards lasting peace and stability in Darfur.

By separate letters of 18 March [S/2010/152] and 23 March [S/2010/151], respectively, Qatar and the Sudan transmitted a Framework Agreement to Resolve the Conflict in Darfur and the Ceasefire Agreement, signed by the Government of the Sudan and JEM (Doha, 18 March).

On 13 April [S/2010/186], the Sudan transmitted a statement issued by Ahmed Bin Abdullah

Al-Mahmoud, Minister of State for Foreign Affairs of Qatar, and Djibril Bassolé, AU-UN Joint Chief Mediator, in Doha, Qatar, on 7 April, confirming the continuation of the negotiations on Darfur after the ongoing elections in the Sudan and calling on all parties to participate.

Report of Secretary-General (April). On 28 April [S/2010/213], pursuant to Security Council resolution 1881(2009), the Secretary-General reported on progress made in implementing the mandate of UNAMID across Darfur, as well as on the political process, the security and humanitarian situation and the compliance by all parties with their obligations. The report, which covered the period from 1 February to 30 April 2010, also assessed progress against benchmarks presented to the Council in November 2009 [YUN 2009, p. 259].

The Secretary-General noted several positive developments in the Darfur peace process, with the signing of a Framework Agreement between the Government of the Sudan and JEM, which included the declaration of an immediate ceasefire, a commitment to release prisoners of war and the undertaking to negotiate a final peace agreement by 15 March, and following which the Government immediately released 57 JEM prisoners of war. Although the parties failed to agree on a ceasefire implementation protocol or a final agreement by the 15 March deadline, the ceasefire had largely been respected.

In the negotiations, significant steps were taken towards the unification of armed movements. On 23 February, the creation of the Liberation and Justice Movement (LJM) was announced, merging members of the SLM-Revolutionary Forces (Tripoli Group) and part of the Road Map Group (Addis Ababa Group) into a single new movement under the leadership of Eltigani Seisi Mohamed Ateem. The Government of the Sudan and LJM immediately engaged in negotiations and on 18 March signed the Framework Agreement to Resolve the Conflict in Darfur. The joint AU-UN Mediation planned to manage the negotiations with JEM and LJM in parallel in the first stage, and then to merge two sets of negotiations with a view to concluding a final settlement. In April, the Mediation, supported by UNAMID, conducted a series of capacity-building workshops for the armed movements in order to strengthen their cohesion, as well as their capacity and readiness to engage in direct negotiations with the Government. The Mediation, in collaboration with UNAMID, also launched civil society consultations aimed at building on the conclusions of the first Darfur civil society conference (Doha, 18 November 2009) [YUN 2009, p. 259].

The Joint Special Representative undertook consultations with the parties to the conflict and a broad range of stakeholders, including Member States as

well as regional and non-governmental organizations (NGOs). He met with Abdul Wahid, leader of the eponymous SLA faction, to urge him to permit access to areas under his movement's control, facilitate participation in the civil society consultations and assist UNAMID in retrieving equipment lost in an ambush on 5 March, as well as join the peace process.

Electoral campaigning gradually intensified after a slow start in February. The NCP campaign was the most visible throughout the region. PCP, SPLM and independents also campaigned vigorously, but other parties claimed that the ongoing imposition of the 1997 State of Emergency Law restricted active campaigning. On 31 March, SPLM announced that it was withdrawing the candidacy of Yasir Arman from the race for the presidency and that it would not contest elections in Darfur, stating that the electoral environment was not conducive to free and fair elections. The Communist Party of the Sudan, the National Umma Party and the Umma Reform and Renewal Party also withdrew their candidates from all levels of the elections. Opposition parties claimed that they were not satisfied with the response of the Government of the Sudan to their demands for reform of the electoral environment and postponement of the elections. Nevertheless, since the official deadline for the withdrawal of candidates had passed, the names of those who had announced their withdrawal remained on the ballots, and any votes cast for them would be counted by NEC.

With the exception of the Jebel Marra and Jebel Moon areas, voting took place in Darfur from 11 to 15 April, after NEC had extended the polling from three to five days nationwide. Voting occurred in IDP camps where polling centres had been established, although IDPs in other camps, including Zalingei, did not participate. There were some reports of delays and logistical challenges, combined with a high security presence. There were also reports, denied by the National Intelligence and Security Service, of the arrest and harassment of opposition candidates or their supporters by Service officials.

Despite the 23 February ceasefire between the Government and JEM, JEM commanders in Jebel Moon, Western Darfur, informed UNAMID that they would not allow electoral activities to take place in areas under their control and warned it against moving within those areas during the polls or helping the Government to deliver electoral materials. NEC confirmed that 14 out of the 23 polling stations in Serba (Kulbus), Western Darfur, were closed on the first day of polling.

UNAMID supported UNMIS and NEC in preparation for the elections. UNAMID police provided training on elections security management, including crowd control, and a "training the trainers" course to 9,151 government police officers across Darfur. The United

Nations also made available aviation and movement support for the elections.

During the reporting period, UNAMID was the target of a number of deliberate attacks. On 16 February, seven personnel of the Pakistani formed police unit were injured—three of them critically—during an attack on its patrol to the El Sereif IDP camp, 7 km west of Nyala.

Restrictions on the freedom of movement of UNAMID continued to hamper the Mission's activities. Approximately half of those restrictions were related to Government of the Sudan officials, while other incidents involved JEM and the Minni Minnawi, Abdul Shafi and Abdul Wahid factions of SLA, as well as Chadian armed opposition groups. Carjacking also continued to pose a threat, with 10 vehicles seized from UN staff and NGOs during the reporting period.

The Secretary-General noted the positive developments during the reporting period, including progress in the Doha negotiations, improvement in the relations between Chad and the Sudan (see p. 275), and an election process largely without violence, although substantial segments of the population, including those in rebel-held areas and many IDP camps were not included in the voter registration exercise, as a result of insecurity, boycotts and alleged flaws in the process. The increasing deployment and operational capabilities of UNAMID, especially in remote areas, had helped improve the safety and security of the Darfuran population, including through expanded patrolling, community policing and improved collaboration with Sudanese authorities. Nonetheless, there remained serious challenges to the achievement of lasting peace, including ongoing reports of violence in many areas of Darfur, the lack of participation of key stakeholders in the political process and the failure of the electoral process to include large groups of Darfurians.

Continued denial of access by various parties—particularly in areas where clashes had occurred, such as Jebel Marra—significantly constrained UNAMID's ability to implement its mandate to protect civilians in imminent danger. Deliberate attacks and the threatening posture of some commanders on the ground often impeded UNAMID patrols to vulnerable areas, particularly those under the control of non-signatories to the 2006 Darfur Peace Agreement [YUN 2006, p. 274]. The Secretary-General strongly condemned the abductions of four UNAMID police advisors on 11 April and urged all parties to ensure the safety and security of all UN and associated personnel.

The continued refusal by Abdul Wahid to join the Darfur process and negotiate with the Government of the Sudan, coupled with his movement's refusal to allow UNAMID and humanitarian agencies access to areas under its control, impeded the peace process.

The Secretary-General called once again on Abdul Wahid to engage in negotiations and facilitate the international community's efforts to end the suffering of the Darfuran populations, and welcomed the latest efforts of both the Joint Chief Mediator and the Joint Special Representative in trying to convince Abdul Wahid to join the peace process in the interest of his people.

The Secretary-General also welcomed the steps taken by the Governments of the Sudan and Chad to restore diplomatic relations and the deployment of the Joint Border Monitoring Force, which would bring significant improvement in the security situation in the west and north-west of Darfur. He urged the Government of the Sudan, in collaboration with the Chadian authorities, to address the insecurity created by the redeployment of Chadian armed opposition groups away from the border area.

Encouraged by the progress towards full UNAMID deployment, the Secretary-General nevertheless noted that continuing shortfalls in terms of self-sustainment of military and formed police units remained a challenge to the Mission's operational capability. He welcomed the agreements by SLA-Free Will, JEM-Peace Wing and SLA-Abu Gasim to enter into action plans to cease recruitment of and release to the United Nations all children associated with their groups. He called on other armed groups and government forces to engage with UNAMID in its efforts to develop time-bound action plans in line with Security Council resolutions 1539(2004) [YUN 2004, p. 787] and 1612(2005) [YUN 2005, p. 863].

Security Council statement (May). On 7 May [SC/9920], the Security Council condemned in the strongest terms attacks on UNAMID peacekeepers in Darfur on that day, which resulted in the deaths of two Egyptian soldiers and left another three seriously wounded. The Council expressed its condolences to the families of those killed in the attacks, as well as to the Government of Egypt, and encouraged the Government of the Sudan to ensure that all the perpetrators were swiftly brought to justice.

Communication. On 17 May [S/2010/243], Qatar transmitted a statement issued on 16 May by the Joint Mediation on the conflict in Darfur indicating that before the end of May, the Mediation would present a plan for the peace process which included the resumption in Doha of direct negotiations between the parties to the conflict and the participation of civil society in the peace process.

Security Council statement (June). On 22 June [SC/9958], the Security Council condemned the attacks on UNAMID peacekeepers in Darfur on 21 June that resulted in the deaths of three Rwandan soldiers and left another seriously wounded. The Council expressed its condolences to the families of those

killed in the attacks, as well as to the Government of Rwanda. It encouraged the Government of Sudan to ensure that all the perpetrators were swiftly brought to justice, and stressed that there had to be an end to impunity for those that attacked peacekeepers.

Report of Secretary-General (July). In a 14 July report [S/2010/382], the Secretary-General, pursuant to Security Council resolution 1881(2009), gave an overview of developments and activities in Darfur from 1 May to 30 June, and provided an evaluation of the overall trends with respect to the situation during the past year.

The Secretary-General reported that on 20 May, NEC had announced the parliamentary results of the general elections. Of the 67 per cent of eligible voters in Darfur who had registered in December 2009, slightly less than half actually voted. Participation by IDPs was limited and security issues limited voting possibilities in areas controlled by non-signatory armed movements. In the National Assembly, NCP won 73 of 86 seats allocated to Darfur. Of the remaining 13 seats, three remained vacant as polling was postponed for security reasons. Independent candidates won two seats, while the opposition PCR, the Umma Federal Party and the Democratic Unionist Party won four, three and one, respectively. With 86 seats, representatives of Darfur constituted 19 per cent of the National Assembly.

On 14 June, President Al-Bashir appointed nine Darfurians to his Cabinet, five as ministers and four as State ministers. Two Darfurians were given key portfolios as Ministers of Justice and of Finance and National Economy. The President began the appointment of his presidential advisers on 24 June by issuing a decree appointing Nafie Ali Nafie and Musa Mohamed Ahmed as his assistants, however, the position of Senior Assistant to the President, established by the Darfur Peace Agreement and held by Minni Minnawi until the elections, had not been filled as at 30 June. Negotiations appeared to be ongoing with regard to his possible re-appointment as Senior Assistant and Chairman of the Transitional Darfur Regional Authority.

Neither the Sudan Liberation Movement of Minni Minnawi, nor the signatories to the 2006 Declaration of Commitment to the Darfur Peace Agreement, with the exception of SLM-Peace Wing, had succeeded in transforming themselves into political parties, owing to their failure to demobilize.

Since the signing of the Framework Agreement of 23 February (see p. 240), JEM and the Government had made no further progress towards a ceasefire implementation protocol or a final agreement. On the ground, armed conflict continued between JEM and Government of the Sudan troops, in flagrant violation of the cessation of hostilities contained in the Framework Agreement.

Significant challenges remained in facilitating an inclusive and comprehensive settlement to the Darfur conflict. The Joint Mediation would continue to support direct talks between LJM and the Government of the Sudan and to bring civil society, IDPs and refugee representatives into the discussions. In coordination with UNAMID leadership and regional and other actors, the Joint Mediation would also continue to engage JEM and SLA-Abdul Wahid (SLA-AW) with a view to bringing them into the talks. The Joint Mediation would also work to promote the consolidation of improved Chad-Sudan relations (see p. 275).

UNAMID supported the Joint Mediation, in particular with regard to the participation of civil society in the peace process. On 8 June, the Joint Special Representative and the Joint Chief Mediator held a meeting with 80 civil society members in Nyala, Southern Darfur. UNAMID was also providing expertise on ceasefire and other implementation mechanisms to the Joint Mediation in Doha.

The security situation in Darfur remained volatile, with sporadic fighting, crime, kidnappings, and attacks on UN peacekeepers—five peacekeepers were killed in separate attacks in May and June (see p. 260)—as well as civilian personnel. During the months prior, the situation had deteriorated significantly, in particular with the outbreak of clashes between JEM and government troops, and between SLA-AW and government troops, as well as tribal clashes in the Zalingei corridor in Western Darfur. More than 400 conflict-related fatalities were recorded in May, making it the deadliest month since UNAMID took over from the African Union Mission in the Sudan on 31 December 2007 [YUN 2007, p. 259]. The fighting, including bombardment by SAF, caused insecurity, displacement and the loss of livelihoods among the civilian population.

The Government and armed movements denied UNAMID access to the areas affected by the fighting and to the civilians caught up in the violence. On 30 and 31 May, the Government imposed restrictions on UN rotary-wing flights into areas of Southern and Northern Darfur, which were lifted on 14 June; however, restrictions on such flights between El Fasher and Nyala remained in force, with implications for UNAMID military operations. Moreover, some UNAMID fixed-wing flights in Southern Darfur were cancelled by the Government, causing disruption to UNAMID civilian operations. The security situation for UNAMID personnel continued to be precarious, due to carjacking, kidnappings and abductions, and other incidents of banditry and crime.

In response to attacks on UNAMID personnel during May and June, the Joint Special Representative met with government officials in Khartoum to request a thorough and timely investigation and pros-

ecution and punishment of the perpetrators, and to request that the Government promptly address the issues of restrictions on the movement of AU-UN and humanitarian personnel and on the use of UNAMID assets, including the use of tactical helicopters during emergency situations.

A quarter of Darfur's total population, some 2 million people, were currently displaced and continued to rely on aid agencies for their survival. Concerns surrounding the security situation and humanitarian access in Southern Darfur intensified in recent weeks, following abductions of three international humanitarian staff on 18 May and 22 June.

The conflict in Darfur remained among the most complex facing the international community, the Secretary-General observed. He welcomed the commitment of the Government of the Sudan and LJM to negotiate a comprehensive agreement with the participation of civil society, but was concerned that the withdrawal of JEM from the peace talks in Doha undermined the goal of an inclusive and rapid agreement, without which there was a risk of increasing instability in the Sudan. He urged the Government and JEM to cease immediately their military confrontation and commit to peace talks under the Joint Chief Mediator. He also called on SLA-AW to rejoin the talks. UNAMID would continue to support the Joint Chief Mediator and work to ensure that the content of the Doha negotiations was transparent to the people of Darfur and that the peace process had their support. UNAMID had an important role to play in providing a secure environment conducive to voluntary returns and supporting the UN country team's efforts to stimulate livelihood opportunities.

SECURITY COUNCIL ACTION

On 30 July [meeting 6366], the Council adopted **resolution 1935(2010)** unanimously. The draft [S/2010/402] was submitted by the United Kingdom.

The Security Council,

Reaffirming all its previous resolutions and the statements by its President concerning the situation in the Sudan,

Reaffirming also its strong commitment to the sovereignty, unity, independence and territorial integrity of the Sudan and its determination to work with the Government of the Sudan, in full respect of its sovereignty, to assist in tackling the various challenges in the Sudan,

Recalling its resolutions 1674(2006) of 28 April 2006 and 1894(2009) of 11 November 2009 on the protection of civilians in armed conflict, in which it reaffirms, inter alia, the relevant provisions of the 2005 World Summit Outcome, its resolutions 1612(2005) of 26 July 2005 and 1882(2009) of 4 August 2009 on children and armed conflict, its resolution 1502(2003) of 26 August 2003 on the protection of humanitarian and United Nations personnel and its resolution 1325(2000) of 31 October 2000 and associated resolutions on women and peace and security,

Bearing in mind the Convention relating to the Status of Refugees of 28 July 1951 and the Protocol thereto, of 31 January 1967, along with the Organization of African Unity Convention governing the specific aspects of refugee problems in Africa of 10 September 1969, as well as the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa of 23 October 2009,

Recalling the report of the Secretary-General of 10 February 2009 on children and armed conflict in the Sudan, including his recommendations, and recalling the conclusions on children and armed conflict in the Sudan endorsed by the Security Council Working Group on Children and Armed Conflict,

Expressing its strong commitment and determination to promote and support the Darfur political process and the efforts of the Joint African Union-United Nations Chief Mediator for Darfur, welcoming his commitment to progress and the negotiations between the Government of the Sudan and the Liberation and Justice Movement on an agreement under the auspices of the Joint Chief Mediator, and deploring the fact that some groups continue to refuse to join the political process,

Underlining, without prejudice to the primary responsibility of the Security Council for the maintenance of international peace and security, the importance of the partnership between the United Nations and the African Union, consistent with Chapter VIII of the Charter of the United Nations, with regard to the maintenance of peace and security in Africa, particularly in the Sudan,

Welcoming the important role of the African Union in the Sudan, in particular the efforts of the African Union High-Level Implementation Panel for the Sudan, working in cooperation with the Joint Chief Mediator and the African Union-United Nations Hybrid Operation in Darfur to promote peace, reconciliation and accountability in Darfur, including through the early convening of a Darfur-Darfur conference, with a view to encouraging early progress in the African Union-United Nations-led peace process,

Welcoming also the report of the Secretary-General of 14 July 2010 on the African Union-United Nations Hybrid Operation in Darfur,

Stressing the need for the Council to pursue a rigorous, strategic approach to peacekeeping deployments with a view to enhancing the effectiveness of peacekeeping missions, and underlining in this regard the importance of addressing the requirement for the African Union-United Nations Hybrid Operation in Darfur to be able to deter threats to the implementation of its mandate and the safety and security of its peacekeeping personnel in accordance with the Charter,

Expressing deep concern at the deterioration in the security situation in Darfur, including ceasefire violations, attacks by rebel groups, aerial bombardment by the Government of the Sudan, increased inter-tribal fighting, and attacks on humanitarian personnel and peacekeepers, which have restricted humanitarian access to conflict areas where vulnerable civilian populations reside, as stated in the report of the Secretary-General of 14 July 2010, and calling upon all parties to cease hostilities and urgently facilitate humanitarian access,

Reiterating its condemnation of all violations of human rights and international humanitarian law in Darfur, calling upon all parties to comply with their obligations under international humanitarian and human rights law, emphasizing the need to bring to justice the perpetrators of such crimes, and urging the Government of the Sudan to comply with its obligations in this respect,

Reaffirming its concern over the negative effect of the ongoing violence in Darfur on the stability of the Sudan as a whole as well as the region, welcoming improved relations between the Sudan and Chad following the signing on 15 January 2010 by the Government of the Sudan and the Government of Chad of an agreement to normalize their bilateral relations as well as the deployment of a joint force under a joint command along the border, and encouraging the Sudan and Chad to continue to implement this agreement and to cooperate in order to achieve peace and stability in Darfur and the wider region,

Determining that the situation in the Sudan constitutes a threat to international peace and security,

1. *Decides* to extend the mandate of the African Union-United Nations Hybrid Operation in Darfur as set out in resolution 1769(2007) of 31 July 2007 for a further twelve months, until 31 July 2011;

2. *Underlines* the need for the African Union-United Nations Hybrid Operation in Darfur to make full use of its mandate and capabilities, giving priority in decisions about the use of available capacity and resources to (a) the protection of civilians across Darfur, and (b) ensuring safe, timely and unhindered humanitarian access, and the safety and security of humanitarian personnel and humanitarian activities;

3. *Reaffirms* the importance of promoting the African Union-United Nations-led political process for Darfur and, in this regard, underlines the need for the systematic and sustained engagement of all Darfuri stakeholders, including newly elected officials, civil society, including women and women-led organizations, community groups and tribal leaders, in order to create an environment conducive to peace and security through constructive and open dialogue, welcomes the priority given to the continuing efforts of the African Union-United Nations Hybrid Operation in Darfur to promote such engagement in support of and to complement the work of the Joint African Union-United Nations Chief Mediator for Darfur, Mr. Djibril Yipéné Bassolé, and the African Union-United Nations-led political process for Darfur, and welcomes the work of the African Union High-Level Implementation Panel for the Sudan in this regard;

4. *Requests* the African Union-United Nations Hybrid Operation in Darfur, in consultation with the United Nations country team, to develop a comprehensive strategy for the achievement of the objectives set out in paragraph 2 above, and requests the Operation to maximize the use of its capabilities in Darfur in the implementation of that strategy;

5. *Commends* the contribution of troop- and police-contributing countries and donors to the African Union-United Nations Hybrid Operation in Darfur, notes that the Operation is nearing full deployment, underlines the need for capable units able to carry out the Operation's mandated tasks, in this regard requests the continuing assistance of donors to troop- and police-contributing countries

in ensuring that units are suitably trained and equipped to conduct and sustain themselves on operations, and calls upon Member States to pledge and contribute the remaining military utility helicopters, aerial reconnaissance and other force enablers required;

6. *Strongly condemns* all attacks on the African Union-United Nations Hybrid Operation in Darfur, underlines that any attack on or threat to the Operation is unacceptable, demands that there be no recurrence of such attacks, stresses the need to enhance the safety and security of Operation personnel, as well as the need to put an end to impunity for those who attack peacekeepers, and in this regard urges the Government of the Sudan to do its utmost to bring the perpetrators of any such crimes to justice;

7. *Commends* the credible work of the Tripartite Mechanism but expresses deep concern at continuing restrictions placed upon the movement and operations of the African Union-United Nations Hybrid Operation in Darfur, calls upon all parties in Darfur to remove all obstacles to the full and proper discharge by the Operation of its mandate, including by ensuring its security and freedom of movement, and in this regard urges the Government of the Sudan to comply with the status-of-forces agreement fully and without delay, particularly regarding flight and equipment clearances, and the removal of all obstacles to the use of aerial assets of the Operation in order to, inter alia, respond to armed threats and emergency medical evacuations as appropriate;

8. *Stresses* the importance of achievable and realistic targets against which the progress of United Nations peacekeeping operations can be measured, requests the Secretary-General to continue reporting to the Security Council every ninety days on progress made towards implementing across Darfur the mandate of the African Union-United Nations Hybrid Operation in Darfur, including on progress towards and obstacles to the implementation of the strategy referred to in paragraph 4 above, also including an assessment of progress against the benchmarks set out in annex II to the report of the Secretary-General of 16 November 2009 as well as on progress in the political process, the security and humanitarian situation, including in the internally displaced persons sites and refugee camps, and early recovery and compliance by all parties with their international obligations;

9. *Demands* that all parties to the conflict in Darfur immediately end violence and attacks on civilians, peacekeepers and humanitarian personnel, and comply with their obligations under human rights and international humanitarian law, affirms in this context the strong opposition of the Council to serious violations of international humanitarian law and human rights law, calls for an immediate cessation of hostilities and for all parties to commit themselves to a sustained and permanent ceasefire, requests the Secretary-General to consult with relevant parties with a view to developing a more effective ceasefire monitoring mechanism, and underlines the need for the African Union-United Nations Hybrid Operation in Darfur to report on major instances of violence which undermines the full and constructive efforts of the parties towards peace;

10. *Expresses its serious concern* at the deterioration of the humanitarian situation, the continued threats to humanitarian organizations and the restricted humanitarian access in Darfur, calls for the full implementation of

the communiqué between the Government of the Sudan and the United Nations on the facilitation of humanitarian activities in Darfur, and demands that the Government of the Sudan, all militias, armed groups and all other stakeholders ensure the full, safe and unhindered access of humanitarian organizations and relief personnel and the delivery of humanitarian assistance to populations in need;

11. *Reiterates* that there can be no military solution to the conflict in Darfur and that an inclusive political settlement and the successful deployment of the African Union-United Nations Hybrid Operation in Darfur are essential to re-establishing peace, and reaffirms its full support for the work of the Joint Chief Mediator, Mr. Djibril Yipéné Bassolé, and the African Union-United Nations-led political process for Darfur;

12. *Demands* that all parties to the conflict, including all rebel groups, immediately engage fully and constructively in the peace process without preconditions, including by entering into talks under the mediation of Mr. Bassolé with a view to completing an inclusive and comprehensive agreement, underlines the importance of completing such an agreement in order to bring a stable and durable peace to the region, welcomes the work of Qatar in this regard and the support of other countries in the region, and calls upon the African Union-United Nations Hybrid Operation in Darfur to continue to support the Joint Chief Mediator and the African Union-United Nations Joint Mediation Support Team;

13. *Notes* that conflict in one area of the Sudan affects other areas of the Sudan and the wider region, and urges the African Union-United Nations Hybrid Operation in Darfur to coordinate closely with other United Nations missions in the region, including the United Nations Mission in the Sudan and the United Nations Mission in the Central African Republic and Chad;

14. *Requests* the African Union-United Nations Hybrid Operation in Darfur, consistent with its current capabilities and mandate, to assist and complement the efforts of the United Nations Mission in the Sudan, as appropriate, in preparing for the referendums in Southern Sudan and Abyei, including by coordinating closely with the Mission in sharing analysis of risks in the border areas, particularly regarding threats to civilians;

15. *Stresses* the importance of achieving dignified and durable solutions for refugees and internally displaced persons and of ensuring their full participation in the planning and management of these solutions, and demands that all parties to the conflict in Darfur create the conditions conducive to allowing the voluntary, safe, dignified and sustainable return of refugees and internally displaced persons or their local integration;

16. *Notes* that security will greatly facilitate early recovery initiatives and a return to normalcy in Darfur, stresses the importance of early recovery efforts in Darfur and in this respect encourages the African Union-United Nations Hybrid Operation in Darfur, within its current mandate, to facilitate the work of the United Nations country team and expert agencies on early recovery and reconstruction in Darfur, inter alia, through the provision of area security, and calls upon the Government of the Sudan to continue its efforts to resolve the root causes of the Darfur crisis and to increase investment in early recovery activity;

17. *Expresses deep concern* over the persistent localized conflicts and violence and their effect on civilians, and the proliferation of arms, in particular small arms, and in this regard requests the African Union-United Nations Hybrid Operation in Darfur to continue to support local conflict resolution mechanisms and to monitor whether any arms or related material are present in Darfur, in accordance with its mandate as set out in paragraph 9 of resolution 1769(2007);

18. *Demands* that the parties to the conflict immediately take appropriate measures to protect civilians, including women and children, from all forms of sexual violence, in line with resolution 1820(2008) of 19 June 2008, requests the African Union-United Nations Hybrid Operation in Darfur to report on the implementation of its comprehensive strategy for providing protection to women and children from sexual violence and gender-based violence, as well as to assess progress towards the elimination of sexual and gender-based violence, and requests the Secretary-General to ensure that the relevant provisions of resolutions 1325(2000), 1820(2008), 1888(2009) of 30 September 2009 and 1889(2009) of 5 October 2009 are implemented by the Operation and to include information on this in his reporting to the Council;

19. *Requests* the Secretary-General to ensure (a) continued monitoring and reporting of the situation of children, as part of the reports referred to in paragraph 8 above, and (b) continued dialogue with the parties to the conflict towards the preparation of time-bound action plans to end the recruitment and use of child soldiers and other violations of international humanitarian law and human rights law against children;

20. *Also requests* the Secretary-General periodically to review and update the concept of operations and rules of engagement of the African Union-United Nations Hybrid Operation in Darfur in line with its mandate under relevant Council resolutions and to report on this, as part of the reports referred to in paragraph 8 above, to the Council and troop-contributing countries;

21. *Decides* to remain seized of the matter.

Report of Secretary-General (October). On 18 October [S/2010/543], pursuant to Security Council resolution 1935(2010) (see p. 262), the Secretary-General reported on progress made towards implementing UNAMID's mandate across Darfur and provided an assessment of progress made against benchmarks set out in his November 2009 report [YUN 2009, p. 259], as well as the state of the political process; the security and humanitarian situation, including in camps for IDPs and refugees; and progress towards early recovery. He noted that further to the Council's request in resolution 1935(2010), UNAMID continued to support the Doha peace process, in addition to its primary mandate of protecting civilians. A separate and focused strategy for protecting civilians, requested by the same resolution, was currently being developed.

During the reporting period, the AU-UN Joint Chief Mediator for Darfur continued to pursue a multi-strand strategy designed to ensure that civil society was adequately involved in the peace process,

to facilitate the negotiation of a peace agreement between the belligerent parties, and to encourage the improvement of regional relations between the Sudan, Chad and Libya.

In the first half of July, the Government of the Sudan and LJM continued negotiations under the auspices of the Joint Chief Mediator. On 17 July, the Joint Chief Mediation convened a meeting to assess the work of six negotiating committees formed to undertake more detailed work in the areas of power-sharing and the administrative status of Darfur; wealth-sharing, including land rights; compensation and the return of IDPs and refugees; security arrangements; justice and reconciliation; and agreement and resolution of disputes. At the end of July, while the parties took a pause in negotiations during the month of Ramadan, the Joint Mediation consolidated the work of the committees and incorporated it in a draft text that included the points of argument between the Government and LJM. Once an initial draft was completed, the Joint Mediation would consult with the parties, as well as regional and international partners, with a view to developing a plan for peace acceptable to the parties and the people of Darfur. In an effort to make the peace process more inclusive, the Joint Mediation continued its efforts to persuade the leaders of SLA-AW and JEM to rejoin the talks.

With a view to enhancing civil society participation in the peace process, UNAMID and the Government of Qatar jointly organized a conference of Darfur civil society representatives (Doha, 12–15 July), as a follow-up to the first such conference in Doha in November 2009 [YUN 2009, p. 259]. A total of 315 participants, selected by the communities themselves and representing various constituencies across Darfur, participated in the conference, which concluded with a declaration and communiqué endorsing the first Doha civil society forum in November 2009 [ibid.] and called for urgent measures to improve the security and well-being of IDPs and other communities in advance of a peace agreement, and made recommendations for security arrangements, land issues, power-sharing, justice, reconciliation and development issues to be included as part of any final agreement. The conference was also attended by IDPs and Darfuri refugees from camps in Chad. As part of efforts to enhance popular understanding of and support for the peace process, the Joint Mediation, in partnership with UNAMID, undertook activities designed to increase awareness of civil society's proposals and their potential role in the peace process, such as follow-up meetings, radio and sensitization programmes.

While representing a positive step in the peace process, the second Doha conference was followed by violence and unrest between IDPs in favour of attending the conference and those opposed to it. Clashes

occurred in Kalma and Hamadiya camps, leading to deaths and injuries. More clashes resulted in at least 35 fatalities and the displacement of some 25,000 IDPs from Kalma camp to Nyala and surrounding villages; several thousand sought refuge at the UNAMID community policing centre located next to Kalma camp, among them five camp leaders and a woman, who sought protection from opposing factions and mistreatment by the Government. Following those events, an ad hoc committee of UNAMID and government officials was established to resolve the situation of the five IDP leaders wanted by the authorities, as well as issues such as weapons proliferation and armed elements in the camps.

The security situation in Darfur remained fragile and unpredictable, with intermittent fighting between SAF and the armed opposition forces, inter-tribal clashes, tension in some IDP camps, armed attacks on and abduction of humanitarian and UNAMID personnel, and criminality. Nevertheless, there had been some improvements, particularly with regard to the safety and security of UN personnel; carjacking and abductions had decreased due to measures put in place by UNAMID. There was also a reduction in armed confrontations between parties to the conflict. Tribal clashes were the leading cause of fatalities in August, claiming 157 lives. Of those, clashes between the Misseriya and Rezeigat over land and access to migration routes were most significant. Inter-tribal clashes continued to flare up in other areas over water resources and cattle thefts.

Criminals targeting UNAMID and humanitarian personnel continued to be a concern. Despite several *démarches* by UNAMID leadership with the highest level of Government, the issue of impunity remained unaddressed. Except in the case of the killing of three Rwandan peacekeepers in Nertiti near Zalingei, Western Darfur, on 21 June, which had gone to trial, no one had yet been held accountable or brought to justice for those incidents.

UNAMID continued its efforts to remove the threat of unexploded ordnance throughout Darfur through clearance activities, risk education, surveys and emergency assessments of recently contaminated areas and demolition of identified unexploded ordnance.

Assessing progress against the benchmarks set out in his November 2009 report, the Secretary-General noted that the achievement of a comprehensive political solution was limited by, among other things, weak support for the Darfur Peace Agreement and a failure by the parties to enter into any subsequent agreements. UNAMID had been working effectively on the implementation of conflict resolution mechanisms for local communities and continued to provide substantive support to the Doha process and the Joint Mediation.

There was a lack of significant progress with regard to UNAMID contributing to the restoration of a stable and secure environment throughout Darfur. UNAMID had faced significant difficulties, including restrictions on movement, in addition to continued impunity. UNAMID military and police patrols, as well as the community policing volunteer initiative, however, had helped lower the overall crime rate and promote a stable environment across Darfur.

Modest progress had been made against the benchmark relating to the rule of law, governance and human rights, and the provision of assistance for the effective and efficient functioning of state institutions. UNAMID child protection officers were working with armed opposition movements and the Government of the Sudan to stop the recruitment of child soldiers, and its Prison Advisory Unit had succeeded in gaining greater access to and improving conditions in some prisons. The Mission was providing training on human rights norms to corrections officials.

Incidents of conflict, more stringent security management measures implemented by humanitarian organizations in response to attacks and abductions, and access restrictions prevented much progress being made against the fourth benchmark, which referred to stabilizing the humanitarian situation and facilitating humanitarian access to populations in need of assistance. UNAMID was in ongoing dialogue with the Government of the Sudan to lift restrictions on movement and access.

Military engagements, which tended to be less frequent and less destructive than those during the previous reporting period, involved intermittent clashes between the Government and JEM forces in Southern Darfur, and clashes between Government and SLA-AW in Jebel Marra, which destabilized those areas, caused new displacements and hindered the delivery of humanitarian aid. There were also more inter-communal clashes between the Misseriya and Rezeigat in the vicinity of Kass in August, despite a local peace agreement signed by both groups. The prevalence of small arms, competition over recently vacated land, obstruction of traditional migration routes, tensions at water points, weakened traditional conflict resolution mechanisms, and ethno-political rivalry kept the chances of such clashes alive. Unless the Government disarmed militias, enhanced law and order by addressing impunity, invested in development, and resolved competing land claims, such fighting was likely to continue and could even become the primary source of insecurity and instability in Darfur.

The Secretary-General was encouraged by the progress made by the Joint Chief Mediator, the Joint Mediation Team and UNAMID towards facilitating an agreement between the Government and LJM, and urged the parties to work diligently towards

producing a peace agreement that addressed the root cause of the conflict and contributed to stability in Darfur.

The Secretary-General welcomed the holding of a second meeting of civil society representatives, which served to broaden and increase the inclusiveness of the peace process, and he urged the Government and armed movements to allow UNAMID personnel freedom of movement and to extend those entitlements to humanitarian personnel. Attacks and abductions of UN and humanitarian personnel were reprehensible and constituted war crimes. He called on the Government to pursue vigorously and prosecute those responsible for those attacks.

Year-end developments. In a later report on UNAMID [S/2011/22], submitted pursuant to Security Council resolution 1935(2010) (see p. 262), the Secretary-General assessed the progress against the benchmarks of his November 2009 report and provided updates on the political, security and humanitarian situation in Darfur and the UNAMID strategy for the protection of civilians. He noted that progress had been achieved in the Doha peace negotiations. The Mediation worked with the parties on steps needed to bring together the different arms of the negotiations and finalize the Doha process. The Joint Chief Mediator continued to encourage the major armed movements, including JEM and SLM-AW, to support and take part in the peace process. On 16 December, the JEM delegation agreed to resume negotiations with the Government on a ceasefire agreement. The decision of JEM to rejoin the negotiations followed extensive consultations with the Mediation, with the support of the United States Special Envoy, Major General (retired) Scott Graton, in Doha.

The Joint Chief Mediator and the Minister of State for Foreign Affairs of Qatar, Ahmed bin Abdullah Al-Mahmoud, visited Darfur from 28 November to 2 December to promote the provisional outcomes of the Doha negotiations and to discuss with stakeholders outstanding issues. The delegation consulted government representatives, leaders of the Sudan's political parties, IDPs, nomadic community leaders and civil society representatives. While progress towards agreement reached in Doha regarding compensation, wealth-sharing, land issues and property restitution was welcomed, it was stressed that any agreement should be comprehensive of all issues.

At a 16 December meeting with the Joint Special Representative, the Chairman of the AU High-level Implementation Panel, and Presidential Adviser Ghazi Salaheddin, it was agreed that a joint UNAMID-Government of the Sudan technical task force would be established to monitor the conditions for an enabling environment and to develop modalities for implementing the Darfur-based political process.

In order to improve intercommunal relations, on 10 October traditional leaders from the two largest tribes in Southern Darfur, the Southern Rizeigat and the Fur, signed a charter for peaceful coexistence, agreeing to reject violence and embrace dialogue as a form of resolving disputes, respect each other's history and heritage and establish a consultative Shura (council) to resolve disagreements. On 22 November, the Habaniya and Feltata tribes in Southern Darfur, which had been sporadically engaged in hostilities in the early 1990s, signed a peaceful coexistence agreement that distributed administrative control of disputed areas in Buram and Tulus localities evenly between them and described mutually agreeable migration routes in those areas. In addition, the Government agreed to pay, on both tribes' behalf, 80 per cent of the *diya* (compensation money) owed by each tribe.

On the other hand, relations between the Government and SLA-MM, the signatories of the 2006 Darfur Peace Agreement [YUN 2006, p. 274], deteriorated markedly. On 30 October, SLA-MM and SAF signed an agreement in El Fasher, according to which they would implement a modified version of the security arrangements contained in the Darfur Peace Agreement. The central component of the agreement involved the integration of SLA-MM forces into SAF. On 21 November, six days after his forces were to present themselves for integration, however, Minni Minnawi issued a communiqué stating that he refused to disarm his forces on the grounds that the Government had attempted the disarmament in a manner inconsistent with the Darfur Peace Agreement. On 3 December, a SAF military spokesperson issued a statement declaring Minni Minnawi an enemy of the Government; the next day, fighting between SAF and SLA-MM took place at Um Kunya, 35 kilometres south of Nyala. On 8 December, President Bashir issued a decree declaring that the Wali of Western Darfur had replaced Minni Minnawi as the new Chair of the Transitional Darfur Regional Authority, the body established to implement certain provisions of the Darfur Peace Agreement.

Until mid-December, when fighting forced nearly 40,000 persons to flee their homes, the humanitarian situation remained relatively stable, but humanitarian efforts remained impeded by insecurity and access restrictions.

Activities of ICC Prosecutor

Twice during the year, in June and December, the Prosecutor of the International Criminal Court (icc), Luis Moreno-Ocampo, reported to the Council on the activities undertaken by his Office with regard to Darfur.

Communication. By a letter of 28 May [S/2010/265], the Secretary-General forwarded a communication of 27 May from the Registrar of the icc

transmitting a 26 May Decision by Pre-Trial Chamber I of the Court (see p. 1317), by which the Security Council was informed about the lack of cooperation by the Sudan in relation to the arrest warrants issued by the Chamber against Ahmad Harun, former Minister of the State for the Interior, and militia/Janjaweed leader Ali Kushayb.

Briefings by ICC Prosecutor (June, December).

In his eleventh biannual report to the Security Council on 11 June [S/PV.6336], the ICC Prosecutor briefed the Council on the activities of his Office since his December 2009 report [YUN 2009, p. 262]. He provided a summary of the cases investigated since the Security Council, by resolution 1593(2005) [YUN 2005, p. 324], had referred the situation to the ICC. Three investigations had been conducted on the Darfur situation. In the first case, a consistent pattern of attacks against the civilian population in Darfur during 2003–2005 was investigated, which forced the displacement of a million civilians to a hostile environment. Evidence revealed the roles of the then Minister of State for the Interior, Ahmad Harun, as coordinator of the Government of the Sudan forces, and of Ali Kushayb, Janjaweed militia leader. In April 2007 [YUN 2007, p. 260], Pre-Trial Chamber I issued arrest warrants against both individuals for war crimes and crimes against humanity.

In the second case, the continuous involvement of the entire Sudanese State apparatus in the attacks on the villages and a different pattern of crimes against displaced persons were investigated; those attacks were calculated to drive entire groups to inhospitable areas, where they died immediately, or into camps, where they died slowly. On 4 March 2009 [YUN 2009, p. 261], Pre-Trial Chamber I issued an arrest warrant against President Al-Bashir for crimes against humanity, including the crimes of extermination and rape. The judges found that the obstructions of humanitarian assistance in Darfur was more than a bureaucratic problem, but constituted the crime of extermination. After forcing civilians out of their homes, Sudanese forces would deny any meaningful assistance to those who reached the camps for IDPs, forcing the United Nations and others to set up the largest humanitarian operation in the world, and yet obstructing their life-saving efforts every step of the way. The crime of extermination consisted of intentionally inflicting conditions of life—inter alia, the deprivation of access to food and medicine—calculated to bring about the destruction of part of a population.

In the third case, the ICC prosecuted the three commanders of the rebel groups that attacked peacekeepers in Haskanita in September 2007 [YUN 2007, p. 255], causing the deaths of 12 AU peacekeepers and leaving thousands of people without protection. The Judges had found that the attack constituted a crime under

the ICC Statute, but found the evidence insufficient to establish the criminal responsibility of rebel commander Abu Garda. The Prosecutor's Office would present additional evidence and it was anticipated that a new confirmation hearing would be held in the near future. The above were the persons identified as most responsible for the most serious crimes committed in Darfur over the previous six years.

The Prosecutor noted that the Sudan had, in the past, cooperated with the ICC, including for the execution of arrest warrants. In October 2005, the Sudan had signed an agreement with the Prosecutor's Office to implement the arrest warrants against Joseph Kony and four leaders of LRA [YUN 2005, p. 1403], which was critical to removing the LRA leaders from their safe haven in the Sudan. In the Darfur case, cooperation had been forthcoming for two years, and in June 2007 [YUN 2007, p. 260], the Government of the Sudan had accepted the notification of the arrest warrants against Ahmad Harun and Ali Kushayb; since then, however, there had been a public and consistent refusal to cooperate with the Court and to comply with resolution 1593(2005). Therefore, the Pre-Trial Chamber in May 2010 issued its decision informing the Security Council about the lack of cooperation by the Sudan. In the decision, the Chamber considered that the Court had taken all possible measures to ensure the Sudan's cooperation and stressed that its obligation to cooperate stemmed directly from the Charter of the United Nations and resolution 1593(2005). The Chamber concluded that the Sudan failed to comply with its cooperation obligations in relation to enforcing the two arrest warrants against Ahmad Harun and Ali Kushayb.

While cooperation from the Sudan was lacking, it was forthcoming from all other actors, the Prosecutor noted. No other UN Member State and no other party to the conflict had refused to cooperate; to the contrary, many States, including non-States parties to the Rome Statute, had taken steps within their power to encourage cooperation by the Sudan and to isolate and ultimately facilitate the surrender of the individuals sought by the Court. They had maintained and expressed public and diplomatic support for the Court and severed all non-essential contacts with those subject to ICC warrants.

Non-States parties had also asserted that those subject to an arrest warrant would need to face justice, and the Secretary-General had repeatedly reiterated the need to comply with resolution 1593(2005) and to respect the ICC decisions. In a statement of 23 March, former South African President Thabo Mbeki, as Head of the AU High-Level Implementation Panel, had explained that there was a perfect understanding between the Panel and the Court; while the ICC arrest warrants were a matter of fact and could be reviewed

only by the ICC judges, the rest of the crimes committed in Darfur should be addressed by the Sudan domestically, and the AU Panel had formulated recommendations in that regard.

Attacks against civilians not participating in the conflict continued, the Prosecutor noted. In February, immediately after the signing of a peace agreement and a public commitment to peace, 100,000 civilians were forcibly displaced by SAF in Jebel Marra. The modus operandi was the same as the one used by Ahmad Harun from 2003 to 2005: air bombardments followed by attacks by SAF integrating with militia/Janjaweed. The crime of extermination against the millions displaced into camps continued to be committed. Acts aimed at inflicting inhumane conditions of life continued, as did gender crimes, as confirmed by the UN independent expert on the situation of human rights in the Sudan (see p. 769).

The Prosecutor urged the Council to ensure that the arrest of Ahmad Harun, currently Governor of Southern Kordofan, and Ali Kushayb, a tribal leader who still exercised power in his own area in Southern Sudan, be a request that the United Nations insisted on, as a critical condition for securing peace and stability in Darfur.

In his twelfth briefing on 9 December [S/PV.6440], the ICC Prosecutor updated the Security Council on the Pre-Trial Chamber I Decision of 12 July [ICC-02/05-01/09] to issue a second arrest warrant for President Al-Bashir on three charges of genocide, including genocide by killing, in accordance with article 6 (a) of the Rome Statute; genocide by causing serious bodily or mental harm, through rapes and the sowing of fear among people in villages and people in camps for displaced persons, in accordance with article 6 (b); and genocide by deliberately inflicting, on the Fur, Masalit and Zaghawa groups, conditions of life to bring about the groups' physical destruction, in accordance with article 6 (c).

The Prosecutor confirmed that the Government of the Sudan was not cooperating with the Court and was conducting no national proceedings against those responsible for the crimes. Since 2005, Sudanese authorities had consistently promised to do justice, create special courts and prosecutors, while consistently and deliberately protecting those who had committed those crimes. President Al-Bashir, who by the Pre-Trial Chamber had been found to have issued the criminal orders to attack civilians and destroy their communities, did not want to investigate those who had been following his orders.

The situation in Darfur was not just a humanitarian crisis, but a systematic attack against the civilian population and an ongoing genocide. In the previous six months alone, hundreds of civilians had been killed and thousands forcibly displaced, and more

than 2.5 million were suffering a subtle form of genocide: by rape and fear.

In relation to the 2007 Haskanita attack [YUN 2007, p. 255], the confirmation hearing at the seat of the Court on 8 December had been unique in that the rebel commanders accepted that there was sufficient evidence to confirm the charges and go to trial. Those two commanders had led more than 1,000 troops in carrying out a violent attack on the AU Mission in the Sudan (AMIS) base in Haskanita, killing 12 peacekeepers and injuring eight others. They also destroyed the camp and looted vehicles, fuel and money. The attack had resulted in war crimes charges against them for violence, murder and attempted murder of AMIS personnel and violation of article 8, intentionally directing attacks against personnel in a peacekeeping mission, and pillaging. The Prosecutor's Office expected the charges against the rebel commanders to be confirmed and the trial to begin in 2011.

Quoting a report of the AU High-level Implementation Panel on Darfur, which had found major obstacles to peace and justice in Darfur, namely, the absence of political will; denial of what had happened and was happening; obscuring of the truth; war, fear and insecurity; poor policing and enforcement of law and order; and impunity for crimes committed, the ICC Prosecutor said that the above was confirmed when the Special Prosecutor for Darfur, Nimr Mohamed, who had announced his intention to begin investigating the 2 September attack on Tabra, which had resulted in dozens of people being reportedly killed, was replaced two weeks later by Abdel Daiem Zumrawi, Under-Secretary in the Ministry of Justice; since then, no progress had been reported on the Tabra investigation or any other. Until the orders to SAF to commit crimes in Darfur ceased, there was no possibility of justice. Referring to presidential statement S/PRST/2010/24 of 16 November (see p. 250), by which the Security Council recalled the importance it attached to an end to impunity and to justice for crimes committed in Darfur, Mr. Moreno-Ocampo said the legal work was done, but the crimes were ongoing. President Al-Bashir and his supporters were making enormous efforts to cover up the crimes and divert attention by announcing new strategies and new efforts for justice.

States parties were fulfilling their duties and legal obligations, but were additionally adopting policies to sever any contact with individuals sought by the Court and ensuring respect for the legal limits. Regional organizations, such as LAS and the AU, were crucial to ensuring justice, stopping the crimes, alleviating the humanitarian situation and providing stability to the Sudan; a proper dialogue with them was crucial to achieving those goals. Finally, the implementation of ICC decisions and the execution of the arrest warrants were in the hands of the Security Council.

Communication. By a letter of 15 December [S/2010/642], the Sudan presented a report on the work of the office of the Prosecutor General entrusted with addressing the crimes in Darfur, and the work of the different relevant investigative commissions associated with the Prosecutor's office. The Sudan emphasized that on 17 October, the Minister of Justice had appointed Abdel Daiem Zumrawi to replace the previous Special Prosecutor to investigate crimes committed in Darfur since 2003. The office of the new Special Prosecutor put in place a work plan that stressed the need to investigate all cases as quickly as possible. The investigative commission decided to give priority to investigating the 2 September events in the Tabra market. The Commission had visited the site of the incident, as well as Tawila and El Fasher, to interview witnesses, including the medical examiner, the head of the El Fasher Police Department and civilian leaders. During the course of the investigation, witnesses provided the names of more than eight subjects; after collecting and analyzing the evidence, the Public Prosecutor's office took steps to arrest them.

Sanctions

The Security Council, by resolution 1556(2004) [YUN 2004, p. 240], imposed an arms embargo on all non-governmental entities and individuals, including the Janjaweed operating in Darfur, in reaction to the ongoing human rights abuses and deteriorating humanitarian situation in the region. By resolution 1591(2005) [YUN 2005, p. 319], the Council imposed a travel ban and assets freeze, and established a Committee to oversee implementation of the sanctions against individuals to be designated by the Committee. The Secretary-General was requested to appoint a Panel of Experts for six months to assist the work of the Council and the Committee. The Panel, established in June 2005 [ibid., p. 322], was mandated to assist the Committee in monitoring implementation of the arms embargo and sanctions; make recommendations to the Committee on possible Council actions; and provide information on individuals who impeded the peace process, committed violations of international law, or were responsible for offensive military overflight. By resolution 1945(2010) (see p. 270), the Council strengthened the enforcement of the arms embargo by clarifying the exceptions to that measure and by making the sale of arms and related materiel to the Sudan not prohibited by the embargo contingent upon the necessary end-user documentation.

Communications. From March through June, several States submitted to the Security Council Committee their reports on the implementation of sanctions imposed by resolutions 1556(2004) [YUN 2004, p. 240] and 1591(2005) [YUN 2005, p. 319], among them Andorra [S/AC.47/2010/4], Australia

[S/AC.47/2010/5], Austria [S/AC.47/2010/12], Belarus [S/AC.47/2010/2], Brazil [S/AC.47/2010/3], Burundi [S/AC.47/2010/9], Canada [S/AC.47/2010/6], Denmark [S/AC.47/2010/10], France [S/AC.47/2010/8], Germany [S/AC.47/2010/11], Oman [S/AC.47/2010/7] and the United States [S/AC.47/2010/1].

Appointment. On 15 March [S/2010/140], the Secretary-General informed the Security Council that, in accordance with resolution 1891(2009) [YUN 2009, p. 263], he had appointed a fifth person to serve on the Panel of Experts until 15 October.

Extension of Panel of Experts. In October, the Security Council extended the mandate of the Panel until 19 October 2011.

SECURITY COUNCIL ACTION

On 14 October [meeting 6401], the Security Council adopted **resolution 1945(2010)** by vote (14-0-1). The draft [S/2010/520] was submitted by the United States.

The Security Council,

Recalling its previous resolutions and the statements by its President concerning the Sudan,

Reaffirming its commitment to the cause of peace throughout the Sudan, to the sovereignty, independence, unity and territorial integrity of the Sudan, to the full and timely implementation of the final phase of the Comprehensive Peace Agreement, including efforts to make unity attractive and a referendum to determine the future status of the people of Southern Sudan in exercise of their right to self-determination, and recalling the importance of the principles of good-neighbourliness, non-interference and cooperation in the relations among States in the region,

Welcoming the communiqué issued after the high-level meeting on the Sudan, held in New York on 24 September 2010,

Reiterating its full support for efforts to reach a comprehensive and inclusive solution to the conflict in Darfur, and bearing in mind the Darfur Peace Agreement and the need for the completion of the political process and an end to the violence and abuses in Darfur,

Reiterating the need for a lasting political solution and sustained security in Darfur, and urging all parties that continue to abstain from the peace process to join the Doha negotiations without preconditions or further delays and all parties to engage fully and constructively in the process and cooperate with the African Union-United Nations Joint Chief Mediator for Darfur, Mr. Djibril Bassolé,

Welcoming the agreement of 15 January 2010 between the Governments of Chad and the Sudan to normalize their relations, and strongly encouraging Chad and the Sudan to continue to implement this agreement and to refrain from supporting rebel forces and all other armed groups,

Noting with deep concern the increase in violence, and rising inter-tribal fighting, as well as ongoing sexual and gender-based violence and impunity, reiterating its deep concern about attacks on humanitarian personnel and peacekeepers, and the security of civilians, and calling upon all parties in Darfur to cease offensive actions im-

mediately and to refrain from further violent attacks causing a consequent poor humanitarian aid situation and restricted humanitarian access to populations in need,

Demanding that the parties to the conflict exercise restraint and cease military action of all kinds, including aerial bombardments,

Demanding also an immediate and complete cessation by all parties to armed conflict of all acts of sexual violence against civilians, in line with resolutions 1325(2000) of 31 October 2000, 1820(2008) of 19 June 2008, 1888(2009) of 30 September 2009 and 1889(2009) of 5 October 2009, the recruitment and use of children, in line with resolutions 1612(2005) of 26 July 2005 and 1882(2009) of 4 August 2009, and indiscriminate attacks on civilians, in line with resolution 1894(2009) of 11 November 2009,

Commending the efforts of, and reiterating its full support for, the African Union-United Nations Hybrid Operation in Darfur, the African Union-United Nations Joint Chief Mediator for Darfur, the United Nations Secretary-General, the League of Arab States, the African Union High-level Implementation Panel on the Sudan and the leaders of the region to promote peace and stability in Darfur, and expressing its strong support for the political process under the African Union-United Nations-led mediation,

Welcoming the enhanced cooperation and information-sharing between the African Union-United Nations Hybrid Operation in Darfur and the Panel of Experts on the Sudan facilitated by the guidelines of the Department of Peacekeeping Operations of the Secretariat and the decision of the Operation to establish a focal point to facilitate information-sharing with the Panel of Experts regarding the arms embargo,

Recalling the midterm report of 2 July 2010 of the Panel of Experts appointed by the Secretary-General pursuant to paragraph 3 (b) of resolution 1591(2005) of 29 March 2005, whose mandate was extended by subsequent resolutions, taking note of the final report of the Panel of Experts, and expressing its intention to study, through the Security Council Committee established pursuant to paragraph 3 (a) of resolution 1591(2005) (hereinafter “the Committee”), the recommendations of the Panel of Experts and to consider appropriate next steps,

While noting some positive developments, *expressing concern* over the obstacles that have been imposed on the work of the Panel of Experts during the course of its last mandate, including obstacles to freedom of movement,

Emphasizing the need to respect the provisions of the Charter of the United Nations concerning privileges and immunities and the Convention on the Privileges and Immunities of the United Nations, as applicable to United Nations operations and persons engaged in such operations,

Determining that the situation in the Sudan continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter,

1. *Decides* to extend until 19 October 2011 the mandate of the Panel of Experts on the Sudan originally appointed pursuant to resolution 1591(2005), previously extended by resolutions 1651(2005) of 21 December 2005, 1665(2006) of 29 March 2006, 1713(2006) of 29 September 2006, 1779(2007) of 28 September 2007, 1841(2008) of 15 October 2008 and 1891(2009) of 13 October 2009,

and requests the Secretary-General to take the necessary administrative measures as expeditiously as possible;

2. *Recalls* the report of the Informal Working Group on General Issues of Sanctions on best practices and methods, including paragraphs 21, 22 and 23 thereof, which discuss possible steps for clarifying methodological standards for monitoring mechanisms, including the Panel of Experts;

3. *Requests* the Panel of Experts to provide, no later than 31 March 2011, a midterm briefing on its work and, no later than ninety days after the adoption of the present resolution, an interim report to the Committee and a final report to the Security Council, no later than thirty days prior to the termination of its mandate, with its findings and recommendations;

4. *Also requests* the Panel of Experts to coordinate its activities, as appropriate, with the operations of the African Union-United Nations Hybrid Operation in Darfur and with international efforts to promote the political process in Darfur, and to assess in its interim and final reports progress towards reducing violations by all parties of the measures imposed by paragraphs 7 and 8 of resolution 1556(2004) of 30 July 2004 and paragraph 7 of resolution 1591(2005) and progress towards removing impediments to the political process, threats to stability in Darfur and the region, violations of international humanitarian or human rights law or other atrocities, including sexual and gender-based violence, and other violations of the above-mentioned resolutions;

5. *Urges* all States, relevant United Nations bodies, the African Union and other interested parties to cooperate fully with the Committee and the Panel of Experts, in particular by supplying any information at their disposal on implementation of the measures imposed by resolutions 1556(2004) and 1591(2005);

6. *Urges* all States, in particular those in the region, to report to the Committee on the actions they have taken to implement the measures imposed by resolutions 1556(2004) and 1591(2005), including the imposition of targeted measures;

7. *Reminds* all States, particularly States in the region, of the obligations contained in resolutions 1556(2004) and 1591(2005), in particular those obligations relating to arms and related materiel;

8. *Reiterates* paragraph 7 of resolution 1591(2005), which provides for exceptions to the measures imposed by paragraphs 7 and 8 of resolution 1556(2004) for:

(a) Supplies and related technical assistance listed in paragraph 9 of resolution 1556(2004);

(b) Assistance and supplies provided in support of implementation of the Comprehensive Peace Agreement; or

(c) Movements of military equipment and supplies into the Darfur region that are approved in advance by the Committee upon a request by the Government of the Sudan;

9. *Decides* that all States, including the Sudan, when relying on the exception contained in paragraph 7 of resolution 1591(2005), shall notify the Committee in advance of providing assistance and supplies into the Darfur region in support of the implementation of the Comprehensive Peace Agreement in the states of Northern Darfur, Southern Darfur and Western Darfur;

10. *Decides also* that all States shall ensure that any sale or supply of arms and related materiel to the Sudan not prohibited by resolutions 1556(2004) and 1591(2005) are made conditional upon the necessary end-user documentation so that States may ascertain that any such sale or supply is conducted consistent with the measures imposed by those resolutions;

11. *Expresses its intention*, following the midterm report, to review the state of implementation, including obstacles to full and effective implementation of the measures imposed in resolution 1591(2005), with a view to ensuring full compliance;

12. *Reaffirms* the mandate of the Committee to encourage dialogue with interested Member States, in particular those in the region, including by inviting representatives of such States to meet with the Committee to discuss implementation of the measures, and further encourages the Committee to continue its dialogue with the African Union-United Nations Hybrid Operation in Darfur;

13. *Welcomes* the work of the Committee, which has drawn on the reports of the Panel of Experts and taken advantage of the work done in other forums, to draw attention to the responsibilities of private sector actors in conflict-affected areas;

14. *Decides* to remain actively seized of the matter.

VOTE ON RESOLUTION 1945(2010):

In favour: Austria, Bosnia and Herzegovina, Brazil, France, Gabon, Japan, Lebanon, Mexico, Nigeria, Russian Federation, Turkey, Uganda, United Kingdom, United States.

Against: None.

Abstaining: China.

By presidential statement S/PRST/2010/24 of 16 November (see p. 250), the Security Council expressed its willingness to consider measures against any party whose actions undermined peace in Darfur. That was reiterated in presidential statement S/PRST/2010/28 of 16 December (see p. 251).

Communication. By a note verbale of 30 November [S/AC.47/2010/13], Andorra submitted a report on its implementation of Security Council resolution 1945(2010).

Report of Sanctions Committee. On 30 December [S/2010/679], the Sanctions Committee, established pursuant to resolution 1591(2005) [YUN 2005, p. 319] and chaired by Thomas Mayr-Harting of Austria, with Bosnia and Herzegovina and Mexico as Vice-Chairmen, reported on its activities during the year. The report was submitted in accordance with a 29 March 1995 note of the Security Council President [YUN 1995, p. 410]. During 2010, the Committee Chairman delivered to the Council four reports on the Committee's activities, each covering a 90-day period, on 4 March, 10 June, 17 September and 16 December.

In 2010, the Committee held eight informal consultations. On 12 January, it met the new Panel of Experts appointed pursuant to resolution 1891(2009) [YUN 2009, p. 263] and discussed the Panel's report-

ing timelines. On 29 March, the Committee heard a presentation by the Panel of its interim report; in addition to presenting its preliminary findings, the Panel reported on the level of cooperation extended to it by the Governments of Chad and the Sudan. It also requested the Committee's guidance on the scope of the arms embargo.

In continuation of its dialogue with UNAMID, the Committee met on 24 May with the AU-UN Joint Special Representative for Darfur. Subsequently, in resolution 1945(2010) (see p. 270), the Council welcomed the enhanced information-sharing between UNAMID and the Panel of Experts facilitated by DPKO guidelines and the UNAMID decision to establish a focal point to facilitate information-sharing with the Panel regarding the arms embargo. At the 24 May meeting, the Chair also briefed the Committee on his bilateral meeting with the Permanent Representative of the Sudan, held to follow up on requests for information in the four areas set out in the Panel's 2009 final report [YUN 2009, p. 264], on the Government of Sudan's movements of troops and military material into and out of Darfur; the identity and size of Darfurian tribes that had to be disarmed, and to what degree they were disarmed and reintegrated into the population of Darfur; achievements in or possible requirements for enhancing the protection of all Darfurians within the territory under the control of the Government of the Sudan; and achievements or possible requirements for the better prevention of gender-based violence.

In informal consultations on 7 June, the Committee heard a briefing by the Executive Director of the Global Compact, Georg Kell, which was organized as a follow-up to the recommendation in the 2009 Panel of Experts report that pertained to enhancing due diligence for corporations whose products and services potentially affected the conflict in Darfur. Mr. Kell clarified that the Global Compact network for the Sudan focused on community investment, access to water and the environment, and had limited linkage to Darfur.

By a letter of 28 June to the Permanent Representative of the Sudan, the Chairman sought further details and clarification on various aspects of the implementation of the arms embargo by the Sudan, but no response was received.

On 7 July, the Committee heard a midterm briefing by the Panel, which was accompanied by a written report. The Panel also highlighted problems of access in Darfur. The Panel had received authorization from the Government of the Sudan to visit four of six locations of interests, but had not been able to actually visit them owing to security considerations and logistical requirements of both the Government of the Sudan and UNAMID.

On 20 October, the Committee met to discuss in depth the recommendations in the Panel's final report. The Committee agreed to dispatch a note verbale to all Member States and a letter to the Permanent Representative of the Sudan, drawing their attention to paragraphs 9 and 10 of resolution 1945(2010). The two texts were approved on 29 November and subsequently dispatched. The Committee agreed that responsibility for attacks on UNAMID met the criteria for designating individuals as subject to the targeted sanctions. The Committee also agreed that, on a future date, it would invite the Joint AU-UN Chief Mediator for Darfur for a dedicated briefing on individuals who were impeding the peace process.

On 24 November and in follow-up to the 7 June briefing by the Executive Director of the Global Compact, the Committee heard a briefing by the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises, John Ruggie, who informed the Committee that he did not have a country-specific mandate. He spoke in general about the draft guiding principles for the implementation of the "protect, respect and remedy" framework for better managing business and human rights challenges, which the Human Rights Council had asked him to produce [YUN 2008, p. 830].

In conducting its work, the Committee continued to apply the guidelines adopted on 23 March 2006 [YUN 2006, p. 296] and amended on 27 December 2007 [YUN 2007, p. 262], which, among other purposes, served to facilitate the implementation of the travel ban and assets freeze imposed by resolution 1591(2005) [YUN 2005, p. 319]. No requests were received by the Committee either to remove the names of individuals on the consolidated list of persons subject to the travel ban and assets freeze or to make exemptions to the targeted sanctions.

The Committee stated that the Panel of Experts, in its final 2010 report, described continued violations of the arms embargo and of international humanitarian law and human rights by various belligerents in Darfur. Sexual and gender-based violence remained widespread. The Panel reported offensive military overflights and bombardments in Darfur, and observed that no concrete action had been taken by the Government of the Sudan to implement the targeted travel and financial sanctions. The Panel's final 2010 report, prepared pursuant to Security Council resolution 1891(2009) [YUN 2009, p. 263], was forthcoming pending adoption by the Council, the Committee said.

UNAMID

The African Union-United Nations Hybrid Operation in Darfur (UNAMID) was established in 2007 by Security Council resolution 1769(2007) [YUN 2007,

p. 251] as the first AU-UN hybrid operation. It incorporated the AU Mission in the Sudan (AMIS), which had been deployed in Darfur since 2004. The core mandate of UNAMID was to protect civilians, while other tasks included contributing to security for humanitarian assistance, monitoring the implementation of agreements, assisting the political process, promoting human rights and the rule of law, and monitoring the situation along the Sudan's border with Chad and the Central African Republic.

By resolution 1935(2010) of 30 July (see p. 262), the Security Council extended the UNAMID mandate for another 12 months.

As at 28 December, UNAMID military personnel stood at 17,468, out of a total authorized strength of 19,555, and UNAMID police numbered 4,979. The civilian component stood at 4,298 at 30 November.

Financing

In a performance report on the budget of UNAMID for the period from 1 July 2008 to 30 June 2009 [A/64/579], the Secretary-General requested that the General Assembly note the shortfall of \$191,569,200 for maintaining the Operation during the above period, representing the difference between an expenditure of \$1,491,279,200 and an assessment of \$1,299,710,000; decide to apply the other income/adjustments for the period ended 30 June 2009, amounting to \$130,922,300 from interest income, other/miscellaneous income and cancellation of prior-period obligations, against the shortfall in assessment; and note that the additional assessment of \$60,646,900, representing the difference between the shortfall in assessment amounting to \$191,569,200 and the other income/adjustments of \$130,922,300 with respect to the above period, be apportioned in accordance with Assembly resolution 63/258 A [YUN 2008, p. 266].

In a 31 March corrigendum [A/64/579/Corr.1], the Secretary-General presented revised appropriations and requested the Assembly to reduce the appropriation of \$1,499,710,000 approved for the maintenance of UNAMID from 1 July 2008 to 30 June 2009 under the terms of its resolution 62/232 B [YUN 2008, p. 265] by the amount of \$8,430,800, to \$1,491,279,200, equal to expenditures incurred by the Operation during the same period; to apply the other income in respect of the financial period ended 30 June 2009, in the total amount of \$130,922,300 from interest income, other/miscellaneous income and cancellation of prior-period obligations, against the shortfall in assessment for the same period; and to assess the amount of \$60,646,900, representing the difference between the shortfall in assessment (\$191,569,200) and the other income for the period ended 30 June 2009.

Earlier, in a 26 February report [A/64/685] on the proposed UNAMID budget for the period from 1 July 2010 to 30 June 2011, the Secretary-General recommended that the General Assembly take the following action: appropriation of \$1,899,367,200 for maintaining UNAMID from 1 July 2010 to 30 June 2011; assessment of \$158,280,600 for the period from 1 to 31 July; and assessment of \$1,741,056,600 at a monthly rate of \$158,280,600, should the Security Council decide to continue the mandate of the Operation.

ACABQ, in a 30 April report [A/64/660/Add.13], recommended that the Assembly take note of the shortfall in the assessment of \$191,569,200 for maintaining UNAMID from 1 July 2008 to 30 June 2009; decide to apply the other income/adjustments for the period ended 30 June 2009, amounting to \$130,922,300, against the shortfall; and decide on the additional assessment of \$60,646,900. ACABQ, also recommended that, should the Security Council extend UNAMID's mandate beyond 31 July 2010, the Assembly appropriate \$1,839,146,300 for its maintenance from 1 July 2010 to 30 June 2011.

GENERAL ASSEMBLY ACTION

On 24 June [meeting 101], the General Assembly, on the recommendation of the Fifth Committee [A/64/833], adopted **resolution 64/285** without vote [agenda item 161].

Financing of the African Union-United Nations Hybrid Operation in Darfur

The General Assembly,

Having considered the reports of the Secretary-General on the financing of the African Union-United Nations Hybrid Operation in Darfur and the related report of the Advisory Committee on Administrative and Budgetary Questions,

Recalling Security Council resolution 1769(2007) of 31 July 2007, by which the Council established the African Union-United Nations Hybrid Operation in Darfur for an initial period of twelve months as from 31 July 2007, and its subsequent resolutions, the latest of which was resolution 1881(2009) of 30 July 2009, by which the Council extended the mandate of the Operation until 31 July 2010,

Recalling also its resolution 62/232 A of 22 December 2007 on the financing of the Operation and its subsequent resolutions thereon, the latest of which was resolution 63/258 B of 30 June 2009,

Reaffirming the general principles underlying the financing of United Nations peacekeeping operations, as stated in its resolutions 1874(S-IV) of 27 June 1963, 3101(XXVIII) of 11 December 1973 and 55/235 of 23 December 2000,

Mindful of the fact that it is essential to provide the Operation with the necessary financial resources to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

Noting the hybrid nature of the Operation, and in that regard stressing the importance of ensuring full coordination of efforts between the African Union and the United Nations at the strategic level, unity of command at the operational level and clear delegation of authority and accountability lines,

1. *Requests* the Secretary-General to entrust the Head of Mission with the task of formulating future budget proposals in full accordance with the provisions of General Assembly resolutions 59/296 of 22 June 2005, 60/266 of 30 June 2006, 61/276 of 29 June 2007 and 64/269 of 24 June 2010, as well as other relevant resolutions;

2. *Takes note* of the status of contributions to the African Union-United Nations Hybrid Operation in Darfur as at 30 April 2010, including the contributions outstanding in the amount of 139.6 million United States dollars, representing some 3 per cent of the total assessed contributions, notes with concern that only forty-eight Member States have paid their assessed contributions in full, and urges all other Member States, in particular those in arrears, to ensure payment of their outstanding assessed contributions;

3. *Expresses its appreciation* to those Member States which have paid their assessed contributions in full, and urges all other Member States to make every possible effort to ensure payment of their assessed contributions to the Operation in full;

4. *Expresses concern* at the financial situation with regard to peacekeeping activities, in particular as regards the reimbursements to troop contributors that bear additional burdens owing to overdue payments by Member States of their assessments;

5. *Also expresses concern* at the delay experienced by the Secretary-General in deploying and providing adequate resources to some recent peacekeeping missions, in particular those in Africa;

6. *Emphasizes* that all future and existing peacekeeping missions shall be given equal and non-discriminatory treatment in respect of financial and administrative arrangements;

7. *Also emphasizes* that all peacekeeping missions shall be provided with adequate resources for the effective and efficient discharge of their respective mandates;

8. *Reiterates its request* to the Secretary-General to make the fullest possible use of facilities and equipment at the United Nations Logistics Base at Brindisi, Italy, in order to minimize the costs of procurement for the Operation;

9. *Acknowledges with appreciation* that the use of the logistics hub at Entebbe, Uganda, has been cost-effective and has resulted in savings for the United Nations, and welcomes the expansion of the logistics hub to provide logistical support to peacekeeping operations in the region and to contribute further to their enhanced efficiency and responsiveness, taking into account the ongoing efforts in this regard;

10. *Requests* the Secretary-General to ensure that proposed peacekeeping budgets are based on the relevant legislative mandates;

11. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions, subject to the provisions of the present resolution, and requests the Secretary-General to ensure their full implementation;

12. *Requests* the Secretary-General to take steps to ensure that all personnel adhere fully to the security procedures in place;

13. *Reaffirms* section XX of resolution 61/276, and encourages the Secretary-General, where feasible, to enhance regional and inter-mission cooperation with a view to achieving greater synergies in the use of the resources of the Organization and the implementation of the mandates of the missions, while bearing in mind that individual missions are responsible for the preparation and implementation of their own budgets and for controlling their own assets and logistical operations;

14. *Requests* the Secretary-General to ensure the full implementation of the relevant provisions of resolutions 59/296, 60/266, 61/276 and 64/269;

15. *Also requests* the Secretary-General to take all action necessary to ensure that the Operation is administered with a maximum of efficiency and economy;

16. *Further requests* the Secretary-General to ensure that future budget submissions contain sufficient information, explanation and justification of the proposed resource requirements relating to operational costs in order to allow Member States to take well-informed decisions;

17. *Requests* the Secretary-General, in order to reduce the cost of employing General Service staff, to continue efforts to recruit local staff for the Operation against General Service posts, commensurate with the requirements of the Operation;

18. *Stresses* the importance of strengthened accountability in the Organization and of ensuring greater accountability of the Secretary-General to Member States, inter alia, for the effective and efficient implementation of legislative mandates on procurement and the related use of financial and human resources, as well as the provision of necessary information on procurement-related matters to enable Member States to make well-informed decisions;

19. *Requests* the Secretary-General to ensure that all procurement projects for the Organization are in full compliance with relevant resolutions;

Financial performance report for the period from 1 July 2008 to 30 June 2009

20. *Takes note* of the report of the Secretary-General on the financial performance of the Operation for the period from 1 July 2008 to 30 June 2009;

21. *Decides* to reduce the appropriation of 1,499,710,000 dollars approved for the maintenance of the Operation for the period from 1 July 2008 to 30 June 2009 under the terms of its resolution 62/232 B of 20 June 2008 by the amount of 8,430,800 dollars, to 1,491,279,200 dollars, equal to expenditures incurred by the Operation during the same period;

Budget estimates for the period from 1 July 2010 to 30 June 2011

22. *Also decides* to appropriate to the Special Account for the African Union-United Nations Hybrid Operation in Darfur the amount of 1,917,751,000 dollars for the period from 1 July 2010 to 30 June 2011, inclusive of 1,808,127,500 dollars for the maintenance of the Operation, 92,842,200 dollars for the support account for peacekeeping operations and 16,781,300 dollars for the United Nations Logistics Base;

Financing of the appropriation

23. *Further decides* to apportion among Member States the amount of 159,812,584 dollars for the period from 1 to 31 July 2010, in accordance with the levels updated in General Assembly resolution 64/249 of 24 December 2009, and taking into account the scale of assessments for 2010, as set out in Assembly resolution 64/248 of 24 December 2009;

24. *Decides* that, in accordance with the provisions of its resolution 973(X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 23 above, their respective share in the Tax Equalization Fund of 3,416,825 dollars, comprising the estimated staff assessment income of 2,664,350 dollars approved for the Operation, the prorated share of 640,600 dollars of the estimated staff assessment income approved for the support account and the prorated share of 111,875 dollars of the estimated staff assessment income approved for the United Nations Logistics Base;

25. *Also decides* to apportion among Member States the amount of 1,757,938,416 dollars for the period from 1 August 2010 to 30 June 2011, at a monthly rate of 159,812,584 dollars, in accordance with the levels updated in resolution 64/249, and taking into account the scale of assessments for 2010 and 2011, as set out in resolution 64/248, subject to a decision of the Security Council to extend the mandate of the Operation;

26. *Further decides* that, in accordance with the provisions of resolution 973(X), there shall be set off against the apportionment among Member States, as provided for in paragraph 25 above, their respective share in the Tax Equalization Fund of 37,585,075 dollars, comprising the estimated staff assessment income of 29,307,850 dollars approved for the Operation, the prorated share of 7,046,600 dollars of the estimated staff assessment income approved for the support account and the prorated share of 1,230,625 dollars of the estimated staff assessment income approved for the United Nations Logistics Base;

27. *Decides* to set off the other income in respect of the financial period ended 30 June 2009, in the total amount of 130,922,300 dollars, against the shortfall in apportionment of 191,569,200 dollars for the same period;

28. *Also decides* to apportion among Member States the amount of 60,646,900 dollars, representing the difference between the shortfall in apportionment of 191,569,200 dollars and the other income of 130,922,300 dollars, for the period ended 30 June 2009;

29. *Further decides* that the increase of 2,850,100 dollars in the estimated staff assessment income in respect of the financial period ended 30 June 2009 shall be set off against the apportionment of 60,646,900 dollars referred to in paragraph 28 above;

30. *Emphasizes* that no peacekeeping mission shall be financed by borrowing funds from other active peacekeeping missions;

31. *Encourages* the Secretary-General to continue to take additional measures to ensure the safety and security of all personnel participating in the Operation under the auspices of the United Nations, bearing in mind paragraphs 5 and 6 of Security Council resolution 1502(2003) of 26 August 2003;

32. *Invites* voluntary contributions to the Operation in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate,

in accordance with the procedure and practices established by the General Assembly;

33. *Decides* to include in the provisional agenda of its sixty-fifth session the item entitled "Financing of the African Union-United Nations Hybrid Operation in Darfur".

Chad-Sudan

In 2010, relations between Chad and the Sudan improved significantly, following the signature on 15 January by both Governments of an agreement to normalize their bilateral relations. They agreed, *inter alia*, to deny rebel groups the use of their territories and to work towards their disarmament. Following that agreement, a 3,000-strong joint border force was established in February and deployed in April, with a view to denying the cross-border movement of armed elements and stemming their criminal activities. The Joint Border Monitoring Force was having a positive impact in terms of security and opening cross-border trade and movement.

The visit of President Idriss Déby Itno to Khartoum from 8 to 9 February—the first such visit since 2004 and the first meeting between the two Heads of State since March 2008—was a major step in strengthening bilateral relations. The visit was followed by the appointment on 15 February of a Chadian Ambassador to Khartoum. On 10 April, the border between the two countries reopened for the first time since 2003 at three points, and cross-border trade resumed.

In accordance with the 15 January agreement, Chad and the Sudan facilitated talks with their respective rebel groups. The Framework Agreement to Resolve the Conflict in Darfur (see p. 240), signed by the Government of the Sudan and JEM in Doha, was negotiated on 20 February in N'Djamena, under the auspices of the Chadian President, who also facilitated talks with JEM in N'Djamena in March. From 1 to 4 April, a Chadian delegation met with representatives of the Union des forces de la résistance and the Résistance nationale armée in Khartoum, with the facilitation of the Government of the Sudan. Although the meeting was inconclusive, the Government and the armed opposition groups indicated that they remained committed to dialogue.

The Security Council, in resolution 1923(2010) of 25 May (see p. 159), welcomed the N'Djamena agreement and previous related agreements, encouraged the Government of Chad to continue talks with the armed groups, and demanded that those groups cease violence immediately. Noting that Chad had committed itself to assume full responsibility for the security of the civilian population in the eastern part of the country, the Council requested the Government and the Secretary-General to establish a joint high-level working group to make monthly assessments of the situation on the ground with respect to the protection of civilians. Determining that the situation in the border region between the Sudan, Chad and the Central

African Republic still constituted a threat to international peace and security, the Council encouraged the respective Governments to ensure that their territories were not used to undermine the sovereignty of others, and to cooperate in ending the activities of armed groups, while implementing previous agreements.

After a period of improvement in the security situation in eastern Chad, several incidents of carjacking, abductions and attacks on humanitarian workers took place from May through July. In advance of the community of Sahel-Saharan States summit held in N'Djamena from 18 to 23 July, which President Bashir attended, the Sudan expelled leaders of Chadian armed opposition groups.

The improved relations between Chad and the Sudan eventually led to a progressively enhanced security situation in eastern Chad, which enabled the Chadian Government to assume full responsibility for ensuring the security and protection of refugees there, the majority comprising some 255,000 Sudanese.

Somalia

The situation in Somalia remained volatile throughout the year, in spite of some progress in implementing the 2008 Djibouti Peace Agreement [YUN 2008, p. 281]. The Security Council welcomed the appointment of a new Cabinet of the Transitional Federal Government and its efforts to rebuild and rehabilitate Somali institutions and infrastructure and become more representative and functional. The Council monitored the arms embargo on Somalia and intensified its efforts to enhance international and regional cooperation in bringing pirates in the sea off the coast of Somalia to justice. Progress was made towards full deployment and strengthening of the African Union Mission in Somalia (AMISOM). In December, the Security Council authorized the deployment of AMISOM until September 2011 and raised its troop level to 12,000. The United Nations Political Office for Somalia (UNPOS) assisted the Secretary-General in advancing peace and reconciliation in the country, and coordinating efforts to combat piracy off its coast.

Political and security developments

Security Council consideration. On 14 January [S/PV.6259], the Security Council considered a report of the Secretary-General of 8 January [YUN 2009, p. 284] covering developments in Somalia during the latter half of 2009.

SECURITY COUNCIL ACTION

On 28 January 2010 [meeting 6266], the Security Council unanimously adopted **resolution 1910(2010)**. The draft [S/2010/49] was submitted by France, Turkey, Uganda, the United Kingdom and the United States.

The Security Council,

Recalling all its previous resolutions and the statements by its President concerning the situation in Somalia,

Recalling also its resolutions 1674(2006) of 28 April 2006, 1738(2006) of 23 December 2006 and 1894(2009) of 11 November 2009 on the protection of civilians in armed conflict, resolutions 1325(2000) of 31 October 2000, 1820(2008) of 19 June 2008, 1888(2009) of 30 September 2009 and 1889(2009) of 5 October 2009 on women and peace and security, and resolutions 1612(2005) of 26 July 2005 and 1882(2009) of 4 August 2009 on children and armed conflict,

Reaffirming its respect for the sovereignty, territorial integrity, political independence and unity of Somalia,

Reiterating its commitment to a comprehensive and lasting settlement of the situation in Somalia,

Reiterating its full support for the Djibouti peace process, which provides the framework for reaching a lasting political solution in Somalia, expressing its support for the Transitional Federal Charter, recognizing the need to promote reconciliation and dialogue among the Somali population, and stressing the importance of broad-based and representative institutions reached through a political process ultimately inclusive of all,

Commending the contribution of the African Union Mission in Somalia to lasting peace and stability in Somalia, expressing its appreciation for the continued commitment of troops and equipment to the Mission by the Governments of Uganda and Burundi, and condemning any hostilities towards the Mission and the Transitional Federal Government,

Commending also the Special Representative of the Secretary-General for Somalia, Mr. Ahmedou Ould-Abdallah, and reaffirming its strong support for his efforts,

Welcoming the communiqué issued by the Peace and Security Council of the African Union at its two hundred and fourteenth meeting, held on 8 January 2010, in which it renewed the mandate of the Mission for an additional period of twelve months,

Reaffirming the importance of the re-establishment, training, equipping and retention of Somali security forces, which is vital for the long-term stability of Somalia, and emphasizing the importance of coordinated, timely and sustained support from the international community,

Strongly encouraging the prompt disbursement of funds pledged in support of the Somali security institutions and the Mission at the international conference on Somalia, held in Brussels on 23 April 2009, and recognizing the importance of timely and predictable funding for the Transitional Federal Government and the Mission,

Reiterating its serious concern at the continued fighting in Somalia, and reaffirming its support for the Transitional Federal Government,

Condemning the terrorist attacks on the Transitional Federal Government, the Mission and the civilian population by armed groups and foreign fighters who undermine peace and stability in Somalia, particularly Al-Shabaab, and stressing the terrorist threat that Somali armed groups, in particular Al-Shabaab, constitute for Somalia and for the international community,

Emphasizing the importance of effective public information and communications operations to support the Tran-

sitional Federal Government and the Mission and consolidate the political process, and expressing its serious concern at the continuing attacks against journalists,

Reiterating its serious concern at the worsening humanitarian situation in Somalia, strongly condemning the targeting and obstruction of the delivery of humanitarian aid by armed groups in Somalia, which has prevented the delivery of such aid in some areas, deploring the repeated attacks on humanitarian personnel, expressing its condemnation in the strongest terms of all acts of violence or abuses committed against civilians and humanitarian personnel, in violation of international humanitarian law and human rights law, and reaffirming the importance of the fight against impunity,

Expressing its concern at the significant decline in humanitarian funding for Somalia, and calling upon all Member States to contribute to current and future consolidated humanitarian appeals,

Condemning all and any violations of human rights and international humanitarian and human rights law, stressing the responsibility of all parties in Somalia to respect fully their obligations in this regard and to take appropriate measures to protect civilians, including women and children, and recalling the conclusions of the Security Council Working Group on Children and Armed Conflict pertaining to parties to the armed conflict in Somalia,

Recalling its resolution 1897(2009) of 30 November 2009, recognizing that the ongoing instability in Somalia contributes to the problem of piracy and armed robbery at sea off the coast of Somalia, stressing the need for a comprehensive response by the international community to tackle piracy and its underlying causes, including through the training of the Somali coastguard, and welcoming the efforts of the Contact Group on Piracy off the Coast of Somalia, States and international and regional organizations,

Welcoming the report of the Secretary-General of 31 December 2009, and the recommendations contained therein for continued action on the political, security and recovery tracks by the Transitional Federal Government, with the support of the international community,

Determining that the situation in Somalia constitutes a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to authorize the States members of the African Union to maintain until 31 January 2011 the African Union Mission in Somalia, which shall be authorized to take all measures necessary to carry out its existing mandate, as set out in paragraph 9 of resolution 1772(2007) of 20 August 2007;

2. *Requests* the African Union to maintain the deployment in Somalia of the Mission and to increase its force strength with a view to achieving its originally mandated strength of 8,000 troops, thereby enhancing its ability to carry out its mandate in full;

3. *Requests* the Mission to continue to assist the Transitional Federal Government in the development of the Somali Police Force and the National Security Force, and to assist the integration of Somali units trained by other Member States or organizations inside and outside Somalia;

4. *Requests* the Secretary-General to continue to provide a logistical support package for the Mission, called for

in resolution 1863(2009) of 16 January 2009, comprising equipment and services, including public information support, but not including the transfer of funds, as described in the letter dated 30 January 2009 from the Secretary-General to the President of the Security Council, until 31 January 2011, ensuring the accountability and transparency of expenditure of United Nations funds;

5. *Encourages* Member States to support the Mission and the Somali security sector institutions through the provision of appropriate and necessary equipment;

6. *Requests* the Mission to ensure that all equipment and services provided under the support package are used in a transparent and effective manner for their designated purposes, and further requests the African Union to report to the Secretary-General on the usage of such equipment and services in accordance with the memorandum of understanding established between the United Nations and the African Union;

7. *Requests* the Secretary-General to continue to provide technical and expert advice to the African Union in the planning and deployment of the Mission through the existing United Nations planning team in Addis Ababa;

8. *Urges* Member States and regional and international organizations to contribute generously and promptly to the United Nations trust fund for the Mission, or to make direct bilateral donations in support of the Mission, and encourages donors to work closely with the United Nations and the African Union in order to ensure that the appropriate funds and equipment are promptly provided, particularly in relation to the salaries of Mission soldiers and the costs of contingent-owned equipment;

9. *Recalls* its statement of intent regarding the establishment of a United Nations peacekeeping operation, as expressed in resolution 1863(2009), and notes that any decision to deploy such an operation would take into account, inter alia, the conditions set out in the report of the Secretary-General of 16 April 2009, and requests the Secretary-General to take the steps identified in paragraphs 82 to 86 of that report, subject to the conditions set out in the report;

10. *Emphasizes* that Somalia's long-term security rests with the effective development by the Transitional Federal Government of the National Security Force and the Somali Police Force, within the framework of the Djibouti Agreement and in line with a national security strategy;

11. *Urges* Member States and regional and international organizations to contribute generously and promptly to the United Nations trust fund for the Somali security institutions, and to offer assistance to the Somali security forces, including through training and equipment in co-ordination with the Mission, consistent with paragraphs 11 (b) and 12 of resolution 1772(2007);

12. *Requests* the Secretary-General to continue to assist the Transitional Federal Government in developing the transitional security institutions, including the Somali Police Force and the National Security Force, and to continue to support the Transitional Federal Government in developing a national security strategy which reflects respect for the rule of law and the protection of human rights, including plans for disarmament, demobilization and reintegration, justice and corrections capacities, as well as the legal and policy framework for the operation of its security forces, including governance, vetting and oversight mechanisms;

13. *Reaffirms* that the measures imposed by paragraph 5 of resolution 733(1992) of 23 January 1992 and further elaborated upon in paragraphs 1 and 2 of resolution 1425(2002) of 22 July 2002 shall not apply to supplies and technical assistance provided in accordance with paragraphs 11 (b) and 12 of resolution 1772(2007) to the Transitional Federal Government for the purposes of the development of its security sector institutions, consistent with the Djibouti peace process and subject to the notification procedure set out in paragraph 12 of resolution 1772(2007);

14. *Reiterates its call upon* all Somali parties to support the Djibouti Agreement, and calls for the end of all hostilities, acts of armed confrontation and efforts to undermine the Transitional Federal Government;

15. *Welcomes* the efforts of the Transitional Federal Government on reconciliation, urges the Transitional Federal Government to continue and strengthen these efforts within the framework of the Djibouti Agreement with all groups willing to cooperate and ready to renounce violence, and requests the Secretary-General, through his Special Representative for Somalia, to continue to work with the international community to facilitate reconciliation;

16. *Calls for* the immediate cessation of all acts of violence or abuses committed against civilians and humanitarian personnel in violation of international humanitarian law and human rights law;

17. *Calls upon* all parties and armed groups to take appropriate steps to ensure the safety and security of humanitarian personnel and supplies, and demands that all parties ensure full, safe and unhindered access for the timely delivery of humanitarian aid to persons in need of assistance across the country;

18. *Requests* the Secretary-General, through his Special Representative and the United Nations Political Office for Somalia, to redouble efforts to coordinate effectively and develop an integrated approach to all activities of the United Nations system in Somalia, to provide good offices and political support for the efforts to establish lasting peace and stability in Somalia, and to mobilize resources and support from the international community for both the immediate recovery and the long-term economic development of Somalia, taking into account the recommendations contained in his report of 31 December 2009;

19. *Calls upon* the Transitional Federal Government to take every appropriate measure to improve security conditions in Somalia, and requests the Secretary-General to expedite the proposed deployment of elements of the United Nations Political Office for Somalia and other United Nations offices and agencies, including the United Nations Support Office for the African Union Mission in Somalia, to Mogadishu, consistent with security conditions, as outlined in his report of 16 April 2009;

20. *Requests* the Secretary-General to report on all aspects of the present resolution every four months, commencing 1 January 2010, and expresses its intention to review the situation, as part of his reporting obligations, as specified in the statement by the President of the Security Council of 31 October 2001 and Council resolution 1872(2009) of 26 May 2009;

21. *Decides* to remain actively seized of the matter.

Communication. On 4 February [S/2010/69], Eritrea transmitted to the Security Council President a press statement of 3 February, stating that a recent communiqué on Somalia and Eritrea issued by IGAD was devoid of any legality. Eritrea had suspended its membership in the Intergovernmental Authority on Development (IGAD) in early 2007 in the wake of Ethiopia's invasion of Somalia and the failure of IGAD to condemn acts of aggression against a fellow member State. Any decision of the four IGAD members (Djibouti, Ethiopia, Kenya, Uganda) in respect of Somalia did not have any validity.

Report of Secretary-General (May). Pursuant to the statement by the Security Council President of 31 October 2001 [YUN 2001, p. 210] and Council resolution 1910(2010) (see p. 276), the Secretary-General on 11 May [S/2010/234] reported on all aspects of that resolution and major developments since his last report [YUN 2009, p. 284]. He also assessed the political, security, human rights and humanitarian situation, as well as progress made in implementing the UN strategy for Somalia, and covered the counter-piracy activities of the United Nations and the international community.

The Transitional Federal Government and the Transitional Federal Parliament continued to operate from Mogadishu, the Secretary-General said. The Transitional Federal Government was attempting to rebuild and rehabilitate the Somali institutions and infrastructure and pursued efforts to become more representative, credible, accountable and functional by preparing and passing a budget for 2010, enhancing financial accountability, collecting revenues from Mogadishu seaport and airport, and operating Radio Mogadishu. On 29 January, on the occasion of the first anniversary of his swearing-in, President Sheikh Sharif Sheikh Ahmed stated that the Government would focus on ensuring the people's access to essential services and on rehabilitating the infrastructure. He appealed to the international community to focus efforts not only on political, security and humanitarian assistance, but also on economic development, especially job creation and the promotion of trade and business. On 28 February, the first anniversary of the formation of the Cabinet, Prime Minister Omar Abdirashid Ali Sharmarke urged the international community to make Somalia a priority on the global political, economic and security agenda.

In line with its objective of forming an inclusive administration, the Transitional Federal Government continued to reach out to Somalis outside the peace process. The signing on 15 March, at AU headquarters, of a cooperation agreement between the Transitional Federal Government and Ahlu Sunna Wal Jama'a (ASWJ) constituted a significant breakthrough. The accord, which followed an initial declaration signed on 21 June 2009 [YUN 2009, p. 280] under the aus-

pices of the United Nations Political Office for Somalia (UNPOS), stipulated the following arrangements: a merging of Transitional Federal Government and ASWJ forces, with the latter bringing its troops under the control and command of the Government; the allocation to ASWJ of ministerial posts and senior positions in the civil and foreign services; the integration of local administrations already established by the Government; the formation of an advisory council of religious leaders as a counterweight to Al-Shabaab's radical doctrine; and the establishment of a body to monitor implementation of the agreement, comprising UNPOS, the AU and IGAD.

In his continuing efforts to engage with regional organizations and the wider international community, President Sharif attended the fourteenth ordinary session of the Assembly of Heads of State and Government of the African Union (Addis Ababa, 1–2 February), during which the AU appealed for more support to the Transitional Federal Government and AMISOM.

In Somaliland the focus remained on the presidential elections, to be held in June. Since its re-establishment in October 2009, the National Electoral Commission (NEC) of Somaliland had been working on the preparations, including the introduction of an amended electoral law.

The overall security situation in Somalia remained highly volatile and unpredictable. Armed group elements continued to launch stand-off attacks against the Transitional Federal Government and AMISOM forces in Mogadishu, where armed clashes, roadside bombs and individual killings perpetuated a particularly hostile environment. On 27 April, AMISOM troops foiled an attempted suicide attack on their base in Mogadishu. Continued fighting between Al-Shabaab and Hizbul Islam in Lower Juba and Lower Shabelle, and between Al-Shabaab and ASWJ in the central region had not relented. Direct threats to UN operations continued in most of Southern and Central Somalia, especially in Al-Shabaab-controlled areas, including threats of improvised explosive device (IED) attacks, raids, ambushes, targeted assassinations and abductions. National UN staff faced direct threats from armed group elements in southern and central Somalia, and the presence of international staff in those regions was now restricted. UN compounds in Wajid, Baidos and Beletweyne had been taken over or looted by Al-Shabaab, prompting the United Nations Mine Actions Service (UNMAS) to suspend mine action operations in all Al-Shabaab-controlled areas in December 2009. Insecurity still limited the ability of UN agencies, funds and programmes to pursue humanitarian efforts in southern and central Somalia. On 28 February, Al-Shabaab called for the termination of all WFP operations in Somalia, and on 1 March

and 7 April, respectively, it occupied WFP compounds in Buale and Wajid.

In Puntland, the security situation remained unpredictable, with continuing violent incidents, including armed clashes, assassinations and frequent explosive devices attacks. Following several attacks since November 2009 [YUN 2009, p. 288], in which members of Parliament, a chief justice, security personnel and civilians were killed, the Puntland administration established a committee to assess security and coordinate responses. Since November, Puntland police had arrested suspects in the spate of killings and attempted killings of prominent figures; three of the suspects had been reportedly sentenced to death. Puntland authorities forcibly evicted IDPs, reportedly based on concerns that IDP camps had been infiltrated by radical elements.

A major challenge for the Transitional Federal Government had been how to deal with defectors from the extremist groups, whose needs might not be addressed through ongoing disarmament and demobilization activities. The Government had thus far set up an interim inter-ministerial committee to address the matter.

The increased fighting in Southern and Central Somalia had devastating consequences for civilians, with over 110,000 displaced during the first three months of 2010, bringing the total of IDPs as a consequence of the conflict to 1.4 million. In Mogadishu, civilians were increasingly caught in crossfire, mortar attacks and artillery shelling between insurgents and government forces. In March, the Mayor of Mogadishu issued a statement urging civilians to flee the city as a precautionary measure.

Civilians in southern and central Somalia continued to be threatened and abused by armed groups, through stoning, amputations, floggings and other corporal punishments, practices that contravened international and humanitarian law.

The United Nations pursued its mandated activities through the three-phased approach endorsed by the Security Council in its resolutions 1863(2009) [YUN 2009, p. 271], 1872(2009) [ibid., p. 277], and 1910(2010) (see p. 276). With regard to strengthening the political process, the Secretary-General's Special Representative and UNPOS senior management visited Mogadishu and collaborated closely with the Transitional Federal Government to advance the peace process. They also visited Puntland and Somaliland to engage with the authorities. The Somaliland authorities had set up a ministerial task force to collaborate with UNPOS on security, human rights, piracy and civil affairs.

The Secretary-General observed that the Transitional Federal Government had been making strong efforts to improve security and stability, despite mul-

multiple challenges. It had begun to raise domestic revenues to fund some of its initiatives, signalling that it intended to become gradually more self-reliant. Recent progress in key areas had rendered the Government more confident and established it as a serious representative of the interests of the Somalis and a viable partner of the international community.

The Secretary-General urged Member States to undertake measures to implement the sanctions regime, including resolution 1907(2009) [YUN 2009, p. 299], which imposed targeted sanctions on those jeopardizing the peace process. Ongoing obstruction and intimidation by insurgent elements had hindered the delivery of humanitarian assistance, the Secretary-General said, reminding all parties that they were obligated by international law to allow such assistance to those in need. He acknowledged the critical efforts of the AU, especially through AMISOM, and of IGAD to stabilize Somalia, and welcomed their enhanced collaboration with the United Nations, paying special tribute to AMISOM troops, who continued to operate in a difficult and dangerous environment. He reiterated his call on the international community to support the AU, AMISOM and IGAD in discharging their mandates. He urged the Transitional Federal Government to intensify its efforts, especially in the areas of political reconciliation and outreach, security, stability and services delivery.

Communications. On 27 May [S/2010/272], Turkey transmitted the Istanbul Declaration issued by the Istanbul Conference on Somalia (21–23 May) (see below), organized by Turkey in cooperation with the United Nations and the Transitional Federal Government. By a letter of 7 July [S/2010/361], Ethiopia, as chair of IGAD, transmitted the communiqué of the fifteenth Extraordinary Summit Meeting (Addis Ababa, 5 July), on the political and security situation in Somalia.

Security Council statement (August). On 31 August [SC/10019], the Security Council condemned the attack on the Presidential Palace in Mogadishu on 30 August that resulted in the death of four AMISOM peacekeepers, and expressed its condolences to the families of those killed in the attack, to the Government of Uganda and to the AU.

Report of Secretary-General (September). On 9 September, the Secretary-General presented a report [S/2010/447] on major developments in Somalia during the previous four months, assessing the political, security, human rights and humanitarian situation, as well as progress made in implementing the UN strategy on Somalia. The report also covered the operational activities of the United Nations and the international community, as well as developments in counter-piracy.

As a result of internal disputes between the Parliament and the Cabinet, President Sharif dissolved

the Cabinet on 16 May. The Speaker of Parliament resigned on 17 May and was later replaced by the former Finance Minister, Sharif Hassan. The President later rescinded his decisions and reinstated the Prime Minister and his Government on 20 May. On 3 July, Prime Minister Omar Abdirashid Ali Sharmarke announced a newly reshuffled Cabinet of 39 members, including five from ASWJ and new members from the Somali diaspora.

Despite those political complications and the difficult security environment, the United Nations, the AU, IGAD and the international community continued efforts to promote peace and security in Somalia. The Secretary-General's Special Representative continued working with all parties to ease the political tensions and implement the internationally endorsed strategy for Somalia. As part of his efforts to move the political process in Somalia forward and sustain international attention to the political, security, humanitarian assistance and development needs of Somalia, the Secretary-General and Turkey jointly convened the Istanbul Conference (21–23 May). The Istanbul Declaration adopted at the Conference reflected a consensus within the international community on the need for more effective action by the Transitional Federal Government, encouragement for groups outside the 2008 Djibouti Agreement [YUN 2008, p. 281] to join the peace process, and the necessity of building Somalia's security forces and strengthening the capacity of AMISOM to secure key strategic areas in Mogadishu. The Declaration encouraged the Somali private sector to play a positive role in the peace process. As a follow-up, UNPOS co-chaired on 8 June a meeting with the Islamic Development Bank and Turkey, at which a task force was established to undertake recovery activities in the areas of basic services, livelihoods, infrastructure and energy.

In response to increased insurgent activities against the Transitional Federal Government, the IGAD Assembly of Heads of State and Government, at its fifteenth extraordinary session (Addis Ababa, 5 July), noted with concern the deteriorating security situation in Somalia and decided to deploy 2,000 additional peacekeepers under AMISOM. It further agreed to work with all concerned parties, including AMISOM and the Security Council, to increase AMISOM troop levels for deployment throughout Somalia.

Further indications of the regional impact of the instability in Somalia were the suicide attacks on 11 July, targeting an Ethiopian restaurant and a sports club in Kampala, Uganda, during the Fédération Internationale de Football Association World Cup final, during which over 70 people were killed and many more injured. The Kampala attacks, later claimed by Al-Shabaab, revealed for the first time Al-Shabaab's ability to plan and execute terrorist attacks outside

Somalia's borders against countries and entities that threatened its insurgency and radical ideology. The attacks demonstrated that Al-Shabaab remained a serious security threat for Somalia, the subregion and the wider international community.

Shortly after the IGAD summit, the AU Assembly held its fifteenth ordinary session in Kampala (25–27 July). On the sidelines of the AU summit, the United States Assistant Secretary of State for African Affairs, Ambassador Johnnie Carson, facilitated a mini-summit on Somalia on 26 July, attended by the Presidents of Djibouti, Kenya, Somalia, Uganda and the United Republic of Tanzania; the Prime Minister of Ethiopia; the Chairperson of the AU Commission; the Deputy Secretary-General; and other UN representatives. The participants discussed ways to support the implementation of the IGAD proposals, particularly to increase support to AMISOM and the Transitional Federal Government. In that connection, the United States offered to facilitate deployment of an additional 2,000 troops under AMISOM.

During the reporting period, volatility and insecurity increased in Mogadishu. AMISOM and the Transitional Federal Government frequently engaged the insurgents, in response to increased mortar fire and direct attacks against Villa Somalia and the seaport. AMISOM military operations to secure positions in key districts in Mogadishu led to fierce battles, including fighting on 4 July between Al-Shabaab and Government/AMISOM forces in the Abdiiaz district, as well as an attack on Al-Shabaab in Bondere on 22 July. There was a sharp decline in the number of Government and AMISOM casualties, most likely as a result of improved security measures and counter-IED procedures. The frequency of attacks with IEDs had, however, led to an increase in civilian casualties.

Beyond Mogadishu, sporadic clashes between Al-Shabaab and ASWJ continued in the central regions, albeit with no significant changes in control of territory. Al-Shabaab continued to control the town of Kismaayo and its seaport, while its positions in the Juba Valley and along the Kenyan border continued to be attacked sporadically by local clan militia associated with the Transitional Federal Government and by the rival Ras Kamboni group. The security situation in Puntland had generally become more volatile, but the situation in Somaliland remained stable during the reporting period.

With regard to the implementation of resolution 1910(2010) (see p. 276) and the establishment of a UN "light footprint" in Mogadishu, the United Nations continued to maintain a substantive presence in parts of Somalia, as well as a robust intermittent presence throughout the country. The Secretary-General's Special Representative and other senior UN officials had made frequent visits to Mogadishu and were in

the process of establishing a more sustainable political presence to maintain close contact with the Transitional Federal Government and other key Somali actors. Missions outside Mogadishu Airport remained highly risky and dependent on transport and protection by AMISOM, whose mandated tasks and priorities bound most of its capacity and limited the support it could provide UN operations.

In order to maximize the impact of UN activities and in line with the Secretary-General's policy on integration of operations, the UN Headquarters Integrated Task Force on Somalia undertook a mission (31 May–11 June) to review the UN strategy for Somalia and proposals for better coordination of efforts.

UNPOS continued to work closely with the Transitional Federal Government to advance the peace process, through consultations with President Sharif and other Somali officials. UNPOS also intensified its engagement with the Somaliland and Puntland authorities, undertook several visits to both regions, and established a range of contacts on the ground. Following a formal request from the Transitional Federal Government, a UN needs assessment mission examined the conditions for conducting an internationally supervised constitutional referendum and elections.

Under the co-chairmanship of the Transitional Federal Government Prime Minister and the Secretary-General's Special Representative, the Joint Security Committee met in Nairobi (7–8 August), focusing on achieving progress in supporting the Somali security forces and police and the security ministries. The Committee also reaffirmed its commitment to protecting civilians and emphasized the need to avoid civilian casualties. It welcomed AMISOM's renewed commitment to mentor Transitional Federal Government forces and its efforts to establish a safe zone in Mogadishu. The Committee recommended that the international community gradually move its efforts back to Mogadishu.

UNPOS assisted the Transitional Federal Government in the development of its armed forces, and the United Nations continued to help it develop a professional and accountable police force, while also supporting police services in Somaliland and Puntland. The initial target of 10,000 Transitional Federal Government police officers, set in the Djibouti Peace Agreement, was lowered to 7,000, a reduction endorsed by the Committee on 8 August. By mid-July, 4,511 Somali police officers had been trained under the umbrella of the international community.

In order to support the Transitional Federal Government in addressing some of its most daunting challenges, notably extending its authority and combating extremism, the Secretary-General appealed to the international community to provide military and

financial support and other resources to it. As Somalia's transition period approached its end, the transitional agenda remained largely unfulfilled. Unity within the transitional federal institutions remained critical for confidence-building among Somalis and the international community. The Secretary-General noted significant progress made in preparing the draft constitution, and encouraged the transitional federal institutions to initiate an inclusive consultative process to complete that critical task. He appealed for reinforced international support for training, equipping and sustaining the Somali police and security forces. He acknowledged the critical role of the AU and IGAD in supporting the peace process, but remained deeply concerned about the devastating impact of the conflict on the civilian population and the lack of respect for human rights and humanitarian law. Finally, the Secretary-General reiterated his commitment to ensuring maximum coordination of UN efforts in Somalia and stated his intention to take steps towards establishing an integrated UN presence.

Communications. By a letter of 17 September [S/2010/488], Eritrea refuted allegations made by Ethiopia and Kenya during the Security Council meeting on 16 September that Eritrea was providing support to Al-Shabaab. On 18 October [S/2010/539], Uganda transmitted a communiqué containing a decision on Somalia, taken by the AU Peace and Security Council at its 15 October meeting.

Security Council consideration. On 21 October [S/PV.6407], the Security Council met to consider the situation in Somalia. Speaking before the Council, the Secretary-General said the situation remained fragile, but there were glimmers of hope as the Transitional Federal Government remained committed to peace and reconciliation. The President had appointed a new Prime Minister and the Secretary-General urged Parliament to endorse him so as to allow the new Government to come into place without delay. The Government was also developing its security sector institutions and was carrying out an offensive against the insurgents, having taken over some main cities previously occupied by them. In addition, the resumption of broadcasting by Radio Mogadishu and the rehabilitation of some key buildings demonstrated the Government's resolve to meet the people's aspirations for peace and security, in partnership with the international community.

At the same time, the Secretary-General stated, the obstacles were well known. Two million people, including 1.4 million IDPs, needed emergency aid. Continuing insecurity and conflict in parts of the country were attracting foreign extremist elements, which posed a threat not only to Somalia, but to the region, the continent and beyond. The international community had to act now if it was to make a difference.

The Secretary-General encouraged the Council to take the bold and courageous decisions necessary to enhance the capacity of AMISOM to deliver more effectively its mandate. His Special Representative was working closely with the AU and IGAD to ensure coherence between their military strategy and the international community's political objectives, as outlined in the 2008 Djibouti Agreement.

Security Council statement (October). On 21 October [SC/10065], the Security Council expressed its concern at the continued instability in Somalia and the deteriorating humanitarian situation. It reaffirmed its support for the Djibouti Agreement and peace process as the basis for the resolution of the conflict in Somalia, and reiterated its support to the Transitional Federal Government in its efforts to achieve peace, security and reconciliation. The Council called on the Transitional Federal Government to ensure cohesion, remain united and redouble its efforts on reconciliation and the completion of the remaining transitional tasks, in particular the constitution-making process.

SECURITY COUNCIL ACTION

On 22 December [meeting 6461], the Council unanimously adopted **resolution 1964(2010)**. The draft [S/2010/649] was submitted by France, Gabon, Japan, Mexico, Nigeria, Turkey, Uganda, the United Kingdom and the United States.

The Security Council,

Recalling all its previous resolutions and the statements by its President concerning the situation in Somalia,

Recalling also all its previous resolutions on the protection of civilians in armed conflict, on women and peace and security and on children and armed conflict,

Reaffirming its respect for the sovereignty, territorial integrity, political independence and unity of Somalia,

Reiterating its commitment to a comprehensive and lasting settlement of the situation in Somalia,

Reiterating its full support for the Djibouti peace process, which provides the framework for reaching a lasting political solution in Somalia, expressing its support for the Transitional Federal Charter, recognizing the need to promote reconciliation and dialogue among the Somali population, and stressing the importance of broad-based and representative institutions reached through a political process ultimately inclusive of all,

Reaffirming its support for the Transitional Federal Government in its role as part of the Djibouti peace process, stressing the primary responsibility of the transitional federal institutions to work in a cohesive and united manner in order to complete the remaining transitional tasks, in particular the constitution-making process and the delivery of basic services to the population, and encouraging them to intensify their efforts in this regard,

Recognizing that peace and stability in Somalia depend on reconciliation and effective governance across the whole of Somalia, and encouraging all Somali parties willing to renounce violence to work together to build peace and stability,

Commending the contribution of the African Union Mission in Somalia to lasting peace and stability in Somalia, expressing its appreciation for the continued commitment of troops and equipment to the Mission by the Governments of Uganda and Burundi, and condemning any hostilities towards the Mission and the Transitional Federal Government,

Commending also the Special Representative of the Secretary-General for Somalia, Mr. Augustine P. Mahiga, and reaffirming its strong support for his efforts,

Noting the decisions on Somalia adopted by the African Union summit held in Kampala from 19 to 27 July 2010, and the recommendations on Somalia of the ministerial meeting of the Peace and Security Council of the African Union, held in Addis Ababa on 15 October 2010, and welcoming the appointment of former President Jerry Rawlings as the African Union High Representative for Somalia,

Reaffirming the importance of the re-establishment, training, equipping and retention of Somali security forces, which is vital for the long-term stability of Somalia, expressing its support for the ongoing European Union training mission in Uganda, and emphasizing the importance of coordinated, timely and sustained support from the international community,

Commending Member States and organizations which have made contributions to support the Mission and the Transitional Federal Government, encouraging the international community to mobilize additional funding to support the Mission and the Transitional Federal Government as appropriate, and recognizing the importance of timely and predictable funding for the Transitional Federal Government and the Mission,

Encouraging the international community to support further stabilization efforts in support of areas of relative stability throughout Somalia,

Reiterating its serious concern at the continued fighting in Somalia and its impact on the civilian population, condemning all attacks, including terrorist attacks on the Transitional Federal Government, the Mission and the civilian population by armed opposition groups and foreign fighters, particularly Al-Shabaab, and stressing the terrorist threat that Somali armed opposition groups and foreign fighters, particularly Al-Shabaab, constitute for Somalia and for the international community,

Emphasizing the importance of effective public information and communications operations to support the Transitional Federal Government and the Mission and consolidate the political process, and expressing its serious concern at the continued attacks against journalists,

Reiterating its serious concern at the worsening humanitarian situation in Somalia, strongly condemning the targeting and obstruction of the delivery of humanitarian aid by armed groups in Somalia, which has prevented the delivery of such aid in some areas, and deploring the repeated attacks on humanitarian personnel,

Expressing its condemnation in the strongest terms of all acts of violence, abuses and human rights violations committed against civilians, including women and children, and humanitarian personnel, in violation of international humanitarian law and human rights law, stressing the responsibility of all parties in Somalia to comply fully with their obligations in this regard, and reaffirming the importance of the fight against impunity,

Expressing its concern at the significant decline in humanitarian funding for Somalia, and calling upon all Member States to contribute to current and future consolidated humanitarian appeals,

Recalling its resolution 1950(2010) of 23 November 2010, recognizing that the ongoing instability in Somalia contributes to the problem of piracy and armed robbery at sea off the coast of Somalia, stressing the need for a comprehensive response to tackle piracy and its underlying causes by the international community, and welcoming the efforts of the Contact Group on Piracy off the Coast of Somalia, States and international and regional organizations,

Welcoming the report of the Secretary-General of 9 September 2010 and the recommendations contained therein for continued action on the political, security and recovery tracks by the Transitional Federal Government, with the support of the international community,

Determining that the situation in Somalia constitutes a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to authorize the States members of the African Union to maintain the deployment until 30 September 2011 of the African Union Mission in Somalia, which shall be authorized to take all measures necessary to carry out its existing mandate, as set out in paragraph 9 of resolution 1772(2007) of 20 August 2007;

2. *Requests* the African Union to maintain the deployment of the Mission in Somalia and to increase its force strength from the current mandated strength of 8,000 troops to 12,000 troops, thereby enhancing its ability to carry out its mandate;

3. *Notes* the recommendations on Somalia made by the Peace and Security Council of the African Union on 15 October 2010, and underlines its intention to keep the situation on the ground under review and to take into account, in its future decisions on the Mission, progress in meeting the following objectives:

(a) Significant progress by the Transitional Federal Government on the remaining transitional tasks, in particular the constitution-making process and the delivery of basic services to the population;

(b) Adoption of a National Security and Stabilization Plan and the effective development by the Transitional Federal Government of the National Security Force and the Somali Police Force, with reinforced chains of command, within the framework of the Djibouti Agreement and in line with that Plan;

(c) The continuation and strengthening of reconciliation and political outreach efforts by the Transitional Federal Government, within the framework of the Djibouti Agreement, with all groups willing to cooperate and ready to renounce violence;

(d) With the support of the Mission, the consolidation of security and stability in Somalia by the Transitional Federal Government on the basis of clear military objectives integrated into a political strategy;

4. *Requests* the Secretary-General, through his Special Representative for Somalia, to continue to extend his good offices to facilitate reconciliation among all Somalis and the peace process in general, with the support of the international community;

5. *Also requests* the Secretary-General to continue to provide technical and expert advice to the African Union in the planning and deployment of the Mission, through the United Nations Office to the African Union, including the revised concept of operations for future activities of the Mission;

6. *Requests* the Mission to continue to assist the Transitional Federal Government in the development of the Somali Police Force and the National Security Force, and to assist the integration of Somali units trained by other Member States or organizations inside and outside Somalia;

7. *Requests* the Secretary-General to continue to provide a logistical support package for the Mission, called for in resolution 1863(2009) of 16 January 2009, for a maximum of 12,000 Mission troops, comprising equipment and services, including public information support, but not including the transfer of funds, as described in the letter dated 30 January 2009 from the Secretary-General to the President of the Security Council, until 30 September 2011, ensuring the accountability and transparency of expenditure of United Nations funds as set out in paragraph 6 of resolution 1910(2010) of 28 January 2010;

8. *Encourages* Member States to support the Mission and the Somali security sector institutions through the provision of appropriate and necessary equipment and technical assistance;

9. *Reiterates its call* to Member States and regional and international organizations to contribute generously and promptly to the United Nations trust fund for the Mission without caveats, or to make direct bilateral donations in support of the Mission, and encourages donors to work closely with the United Nations and the African Union in order to ensure that the appropriate funds and equipment are promptly provided, particularly in relation to the salaries of Mission soldiers, self-sustainment and the costs of contingent-owned equipment, in particular lethal equipment;

10. *Recalls* its statement of intent regarding the establishment of a United Nations peacekeeping operation, as expressed in resolution 1863(2009), and notes that any decision to deploy such an operation would take into account, inter alia, the conditions set out in the report of the Secretary-General of 16 April 2009, and requests the Secretary-General to take the steps identified in paragraphs 82 to 86 of that report, subject to the conditions set out in the report;

11. *Emphasizes* that, in order to ensure Somalia's long-term security, effective development of Somali security forces is needed, and reiterates its call to Member States and regional and international organizations to contribute generously and promptly to the United Nations trust fund for the Somali security institutions and to offer assistance to the Somali security forces, including through training and equipment in coordination with the Mission, consistent with paragraphs 11 (b) and 12 of resolution 1772(2007);

12. *Requests* the Secretary-General to continue to assist the Transitional Federal Government in developing the transitional security institutions, including the Somali Police Force and the National Security Force, and to continue to support the Transitional Federal Government in developing a national security strategy which reflects respect for the rule of law and the protection of human rights, including

plans for disarmament, demobilization and reintegration, justice and corrections capacities, as well as the legal and policy framework for the operation of its security forces, including governance, vetting and oversight mechanisms;

13. *Reaffirms* that the measures imposed by paragraph 5 of resolution 733(1992) of 23 January 1992 and further elaborated upon in paragraphs 1 and 2 of resolution 1425(2002) of 22 July 2002 shall not apply to supplies and technical assistance provided in accordance with paragraphs 11 (b) and 12 of resolution 1772(2007) to the Transitional Federal Government for the purposes of the development of its security sector institutions, consistent with the Djibouti peace process and subject to the notification procedure set out in paragraph 12 of resolution 1772(2007);

14. *Reiterates its call upon* all Somali parties to support the Djibouti Agreement, and calls for the end of all hostilities, acts of armed confrontation and efforts to undermine the Transitional Federal Government;

15. *Calls for* the immediate cessation of all acts of violence or abuses committed against civilians, including women and children, and humanitarian personnel in violation of international humanitarian law and human rights law, and stresses the responsibility of all parties and armed groups in Somalia to comply with their obligations to protect the civilian population from the effects of hostilities, in particular by avoiding any indiscriminate or excessive use of force;

16. *Calls upon* all parties to end grave violations committed against children in Somalia, welcomes the commitment by the Transitional Federal Government to appoint a focal point to address the issue of the recruitment of child soldiers, and requests the Secretary-General to ensure continued monitoring and reporting of the situation of children in Somalia, to continue a dialogue with the Transitional Federal Government towards the preparation of a time-limited action plan to end the recruitment and use of child soldiers and to strengthen the child protection component of the United Nations Political Office for Somalia;

17. *Calls upon* all parties and armed groups to take appropriate steps to ensure the safety and security of humanitarian personnel and supplies, and demands that all parties ensure full, safe and unhindered access for the timely delivery of humanitarian aid to persons in need of assistance across the country;

18. *Requests* the Secretary-General, through his Special Representative for Somalia and the United Nations Political Office for Somalia, to redouble efforts to coordinate effectively and develop an integrated approach to all activities of the United Nations system in Somalia, to provide good offices and political support for the efforts to establish lasting peace and stability in Somalia, and to mobilize resources and support from the international community for both the immediate recovery and the long-term economic development of Somalia, taking into account the recommendations contained in his report of 31 December 2009;

19. *Welcomes* the steps taken by the United Nations Political Office for Somalia and other United Nations offices and agencies, including the United Nations Support Office for the African Union Mission in Somalia, to increase the United Nations presence in Somalia, and encourages further United Nations deployments to Somalia,

in particular Mogadishu, consistent with the security conditions, as outlined in the report of the Secretary-General of 9 September 2010;

20. *Requests* the Secretary-General to report on all aspects of the present resolution every four months, commencing 1 January 2011, and expresses its intention to review the situation, as part of his reporting obligations, as specified in the statement by its President of 31 October 2001 and its resolutions 1863(2009), 1872(2009) of 26 May 2009 and 1910(2010);

21. *Decides* to remain actively seized of the matter.

Report of Secretary-General (December). On 30 December [S/2010/675], the Secretary-General, pursuant to presidential statement S/PRST/2001/30 [YUN 2001, p. 210] and resolution 1872(2009) [YUN 2009, p. 277], and as specified in resolution 1910(2010) (see p. 276), submitted a report providing an update on major developments since his 9 September report and assessing the political, security, human rights and humanitarian situation as well as progress in implementing the UN strategy for Somalia. The report also covered the operational activities of the United Nations and the international community, as well as developments in counter-piracy.

Serious differences prevailed between President Sharif and former Prime Minister Sharmarke over the management of the transition in general and the performance of the Cabinet and the constitution-making process in particular. As a result, the Prime Minister resigned on 21 September. On 14 October, President Sharif announced the appointment of Mohamed Abdullahi Mohamed as the new Prime Minister. A dispute ensued between the President and the Speaker of Parliament, Hassan Sharif, about the mode of endorsement of the Prime Minister-designate. While the President favoured an open vote, the Speaker insisted on a secret ballot, on the basis of different interpretations of Parliament's rules of procedure.

The Secretary-General's Special Representative travelled to Mogadishu on several occasions to try and diffuse those tensions. He also delivered a unified message from the United Nations, the AU, IGAD and the international community, urging the Somali leaders to resolve their differences to allow the formation of a government. Following the mediation by the Special Representative and regional partners, Parliament confirmed Mohamed Abdullahi Mohamed as the Prime Minister on 31 October through an open vote. In a follow-up visit to Mogadishu on 6 November, the Special Representative met with the President, the Speaker and the new Prime Minister to discuss the formation of a new government, the implementation of the remaining transitional tasks, and the development of a clear political road map, in particular with respect to reconciliation and outreach initiatives and the completion of an inclusive constitution-making process.

On 12 November, Prime Minister Abdullahi Mohamed proposed a cabinet of 18 Ministers, including a female Minister, drawn mainly from the diaspora. The Cabinet was endorsed by Parliament on 27 November. The Prime Minister stated that he would focus, as a matter of priority, on the constitution-making process and reaching out to the armed opposition groups through dialogue. In response to a request by the International Contact Group on Somalia, the Prime Minister subsequently issued a draft political road map outlining his Government's vision for managing the transitional period set to end in August 2011, which included the establishment of oversight and accountability mechanisms for the Transitional Federal Government, an audit of the Somali civil service, establishment of a committee of highly respected Somalis to advise on the post-transitional political dispensation as part of the constitutional process, and strengthening of security institutions. The Special Representative and UN country team were consulted on the road map on 7 December.

On 26 September, ASWJ announced the collapse of talks with the Transitional Federal Government and its decision not to participate in the new government. President Sharif stated that his Government would honour the agreement with ASWJ and called on the latter to do the same. Despite some internal differences in respect of the implementation of the agreement, ASWJ did not withdraw from the Government, with two of its members appointed in the new Cabinet.

The security situation in Southern and Central Somalia remained fragile and unpredictable, leading to a cessation of most humanitarian activities in Southern Somalia, while in Mogadishu, humanitarian operations were limited to crucial life-saving activities. On 10 September, AMISOM troops foiled an attempted suicide attack on their base at the international airport in Mogadishu. In central Somalia, the Transitional Federal Government relied on its alliance with ASWJ for control of the Hiraan, Galguduud and Mudug regions. From mid-October, fighting between pro-Transitional Federal Government militias and Al-Shabaab over Bula Hawa—a strategic town near the Kenyan and Ethiopian borders—threatened to spill over into Kenya, while considerably disrupting living conditions, especially for the population on the Somali side.

On 23 September, on the margins of the General Assembly, the Secretary-General convened a mini-summit on Somalia to galvanize international support and mobilize resources for the Transitional Federal Government and AMISOM. President Sharif outlined the major security challenges his Government was facing and presented a list of activities his Government planned to undertake, which included enact-

ing a constitution and promoting national unity. He called for greater humanitarian assistance and support to address piracy.

The International Contact Group on Somalia held its eighteenth meeting in Madrid on 27 and 28 September, co-chaired by the Secretary-General's Special Representative together with Norway and the United States. The meeting called on the Transitional Federal Government to develop a road map, within 60 days, outlining the management of the remaining transitional period; on the transitional federal institutions to intensify efforts to complete the transitional tasks before 20 August 2011; and on the Transitional Federal Government to increase its outreach and reconciliation towards groups and entities that remained outside the Djibouti peace process.

The United Nations continued to support Somalia's efforts to draft a new constitution. Given the fast-approaching end of the transitional period, the Special Representative, UNPOS and the UN country team were engaged in facilitating genuine and wide-ranging consultations in order to bring the constitution-making process to conclusion.

In accordance with resolution 1910(2010), the United Nations continued to expand its footprint in Mogadishu, with 61 missions conducted by international staff from the UN Support Office for AMISOM (UNSOA), UNPOS, UNMAS, OCHA, WFP, WHO, UNICEF, UNDP and the Department of Safety and Security. The average UN presence in Somaliland was 50 international and 400 national staff.

The Integrated Task Force review in June expressed the view that the UN incremental approach to the possible transition from AMISOM to a UN peacekeeping operation remained valid. The review recommended an adjustment to the benchmarks outlined in the Secretary-General's March 2009 report [YUN 2009, p. 176]. The revised benchmarks were: completion of the training and equipping of a cohesive Somali security force with clear and effective command and control, capable of initially stabilizing Mogadishu; the stabilization of Mogadishu by Transitional Federal Government forces; successful building of alliances by the Transitional Federal Government with potential clan, religious and militia allies in Mogadishu and the regions to which a potential peacekeeping operation would be deployed, to establish the foundation and political context for supporting the extension of the authority and control of the Transitional Federal Government beyond Mogadishu; consent of the major actors in Mogadishu and in the respective regions of Southern and Central Somalia to the deployment of a UN peacekeeping operation; attainment of AMISOM full strength before re-hatting; and availability of adequate troops and military capabilities from troop-contributing countries.

The Secretary-General urged the transitional federal institutions to focus on completing the constitution-drafting process in an inclusive manner and meeting the targets for the political transition scheduled to end in August 2011; and Member States to continue cooperating with the United Nations, IGAD and other regional organizations in implementing Security Council resolution 1907(2009) [YUN 2009, p. 299], which imposed sanctions on those who undermined peace efforts. He appealed to the international community to provide urgent military, financial, logistical and other support to the Transitional Federal Government, as well as to IGAD and the AU in their efforts to address the situation in Somalia, while recognizing the important role that the AU, IGAD and AMISOM continued to play in finding a lasting solution to the crisis in Somalia. He welcomed the Security Council's decision in resolution 1964(2010) of 22 December (see p. 282) to increase the AMISOM troop level to 12,000 and acknowledged the AU call to the Security Council to reaffirm its commitment to deploy a UN peacekeeping operation through the re-hatting of AMISOM and to establish a timeline for that deployment.

Piracy

Throughout the year, the Security Council monitored the issue of piracy off the coast of Somalia and intensified efforts to enhance international and regional cooperation in bringing pirates to justice.

The number of piracy attacks off the coast of Somalia, which had steadily increased since the overthrow of the Government of Siad Barre on 31 January 1991 [YUN 1991, p. 427], continued to rise further in 2010, as did the level of violence employed by the pirates. Somali pirates expanded their operations well into the Indian Ocean to more than 1,000 nautical miles off the Somali coast, which brought a much greater maritime area under threat. The pirates operated from around 70 camps on beaches on the approximately 1,800 mile-long Somali coast. Their methods had become increasingly sophisticated, indicating greater planning, financing and organization.

In January, the Somalia Counter-Piracy Technical Coordination Mechanism in Kampala, also referred to as the Kampala process, was established. In a communiqué of its fifth plenary meeting (New York, 28 January), the Contact Group on Piracy off the Coast of Somalia welcomed the agreement that led to the creation of the mechanism. The Contact Group had been established in January 2009 [YUN 2009, p. 286] pursuant to Security Council resolution 1851(2008) [YUN 2008, p. 292] to facilitate the discussion and co-ordination of action among States and organizations to suppress piracy off the coast of Somalia; as at June

2010, the Group counted 53 members, including Member States and international organizations. The Kampala process comprised technical representatives from the Transitional Federal Government and the regions of Puntland and Somaliland, as well as representatives of relevant UN offices, and was intended to improve the flow of information between the Somali central and regional authorities and their cooperation with the international community on counter-piracy initiatives. It sought to establish a consolidated approach among the authorities through the sharing of information and coordination activities in the areas of legislative reviews, prisons, fisheries and maritime safety and security.

The Contact Group had established four working groups. Working Group 1, chaired by the United Kingdom with the support of the International Maritime Organization (IMO), continued to promote effective military coordination among the various naval forces combating piracy off the coast of Somalia; it also facilitated further regional capability development and discussed the possibility of increased land-based options in the region. Working Group 2, convened by Denmark, with the support of the United Nations Office on Drugs and Crime (UNODC), focused on the legal aspects and had developed a legal “toolbox” of resources and precedents available to Member States, and was also reviewing progress made in establishing relevant national legislation, in prosecuting suspected pirates and in looking at options relating to the transfer of convicted and sentenced pirates as well as the protection of human rights. Working Group 3, convened by the United States with the support of IMO, reviewed progress made in gathering and disseminating lessons learned and in implementing internationally recognized best-management practices on board vessels operating off the coast of Somalia, and had developed labour-related guidance in support of crew training and post-event activities. Working Group 4, convened by Egypt, had agreed that UNPOS should facilitate the implementation of a communications strategy, whose main goals included deterring Somali participation in piracy, encouraging international support for international counter-piracy operations, promoting the involvement of more stakeholders, and informing the international maritime community about potential risks. The United Nations participated actively in the Contact Group, attended its biannual meetings, supported its four working groups through technical expertise and facilitated dialogue among its members.

The International Trust Fund to Support Initiatives of States Countering Piracy off the Coast of Somalia was established on 27 January through endorsement by the Contact Group and the UN Controller. The overall purpose of the Fund was to support the implementation of Member States’ initiatives regarding

piracy and armed robbery at sea off the coast of Somalia. It also provided a means to States and the shipping industry to make contributions. As at 11 October, the Fund had received \$2,930,758; as at 22 November, it had supported seven projects in the areas of prosecution and communication, in the amount of \$2.4 million.

During the year, the UN Integrated Task Force for Somalia established a sub-working group on piracy chaired by the Department of Political Affairs (DPA) and comprising 16 entities, including IMO, the International Criminal Police Organization (INTERPOL), UNODC and the Monitoring Group on Somalia. Its main purpose was to share information, exchange ideas and ensure collaboration and coordination.

SECURITY COUNCIL ACTION

On 27 April [meeting 6301], the Security Council unanimously adopted resolution **1918(2010)**. The draft [S/2010/206] was submitted by the Russian Federation.

The Security Council,

Recalling its previous resolutions concerning the situation in Somalia, especially resolutions 1814(2008) of 15 May 2008, 1816(2008) of 2 June 2008, 1838(2008) of 7 October 2008, 1844(2008) of 20 November 2008, 1846(2008) of 2 December 2008, 1851(2008) of 16 December 2008 and 1897(2009) of 30 November 2009,

Continuing to be gravely concerned by the threat that piracy and armed robbery at sea against vessels pose to the situation in Somalia and other States in the region, as well as to international navigation and the safety of commercial maritime routes,

Reaffirming that international law, as reflected in the United Nations Convention on the Law of the Sea of 10 December 1982 (“the Convention”), in particular articles 100, 101 and 105 thereof, sets out the legal framework applicable to combating piracy and armed robbery at sea, as well as other ocean activities,

Reaffirming also that the authorizations renewed in resolution 1897(2009) apply only with respect to the situation in Somalia and shall not affect the rights, obligations or responsibilities of Member States under international law, including any rights or obligations under the Convention, with respect to any other situation, and underscoring, in particular, that resolution 1897(2009) shall not be considered as establishing customary international law,

Stressing the need to address the problems caused by the limited capacity of the judicial system of Somalia and other States in the region to effectively prosecute suspected pirates,

Noting with appreciation the assistance being provided by the United Nations Office on Drugs and Crime and other international organizations and donors, in coordination with the Contact Group on Piracy off the Coast of Somalia, to enhance the capacity of the judicial and the corrections systems in Somalia, Kenya, Seychelles and other States in the region to prosecute suspected, and imprison convicted, pirates consistent with applicable international human rights law,

Commending the role of the European Union operation Atalanta, the North Atlantic Treaty Organization operations Allied Protector and Ocean Shield, the Combined Maritime Forces' Combined Task Force 151 and other States acting in a national capacity in cooperation with the Transitional Federal Government and each other, in suppressing piracy and armed robbery at sea off the coast of Somalia, including by bringing persons suspected of piracy to justice,

Commending also the efforts of Kenya to date to prosecute suspected pirates in its national courts and imprison convicted persons, and encouraging Kenya to continue these efforts, while acknowledging the difficulties that Kenya encounters in this regard,

Commending further the efforts to date of other States to prosecute suspected pirates in their national courts,

Acknowledging the decision of Seychelles to engage in the prosecution of suspected pirates, and welcoming in particular its decision on 6 February 2010 to consider hosting a regional prosecution centre,

Commending the decision of the Contact Group on Piracy off the Coast of Somalia to create the international trust fund supporting initiatives of the Contact Group, administered by the United Nations Office on Drugs and Crime, to defray the expenses associated with the prosecution of suspected pirates and to support other counter-piracy initiatives, welcoming the contributions of participating States, and encouraging other potential donors to contribute to the fund,

Welcoming the adoption of the Contact Group on Piracy off the Coast of Somalia regional capability needs assessment report, and urging States and international organizations to provide the fullest possible support to enable early implementation of the recommendations contained therein,

Commending those States that have amended their domestic law in order to criminalize piracy and facilitate the prosecution of suspected pirates in their national courts, consistent with applicable international law, including human rights law, and stressing the need for States to continue their efforts in this regard,

Noting with concern, at the same time, that the domestic law of a number of States lacks provisions criminalizing piracy and/or procedural provisions for effective criminal prosecution of suspected pirates,

Acknowledging the ongoing efforts within the Contact Group on Piracy off the Coast of Somalia to explore possible mechanisms to more effectively prosecute persons suspected of piracy and armed robbery at sea off the coast of Somalia,

Emphasizing that peace and stability within Somalia, the strengthening of State institutions, economic and social development and respect for human rights and the rule of law are necessary to create the conditions for a durable eradication of piracy and armed robbery at sea off the coast of Somalia, and further emphasizing that Somalia's long-term security rests with the effective development by the Transitional Federal Government of the National Security Force and the Somali Police Force, within the framework of the Djibouti Agreement and in line with a national security strategy,

Concerned over cases in which persons suspected of piracy are released without facing justice, and determined to

create conditions to ensure that pirates are held accountable,

1. *Affirms* that the failure to prosecute persons responsible for acts of piracy and armed robbery at sea off the coast of Somalia undermines anti-piracy efforts of the international community;

2. *Calls upon* all States, including States in the region, to criminalize piracy under their domestic law and to favourably consider the prosecution of suspected, and imprisonment of convicted, pirates apprehended off the coast of Somalia, consistent with applicable international human rights law;

3. *Welcomes*, in this context, the progress being made to implement the International Maritime Organization Code of Conduct concerning the Repression of Piracy and Armed Robbery against Ships in the Western Indian Ocean and the Gulf of Aden (Djibouti Code of Conduct), and calls upon participants to implement the Code fully as soon as possible;

4. *Requests* the Secretary-General to submit to the Security Council within three months a report on possible options to further the aim of prosecuting and imprisoning persons responsible for acts of piracy and armed robbery at sea off the coast of Somalia, including, in particular, options for creating special domestic chambers, possibly with international components, a regional tribunal or an international tribunal and corresponding imprisonment arrangements, taking into account the work of the Contact Group on Piracy off the Coast of Somalia, the existing practice in establishing international and mixed tribunals, and the time and the resources necessary to achieve and sustain substantive results;

5. *Decides* to remain seized of the matter.

Report of Secretary-General (July). Pursuant to resolution 1918(2010), the Secretary-General on 26 July presented a report [S/2010/394] on possible options to further the aim of prosecuting and imprisoning persons responsible for acts of piracy and armed robbery at sea off the coast of Somalia, including, in particular, options for creating special domestic chambers possibly with international components, a regional or international tribunal and corresponding imprisonment arrangements, taking into account the work of the Contact Group on Piracy off the Coast of Somalia, the existing practice in establishing international and mixed tribunals, and the time and resources necessary to achieve and sustain substantive results. The Secretary-General also described the nature and extent of piracy and armed robbery at sea off the coast of Somalia and its causes. He further set out the applicable law and described the current UN approach to assisting States to prosecute and imprison persons for acts of piracy and armed robbery at sea within their national jurisdictions.

The Secretary-General discussed seven options for the Council to consider: enhancement of UN assistance to build capacity of regional States to prosecute and imprison persons responsible for acts of piracy and armed robbery at sea off the coast of Somalia;

establishment of a Somali court sitting in the territory of a third State in the region, either with or without UN participation; establishment of a special chamber within the national jurisdiction of a State or States in the region, without UN participation; establishment of a special chamber within the national jurisdiction of a State or States in the region, with UN participation; establishment of a regional tribunal on the basis of a multilateral agreement among regional States, with UN participation; establishment of an international tribunal on the basis of an agreement between States in the region and the United Nations; and establishment of an international tribunal by Security Council resolution under Chapter VII of the UN Charter. The first option was ongoing and had achieved some success, the Secretary-General reported.

While the number of attacks remained high, increased naval patrols off the Horn of Africa and in the Gulf of Aden effectively reduced their success rate: in 2010, the figure was likely to be below 20 per cent. Nevertheless, as at 10 May, some 450 mariners were being held hostage on vessels captured by pirates off the coast of Somalia. The involvement of naval vessels from over 30 States represented one of the largest peace-time naval operations ever. In order to be effective, naval operations apprehending suspects should result in prosecutions; the risk otherwise was that suspects were released at sea, or repatriated, and returned to commit further acts of piracy or armed robbery at sea.

Whichever option the Security Council might favour, assisting Somalia and its regions in developing the capacity to prosecute and imprison according to international standards would be essential in sustaining results in the fight against impunity of those responsible for acts of piracy and armed robbery at sea off the coast of Somalia.

SECURITY COUNCIL ACTION

On 25 August [meeting 6374], following consultations among Security Council members the President made statement **S/PRST/2010/16** on behalf of the Council:

The Security Council continues to be gravely concerned by the threat that piracy and armed robbery at sea against vessels pose to the situation in Somalia and other States in the region, as well as to international navigation and the safety of commercial maritime routes.

The Council strongly believes that persons responsible for acts of piracy and armed robbery at sea off the coast of Somalia, including those who incite or intentionally facilitate such acts, should be brought to justice, and considers in this regard that the effective prosecution of suspected pirates and their supporters may deter future pirate attacks. The Council therefore deems it of utmost importance to find long-term solutions to the problem of prosecuting suspected, and imprisoning convicted, pirates which achieve and sustain substantive results with

a view to contributing to the reinforcement of the rule of law in Somalia, and recalls in this regard that peace and stability within Somalia, the strengthening of State institutions, economic and social development and respect for human rights and the rule of law are necessary to create the conditions for a durable eradication of piracy and armed robbery at sea off its coast.

The Council welcomes the report of the Secretary-General, as requested in its resolution 1918(2010), on possible options to further the aim of prosecuting and imprisoning persons responsible for acts of piracy and armed robbery at sea off the coast of Somalia, including, in particular, options for creating special domestic chambers, possibly with international components, a regional tribunal or an international tribunal and corresponding imprisonment arrangements, taking into account the work of the Contact Group on Piracy off the Coast of Somalia, the existing practice in establishing international and mixed tribunals, and the time and resources necessary to achieve and sustain substantive results. The Council notes that the report identifies the challenges faced in tackling this problem, in particular the limited judicial capacity of States in the region, prison capacity and repatriation arrangements for suspects prosecuted by foreign courts, and believes that it provides a solid base for future work in order to enhance international, regional and national cooperation in bringing pirates to justice.

The Council commends the ongoing efforts of States, including States in the region, in particular Kenya and Seychelles, to prosecute suspected pirates in their national courts, stressing the need for all States to continue these efforts, including by criminalizing piracy under their domestic law.

The Council stresses the need for States and international organizations to continue addressing the problem of the limited capacity of the judicial and corrections systems of Somalia and other States in the region to effectively prosecute and detain, pending trial, suspected, and imprison convicted, pirates. In this regard the Council appreciates the assistance being provided by the United Nations Office on Drugs and Crime and other international organizations and donors, in coordination with the Contact Group on Piracy off the Coast of Somalia, to enhance the capacity of the judicial and corrections systems in Somalia, Kenya, Seychelles and other States in the region to prosecute suspected, and imprison convicted, pirates consistent with applicable international human rights law. The Council also reaffirms that international law, as reflected in the United Nations Convention on the Law of the Sea of 10 December 1982, in particular articles 100, 101 and 105 thereof, sets out the legal framework applicable to combating piracy and armed robbery at sea, as well as other ocean activities.

The Council emphasizes the need for regular review of progress achieved in the prosecution and imprisonment of persons responsible for acts of piracy and armed robbery at sea off the coast of Somalia, including those who incite or intentionally facilitate such acts, with a view to considering possible further steps to ensure that such persons are held accountable. The Council encourages the Contact Group on Piracy off the Coast of Somalia to

continue discussion in this regard, taking into account the advantages and disadvantages of the various options described in the report of the Secretary-General.

The Council welcomes the intention of the Secretary-General to appoint a Special Adviser on Legal Issues related to Piracy off the Coast of Somalia, bearing in mind the importance of the coordination of efforts by the Secretariat, including the Special Adviser, with the ongoing work of all relevant international actors.

The Council requests the Secretary-General to include in his report to the Council pursuant to paragraph 17 of its resolution 1897(2009) any new information and observations, taking into account the work of the Contact Group on Piracy off the Coast of Somalia, on possible ways to advance the ongoing cooperation, including with States in the region, in prosecuting and imprisoning persons responsible for acts of piracy and armed robbery at sea off the coast of Somalia.

The Council expresses its intention to remain seized of the matter.

Appointment. The Secretary-General, by a letter of 25 August [S/2010/451], informed the Security Council President that he had requested Jack Lang (France) to serve as Special Adviser on legal issues related to piracy off the coast of Somalia. He was asking Mr. Lang, who would coordinate closely with the Office of Legal Affairs (OLA) and DPA, to identify any additional steps that could be taken to achieve and sustain substantive results in prosecuting piracy. The President replied on 26 August [S/2010/452] that the Council members took note of his intention.

Report of Secretary-General (October). The Secretary-General reported on 27 October [S/2010/556] on the implementation of resolution 1897(2009) [YUN 2009, p. 289] and on the situation with respect to piracy and armed robbery at sea off the coast of Somalia. The report updated the assessment in his November 2009 report [ibid., p. 288], and was based on information provided by 20 Member States, three regional organizations and four shipping and related organizations. Consultations had also been undertaken within the UN system, as well as with INTERPOL and the Somalia-Eritrea Monitoring Group (see p. 305).

The report examined the political, legal and operational activities undertaken by Member States, regional organizations, the United Nations and UN partners in the fight against piracy and armed robbery at sea off the coast of Somalia. It concluded with observations on the impact of the strengthened international naval presence in the region, which had made progress in containing the threat of piracy. It suggested that much more needed to be done, notably to address the root causes of the problem by restoring stability and the rule of law in Somalia. Counter-piracy efforts needed to be part of the overall strategy of the Djibouti Peace Agreement [YUN 2008, p. 281] and contribute to a long-term solution for the country.

Reports by IMO indicated that the level of violence employed by pirates had increased, as had the effectiveness of disruption operations. The military presence in the internally recommended transit corridor in the Gulf of Aden had helped reduce the number of attacks and actual hijackings, but pirates were still able to operate there, moving into and out of the Bab-el-Mandeb and the southern end of the Red Sea during the monsoon period, and venturing as far out as Maldives during favourable weather. Tightened surveillance and control in the Gulf of Aden had forced Somali pirates to expand their operations well into the Indian Ocean to more than 1,000 nautical miles off the Somali coast. That eastward and southward shift in piracy had brought a much greater maritime area under threat.

During the reporting period, pirate capacities had increased with the development of pirate action groups, consisting of a large "mother boat" and two or three attack skiffs towed behind, enabling pirates to carry out attacks far off the coast (up to 1,300 nautical miles) against ever-larger freighters. There was evidence to suggest that some of those committing piracy were also engaged in other criminal activities such as smuggling contraband and trafficking in persons.

On 14 May, the General Assembly held an informal meeting on international maritime piracy. The Assembly President concluded that the problem of piracy, if not addressed urgently and effectively, would spiral out of control and lead to further global consequences. The meeting called for stronger and better coordinated strategies to address the complex root causes of piracy, as part of a comprehensive approach.

IMO had established a project implementation unit to help coordinate and manage capacity-building activities to facilitate implementation of the Djibouti Code of Conduct. The activities were funded by the IMO Djibouti Code Trust Fund, which held \$13.8 million as at 11 October. Projects were currently focusing on the development of three regional counter-piracy information-sharing centres in Dar es Salaam, United Republic of Tanzania; Mombasa, Kenya; and Sana'a, Yemen; as well as a regional training facility in Djibouti. In addition, IMO provided regional training on mechanisms for maritime law enforcement, communications and other issues of concerns, and assisted Member States in bringing national anti-piracy legislation into line with the Djibouti Code of Conduct.

The three multinational maritime coalition forces contributing to the fight against piracy off the coast of Somalia maintained their critical presence in the region. The European Union Naval Force (EU NAVFOR) Operation Atalanta, the North Atlantic Treaty Operation (NATO) Ocean Shield, and the Combined Maritime Forces' Combined Taskforce 151 continued to patrol the Gulf of Aden and the waters off the coast of Somalia, providing escorts for commercial vessels

and those commissioned by the United Nations to deliver logistical support to AMISOM and humanitarian assistance to Somalia. In addition, several Member States had independently deployed naval military assets in the region as part of the international counter-piracy efforts, some of which were coordinated with the multinational coalitions.

Prosecutions of acts of piracy had been conducted in 10 States, although there had been incidents in which suspected pirates had been released without having been brought to justice. OLA, IMO and UNODC continued to cooperate in compiling national legislation on piracy, to be made publicly available, as a resource for States.

In May, the IMO Maritime Safety Committee approved a mechanism to provide long-range identification and tracking of ships to warships operating in the Gulf of Aden and the Western Indian Ocean, thus significantly enhancing their awareness of the location of merchant shipping. The IMO Council in June decided that the theme for World Maritime Day 2011 should be "Piracy: orchestrating the response", to help raise awareness and galvanize action towards implementing effective counter-piracy measures.

The Secretary-General observed that Member States had invested substantial efforts and resources in containing the threat of piracy and armed robbery off the coast of Somalia, including by deploying patrolling naval ships and military aircraft. Also, more had been done to self-protect ships transiting the area. A number of cooperation mechanisms had been created, which had led to an increased level of shared awareness and cooperation among international navies and military assets. While the effectiveness of naval disruption operations had increased and more pirates had been arrested and prosecuted, it had not stopped piracy. The trend of increased levels of violence employed by the pirates as well as their expanding reach was disconcerting.

The Secretary-General welcomed the significant steps taken to prosecute suspected pirates and imprison convicted offenders. He thanked the countries that currently shouldered that burden, in particular Kenya and Seychelles, and welcomed the intention of Mauritius also to become a regional prosecution centre. A number of Member States provided resources for those activities, including through the Trust Fund, but much more needed to be done, including improving the collection of evidence and other investigative elements, building capacity and finding long-term solutions.

The Secretary-General called on Member States, international organizations and NGOs to coordinate their efforts with those of IMO and the signatory States to the Djibouti Code of Conduct, UNODC and the Contact Group.

Maritime security for Somalia needed complementary action inshore, in the zone between coast and international waters, in addition to the counter-piracy activities in the high seas. With regard to the security sector, vital work was under way by the Contact Group on Piracy off the Coast of Somalia to develop regional and Somali capacity on land and inshore waters. That had to be linked to institution-building for the security sector, as set out in the Somali security assessment. Work was needed to bring together the efforts of the Contact Group, UNODC and those charged under the Djibouti Peace Agreement with security sector reform. It was vital that the Transitional Federal Government take steps to promote maritime security and the development of alternative livelihoods in the maritime environment. That should be coordinated with the security sector reform programme and other economic rehabilitation efforts. The Secretary-General had instructed his Special Representative to explore those issues further with the Transitional Federal Government and other actors.

SECURITY COUNCIL ACTION

On 23 November [meeting 6429], the Council unanimously adopted **resolution 1950(2010)** without vote. The draft [S/2010/592] was submitted by Austria, Bosnia and Herzegovina, Brazil, Canada, China, Denmark, France, Gabon, Germany, Greece, Japan, Lebanon, Mexico, Nigeria, Norway, the Russian Federation, Somalia, Turkey, Uganda, Ukraine, the United Kingdom and the United States.

The Security Council,

Recalling its previous resolutions concerning the situation in Somalia, especially resolutions 1814(2008) of 15 May 2008, 1816(2008) of 2 June 2008, 1838(2008) of 7 October 2008, 1844(2008) of 20 November 2008, 1846(2008) of 2 December 2008, 1851(2008) of 16 December 2008, 1897(2009) of 30 November 2009 and 1918(2010) of 27 April 2010, as well as the statement by its President of 25 August 2010,

Continuing to be gravely concerned by the ongoing threat that piracy and armed robbery at sea against vessels pose to the prompt, safe and effective delivery of humanitarian aid to Somalia and the region, to the safety of seafarers and other persons, to international navigation and the safety of commercial maritime routes and to other vulnerable ships, including fishing activities in conformity with international law, and also gravely concerned by the extended range of the piracy threat into the western Indian Ocean and the increase in pirate capacities,

Expressing its concern about the reported involvement of children in piracy off the coast of Somalia,

Recognizing that the ongoing instability in Somalia contributes to the problem of piracy and armed robbery at sea off the coast of Somalia, and stressing the need for a comprehensive response to tackle piracy and its underlying causes by the international community,

Reaffirming its respect for the sovereignty, territorial integrity, political independence and unity of Somalia, including Somalia's rights with respect to offshore natural resources, including fisheries, in accordance with international law, and stressing the importance of preventing, in accordance with international law, illegal fishing and illegal dumping, including of toxic substances,

Further reaffirming that international law, as reflected in the United Nations Convention on the Law of the Sea of 10 December 1982, sets out the legal framework applicable to combating piracy and armed robbery at sea, as well as other ocean activities,

Again taking into account the crisis situation in Somalia and the limited capacity of the Transitional Federal Government to interdict or, upon interdiction, to prosecute pirates or to patrol or secure the waters off the coast of Somalia, including the international sea lanes and Somalia's territorial waters,

Noting the several requests of the Transitional Federal Government for international assistance to counter piracy off the coast of Somalia, including the letter dated 20 October 2010 from the Permanent Representative of Somalia to the United Nations expressing the appreciation of the Transitional Federal Government to the Security Council for its assistance, expressing the willingness of the Transitional Federal Government to consider working with other States and regional organizations to combat piracy and armed robbery at sea off the coast of Somalia, and requesting that the provisions of resolution 1897(2009) be renewed for an additional twelve months,

Commending the efforts of the European Union operation Atalanta, the North Atlantic Treaty Organization operations Allied Protector and Ocean Shield, the Combined Maritime Forces' Combined Task Force 151 and other States acting in a national capacity in cooperation with the Transitional Federal Government and each other to suppress piracy and to protect vulnerable ships transiting through the waters off the coast of Somalia, and welcoming the efforts of individual countries, including China, India, Iran (Islamic Republic of), Japan, Malaysia, the Republic of Korea, the Russian Federation, Saudi Arabia and Yemen, which have deployed ships and/or aircraft in the region, as stated in the report of the Secretary-General,

Welcoming the capacity-building efforts made by the International Maritime Organization Djibouti Code Trust Fund (a multi-donor trust fund initiated by Japan) and the Trust Fund to Support Initiatives of States Countering Piracy off the Coast of Somalia, and recognizing the need for all engaged international and regional organizations to cooperate fully,

Noting with concern that the continuing limited capacity and domestic legislation to facilitate the custody and prosecution of suspected pirates after their capture has hindered more robust international action against the pirates off the coast of Somalia, and in some cases has led to pirates being released without facing justice, regardless of whether there is sufficient evidence to support prosecution, and reiterating that, consistent with the provisions of the United Nations Convention on the Law of the Sea concerning the repression of piracy, the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation of 10 March 1988 provides for parties to create criminal of-

fences, establish jurisdiction and accept delivery of persons responsible for or suspected of seizing or exercising control over a ship by force or threat thereof or any other form of intimidation,

Underlining the importance of continuing to enhance the collection, preservation and transmission to competent authorities of evidence of acts of piracy and armed robbery at sea off the coast of Somalia, and welcoming the ongoing work of the International Maritime Organization, the International Criminal Police Organization (INTERPOL) and industry groups to develop guidance to seafarers on the preservation of crime scenes following acts of piracy, and noting the importance for the successful prosecution of acts of piracy of enabling seafarers to give evidence in criminal proceedings,

Commending the efforts of Kenya and Seychelles to prosecute suspected pirates in their national courts, welcoming the engagement of Mauritius, and noting with appreciation the assistance being provided by the United Nations Office on Drugs and Crime, the Trust Fund to Support Initiatives of States Countering Piracy off the Coast of Somalia and other international organizations and donors, in coordination with the Contact Group on Piracy off the Coast of Somalia, to support Kenya, Seychelles, Somalia and other States in the region, including Yemen, to take steps to prosecute, or incarcerate in a third State after prosecution elsewhere, captured pirates consistent with applicable international human rights law, and emphasizing the need for States and international organizations to further enhance international efforts in this regard,

Welcoming the readiness of the national and regional administrations of Somalia to cooperate with each other and with States that have prosecuted suspected pirates with a view to enabling convicted pirates to be repatriated back to Somalia under suitable prisoner transfer arrangements, consistent with applicable international law, including international human rights law,

Welcoming also the report of the Secretary-General, as requested in resolution 1918(2010), and the ongoing efforts within the Contact Group on Piracy off the Coast of Somalia and the United Nations Secretariat to explore possible additional mechanisms to effectively prosecute persons suspected of piracy and armed robbery at sea off the coast of Somalia,

Stressing the need for States to consider possible methods to assist the seafarers who are victims of pirates, and welcoming in this regard the ongoing work within the Contact Group on Piracy off the Coast of Somalia and the International Maritime Organization on developing guidelines for the care of seafarers and other persons who have been subjected to acts of piracy,

Noting with appreciation the ongoing efforts of the United Nations Office on Drugs and Crime and the United Nations Development Programme to support efforts to enhance the capacity of the corrections system in Somalia, including regional authorities, notably with the support of the Trust Fund to Support Initiatives of States Countering Piracy off the Coast of Somalia, to incarcerate convicted pirates consistent with applicable international human rights law,

Bearing in mind the Code of Conduct concerning the Repression of Piracy and Armed Robbery against Ships in the Western Indian Ocean and the Gulf of Aden (Djibouti Code of Conduct), and recognizing the efforts of signatory

States to develop the appropriate regulatory and legislative frameworks to combat piracy, enhance their capacity to patrol the waters of the region, interdict suspect vessels and prosecute suspected pirates,

Emphasizing that peace and stability within Somalia, the strengthening of State institutions, economic and social development and respect for human rights and the rule of law are necessary to create the conditions for a durable eradication of piracy and armed robbery at sea off the coast of Somalia, and further emphasizing that Somalia's long-term security rests with the effective development by the Transitional Federal Government of the National Security Force and the Somali Police Force, within the framework of the Djibouti Agreement and in line with a national security strategy,

Determining that the incidents of piracy and armed robbery at sea off the coast of Somalia exacerbate the situation in Somalia, which continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Reiterates* that it condemns and deplores all acts of piracy and armed robbery against vessels in the waters off the coast of Somalia;

2. *Recognizes* that the ongoing instability in Somalia is one of the underlying causes of the problem of piracy and contributes to the problem of piracy and armed robbery at sea off the coast of Somalia, and stresses the need for a comprehensive response to tackle piracy and its underlying causes by the international community;

3. *Notes again with concern* the findings contained in the report of the Monitoring Group on Somalia of 20 November 2008 that escalating ransom payments and the lack of enforcement of the arms embargo established by resolution 733(1992) of 23 January 1992 are fuelling the growth of piracy off the coast of Somalia, and calls upon all States to fully cooperate with the Monitoring Group on Somalia and Eritrea, including on information-sharing regarding possible arms embargo violations;

4. *Renews its call upon* States and regional organizations that have the capacity to do so to take part in the fight against piracy and armed robbery at sea off the coast of Somalia, in particular, consistent with the present resolution and international law, by deploying naval vessels, arms and military aircraft and through seizures and disposition of boats, vessels, arms and other related equipment used in the commission of piracy and armed robbery at sea off the coast of Somalia, or for which there are reasonable grounds for suspecting such use;

5. *Commends* the work of the Contact Group on Piracy off the Coast of Somalia to facilitate coordination in order to deter acts of piracy and armed robbery at sea off the coast of Somalia, in cooperation with the International Maritime Organization, flag States and the Transitional Federal Government, and urges States and international organizations to continue to support these efforts;

6. *Acknowledges* Somalia's rights with respect to off-shore natural resources, including fisheries, in accordance with international law, recalls the importance of preventing, in accordance with international law, illegal fishing and illegal dumping, including of toxic substances, calls upon States and interested organizations, including the International Maritime Organization, to provide technical assistance to Somalia, including regional authorities, and

nearby coastal States upon their request, to enhance their capacity to ensure coastal and maritime security, including combating piracy and armed robbery at sea off the Somali and nearby coastlines, and stresses the importance of co-ordination in this regard through the Contact Group on Piracy off the Coast of Somalia;

7. *Encourages* Member States to continue to cooperate with the Transitional Federal Government in the fight against piracy and armed robbery at sea, notes the primary role of the Transitional Federal Government in the fight against piracy and armed robbery at sea, and decides to renew, for a further period of twelve months from the date of the present resolution, the authorizations as set out in paragraph 10 of resolution 1846(2008) and paragraph 6 of resolution 1851(2008), as renewed by resolution 1897(2009), granted to States and regional organizations cooperating with the Transitional Federal Government in the fight against piracy and armed robbery at sea off the coast of Somalia, for which advance notification has been provided by the Transitional Federal Government to the Secretary-General;

8. *Affirms* that the authorizations renewed in the present resolution apply only with respect to the situation in Somalia and shall not affect the rights, obligations or responsibilities of Member States under international law, including any rights or obligations under the United Nations Convention on the Law of the Sea, with respect to any other situation, and underscores, in particular, that the present resolution shall not be considered as establishing customary international law; and affirms further that such authorizations have been renewed only following the receipt of the letter dated 20 October 2010 conveying the consent of the Transitional Federal Government;

9. *Also affirms* that the measures imposed by paragraph 5 of resolution 733(1992) and further elaborated upon in paragraphs 1 and 2 of resolution 1425(2002) of 22 July 2002 do not apply to weapons and military equipment destined for the sole use of Member States and regional organizations taking measures in accordance with paragraph 7 above or to supplies of technical assistance to Somalia solely for the purposes set out in paragraph 6 above, which have been exempted from those measures in accordance with the procedure set out in paragraphs 11 (b) and 12 of resolution 1772(2007) of 20 August 2007;

10. *Requests* that cooperating States take appropriate steps to ensure that the activities they undertake pursuant to the authorizations in paragraph 7 above do not have the practical effect of denying or impairing the right of innocent passage to the ships of any third State;

11. *Calls upon* Member States to assist Somalia, at the request of the Transitional Federal Government and with notification to the Secretary-General, to strengthen capacity in Somalia, including regional authorities, to bring to justice those who are using Somali territory to plan, facilitate or undertake criminal acts of piracy and armed robbery at sea, and stresses that any measures undertaken pursuant to the present paragraph shall be consistent with applicable international human rights law;

12. *Calls upon* all States, and in particular flag, port and coastal States, States of the nationality of victims and perpetrators of piracy and armed robbery and other States with relevant jurisdiction under international law and national legislation, to cooperate in determining ju-

risdiction and in the investigation and prosecution of all persons responsible for acts of piracy and armed robbery off the coast of Somalia, including anyone who incites or facilitates an act of piracy, consistent with applicable international law, including international human rights law, to ensure that all pirates handed over to judicial authorities are subject to a judicial process, and to render assistance by, among other actions, providing disposition and logistics assistance with respect to persons under their jurisdiction and control, such as victims and witnesses and persons detained as a result of operations conducted under the present resolution;

13. *Also calls upon* all States to criminalize piracy under their domestic law and to favourably consider the prosecution of suspected, and imprisonment of convicted, pirates apprehended off the coast of Somalia, consistent with applicable international law, including international human rights law;

14. *Reaffirms its interest* in the continued consideration of all seven options for prosecuting suspected pirates described in the report of the Secretary-General, which provide for different levels of international participation, taking into account further new information and observations from the Secretary-General based on the consultations being conducted by his Special Adviser on Legal Issues related to Piracy off the Coast of Somalia, with a view to taking further steps to ensure that pirates are held accountable, emphasizing the need for strengthened cooperation of States and regional and international organizations in achieving this goal, and encourages the Contact Group on Piracy off the Coast of Somalia to continue its discussions in this regard;

15. *Urges* all States to take appropriate actions under their existing domestic law to prevent the illicit financing of acts of piracy and the laundering of its proceeds;

16. *Urges* States, in cooperation with INTERPOL and the European Police Office (Europol), to further investigate international criminal networks involved in piracy off the coast of Somalia, including those responsible for illicit financing and facilitation;

17. *Stresses*, in this context, the need to support the investigation and prosecution of those who illicitly finance, plan, organize or unlawfully profit from pirate attacks off the coast of Somalia;

18. *Commends* the establishment of the Trust Fund to Support Initiatives of States Countering Piracy off the Coast of Somalia and the International Maritime Organization Djibouti Code Trust Fund (a multi-donor trust fund initiated by Japan), and urges both State and non-State actors affected by piracy, most notably the international shipping community, to contribute to them;

19. *Urges* States parties to the United Nations Convention on the Law of the Sea and the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation to fully implement their relevant obligations under these Conventions and customary international law and to cooperate with the United Nations Office on Drugs and Crime, the International Maritime Organization, other States and other international organizations to build judicial capacity for the successful prosecution of persons suspected of piracy and armed robbery at sea off the coast of Somalia;

20. *Welcomes* the revisions by the International Maritime Organization to its recommendations and guidance on preventing and suppressing piracy and armed robbery against ships, underlines the importance of the implementation of such recommendations and guidance by all stakeholders, including the shipping industry, urges States, in collaboration with the shipping and insurance industries, and the International Maritime Organization, to continue to develop and implement avoidance, evasion and defensive best practices and advisories to take when under attack or when sailing in the waters off the coast of Somalia, and further urges States to make their citizens and vessels available for forensic investigation, as appropriate, at the first port of call immediately following an act or attempted act of piracy or armed robbery at sea or release from captivity;

21. *Requests* States and regional organizations cooperating with the Transitional Federal Government to inform the Security Council and the Secretary-General in nine months of the progress of actions undertaken in the exercise of the authorizations provided in paragraph 7 above, and further requests all States contributing through the Contact Group on Piracy off the Coast of Somalia to the fight against piracy off the coast of Somalia, including Somalia and other States in the region, to report by the same deadline on their efforts to establish jurisdiction and cooperation in the investigation and prosecution of piracy;

22. *Requests* the Secretary-General to report to the Council within eleven months of the adoption of the present resolution on the implementation of the present resolution and on the situation with respect to piracy and armed robbery at sea off the coast of Somalia;

23. *Expresses its intention* to review the situation and to consider, as appropriate, renewing the authorizations provided in paragraph 7 above for additional periods upon the request of the Transitional Federal Government;

24. *Decides* to remain seized of the matter.

Children and armed conflict

Report of Secretary-General. On 9 November, the Secretary-General, in accordance with resolutions 1612(2005) [YUN 2005, p. 863] and 1882(2009) [YUN 2009, p. 739], presented to the Security Council Working Group on Children and Armed Conflict his third report on the situation of children and armed conflict in Somalia [S/2010/577], covering the period from 31 May 2008 to 31 March 2010, along with some significant recent developments from May to July.

The report stressed that the level and scale of violations against children in Somalia had been increasing over the previous two years, particularly with regard to the recruitment and use of children in armed conflict, the killing and maiming of children, and the denial of humanitarian access to children. The report cited a number of parties to the conflict responsible for recruiting and using children and committing other grave violations against children, such as the Transitional Federal Government, the government-allied ASWJ, Hizbul Islam and Al-Shabaab.

The vast majority of grave child rights violations by parties to the armed conflict occurred in central and southern Somalia. Some of the reported violations resulted from inter-clan fighting, while the majority resulted from armed conflict. Children in IDP settlements were particularly vulnerable; those areas were not only the *de facto* battleground between the parties, but the people in them were also exposed to higher levels of violent crime, owing to the breakdown of the rule of law and a lack of traditional forms of protection.

Evidence gathered during the reporting period suggested a considerable increase in the scale of recruitment and use of children by all parties. Al-Shabaab undertook the most systematic and widespread recruitment and the use of children in the conflict. While very active in the central and southern region, Al-Shabaab was also reportedly recruiting children in Puntland and Somaliland, and training them in Bay, Bakool, Galgaduud, Hiraan, Mogadishu and Raas Kaambooni. Hizbul Islam reportedly had 30 people dedicated to recruiting children, and the group was estimated to have about 500 active children in its ranks, as at 31 March. Aswj reportedly recruited children by the hundreds. The Transitional Federal Government reportedly recruited children between the ages of 14 and 18. On 15 June, President Ahmed said in a public statement that the Somali Government had not and would not knowingly recruit underage youth for the national security forces. He requested the Army Chief to conduct an investigation into the issue and report back to him in four weeks, and instructed the army to demobilize any underage recruits without delay.

Particularly children living in IDP settlements in urban centres such as Mogadishu, Galgaduud and Kismayo were victims of armed conflict. Explosive remnants of war, landmines, unexploded ordnances and other such devices still were a persistent danger to children, and the extreme applications of sharia law by Al-Shabaab also involved some children.

Recruitment of children into the pirate groups that operated off the Puntland coast continued to be documented.

The Protection Monitoring Network continued to coordinate joint advocacy and response for the protection of civilians, with a special focus on women, children, IDPs and other vulnerable groups, taking forward dialogue and advocacy with local government, traditional leaders and the Transitional Federal Government. UNICEF continued to support Somali NGOs that were conducting advocacy sessions with parliamentarians and other office-bearers, focusing on the illegality under international law of using children in conflict, as well as other child protection issues. Regionally based networks of local child protection NGOs in all zones of Somalia carried out joint

advocacy and referral for individual children. UNICEF supported an ongoing child protection community mobilization programme, with a strong focus on prevention of violence, abuse and exploitation. In central and southern Somalia, mobilization concentrated on emergency issues such as sexual violence, child recruitment and mine risk education.

The Secretary-General reiterated his earlier recommendations contained in two earlier reports, of 2007 [YUN 2007, p. 144] and 2008 [YUN 2008, p. 294], and urged the immediate implementation of all subsequent conclusions of the Working Group on Children and Armed Conflict in Somalia. He urged Al-Shabaab, Hizbul Islam, clan militias, aswj and all other armed groups to cease immediately and without precondition the recruitment and use of children and release them. All parties were required to enter into dialogue with the United Nations and prepare time-bound action plans in line with Security Council resolutions 1539(2004) [YUN 2004, p. 787], 1612(2005) and 1882(2009). He strongly urged the Transitional Federal Government to stop all recruitment of children, and called on it to seek actively to identify and release unconditionally all children associated with its armed forces and those of its allies, and engage in dialogue with the United Nations towards the preparation and implementation of action plans.

The Secretary-General encouraged the Transitional Federal Government and other authorities in Somalia to redress the prevailing culture of impunity, to investigate all incidents of grave child rights violations and to ensure that individuals responsible for those violations were held accountable. He urged the Government of Kenya to investigate the alleged recruitment of Somali children from refugee camps in Kenya and to implement safeguards to ensure increased security and protection of the civilian populations in and around refugee camps.

The Security Council was encouraged, in the upcoming renewal of the mandate of UNPOS and/or in any future peacekeeping operation in Somalia, to provide for a strengthened child protection capacity, including the deployment of child protection advisers. The AU was strongly encouraged to include in the AMISOM mandate specific provisions for the protection of children and civilians, including child protection advisers and mechanisms for monitoring and reporting grave violations against children, and accompanied by support, capacity and oversight, including training on international humanitarian law, human rights law and international child protection standards.

The Secretary-General's Special Representative for Children and Armed Conflict was requested to undertake a mission to Somalia in the near future to assess at first hand the situation of children and

the implementation of the recommendations in his reports and those of the Security Council Working Group on Children and Armed Conflict.

Working Group. At its 28th meeting [S/AC.51/2011/2], on 22 December, the Working Group on Children and Armed conflict examined the report of the Secretary-General and expressed concern about violations and abuses committed against children in Somalia, in particular the recruitment and use of children by all parties to the conflict, the sexual violence perpetrated against children, the killing and maiming of children, the attacks on schools and hospitals, and the denial of humanitarian access to children. The Group also expressed concern about the rise in maritime piracy and the use of children in piracy. The Group addressed recommendations to the Transitional Federal Government, the Government of Kenya and the Secretary-General.

Sanctions

By resolution 733(1992) [YUN 1992, p. 199], the Security Council imposed a general and complete arms embargo on Somalia, and by resolution 751(1992) [ibid., p. 202], it established a Committee to oversee the embargo. Subsequently, the Council outlined certain exemptions to the embargo and further elaborated the scope of the measures, in resolution 1916(2010) (see p. 298). By that same resolution, the Council decided that, for a period of 12 months, the obligations imposed on Member States in resolution 1844(2008) [YUN 2008, p. 297] should not apply to the payment of funds, other financial assets or economic resources necessary to ensure the timely delivery of urgently needed humanitarian assistance in Somalia. Also by resolution 1916(2010), the Council requested the Humanitarian Aid Coordinator for Somalia to report every 120 days on any impediments to the delivery of humanitarian assistance. The Council extended for another 12 months the mandate of the Monitoring Group, which had been established in January 2004 [YUN 2004, p. 263] pursuant to resolution 1519(2003) [YUN 2003, p. 254]; added three experts, increasing the Group's size to eight; and specified the expanded mandate to encompass new measures against Eritrea (see p. 298). The Monitoring Group monitored violations imposed by the Security Council in its resolutions 733(1992), 1844(2008) and 1907(2009) [YUN 2009, p. 299], which imposed targeted sanctions on individuals and entities, including arms embargo, travel ban and assets freeze.

Communications. By communications to the Chairman of the Security Council Committee, pursuant to resolutions 751(1992) and 1907(2009) concerning Somalia and Eritrea, Andorra [S/AC.29/2010/4], Lebanon [S/AC.29/2010/3 & Add.1], Panama [S/AC.29/2010/2] and Thailand [S/AC.29/2010/1] submit-

ted reports on measures taken in response to resolution 1844(2008).

Report of Monitoring Group. On 14 March [S/2010/91], the Chairman of the Security Council Committee, pursuant to resolutions 751(1992) and 1907(2009) concerning Somalia and Eritrea, presented to the Council the report of the Monitoring Group on Somalia. The Group noted violations of the general and complete arms embargo, as Somalia continued to receive inflows of arms and ammunition. In general, arms imports were of low volume and consisted principally of ammunition, small arms and light weapons, although heavier, crew-served infantry weapons also continued to arrive, including some relatively sophisticated anti-aircraft and anti-tank weapons.

The Monitoring Group distinguished between two categories of arms embargo violations, namely, technical and substantive. Technical violations involved support for the Somali security sector institutions, which were eligible for exemptions under paragraph 11 (b) of resolution 1772(2007) [YUN 2007, p. 276], but for which no exemption had been requested in advance and on a case-by-case basis from the Security Council Committee established pursuant to resolution 751(1992). Substantive violations involved contraventions of the embargo, which would under no circumstances be eligible for exemption. Arms and ammunition provided with authorization by the Committee, or in technical violation of resolution 1772(2007), represented a growing proportion of arms flow to Somalia. As noted in the Group's December 2008 report [YUN 2008, p. 300], much of that assistance ended up in the hands of armed opposition groups or on the open market.

Non-State and intergovernmental actors, namely, regional and international organizations, aid agencies and private sector security companies, fell beyond the scope of the Monitoring Group's mandate. The absence of any provision for them to obtain exemptions under resolution 1772(2007) created ambiguities with respect to their compliance with the arms embargo. In the past, the Monitoring Group had approached the problem by encouraging international organizations to notify the Committee of their intentions, and for private sector actors to obtain the sponsorship of their host Governments vis-à-vis the Committee. As the number of non-State actors involved in Somalia increased, there was a need to clarify and formalize those arrangements.

Yemen remained Somalia's principal commercial market for weapons, and Ethiopia was the principal State supplier of arms, ammunition and training. Eritrea's role had diminished relative to previous years, as its Government placed greater emphasis on political and financial support for armed opposition groups.

Uganda and the United States also provided significant military assistance to the Transitional Federal Government.

Regarding threats to peace and security, the Monitoring Group recommended that the Committee designate individuals and entities proposed by the Group of Member States for targeted measures under resolution 1844(2008) and/or resolution 1907(2009); that Eritrea cease any subsidies to members of the Alliance for the Re-Liberation of Somalia-Asmara and any other armed opposition groups currently based in Asmara, cancel and/or revoke any Eritrean passports issued to members of those groups and permit international inspection of any facilities alleged to be employed for training armed groups from Somalia and the region; and that EU Governments investigate incidents of immigration fraud, take measures to better coordinate consular functions among their embassies in East Africa, and place a ban on Somalia ministers, members of parliament and officials who made fraudulent travel requests.

Concerning violations of the arms embargo, the Group recommended that the Committee review the exemption regime, taking into account the Group's observations, specifically: provisions regarding exemptions should be clarified with respect to the responsibilities of international, regional and sub-regional organizations; private security companies operating in Somalia should be required to request exemptions for their operations from their host Government or the Government that contracted their services; and the Committee should request Member States to bring to the attention of defence and security companies registered in their territories the existence of an arms embargo on Somalia and relevant Security Council resolutions.

The Group also recommended that the Committee exercise greater diligence in enforcing compliance with the exemption regime, specifically by reminding States cited by the Group for substantive or technical embargo violations—namely, Eritrea, Ethiopia, Kenya, the Sudan and the United Arab Emirates—of their responsibilities under relevant resolutions and bringing to their attention the possible consequences of non-compliance. The Council was urged to request AMISOM to inspect inventories of weapons and ammunition obtained in accordance with resolution 1772(2007), paragraphs 11 (b) and 12, in order to ensure that all such weapons and ammunition were accounted for, and to share such information regularly with the Monitoring Group.

It was also noted that the Committee should remind Member States of their obligations under the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons, adopted by the Gen-

eral Assembly in its decision 60/519 of 8 December 2005 [YUN 2005, p. 621].

The Working Group recommended that the Council require States and international organizations that came into possession of weapons, ammunition or military material either on Somalia territory or destined for Somalia or originated there to record the identifying characteristics of those items and report them to the Group; and that the Council authorize international naval forces in the Gulf of Aden and the Indian Ocean, including the United States-led Coalition Maritime Force, the EU NAVFOR Operation Atalanta and the NATO maritime force, to seize any weapons encountered in the course of their operations and actively interdict arms trafficking. It also recommended that the Committee act on its decision to send a mission to the Horn of Africa, led by the Chair, to raise awareness among Member States, international and regional organizations and the private sector with respect to the provisions of resolutions 1844(2008) and 1907(2009), specifically the expanded mandate of the Working Group.

Regarding piracy off the coast of Somalia, the Working Group recommended that the Council request international naval forces in the Gulf of Aden and the Indian Ocean to transmit to the Group any information in relation to seizures of weapons and pirate paraphernalia. It also recommended that the Council call on the Puntland authorities to demonstrate their sincerity in combating piracy by apprehending and surrendering for prosecution in foreign countries known pirate leaders, their supporters and financiers; to consider possible targeted measures against leaders who aided or abetted acts of piracy or benefited from the proceeds; and to prohibit security sector support to the Puntland authorities unless and until there was measurable improvement, and that the Council encourage Member States to provide capacity-building, training and other support to the Transitional Federal Government and Somaliland coastguard forces, as well as other branches of the security services engaged in fighting piracy. It was noted that all Member States engaged in counter-piracy operations should consider deploying on vessels trained military forensic teams or coastguard policemen to improve the collection, registration and preservation of evidence.

With respect to the obstruction of humanitarian assistance, the Working Group recommended that the Council urge the Secretary-General to initiate a genuinely independent investigation of the WFP Somalia country office, including contracting procedures and practices; that WFP revise its internal procedures regarding the issuance of contracts and to ensure meaningful oversight and transparency; that the UN country team empower the new posi-

tion of Risk Management Officer to conduct rigorous due diligence with regard to the awarding of major contracts; that the country team, UNSOA and UNPOS, with the Monitoring Group, develop a means of information-sharing on the Somalia business community contracted by the United Nations; that the country team, in consultation with the United Nations Support for AMISOM, UNPOS and the Monitoring Group, establish a database of businessmen, their associates and subcontractors involved in supporting or financing armed groups, or who had engaged in corrupt practices in the context of UN contracting; and that the UN Department of Safety and Security, in collaboration with the country team, establish a database of individuals identified as perpetrators or facilitators of kidnapping of aid workers, for the purposes of blacklisting or taking further action.

SECURITY COUNCIL ACTION

On 19 March [meeting 6289], the Security Council unanimously adopted **resolution 1916(2010)**. The draft [S/2010/145] was submitted by the United Kingdom.

The Security Council,

Reaffirming its previous resolutions and the statements by its President concerning the situation in Somalia and concerning Eritrea, in particular resolution 733(1992) of 23 January 1992, which established an embargo on all deliveries of weapons and military equipment to Somalia (hereinafter referred to as “the Somalia arms embargo”), and resolutions 1519(2003) of 16 December 2003, 1558(2004) of 17 August 2004, 1587(2005) of 15 March 2005, 1630(2005) of 14 October 2005, 1676(2006) of 10 May 2006, 1724(2006) of 29 November 2006, 1744(2007) of 20 February 2007, 1766(2007) of 23 July 2007, 1772(2007) of 20 August 2007, 1801(2008) of 20 February 2008, 1811(2008) of 29 April 2008, 1844(2008) of 20 November 2008, 1853(2008) of 19 December 2008, 1862(2009) of 14 January 2009 and 1907(2009) of 23 December 2009,

Recalling that, as set out in its resolutions 1744(2007) and 1772(2007), the arms embargo on Somalia does not apply to (a) weapons and military equipment, technical training and assistance intended solely for the support of or use by the African Union Mission in Somalia, and (b) supplies and technical assistance by States intended solely for the purpose of helping to develop security sector institutions, consistent with the political process set out in those resolutions and in the absence of a negative decision by the Security Council Committee established pursuant to resolution 751(1992), the mandate of which was expanded pursuant to resolution 1907(2009) (hereinafter referred to as “the Committee”), within five working days of receiving an advance notification of such supplies or assistance on a case-by-case basis,

Reaffirming its respect for the sovereignty, territorial integrity, political independence and unity of Somalia, Djibouti and Eritrea respectively,

Reaffirming that the Djibouti peace agreement and the peace process represent the basis for a resolution of the con-

flict in Somalia, reiterating its commitment to a comprehensive and lasting settlement of the situation in Somalia based on the Transitional Federal Charter, and reiterating the urgent need for all Somali leaders to take tangible steps to continue political dialogue,

Commending the work of the Special Representative of the Secretary-General for Somalia, Mr. Ahmedou Ould-Abdallah, and reaffirming its strong support for his efforts,

Taking note of the report of the Monitoring Group on Somalia, submitted on 10 March 2010 pursuant to paragraph 3 (j) of resolution 1853(2008) and the observations and recommendations contained therein,

Expressing concern at acts of intimidation against the Monitoring Group and interference with the work of the Monitoring Group,

Condemning flows of weapons and ammunition supplies to and through Somalia and Eritrea in violation of the Somalia arms embargo and the Eritrea arms embargo established pursuant to resolution 1907(2009) (hereinafter referred to as “the Eritrea arms embargo”) as a serious threat to peace and stability in the region,

Calling upon all Member States, in particular those in the region, to refrain from any action in contravention of the Somalia and Eritrea arms embargoes and to take all necessary steps to hold violators accountable,

Affirming the importance of enhancing the monitoring of the Somalia and Eritrea arms embargoes through persistent and vigilant investigation into the violations, bearing in mind that strict enforcement of the arms embargoes will improve the overall security situation in the region,

Determining that the situation in Somalia, Eritrea’s actions undermining peace and reconciliation in Somalia, as well as the dispute between Djibouti and Eritrea continue to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Stresses* the obligation of all States to comply fully with the measures imposed by resolution 733(1992), as elaborated upon and amended in subsequent relevant resolutions, as well as resolutions 1844(2008) and 1907(2009);

2. *Reiterates its intention* to consider specific action to improve implementation of and compliance with measures imposed by resolutions 733(1992), 1844(2008) and 1907(2009);

3. *Decides* that paragraphs 11 (b) and 12 of resolution 1772(2007) also apply to supplies and technical assistance by international, regional and subregional organizations;

4. *Underscores* the importance of humanitarian aid operations, condemns politicization, misuse and misappropriation of humanitarian assistance by armed groups, and calls upon Member States and the United Nations to take all feasible steps to mitigate the aforementioned practices in Somalia;

5. *Decides* that, for a period of twelve months from the date of the present resolution, and without prejudice to humanitarian assistance programmes conducted elsewhere, the obligations imposed on Member States in paragraph 3 of resolution 1844(2008) shall not apply to the payment of funds, other financial assets or economic resources necessary to ensure the timely delivery of urgently needed humanitarian assistance in Somalia, by the United Nations, its specialized agencies or programmes,

humanitarian organizations having observer status with the General Assembly that provide humanitarian assistance, or their implementing partners, and decides to review the effects of the present paragraph every one hundred and twenty days based on all available information, including the report of the United Nations Resident and Humanitarian Coordinator for Somalia submitted under paragraph 11 below;

6. *Decides also* to extend the mandate of the Monitoring Group on Somalia referred to in paragraph 3 of resolution 1558(2004), and requests the Secretary-General to take the necessary administrative measures as expeditiously as possible to re-establish the Monitoring Group for a period of twelve months, drawing, as appropriate, on the expertise of the members of the Monitoring Group established pursuant to resolution 1853(2008), and consistent with resolution 1907(2009), with the addition of three experts, in order to fulfil its expanded mandate, this mandate being as follows:

(a) To continue the tasks outlined in paragraphs 3 (a) to (c) of resolution 1587(2005) and paragraphs 23 (a) to (c) of resolution 1844(2008);

(b) To carry out additionally the tasks outlined in paragraphs 19 (a) to (d) of resolution 1907(2009);

(c) To investigate, in coordination with relevant international agencies, all activities, including in the financial, maritime and other sectors, which generate revenues used to commit violations of the Somalia and Eritrea arms embargoes;

(d) To investigate any means of transport, routes, sea-ports, airports and other facilities used in connection with violations of the Somalia and Eritrea arms embargoes;

(e) To continue refining and updating information on the draft list of those individuals and entities that engage in acts described in paragraphs 8 (a) to (c) of resolution 1844(2008), inside and outside Somalia, and their active supporters, for possible future measures by the Security Council, and to present such information to the Committee as and when the Committee deems appropriate;

(f) To compile a draft list of those individuals and entities that engage in acts described in paragraphs 15 (a) to (e) of resolution 1907(2009), inside and outside Eritrea, and their active supporters, for possible future measures by the Council, and to present such information to the Committee as and when the Committee deems appropriate;

(g) To continue making recommendations based on its investigations, on the previous reports of the Panel of Experts appointed pursuant to resolutions 1425(2002) of 22 July 2002 and 1474(2003) of 8 April 2003, and on the previous reports of the Monitoring Group appointed pursuant to resolutions 1519(2003), 1558(2004), 1587(2005), 1630(2005), 1676(2006), 1724(2006), 1766(2007), 1811(2008) and 1853(2008);

(h) To work closely with the Committee on specific recommendations for additional measures to improve overall compliance with the Somalia and Eritrea arms embargoes, as well as the measures imposed in paragraphs 1, 3 and 7 of resolution 1844(2008) and paragraphs 5, 6, 8, 10, 12 and 13 of resolution 1907(2009) concerning Eritrea;

(i) To assist in identifying areas where the capacities of States in the region can be strengthened to facilitate the implementation of the arms embargoes, as well as the

measures imposed in paragraphs 1, 3 and 7 of resolution 1844(2008) and paragraphs 5, 6, 8, 10, 12 and 13 of resolution 1907(2009) concerning Eritrea;

(j) To provide to the Council, through the Committee, a midterm briefing within six months of its establishment, and to submit progress reports to the Committee on a monthly basis;

(k) To submit, for consideration by the Council, through the Committee, a final report covering all the tasks set out above, no later than fifteen days prior to the termination of the mandate of the Monitoring Group;

7. *Requests* the Secretary-General to make the necessary financial arrangements to support the work of the Monitoring Group;

8. *Reaffirms* paragraphs 4, 5, 7, 8 and 10 of resolution 1519(2003);

9. *Requests* the Committee, in accordance with its mandate and in consultation with the Monitoring Group and other relevant United Nations entities, to consider the recommendations contained in the reports of the Monitoring Group of 5 April and 16 October 2006, 17 July 2007, 24 April and 20 November 2008 and 10 March 2010 and recommend to the Council ways to improve implementation of and compliance with the arms embargoes as well as implementation of the measures imposed in paragraphs 1, 3 and 7 of resolution 1844(2008) and paragraphs 5, 6, 8, 10, 12 and 13 of resolution 1907(2009) concerning Eritrea, in response to continuing violations;

10. *Requests* that all States, including Eritrea, other States in the region and the Transitional Federal Government ensure cooperation with the Monitoring Group by individuals and entities within their jurisdiction or under their control;

11. *Requests* the United Nations Resident and Humanitarian Coordinator for Somalia to report to the Council every one hundred and twenty days on the implementation of paragraphs 4 and 5 above and on any impediments to the delivery of humanitarian assistance in Somalia, and requests relevant United Nations agencies and humanitarian organizations having observer status in the General Assembly that provide humanitarian assistance to assist the Coordinator in the preparation of such report by providing information relevant to paragraphs 4 and 5 above;

12. *Urges* that all parties and all States, particularly those in the region, including international, regional and subregional organizations, cooperate fully with the work of the Monitoring Group and ensure the safety of its members, and unhindered access, in particular to persons, documents and sites that the Monitoring Group deems relevant to the execution of its mandate;

13. *Decides* to remain actively seized of the matter.

Appointment. By a letter of 1 July [S/2010/357], the Secretary-General informed the Security Council that, in accordance with resolution 1916(2010) (see p. 298), he had appointed the following experts as members of the Monitoring Group: for Somalia, Jörg Roofthoof (Belgium) as transport/maritime expert, Babatunde Abayomi Taiwo (Nigeria) as arms expert, and Carolina Reyes (Colombia) as humanitarian expert; for Eritrea, Ghassan Schbley (United States)

as finance expert, and Jan Hendrik van Zyl (South Africa) as transport and aviation expert. The Secretary-General also designated regional expert Matt Bryden (Canada) to serve as the Coordinator of the Monitoring Group on Somalia and Eritrea. The Secretary-General said he would appoint in due course a finance expert for the Somalia component of the Monitoring Group and an arms expert for the Eritrea component.

Security Council Committee. On 31 December [S/2010/688], the Chairman of the Security Council Committee, pursuant to resolutions 751(1992) and 1907(2009) concerning Somalia and Eritrea, transmitted the Committee's report covering its activities from 1 January until the end of the year. The report was presented in accordance with a note by the Security Council President of 29 March 1995 [YUN 1995, p. 342]. For 2010, the Bureau of the Committee consisted of Claude Heller (Mexico) as Chairman, with Lebanon and Nigeria providing the Vice-Chairs.

By resolution 1844(2008), the Council had reaffirmed the general and complete arms embargo, and by resolution 1853(2008) [YUN 2008, p. 301], it extended the mandate of the Monitoring Group investigating the implementation and violations of the embargo for a 12-month period, with the addition of a fifth expert, and delineated the expanded mandate of the Group.

By resolution 1907(2009), the Council imposed a ban on the sale or supply to and from Eritrea of arms and related materiel, technical assistance and training. The Council also imposed an assets freeze, a travel ban and a targeted arms embargo on individuals and entities, including but not limited to the Eritrean political and military leadership, designated by the Committee as violating the arms embargo; providing support from Eritrea to armed opposition groups which aimed to destabilize the region; obstructing the implementation of resolution 1862(2009) [YUN 2009, p. 298] concerning Djibouti; harbouring, financing, facilitating, supporting, organizing, training, or inciting individuals or groups to perpetrate violence or terrorist acts against other States or their citizens in the region; or obstructing the investigations or work of the Monitoring Group. The Council further expanded the Group's mandate re-established by resolution 1853(2008) to monitor and report on the implementation of the measures imposed by resolution 1907(2009), and expanded the mandate of the Committee under that resolution. In accordance with its expanded mandate, the Committee decided on 26 February to change its name to "Security Council Committee pursuant to resolutions 751(1992) and 1907(2009) concerning Somalia and Eritrea".

During 2010, the Committee met five times in informal consultations (10, 24 and 30 March, 12 August and 22 November). In informal consultations on 10 March, the Committee was briefed by the Monitoring Group on its final report and discussed its observations and recommendations. During informal consultations on 24 March, the Committee was briefed by the Minister for Environment of the Transitional Federal Government and the Deputy Executive Director for External Relations of WFP in connection with the findings in the Monitoring Group's report.

During consultations on 16 March, the Committee Chairman briefed the Security Council on the Committee's activities during the previous 120 days, and on 12 April, the Committee decided to list eight individuals and one entity pursuant to paragraph 8 of resolution 1844(2008); the list was dispatched to Member States on 21 April. On 24 September, the Committee decided to update the list of individuals and entities subject to the measures imposed by paragraphs 1, 3 and 7 of resolution 1844(2008).

The Committee Chairman visited the region from 15 to 27 April, as recommended by the Monitoring Group on Somalia in its report (see p. 305). He was accompanied by representatives from Turkey and the United States. The purpose of the visit was to raise awareness and enhance implementation of the sanctions regimes on Somalia and Eritrea, specifically the arms embargo and the exemption procedures, as well as provisions in resolutions 1844(2008) and 1907(2009), and to encourage cooperation with the Committee and the Monitoring Group. The delegation visited Eritrea, Kenya and Yemen. In Kenya, the delegation also met with representatives of the Transitional Federal Government of Somalia.

On 20 July, the Committee Chairman briefed the Security Council during consultations on the Committee's activities during the past 120 days, focusing mainly on the visit to the region in April.

On 29 November, the Committee Chairman briefed the Council on the Committee's activities during the previous 120 days, pursuant to paragraph 11 (g) of resolution 1844(2008), providing an account of the Committee's consideration of those reports. He also updated Council members on the work of the Monitoring Group on Somalia and Eritrea since it commenced its work on 1 August.

During the reporting period, the Committee approved nine requests for exemptions from the arms embargo for non-lethal military equipment pursuant to paragraph 3 of resolution 1356(2001) [YUN 2001, p. 212] and five requests for exemptions from the arms embargo pursuant to paragraph 11 (b) of resolution 1772(2007). The Committee also approved one noti-

fication in accordance with paragraph 4 (a) of resolution 1844(2008).

Appended to the Committee's report was a list of 10 Member States who had reported during the year on steps they had taken with a view to implementing effectively the measures imposed under resolution 1844(2008). During the reporting period, the Committee also received 32 reports from Member States on the steps they had taken to implement measures imposed by resolution 1907(2009).

Financing

In view of the expanded mandate of the Monitoring Group, the Secretary-General, in a report of 29 January [A/64/349/Add.6], submitted revised estimates for the Group and two other special missions. Estimated additional requirements for the Monitoring Group in 2010 amounted to \$769,000 net (\$770,100 gross). ACABQ, in a 12 February report [A/64/7/Add.21], recommended acceptance of those additional requirements, on top of the \$1,555,200 appropriated by the General Assembly in resolution 64/245 [YUN 2009, p. 1406]. The Assembly, in section IV of **resolution 64/260** of 29 March (see p. 1438), endorsed the Advisory Committee's recommendation.

United Nations Political Office for Somalia

Established in 1995 [YUN 1995, p. 400], the United Nations Political Office for Somalia (UNPOS) assisted the Secretary-General to advance the cause of peace and reconciliation through its contacts with Somali and regional leaders, civil society organizations, and States and organizations concerned with the Somali crisis. UNPOS was also closely monitoring the situation in the country and encouraged the Government and other parties to engage in an inclusive dialogue. UNPOS activities included political, disarmament, reintegration, economic stabilization and human rights activities, and preparation for its relocation to Somalia. In addition, UNPOS was responsible for coordinating on the ground UN and international efforts to combat piracy off the Somali coast. It was a member of the anti-piracy coordination centre in Nairobi, a platform for interaction between UN Headquarters and UN agencies on the ground.

Appointment. By a letter of 7 June [S/2010/31], the Secretary-General informed the Security Council of his intention to appoint Augustine Mahiga (Tanzania) as his Special Representative for Somalia and Head of UNPOS, with effect from 1 July 2010, to succeed Ahmedou Ould-Abdallah (Mauritania), who had served as Special Representative since September 2007 [YUN 2007, p. 281]. The Council, on 9 June [S/2010/302], took note of the Secretary-General's intention.

Financing

In an 11 October report [A/65/328/Add.3], the Secretary-General proposed resource requirements for UNPOS in the amount of \$16,345,000 net (\$17,803,800 gross) for 2011, \$422,700 less than 2010, reflecting lower requirements under operational costs.

ACABQ, in a report of 8 December [A/65/602], recommended that a vacancy factor of 25 per cent be applied to the estimated 2011 requirements and further recommended a reduction of \$800,000 under operational costs, with 2011 requirements to be adjusted accordingly.

The General Assembly, by section XIII of **resolution 65/259** of 24 December (see p. 1433), endorsed the recommendations of the Advisory Committee.

African Union Mission in Somalia

The African Union Mission in Somalia (AMISOM) was authorized in 2007 [YUN 2007, p. 268] by the AU Peace and Security Council to support the transitional federal institutions in their efforts to stabilize the country, facilitate the provision of humanitarian assistance, and create conditions conducive to stabilization, reconstruction and development. By resolution 1744(2007) [ibid., p. 269], the Security Council approved the Mission's mandate, which was renewed every six months. The Council, by resolution 1910(2010) of 28 January (see p. 276), requested the AU member States to maintain and enhance AMISOM until 31 January 2011.

During the year, progress was made towards the full deployment and strengthening of AMISOM. By resolution 1910(2010), the Council also requested the Secretary-General to continue providing a logistical support package for AMISOM until 31 January 2011. The resolution further highlighted the need for donors to work closely with the United Nations and the AU to ensure adequate funding, particularly to pay salaries to AMISOM troops and to reimburse contingent-owned equipment. The lack of sustainable funding for future requirements was a major concern, that could adversely affect AMISOM operational capability.

Starting on 1 July, the mandate and functions of the UN planning team in Addis Ababa were transferred to the newly established UN Office to the AU (UNOAU) (see p. 111). That team helped formulate the first AMISOM mission implementation plan, update strategic directives for AMISOM and develop the AMISOM police concept of operations.

The Integrated Task Force review in June expressed the view that the UN incremental approach to the possible transition from AMISOM to a UN peacekeeping operation remained valid. The review recommended an adjustment to the benchmarks outlined by

the Secretary-General in a March 2009 report [YUN 2009, p. 275].

Following the deployment of a fifth battalion from Uganda and a fourth battalion from Burundi, AMISOM reached its Security Council-mandated strength of 8,000 troops. Meanwhile, AMISOM police strength stood at 40 officers. On 15 October, the AU Peace and Security Council endorsed the new AMISOM force strength of 20,000 troops, with requisite air and maritime capabilities, in two phases: initially, inserting an additional 4,000 troops in Mogadishu; and secondly, deploying an additional 8,000 troops in order to expand gradually to other areas of Somalia, in particular those areas controlled by groups allied with the Transitional Federal Government. The Council also endorsed an enhanced civilian component and a police component of 1,680 personnel. It called on the UN Security Council to endorse the revised concept of operations and newly authorized strength of AMISOM; authorize an enhanced support package for AMISOM; impose a naval blockade and no-fly zone over Somalia; approach the issue of piracy in a holistic manner; and reaffirm its commitment to deploy a UN peacekeeping operation through the re-hatting of AMISOM with a timeline for deployment.

Noting the AU Peace and Security Council's recommendations, the UN Security Council in resolution 1964(2010) of 22 December (see p. 282) authorized the deployment of AMISOM until September 2011, and requested an increase in its force strength from 8,000 to 12,000 troops.

Through engagement with AMISOM troop-contributing countries, including pre-deployment inspections visits, the United Nations was supporting AU efforts to prevent and minimize civilian casualties during operations on the ground. UNSOA continued to deliver a logistical support package to AMISOM and to improve the living conditions of AMISOM troops in Nairobi and bases in Somalia. It also provided a sea movement-based supply chain to deliver required supplies and equipment to AMISOM and medical evacuation flights for injured AMISOM personnel. UNSOA also implemented a comprehensive communication campaign aimed at improving public and media perception of AMISOM and the transitional federal institution. The AU/UN-supported Radio Bar-Kulan, configured as an independent radio station on the basis of a public service broadcasting model, commenced broadcasting across Somalia in March. The newly established UNOAU assisted the AU Commission in planning and managing AMISOM operations.

Financing

In a report of 29 January [A/64/644], the Secretary-General submitted a budget for the financing of support to AMISOM for the period from 1 July 2010

to 30 June 2011, in the amount of \$205,221,300. ACABQ, in April [A/64/754], recommended a reduction of \$22,716,530 to the proposed budget, resulting in appropriations amounting to \$182,504,770.

GENERAL ASSEMBLY ACTION

On 24 June [meeting 101], the General Assembly, on the recommendation of the Fifth Committee [A/64/553/Add.1], adopted **resolution 64/287** without vote [agenda item 163].

Financing of support to the African Union Mission in Somalia

The General Assembly,

Having considered the report of the Secretary-General on the financing of support of the African Union Mission in Somalia and the related report of the Advisory Committee on Administrative and Budgetary Questions,

Recalling Security Council resolution 1863(2009) of 16 January 2009, by which the Council expressed its intent to establish a United Nations peacekeeping operation in Somalia as a follow-on force to the African Union Mission in Somalia, subject to its further decision by 1 June 2009, and requested the Secretary-General, in order for the forces of the Mission to be incorporated into a United Nations peacekeeping operation, to provide a United Nations logistical support package to the Mission, including equipment and services,

Recalling also Security Council resolution 1910(2010) of 28 January 2010, by which the Council requested the Secretary-General to continue to provide a logistical support package to the Mission until 31 January 2011,

Recalling further its resolution 64/107 of 10 December 2009 on the financing of support to the African Union Mission in Somalia,

Reaffirming the general principles underlying the financing of United Nations peacekeeping operations, as stated in General Assembly resolutions 1874(S-IV) of 27 June 1963, 3101(XXVIII) of 11 December 1973 and 55/235 of 23 December 2000,

Noting with appreciation that voluntary contributions have been made to the United Nations Trust Fund established to support the Mission,

1. *Requests* the Secretary-General to make the full-est possible use of facilities and equipment at the United Nations Logistics Base at Brindisi, Italy, in order to minimize the costs of procurement for the logistical support package;

2. *Acknowledges with appreciation* that the use of the logistics hub at Entebbe, Uganda, has been cost-effective and has resulted in savings for the United Nations, and welcomes the expansion of the logistics hub to provide logistical support to peacekeeping operations in the region and to contribute further to their enhanced efficiency and responsiveness, taking into account the ongoing efforts in this regard;

3. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions, subject to the provisions of the present resolution, and requests the Secretary-General to ensure their full implementation;

4. *Requests* the Secretary-General to take appropriate measures to ensure effectiveness, efficiency and transparency with regard to the use of United Nations resources, bearing in mind the specific nature of the support package;

5. *Takes note* of paragraph 27 of the report of the Advisory Committee;

**Budget estimates for the period
from 1 July 2010 to 30 June 2011**

6. *Decides* to appropriate to the Special Account for the support provided to the African Union Mission in Somalia the amount of 184,866,900 United States dollars for the period from 1 July 2010 to 30 June 2011, inclusive of the amount of 174,318,200 dollars for the maintenance of the entity, 8,933,900 dollars for the support account for peace-keeping operations and 1,614,800 dollars for the United Nations Logistics Base;

**Financing of the appropriation for the period
from 1 July 2010 to 30 June 2011**

7. *Also decides* to apportion among Member States the amount of 107,839,025 dollars for the period from 1 July 2010 to 31 January 2011, in accordance with the levels updated in General Assembly resolution 64/249 of 24 December 2009, and taking into account the scale of assessments for 2010 and 2011, as set out in Assembly resolution 64/248 of 24 December 2009;

8. *Further decides* that, in accordance with the provisions of its resolution 973(X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 7 above, their respective share in the Tax Equalization Fund of 2,188,376 dollars, representing the staff assessment income of 1,681,517 dollars approved for the entity, the prorated share of 431,492 dollars of the estimated staff assessment income approved for the support account and the prorated share of 75,367 dollars of the estimated staff assessment income approved for the United Nations Logistics Base;

9. *Decides* to apportion among Member States the amount of 77,027,875 dollars for the period from 1 February to 30 June 2011 at a monthly rate of 15,405,575 dollars, in accordance with the levels updated by the General Assembly in resolution 64/249, and taking into account the scale of assessments for 2011, as set out in resolution 64/248, subject to a decision of the Security Council to extend the mandate;

10. *Also decides* that, in accordance with the provisions of resolution 973(X), there shall be set off against the apportionment among Member States, as provided for in paragraph 9 above, their respective share in the Tax Equalization Fund of 1,563,124 dollars, comprising the estimated staff assessment income of 1,201,083 dollars approved for the entity, the prorated share of 308,208 dollars of the estimated staff assessment income approved for the support account and the prorated share of 53,833 dollars of the estimated staff assessment income approved for the United Nations Logistics Base;

11. *Further decides* that, for Member States that have fulfilled their financial obligations to the entity, there shall be set off against their apportionment, as provided for in paragraph 7 above, their respective share of the unencumbered balance and other income in the total amount of 11,700 dollars in respect of the financial period ended

30 June 2008, in accordance with the levels updated by the General Assembly in resolution 61/243 of 22 December 2006, and taking into account the scale of assessments for 2008 as set out in Assembly resolution 61/237 of 22 December 2006;

12. *Decides* that, for Member States that have not fulfilled their financial obligations to the entity, there shall be set off against their outstanding obligations their respective share of the unencumbered balance and other income in the total amount of 11,700 dollars in respect of the financial period ended 30 June 2008, in accordance with the scheme set out in paragraph 11 above;

13. *Invites* voluntary contributions to the United Nations Trust Fund established to support the African Union Mission in Somalia;

14. *Decides* to include in the provisional agenda of its sixty-fifth session the item entitled "Financing of the activities arising from Security Council resolution 1863(2009)".

Djibouti-Eritrea

In 2010, the border dispute between Djibouti and Eritrea on Ras Doumeira and Doumeira Island continued. The dispute had erupted in March 2008, following Eritrea's deployment of troops and military equipment to the two localities adjoining the de facto Djibouti-Eritrea border [YUN 2008, p. 315]. In December 2009, the Security Council, by resolution 1907(2009) [YUN 2009, p. 299], imposed targeted sanctions on Eritrea for its failure to comply with resolution 1862(2009) [ibid., p. 298] on the border dispute between both countries, and for its destabilizing role in the Somalia conflict. The resolution imposed an arms embargo on Eritrea, as well as a travel ban and an assets freeze on individuals within the Eritrean political and military leadership who violated the arms embargo, provided support to armed opposition groups destabilizing the region or obstructed the implementation of resolution 1862(2009). The resolution followed a request by IGAD and the AU for the Council to take such action. The Council also expanded the mandate of the Somalia Monitoring Group to include monitoring and reporting on the implementation of sanctions on Eritrea. Member States were requested to report to the Council within 120 days on steps taken to implement measures in the resolution.

On 6 June, under the auspices of Qatar, Djibouti and Eritrea decided to resolve, through a negotiated settlement, their border conflict. The agreement mandated Qatar to establish a mechanism that would facilitate the demarcation by an international company of the border between both countries.

Communication. In a letter dated 28 January 2010 [S/2010/59], Eritrea informed the Security Council of a number of its concerns about resolution 1907(2009) and outlined its position on Somalia, the border dispute with Djibouti and the border impasse with Ethiopia (see p. 306). An independent body should examine

all allegations levelled against the Government and the Government should be provided the opportunity to defend itself against those allegations.

Security Council consideration. On 19 May [S/PV.6316], during its consideration of peace and security in Africa, the Security Council heard a statement by Ismaïl Omar Guelleh, President of Djibouti, who accused Eritrea of having dragged Djibouti into the conflict in the Horn of Africa. While Djibouti had heeded the Council's call in June 2008 [YUN 2008, p. 316] for an immediate cessation of hostilities and withdrawal of forces to the status quo ante, Eritrea's response had been to deny the very existence of a military confrontation, reject any withdrawal and condemn the Council's swift action of 12 June 2008 [ibid.]. Eritrea's incursion remained Djibouti's greatest security concern; for almost a year, Eritrea had conducted a systematic campaign to destabilize Djibouti by training infiltrators who sabotaged infrastructure and targeted national events in rural and urban areas in order to cause fears and friction.

Communications. By a letter of 28 May [S/2010/262], Eritrea categorically rejected Djibouti's allegations, stating that armed opposition there had existed since its emergence as a nation in 1977 and had no connection with the current tension between the two countries. Eritrea also reiterated its commitment to ongoing diplomatic efforts to find a negotiated settlement to the border dispute.

On 7 June [A/64/806-S/2010/291], Qatar transmitted an agreement between Djibouti and Eritrea signed on 6 June concerning the peaceful settlement of the border dispute between the two countries. Under the agreement, Qatar was charged to exert efforts as a mediator, with a view to finding a peaceful solution.

Security Council statement (June). On 11 June [SC/9951], the Security Council welcomed the signing of the agreement and the issuance of the implementation document by which the leaders of Djibouti and Eritrea entrusted the Emir of the State of Qatar to undertake the mediation efforts.

Report of Secretary-General. In June [S/2010/327], the Secretary-General presented a report pursuant to resolution 1907(2009), by which the Security Council imposed targeted sanctions on Eritrea for its failure to comply with resolution 1862(2009) and expanded the mandate of the Somalia Monitoring Group to include monitoring and reporting on the implementation of sanctions imposed on Eritrea. A note verbale was subsequently transmitted to Eritrea, outlining the provisions of the resolution and requesting information by 7 June on their fulfilment. On 9 June, Eritrea responded with a report on its compliance with resolution 1907(2009), referring to the agreement reached between Eritrea and Djibouti on the border dispute and Qatar's mediation role.

Eritrea denied that a border dispute existed with Djibouti and that in March 2008 [YUN 2008, p. 315] it had deployed troops and military equipment to Ras Doumeira and Doumeira Island, or that a military confrontation took place in June of that year. It claimed, rather, that Ethiopia had deployed in February 2008, with Djibouti's consent, long-range artillery weapons on the strategic highpoint of Mount Musa Ali where the borders of Eritrea, Ethiopia and Djibouti met; and that the Djibouti army subsequently launched a surprise attack on Eritrean units along the shared border. Eritrea rejected the visit of the UN fact-finding mission on the basis that the Security Council had issued a statement condemning Eritrea without ascertaining the facts on the ground in an impartial manner.

The Secretary-General also received a letter from the Prime Minister and Minister for Foreign Affairs of Qatar transmitting a copy of the agreement signed by Eritrea and Djibouti, aimed at resolving the border conflict. The agreement entrusted Qatar with mediating and establishing a mechanism for the peaceful resolution of the border dispute and the eventual normalization of relations between the two countries. On the same day, the Minister for Foreign Affairs and International Cooperation of Djibouti, in a statement to the press, confirmed the withdrawal of Eritrean troops from Djiboutian territory, as a result of the Qatari mediation effort and the deployment of a Qatari observation force to monitor the border area between the two countries until a final agreement was reached.

In furtherance of the Secretary-General's good offices, DPA held several meetings with the Permanent Representative of Eritrea to the United Nations in New York, with the aim of maintaining a dialogue and advancing Eritrea's broader engagement with the international community, including identifying concrete steps that Eritrea could take as a demonstration of goodwill, such as: allowing a UN fact-finding mission to the Eritrea-Djibouti border; pursuing dialogue with Djibouti; engaging senior officials of the Somali Government with the aim of formally recognizing the Transitional Federal Government; and re-engagement with the AU and IGAD. The Permanent Representative indicated that some of those steps were already being taken.

Despite Eritrea's long-standing positions on Somalia and Djibouti, the Secretary-General noted, it had recently taken a number of encouraging steps towards constructive engagement with its neighbours and the wider international community. That included its reception of the Sanctions Committee in Asmara, its participation in the Istanbul Conference (see p. 280), and its engagement in regional mediation efforts led by Qatar in its border dispute with Djibouti. The Secretary-General welcomed Eritrea's endorsement of the Istanbul Declaration on Somalia,

which, he said, reflected a notable departure from its previous policy of contesting the legality and legitimacy of the Transitional Federal Government and calling for the expulsion of AMISOM. He also noted that the ability of the United Nations to verify Eritrea's compliance with resolution 1907(2009) was very limited. He hoped that the new Monitoring Group on Somalia and Eritrea would provide for independent monitoring and reporting, and welcomed recent reports that indicated steps Eritrea was taking to restore its representation at AU headquarters in Addis Ababa, Ethiopia; he encouraged Eritrea to make a similar effort in re-establishing its IGAD membership. Its enhanced engagement with regional organizations and international partners would be an important contribution to strengthening peace and stability in the Horn of Africa. While recent developments represented a move in the right direction, he urged Eritrea to do more to provide evidence of its compliance with resolution 1907(2009).

Communication. By a letter of 30 June [S/2010/350], Eritrea charged that the Secretary-General's report was not free of inaccuracies and repeated erroneous and unfounded allegations against it, including the accusations that it had invaded Djibouti territory. Recent developments showed that there was no longer any pretext to keep the sanctions in place. The agreement signed by Djibouti and Eritrea, with the facilitation of Qatar, was a welcome development. The time had come for the Security Council to take tangible measures to compel Ethiopia to withdraw from sovereign Eritrean territories it was occupying in flagrant violation of the UN Charter and international law; and for the Security Council to lift the sanctions that it had unjustifiably imposed on Eritrea.

Sanctions

On 23 December 2009, the Security Council, by resolution 1907(2009) [YUN 2009, p. 299], imposed a ban on the sale or supply to and from Eritrea of arms and related materiel, technical assistance and training. By the same resolution, it imposed an assets freeze, a travel ban and a targeted arms embargo on individuals and entities, including, but not limited to, the Eritrean political and military leadership designated by the Security Council Committee as violating the arms embargo; providing support to armed opposition groups which aimed to destabilize the region; obstructing the implementation of resolution 1862(2009) [ibid., p. 298] on Djibouti; harbouring, financing, facilitating, supporting, organizing, training, or inciting individuals or groups to acts of violence or terrorist acts against other States or their citizens in the region; or obstructing the investigations or the work of the Monitoring Group. The Council further expanded the mandate of the Monitoring Group re-established by resolution

1853(2008) [YUN 2008, p. 301], to monitor and report on the implementation of the measures imposed by resolution 1907(2009). To reflect its expanded mandate, the Security Council Committee to oversee sanctions on Somalia on 26 February changed its name to "Security Council Committee pursuant to resolutions 751(1992) and 1907(2009) concerning Somalia and Eritrea" (see p. 300).

By resolution 1916(2010) (see p. 298), the Security Council, condemning the flow of weapons and ammunition supplies to and through Somalia and Eritrea, and determining that Eritrea's actions undermined peace and reconciliation in Somalia, and that the dispute between Djibouti and Eritrea continued to constitute a threat to international peace and security in the region, extended the Monitoring Group's mandate to investigate, inter alia, all activities, including in the financial, maritime and other sectors, which generated revenues used to commit violations of the arms embargo, and to investigate any means of transport, routes, seaports, airports and other facilities used in connections with the arms embargo violations. The Council requested that all States, including Eritrea, ensure cooperation with the Monitoring Group.

Monitoring Group. In its February report [S/2010/91] to the Security Council, the Monitoring Group on Somalia (see p. 296) found that, between March 2009 and March 2010, Eritrea had continued to support armed opposition groups in Somalia politically, financially, diplomatically and, allegedly, militarily, in violation of resolution 1844(2008) [YUN 2008, p. 297]; however, the Group noted that by late 2009, Eritrea's support had either decreased or become less visible, possibly in response to international pressure.

Communications. By a letter of 28 January [S/2010/59] to the Security Council, Eritrea stated that the allegation that it supplied arms had to be ascertained by an independent party in an open forum and validated by incontrovertible evidence, rather than being determined in a closed meeting. On 1 March [S/2010/116], Eritrea transmitted to the Security Council the copy of a letter to the Secretary-General and a petition with 118,000 signatures from the E-SMART Campaign (Eritrean Sanctions Must Be Annulled Today), a project of the Organization of Eritrean Americans, in response to resolution 1907(2009). In a letter [S/2010/225] to the Chairman of the Sanctions Committee detailing the Government's position on resolution 1907(2009), the Djibouti-Eritrea border conflict, the situation in Somalia and the Ethiopia-Eritrea impasse, Eritrea maintained that the sanctions were based on unfounded allegations and their imposition was in essence a political act, promoted by the United States and aimed at punishing Eritrea, inter alia, for publicly criticizing United States foreign policy in the Horn of Africa.

Eritrea–Ethiopia

Following the termination of its mandate on 31 July 2008, in accordance with Security Council resolution 1827(2008) [YUN 2008, p. 310], the United Nations Mission to Ethiopia and Eritrea (UNMEE) continued its administrative liquidation. The Mission had been mandated to help the Security Council achieve the overall objective of a peaceful settlement of the dispute between Ethiopia and Eritrea.

The final report of the Eritrea-Ethiopia Claims Commission was presented to the Security Council in January 2010.

Claims Commission. On 18 January [S/2010/38], the Secretary-General submitted to the Security Council the final report of the Eritrea-Ethiopia Claims Commission, established by the Algiers Agreement between both countries on 12 December 2000 [YUN 2000, p. 180] to decide, though binding arbitration, all claims for loss, damage or injury by one Government against the other. During its tenure, the Commission had rendered 15 partial and final awards on the liability aspects of the parties' claims between 2003 and 2005. On 17 August 2009, the Commission issued final awards on damages on the claims of both parties. It awarded Eritrea in support of its own claims the total monetary compensation of \$161,455,000, and an additional \$2,065,865 in respect of claims presented on behalf of individual Eritrean claimants. Ethiopia was awarded a total monetary compensation of \$174,036,520.

The Commission noted in its final awards that the armed conflict between the two parties had caused serious injury and damage to the people and infrastructure of their countries. While the compensation awarded to each party was substantial, the Commission recognized that it was probably much less than each party believed to be its due, and probably did not reflect the totality of damages that either party had suffered in violation of international law. In considering the claims, the Commission took note that the two countries were among the poorest in the world, and that large damages awards might exceed their capacity to pay or result in serious injury to its population if such damages were paid. The Commission, however, concluded that it did not need to decide the question of possible capping of the awards.

With the issuance of those final awards, the Commission had completed its mandate. The Commission reiterated its confidence that the parties would ensure that any compensation they might receive in respect of their claims would be used to provide relief to their civilian populations injured in the war. It had sought to resolve many difficult issues between the parties fairly and in accordance with international law, and hoped that those efforts would contribute to

the eventual establishment of a durable and mutually beneficial peace between them.

Communication. By a letter of 28 January [S/2010/59], Eritrea, stating that Security Council resolution 1907(2009) [YUN 2009, p. 299]—which imposed sanctions against it—was not based on fact and law, urged the Council to redress the injustices perpetrated against Eritrea and to seek a reversal and repeal of the resolution.

UNMEE

The mandate of the United Nations Mission in Ethiopia and Eritrea (UNMEE), established by the Security Council in resolutions 1312(2000) [YUN 2000, p. 174] and 1320(2000) [ibid., p. 176], was terminated by Council resolution 1827(2008) [YUN 2008, p. 310] effective 31 July 2008. On 1 August 2008, UNMEE began its administrative liquidation, including the disposition of its assets. The financing of UNMEE was considered by the General Assembly in June at its resumed sixty-fourth (2010) session.

Report of Secretary-General. In a performance report [A/64/586] on the UNMEE budget for the period from 1 July 2008 to 30 June 2009, the Secretary-General stated that UNMEE had contributed to an effective and efficient administrative liquidation. Total expenditure for the financial period, covering the maintenance of the Mission for the period from 1 to 31 July 2008 and its liquidation for the period from 1 August 2008 to 10 March 2009, amounted to \$31,005,000, which was \$6,011,400 less than the financial resources of \$37,016,400 appropriated by the General Assembly in resolution 63/257 A [YUN 2008, p. 314]. During the reporting period, assets of the Mission were donated to Ethiopia (an inventory value of \$1,398,500, with a corresponding residual value of \$421,800) and the AU in support of AMISOM (an inventory value of \$6,911,400, with a corresponding residual value of \$1,967,900); both actions were endorsed by Assembly decision 63/554 [YUN 2009, p. 303]. The assets identified for donation to the Eritrean Government, with an inventory value of \$6,082,100 and a corresponding residual value of \$2,299,300, could not be donated as Eritrea, in a note verbale of 25 February 2009, had informed the UN Secretariat that the donation of UNMEE assets was not accepted by the communities concerned [ibid.]. ACABQ was subsequently informed that since UNMEE had already finalized the field liquidation process, terminated the service contracts and repatriated its staff, the Mission would not be in a position to recover the remaining assets, which accordingly were abandoned in situ.

The Secretary-General recommended that the Assembly decide on the treatment of the unencum-

bered balance of \$6,398,283 against the amount of \$37,403,283 assessed on Member States for the period from 1 July 2008 to 30 June 2009, and decide on the treatment of other income for the period ended 30 June 2009, amounting to \$3,350,200 from interest income (\$318,300), other/miscellaneous income (\$1,168,800) and cancellation of prior-period obligations (\$1,875,400), offset by prior-period adjustments (\$12,300).

On 24 March [A/64/586/Corr.1], the Secretary-General recommended in connection with the financing of UNMEE to return credits to Member States in the amount of \$9,353,300, representing the net cash available in the special account of the Mission from the balance of credits in the amount of \$14,736,400 due to Member States in respect of the 2007/2008 financial period; to take note of the amount of \$5,383,100, representing the remaining balance of credits due to Member States from the 2007/08 period, and the amount of \$9,361,600 representing credits due to Member States from the 2007/08 financial period; and to defer until its sixty-fifth session a decision on the treatment of the total amount of \$14,744,700, comprising the amounts of \$5,383,100 and \$9,361,600 in credits due to Member States.

ACABQ report. In a 9 February report [A/64/660/Add.1], ACABQ expressed no objection to the Secretary-General's proposed course of action, having been informed that in recommending that course of action, he bore in mind resolution 63/257 B [YUN 2009, p. 303], by which the General Assembly decided that Member States that had fulfilled their financial obligations to UNMEE would be credited with their respective share of the net cash available in the Special Account for the Mission as at 30 April 2009. The Advisory Committee also noted that in respect of death and disability compensation, as at 31 January a total \$589,000 had been paid for 46 claims and one claim was pending; unliquidated obligations amounted to \$121,000. The Committee expected that the outstanding claim would be settled expeditiously.

GENERAL ASSEMBLY ACTION

On 24 June, on the recommendation of the Fifth Committee [A/64/826], the General Assembly adopted **resolution 64/277** without vote [agenda item 153].

Financing of the United Nations Mission in Ethiopia and Eritrea

The General Assembly,

Having considered the report of the Secretary-General on the financing of the United Nations Mission in Ethiopia and Eritrea and the related report of the Advisory Committee on Administrative and Budgetary Questions,

Recalling Security Council resolution 1312(2000) of 31 July 2000, by which the Council established the United Nations Mission in Ethiopia and Eritrea, and the subsequent resolutions by which the Council extended the mandate of the Mission, the last of which was resolution 1798(2008) of 30 January 2008, by which the Council extended the mandate of the Mission until 31 July 2008,

Recalling also Security Council resolution 1827(2008) of 30 July 2008, by which the Council terminated the mandate of the Mission effective 31 July 2008,

Recalling further its resolution 55/237 of 23 December 2000 on the financing of the Mission and its subsequent resolutions thereon, the latest of which was resolution 63/257 B of 30 June 2009,

Noting with appreciation that voluntary contributions have been made to the Mission,

1. *Takes note* of the status of contributions to the United Nations Mission in Ethiopia and Eritrea as at 30 April 2010, including the contributions outstanding in the amount of 7.6 million United States dollars, representing some 1 per cent of the total assessed contributions, notes with concern that only seventy-six Member States have paid their assessed contributions in full, and urges all other Member States, in particular those in arrears, to ensure payment of their outstanding assessed contributions;

2. *Expresses its appreciation* to those Member States which have paid their assessed contributions in full, and urges all other Member States to make every possible effort to ensure payment of their assessed contributions to the Mission in full;

3. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions, subject to the provisions of the present resolution, and requests the Secretary-General to ensure their full implementation;

Financial performance report for the period from 1 July 2008 to 30 June 2009

4. *Takes note* of the report of the Secretary-General on the financial performance of the Mission for the period from 1 July 2008 to 30 June 2009;

5. *Also takes note* of the unencumbered balance and other income in the Special Account for the United Nations Mission in Ethiopia and Eritrea in the amount of 9,361,600 dollars in respect of the financial period ended 30 June 2009;

6. *Decides* that Member States that have fulfilled their financial obligations to the Mission shall be credited with their respective share of the net cash available in the Special Account for the Mission in the amount of 16,495,400 dollars as at 30 April 2010 from the balance of credits in the amount of 14,736,400 dollars due to Member States in respect of the financial period ended 30 June 2008 and the balance of credits in the amount of 1,759,000 dollars due to Member States in respect of the financial period ended 30 June 2009, in accordance with the levels updated in resolution 61/243 of 22 December 2006, and taking into account the scale of assessments for 2009, as set out in resolution 61/237 of 22 December 2006;

7. *Encourages* Member States that are owed credits referred to in paragraph 6 above to apply those credits to any accounts where they have outstanding assessed contributions;

8. *Decides* that, for Member States that have not fulfilled their financial obligations to the Mission, there shall be set off against their outstanding obligations their respective share of the net cash available in the Special Account for the Mission in the amount of 16,495,400 dollars as at 30 April 2010 from the balance of credits in the amount of 14,736,400 dollars due to Member States in respect of the financial period ended 30 June 2008 and the balance of credits in the amount of 1,759,000 dollars due to Member States in respect of the financial period ended 30 June 2009, in accordance with the scheme set out in paragraph 6 above;

9. *Also decides* to defer until its sixty-fifth session a decision on the treatment of the amount of 7,602,600 dollars, representing the remaining balance of credits due to Member States for the period ended 30 June 2009, and requests the Secretary-General to report to it at the second part of its resumed sixty-fifth session on the updated financial position of the Mission;

10. *Further decides* to include in the provisional agenda of its sixty-fifth session the item entitled "Financing of the United Nations Mission in Ethiopia and Eritrea".

Report of Secretary-General (December). In a December report [A/65/678], the Secretary-General provided details on the final disposition of UNMEE assets, with a total inventory value of \$57,034,100, which were disposed of as at 7 December, in accordance with UN financial regulation 5.14. Those assets were grouped into the following categories: accommodation equipment, communications equipment, data-processing equipment, generators, marine equipment, medical equipment, miscellaneous equipment, observation equipment, office equipment, petrol tanks plus metering equipment, prefabricated buildings, refrigeration equipment, vehicular equipment, water and septic tanks, and water purification equipment.

As a result of the adjustment of the UNMEE assets disposition plan and according to the inventory report of 7 December, 799 assets with a total inventory value of \$1,466,200 and a corresponding residual value of \$462,900 were donated to the Government of Ethiopia during the 2008/09 financial period, and 1,480 assets with an inventory value of \$6,144,000 and a corresponding residual value of \$1,643,000 were donated to the AU. The variation in inventory value of \$699,700 (less than 9 per cent) between the planned and actual donation of assets to Ethiopia and the AU resulted from the changes in value that arose in the process of finalizing and updating the inventory. The assets identified for donation to the Government of Eritrea with an inventory value of \$6,082,100 and corresponding residual value of \$2,299,300 could not be donated and were included in the category of written-off/lost assets.

Assets identified as meeting the requirements of UN peacekeeping operations or UN activities funded from assessed contributions, with an inventory value

of \$17,458,700, or 30.6 per cent of total assets value, had been transferred to other UN missions and the UN Logistics Base at Brindisi for temporary storage pending future use.

Assets disposed of locally with an inventory value of \$9,239,000, representing 16.2 per cent of the total inventory value, comprised assets donated to the Ethiopian Government and the AU, with an inventory value of \$7,610,200 and a corresponding residual value of \$2,105,900, as well as assets sold to a UN agency and to private companies and individuals on the basis of competitive bidding, with an inventory value of \$1,628,800 and residual value of \$719,000. The amount of \$644,500, representing the proceeds of the sale, was credited as miscellaneous income to the UNMEE special account.

Assets totalling \$30,336,400, or 53.2 per cent of the total assets inventory value, and a corresponding residual value of \$7,951,500, had been written off mainly as a result of accidents; damage caused by natural elements; obsolescence; normal wear and tear; the assets not being accepted by the Eritrean Government as donation; and uneconomical prospects for repair and loss.

North Africa

Western Sahara

In 2010, negotiations towards a lasting political solution to the question of Western Sahara continued. Although the two parties to the dispute concerning the Territory—Morocco and the Frente Polisario Liberación de Saguía el-Hamra y de Río de Oro (Frente Polisario)—held talks with the Secretary-General's Personal Envoy for Western Sahara, they remained far apart on ways to achieve a solution. While Morocco remained committed to its autonomy proposal as presented in the negotiations under UN auspices, Frente Polisario reiterated its position that the Saharan people should decide their future by means of a free referendum.

The United Nations Mission for the Referendum in Western Sahara (MINURSO), established by Security Council resolution 690(1991) [YUN 1991, p. 794], continued to monitor compliance with the 1991 formal ceasefire [ibid., p. 796] between the parties. Military Agreement No. 1, which MINURSO signed separately with the parties [YUN 1998, p. 194], remained the basic instrument governing the ceasefire monitoring of the five parts into which, for operational purposes, the disputed territory of Western Sahara was divided.

The Security Council in April extended the mandate of MINURSO for another 12 months.

Political and security developments

Report of Secretary-General (April). In April, pursuant to Security Council resolution 1871(2009) [YUN 2009, p. 305], the Secretary-General submitted a report on developments in Western Sahara since his April 2009 report [ibid.].

The Territory remained largely calm. The Secretary-General's Personal Envoy for Western Sahara, Christopher Ross, consulted regularly with the parties. The Personal Envoy held a second informal meeting (Westchester County, New York, 10–11 February), at which both parties complained of human rights violations. Frente Polisario called for UN monitoring while Morocco stated its opposition and asserted that, by refraining from exercising their responsibility with respect to the refugees on Algerian territory, Algeria and the Office of the United Nations High Commissioner for Refugees (UNHCR) were not fulfilling their international obligations. Each party represented its April 2007 proposal [YUN 2007, p. 295], but neither accepted the other's proposal as the sole basis of future negotiations. The fundamental, and to date non-negotiable, difference between the two parties lay in the issue of self-determination. Frente Polisario, with Algeria's support, insisted on a referendum with multiple options, including independence, while Morocco insisted on a negotiated autonomy regime and a referendum of confirmation with one option.

The Personal Envoy visited the region in March to solicit the parties' ideas on how to move beyond the impasse, bearing in mind that neither party was prepared to accept the proposal of the other as written and that no mechanism existed to oblige the parties to agree to either proposal for resolving the dispute.

The widespread presence of landmines and explosive remnants of war throughout Western Sahara, including in areas where MINURSO military observers and logistical vehicles operated on a daily basis, continued to be a cause for serious concern. The MINURSO Mine Action Coordination Centre continued its efforts to develop and increase collaboration with the parties in accordance with military agreements Nos. 2 and 3 [YUN 1999, p. 180], committing both parties to cooperating with MINURSO in the exchange of mine-related information, marking of mined areas and destruction of mines and unexploded ordnance. Coordinated efforts aimed at eradicating the threat of landmines and explosive remnants of war had become more effective, owing to the establishment of a substantial database that more accurately reflected the currently known contamination of Western Sahara.

Exchanges of family visits continued, thanks to efforts of UNHCR and MINURSO and generally good cooperation by the parties. In order to shorten the waiting period for persons registered for family vis-

its, and in line with Security Council resolutions 1813(2008) [YUN 2008, p. 321] and 1871(2009), UNHCR was continuing its efforts to implement the road option as an expansion of the family visits. C also continued to provide free telephone services for refugees in the camps to contact family members in the Territory.

For the implementation of the confidence-building measures programme, MINURSO continued to provide, on a reimbursable basis, logistical, security and administrative support to UNHCR, including aircraft and ground transportation. The UN police was a key component of the assistance provided by MINURSO in the context of confidence-building measures.

The Secretary-General recommended that the Security Council reiterate its call to Morocco and Frente Polisario to negotiate in good faith and without any precondition, under the auspices of the Personal Envoy, and to show the political will required to enter into substantive discussions and ensure the success of the negotiations, where possible, by drawing on and developing the contents of their two proposals.

The Secretary-General remained concerned about the continuing violations of military agreement No. 1 [YUN 1998, p. 194] by the parties, and he called on the parties to adhere fully to the provisions of the military agreements and to extend their full cooperation to MINURSO.

The human dimension of the conflict, including the plight of the Western Saharan refugees, was a growing concern. The Secretary-General urged the parties to confirm their agreement to the expansion of the family visit programme and to accelerate their consultations with UNHCR on its implementation, and urged them to continue working with UNHCR and MINURSO, as well as with his Personal Envoy, to explore other confidence-building measures and contacts. In order to ensure optimal use of UN resources and facilitate support for the confidence-building measures programme, the Secretary-General recommended that the Security Council formally recognize and increase MINURSO's role and responsibilities to use its resources to support confidence-building activities. He also urged the donor community to make increased funding available for the maintenance and expansion of those activities and urged that appropriate attention be paid to conducting a census of refugees and implementing a programme of individual interviews.

Additional resources for the UN mine action effort in Western Sahara would be required. In that regard, MINURSO had made provision in its 2010/11 budget (see p. 313). The Secretary-General called on donor countries to support the parties' efforts in order to take advantage of the progress and investments made to date.

Given the circumstances on the ground and in the light of the Personal Envoy's continuing efforts, the Secretary-General believed that the presence of MINURSO remained indispensable for the maintenance of the ceasefire in Western Sahara. He recommended that the Security Council extend the mandate of MINURSO for another year, until 30 April 2011.

SECURITY COUNCIL ACTION

On 30 April [meeting 6305], the Council unanimously adopted **resolution 1920(2010)**. The draft [S/2010/216, as orally amended] was submitted by France, the Russian Federation, Spain, the United Kingdom and the United States.

The Security Council,

Recalling and reaffirming all its previous resolutions on Western Sahara,

Reaffirming its strong support for the efforts of the Secretary-General and his Personal Envoy for Western Sahara to implement resolutions 1754(2007) of 30 April 2007, 1783(2007) of 31 October 2007, 1813(2008) of 30 April 2008 and 1871(2009) of 30 April 2009,

Reaffirming its commitment to assist the parties to achieve a just, lasting and mutually acceptable political solution which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations, and noting the role and responsibilities of the parties in this respect,

Reiterating its call upon the parties and States of the region to cooperate more fully with the United Nations and with each other to end the current impasse and to achieve progress towards a political solution,

Taking note of the proposal presented by Morocco to the Secretary-General on 11 April 2007 and welcoming serious and credible Moroccan efforts to move the process forward towards resolution, and taking note also of the proposal presented by the Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro to the Secretary-General on 10 April 2007,

Inviting, in this context, the parties to demonstrate further political will towards a solution,

Taking note of the four rounds of negotiations held under the auspices of the Secretary-General and the two rounds of informal talks held in Dürnstein, Austria, and in Westchester County, United States of America, and welcoming the progress made by the parties to enter into direct negotiations,

Stressing the importance of making progress on the human dimension of the conflict as a means to promote transparency and mutual confidence through constructive dialogue and humanitarian confidence-building measures, and noting the need for all parties to adhere to their obligations, taking into account the roles and responsibilities of the United Nations system and the relevant paragraphs of the report of the Secretary-General of 6 April 2010,

Welcoming, in this context, the agreement of the parties, expressed in the communiqué of the Personal Envoy of the Secretary-General of 18 March 2008, looking forward to the inauguration of family visits by land and the resumption of the existing programme by air, and encouraging the

parties to cooperate with the United Nations High Commissioner for Refugees in implementing their agreement,

Welcoming also the commitment of the parties to continue the process of negotiations through the United Nations-sponsored talks,

Recognizing that the consolidation of the status quo is not acceptable in the long term, and noting further that progress in the negotiations is essential in order to improve the quality of life of the people of Western Sahara in all its aspects,

Affirming its support for the Personal Envoy of the Secretary-General, Mr. Christopher Ross, and his work in facilitating negotiations between the parties, and also welcoming his recent visit to the region and ongoing consultations with the parties and neighbouring States,

Welcoming the appointment of the Special Representative of the Secretary-General for Western Sahara and Head of the United Nations Mission for the Referendum in Western Sahara, Mr. Hany Abdel-Aziz,

Having considered the report of the Secretary-General of 6 April 2010,

1. *Reaffirms* the need for full respect of the military agreements reached with the United Nations Mission for the Referendum in Western Sahara with regard to the ceasefire, and calls upon the parties to adhere fully to those agreements;

2. *Welcomes* the commitment of the parties to continue the process of holding small, informal talks in preparation for a fifth round of negotiations, and recalls its endorsement of the recommendation in the report of the Secretary-General of 14 April 2008 that realism and a spirit of compromise by the parties are essential to achieve progress in negotiations;

3. *Calls upon* the parties to continue to show political will and work in an atmosphere propitious for dialogue in order to enter into a more intensive and substantive phase of negotiations, thus ensuring the implementation of resolutions 1754(2007), 1783(2007), 1813(2008) and 1871(2009), and the success of negotiations, and affirms its strong support for the commitment of the Secretary-General and his Personal Envoy towards a solution to the question of Western Sahara in this context;

4. *Also calls upon* the parties to continue negotiations under the auspices of the Secretary-General without preconditions and in good faith, taking into account the efforts made since 2006 and subsequent developments, with a view to achieving a just, lasting and mutually acceptable political solution which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations, and notes the role and responsibilities of the parties in this respect;

5. *Invites* Member States to lend appropriate assistance to these talks;

6. *Requests* the Secretary-General to keep the Security Council informed on a regular basis of the status and progress of these negotiations under his auspices, and express its intention to meet to receive and discuss his report;

7. *Also requests* the Secretary-General to provide a report on the situation in Western Sahara well before the end of the mandate period;

8. *Urges* Member States to provide voluntary contributions to fund confidence-building measures that allow for increased contact between separated family members, especially family visits, as well as other confidence-building measures that may be agreed upon between the parties;

9. *Decides* to extend the existing mandate of the Mission until 30 April 2011;

10. *Requests* the Secretary-General to continue to take the measures necessary to ensure full compliance in the Mission with the United Nations zero-tolerance policy on sexual exploitation and abuse and to keep the Council informed, and urges troop-contributing countries to take appropriate preventive action, including predeployment awareness training, and other action to ensure full accountability in cases of such conduct involving their personnel;

11. *Decides* to remain seized of the matter.

Report of Secretary-General (August). On 17 August, the Secretary-General, pursuant to General Assembly resolution 64/101 [YUN 2009, p. 307], presented a report on the situation concerning Western Sahara from 1 July 2009 to 30 June 2010 [A/65/306], which also covered the activities of his Personal Envoy to promote negotiations on the Territory. He reported that as a follow-up to the February informal meeting with the parties, his Personal Envoy had undertaken a visit to the region from 17 to 25 March, during which he was received by the King of Morocco and the Heads of State of Mauritania and Algeria, as well as the Secretary-General of Frente Polisario. The Personal Envoy's discussions in the region confirmed that the negotiations were still at an impasse, and he requested both parties and the neighbouring States to engage in a period of reflection to develop ideas for moving the process forward. He also visited Paris (25–26 March) for meetings with the Government of France on those issues.

From 21 June to 1 July, the Personal Envoy visited the capitals of three members of the Group of Friends of Western Sahara (London, Paris, Madrid) to consult on the best means to advance the negotiations towards a mutually acceptable settlement and to solicit their concrete advice and renewed support. On 16 July, he consulted with senior officials in Washington, D.C., and would visit Moscow at a later date. The Personal Envoy had found unanimous agreement on the need to intensify work on confidence-building measures, including the resumption of family visits by air, the early inauguration of family visits by road, and rapid consideration of other confidence-building measures proposed by UNHCR.

Further developments

In a later report [S/2011/249], the Secretary-General noted significant socio-political and security developments within the Territory. The situation, reinforced by the recent series of popular uprisings in the wider Middle East and North Africa region, which called

for increased political and economic rights, had given rise in Western Sahara to new challenges to stability and security, with the potential to alter the conflict's status quo.

At the beginning of October, a group of Saharan protesters set up an encampment at Gdim Izik, some 15 kilometres south-east of Laayoune, with the intention of making socio-economic demands on the Moroccan authorities. The camp gradually expanded to an estimated 6,610 tents, and the number of protesters, which varied over time, was believed to have reached over 15,000. MINURSO was not able to monitor the situation due to Moroccan authorities impeding its access. Attempted military patrols and visits by UN security and police were prevented or stopped on several occasions. Moroccan authorities in Laayoune and at the Permanent Mission of Morocco to the United Nations protested against MINURSO attempts to approach the camp, advising that it should not interact directly with the camp population on what was described as a purely internal and social matter. In response to the Mission's continuing efforts, the Moroccan authorities on 4 November eventually allowed one international security officer into the camp. Those restrictions on movement violated the 1999 status-of-mission agreement between the United Nations and Morocco [YUN 1999, p. 179] and interfered with the Mission's ability to fulfil its mandate. In addition, the interception of MINURSO military patrols constituted a violation of Military Agreement No. 1 [YUN 1998, p. 194].

With a heavy Moroccan security presence and the continued influx of new protesters, the political and security atmosphere gradually deteriorated, particularly after Moroccan forces shot dead a 14-year-old Saharan boy at the camp's entrance on 24 October in unclear circumstances.

On 8 November, despite previous démarches by the Secretary-General's Personal Envoy and his Special Representative for Western Sahara towards their Moroccan interlocutors in attempts to discourage any forceful action against the protesters, Moroccan auxiliary forces and police forcefully dispersed the protesters and destroyed the camp using tear gas, water cannons, batons and loudspeakers; there was no evidence that live ammunition or other lethal means were used. Violence immediately erupted in the city of Laayoune, with groups of Saharans taking to the streets to protest against the raid, amid rumours of a high death toll, throwing improvised explosives and stones and attacking public and private buildings. Later that day, groups of Moroccans attacked Saharan civilian homes and their residents.

The unrest resulted in significant casualties and property damage, although the United Nations could not verify either party's account of the casualties.

MINURSO visited the camp site on 10 November, but was not able to obtain a clear picture of the exact number of protesters, the condition in the camp before it was dismantled, or the number of casualties.

Following those events, the general situation in the Territory remained tense, particularly between the Saharan population and Moroccan forces.

On 27 November, the lower house of the Moroccan Parliament established a Parliamentary Commission of Inquiry to investigate the establishment and dismantling of the camp, the events in Laayoune and the implications of those events.

On 29 November, following the violence in Laayoune, the Governor of Laayoune, Mohamed Helmous, was replaced with Khalil Dkhil, the first Saharan to hold the post. Morocco also replaced the head of its gendarmerie in Laayoune and conducted a parliamentary inquiry into the Laayoune events.

The Secretary-General said that a third round of informal consultations between the parties was to have taken place early in August; however, the sudden death in July of Mahrouf Ali Beiba, the head of the Frente Polisario delegation, made it impossible to maintain that schedule. The parties concurred that it was best to wait to meet again until after Ramadan (11 August–10 September) and for the high-level meetings and general debate of the General Assembly to take place. In mid-September, UNHCR and the Personal Envoy again pressed for the resumption of family visits by air; however, a dispute over proper notification to the parties and other issues prevented a resumption. From 12 to 14 September, the Personal Envoy consulted with senior officials in Moscow.

The Personal Envoy undertook a fourth visit to the region (17–26 October) to prepare the way for a third round of informal talks by holding discussions with the parties and neighbouring States. As on his previous visit, he met with the Heads of State of Algeria, Mauritania and Morocco, the Secretary-General of Frente Polisario and other senior officials.

The third round of informal talks was held in Long Island, New York (7–10 November). The opening session, scheduled for the morning of 8 November, coincided with Moroccan action to dismantle the Saharan protest encampment outside Laayoune and subsequent confrontations within the city. The ensuing tensions threatened to derail the talks, inasmuch as the Frente Polisario delegation questioned the motives and timing of the Moroccan action and the utility of proceeding with the talks as violence escalated. Throughout the round, Frente Polisario and Morocco accused each other repeatedly of escalating tensions and engaging in human rights violations in Western Sahara and in the refugee camps in the Tindouf area.

At the end of the first session, the parties agreed to incorporate into future rounds the approach sug-

gested by the Personal Envoy, namely to deconstruct their April 2007 proposals [YUN 2007, p. 296], find subjects to be discussed as building blocks towards the consideration of core issues, and foster the gradual emergency of trust and confidence. For the session on confidence-building measures, the Personal Envoy obtained the active participation of the delegations of Algeria and Morocco in the discussions for the first time, thus furthering their contribution to the overall negotiating process.

The fourth round of informal talks was held at the same venue as the third (16–18 December). The proposals of the parties of April 2007 were again presented, and each party continued to reject the proposal of the other as the sole basis for future negotiations. The atmosphere was once more affected by the aftermath of the Laayoune events. At the end of the round, the Personal Envoy called on the parties to create a new dynamic in 2011 and to avoid actions that undermined the creation of the atmosphere of trust needed for progress to be made.

During the year, UNHCR, WFP and WHO, in conjunction with the European Commission Humanitarian Office, the Spanish Agency for International Development Cooperation and several international and local NGOs, continued to provide assistance and protection to Western Saharan refugees in the camps near Tindouf.

GENERAL ASSEMBLY ACTION

On 10 December [meeting 62], the General Assembly, on the recommendation of the Fourth (Special Political and Decolonization) Committee [A/65/430], adopted **resolution 65/112** without vote [agenda item 59].

Question of Western Sahara

The General Assembly,

Having considered in depth the question of Western Sahara,

Reaffirming the inalienable right of all peoples to self-determination and independence, in accordance with the principles set forth in the Charter of the United Nations and General Assembly resolution 1514(XV) of 14 December 1960 containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recognizing that all available options for self-determination of the Territories are valid as long as they are in accordance with the freely expressed wishes of the people concerned and in conformity with the clearly defined principles contained in General Assembly resolutions 1514(XV) of 14 December 1960 and 1541(XV) of 15 December 1960 and other resolutions of the Assembly,

Recalling its resolution 64/101 of 10 December 2009,

Recalling also all resolutions of the General Assembly and the Security Council on the question of Western Sahara,

Recalling further Security Council resolutions 658(1990) of 27 June 1990, 690(1991) of 29 April 1991, 1359(2001) of 29 June 2001, 1429(2002) of 30 July 2002, 1495(2003)

of 31 July 2003, 1541(2004) of 29 April 2004, 1570(2004) of 28 October 2004, 1598(2005) of 28 April 2005, 1634(2005) of 28 October 2005, 1675(2006) of 28 April 2006 and 1720(2006) of 31 October 2006,

Underlining the adoption of Security Council resolutions 1754(2007) on 30 April 2007, 1783(2007) on 31 October 2007, 1813(2008) on 30 April 2008, 1871(2009) on 30 April 2009 and 1920(2010) on 30 April 2010,

Expressing its satisfaction that the parties met on 18 and 19 June 2007, on 10 and 11 August 2007, from 7 to 9 January 2008 and from 16 to 18 March 2008 under the auspices of the Personal Envoy of the Secretary-General and in the presence of the neighbouring countries and that they have agreed to continue the negotiations,

Also expressing its satisfaction at the holding of two informal meetings convened by the Personal Envoy of the Secretary-General on 9 and 10 August 2009 in Dürnstein, Austria, and on 10 and 11 February 2010 in Westchester County, United States of America, to prepare for the fifth round of negotiations,

Calling upon all the parties and the States of the region to cooperate fully with the Secretary-General and his Personal Envoy and with each other,

Reaffirming the responsibility of the United Nations towards the people of Western Sahara,

Welcoming, in this regard, the efforts of the Secretary-General and his Personal Envoy in search of a mutually acceptable political solution to the dispute, which will provide for the self-determination of the people of Western Sahara,

Having examined the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2010,

Having also examined the report of the Secretary-General,

1. *Takes note* of the report of the Secretary-General;
2. *Supports* the process of negotiations initiated by Security Council resolution 1754(2007) and further sustained by Council resolutions 1783(2007), 1813(2008), 1871(2009) and 1920(2010) with a view to achieving a just, lasting and mutually acceptable political solution, which will provide for the self-determination of the people of Western Sahara, and commends the efforts undertaken by the Secretary-General and his Personal Envoy in this respect;

3. *Welcomes* the commitment of the parties to continue to show political will and work in an atmosphere propitious for dialogue, in order to enter into a more intensive phase of negotiations, in good faith and without preconditions, taking note of efforts and developments since 2006, thus ensuring implementation of Security Council resolutions 1754(2007), 1783(2007), 1813(2008), 1871(2009) and 1920(2010) and the success of negotiations;

4. *Also welcomes* the ongoing negotiations between the parties held on 18 and 19 June 2007, on 10 and 11 August 2007, from 7 to 9 January 2008 and from 16 to 18 March 2008 in the presence of the neighbouring countries and under the auspices of the United Nations;

5. *Calls upon* the parties to cooperate with the International Committee of the Red Cross, and calls upon them to abide by their obligations under international humanitarian law;

6. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to consider the situation in Western Sahara and to report thereon to the General Assembly at its sixty-sixth session;

7. *Invites* the Secretary-General to submit to the General Assembly at its sixty-sixth session a report on the implementation of the present resolution.

MINURSO

The United Nations Mission for the Referendum in Western Sahara (MINURSO), established by Security Council resolution 690(1991) [YUN 1991, p. 794], was mandated to help the Council achieve a just, lasting and mutually acceptable political solution that would provide for the self-determination of the people of Western Sahara. The Council, by resolution 1920(2010) (see p. 310), extended the Mission's mandate for another 12 months, until 30 April 2011.

MINURSO continued to monitor compliance with the formal ceasefire between Frente Polisario and Morocco. Military Agreement No. 1, which MINURSO had signed separately with the parties [YUN 1998, p. 194], remained the basic legal instrument governing the ceasefire monitoring of the disputed Territory of Western Sahara. The Mission's military observers carried out monitoring through a combination of ground and air patrols and observation posts, and through inspections of larger-than-company-size military units. Bilateral Military Agreements Nos. 2 and 3 [YUN 1999, p. 180], committing both parties to cooperating with MINURSO in the exchange of mine-related information, marking of mined areas and destruction of mines and unexploded ordnance, remained in force.

MINURSO was headed by Hany Abdel-Aziz (Egypt), Special Representative for Western Sahara, who had been appointed in October 2009 [YUN 2009, p. 209].

Financing

A performance report by the Secretary-General on the MINURSO budget for the period from 1 July 2008 to 30 June 2009 [A/64/602] showed expenditures of \$45,068,800 gross, against appropriations of \$45,600,800 approved by the General Assembly in resolution 62/268 [YUN 2008, p. 324], leaving an unencumbered balance of \$540,000. The report also showed other income amounting to \$1,098,500 from interest income, other/miscellaneous income and cancellation of prior-period obligations, offset by prior-period adjustments.

On 27 January, the Secretary-General submitted the MINURSO budget for the period from 1 July 2010 to 30 June 2011 [A/64/636], requesting appropriations of \$58,230,900, exclusive of budgeted voluntary contributions in kind in the amount of \$2,908,000.

In a 19 March report [A/64/660/Add.2], ACABQ recommended that in connection with the financing of MINURSO from 1 July 2008 to 30 June 2009, the unencumbered balance of \$540,000, as well as other income in the amount of \$1,098,500, be credited to Member States. With regard to the 2010–2011 budget, the Advisory Committee recommended appropriations of \$58,100,400, should the Council decide to extend the Mission's mandate beyond 30 April 2010.

GENERAL ASSEMBLY ACTION

On 24 June [meeting 101], the General Assembly, on the recommendation of the Fifth Committee [A/64/832], adopted **resolution 64/284** without vote [agenda item 160].

Financing of the United Nations Mission for the Referendum in Western Sahara

The General Assembly,

Having considered the reports of the Secretary-General on the financing of the United Nations Mission for the Referendum in Western Sahara and the related report of the Advisory Committee on Administrative and Budgetary Questions,

Recalling Security Council resolution 690(1991) of 29 April 1991, by which the Council established the United Nations Mission for the Referendum in Western Sahara, and the subsequent resolutions by which the Council extended the mandate of the Mission, the latest of which was resolution 1920(2010) of 30 April 2010, by which the Council extended the mandate of the Mission until 30 April 2011,

Recalling also its resolution 45/266 of 17 May 1991 on the financing of the Mission and its subsequent resolutions and decisions thereon, the latest of which was resolution 63/300 of 30 June 2009,

Reaffirming the general principles underlying the financing of United Nations peacekeeping operations, as stated in General Assembly resolutions 1874(S-IV) of 27 June 1963, 3101(XXVIII) of 11 December 1973 and 55/235 of 23 December 2000,

Noting with appreciation that voluntary contributions have been made to the Mission,

Mindful of the fact that it is essential to provide the Mission with the financial resources necessary to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

1. *Requests* the Secretary-General to entrust the Head of Mission with the task of formulating future budget proposals in full accordance with the provisions of General Assembly resolutions 59/296 of 22 June 2005, 60/266 of 30 June 2006, 61/276 of 29 June 2007 and 64/269 of 24 June 2010, as well as other relevant resolutions;

2. *Takes note* of the status of contributions to the United Nations Mission for the Referendum in Western Sahara as at 30 April 2010, including the contributions outstanding in the amount of 44.5 million United States dollars, representing some 6 per cent of the total assessed

contributions, notes with concern that only ninety-three Member States have paid their assessed contributions in full, and urges all other Member States, in particular those in arrears, to ensure payment of their outstanding assessed contributions;

3. *Expresses its appreciation* to those Member States which have paid their assessed contributions in full, and urges all other Member States to make every possible effort to ensure payment of their assessed contributions to the Mission in full;

4. *Expresses concern* at the financial situation with regard to peacekeeping activities, in particular as regards the reimbursements to troop contributors that bear additional burdens owing to overdue payments by Member States of their assessments;

5. *Also expresses concern* at the delay experienced by the Secretary-General in deploying and providing adequate resources to some recent peacekeeping missions, in particular those in Africa;

6. *Emphasizes* that all future and existing peacekeeping missions shall be given equal and non-discriminatory treatment in respect of financial and administrative arrangements;

7. *Also emphasizes* that all peacekeeping missions shall be provided with adequate resources for the effective and efficient discharge of their respective mandates;

8. *Reiterates its request* to the Secretary-General to make the fullest possible use of facilities and equipment at the United Nations Logistics Base at Brindisi, Italy, in order to minimize the costs of procurement for the Mission;

9. *Requests* the Secretary-General to ensure that proposed peacekeeping budgets are based on the relevant legislative mandates;

10. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions, subject to the provisions of the present resolution, and requests the Secretary-General to ensure their full implementation;

11. *Requests* the Secretary-General to take all necessary action to ensure that the Mission is administered with a maximum of efficiency and economy;

12. *Also requests* the Secretary-General, in order to reduce the cost of employing General Service staff, to continue efforts to recruit local staff for the Mission against General Service posts, commensurate with the requirements of the Mission;

Financial performance report for the period from 1 July 2008 to 30 June 2009

13. *Takes note* of the report of the Secretary-General on the financial performance of the Mission for the period from 1 July 2008 to 30 June 2009;

Budget estimates for the period from 1 July 2010 to 30 June 2011

14. *Decides* to appropriate to the Special Account for the United Nations Mission for the Referendum in Western Sahara the amount of 60,605,300 dollars for the period from 1 July 2010 to 30 June 2011, inclusive of 57,130,500 dollars for the maintenance of the Mission, 2,942,900 dollars for the support account for peacekeeping operations and 531,900 dollars for the United Nations Logistics Base;

Financing of the appropriation for the period from 1 July 2010 to 30 June 2011

15. *Also decides* to apportion among Member States the amount of 50,504,420 dollars for the period from 1 July 2010 to 30 April 2011, in accordance with the levels updated in General Assembly resolution 64/249 of 24 December 2009, and taking into account the scale of assessments for 2010 and 2011, as set out in Assembly resolution 64/248 of 24 December 2009;

16. *Further decides* that, in accordance with the provisions of its resolution 973(X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 15 above, their respective share in the Tax Equalization Fund of 2,245,170 dollars, comprising the estimated staff assessment income of 2,006,750 dollars approved for the Mission, the prorated share of 203,000 dollars of the estimated staff assessment income approved for the support account and the prorated share of 35,420 dollars of the estimated staff assessment income approved for the United Nations Logistics Base;

17. *Decides* to apportion among Member States the amount of 10,100,880 dollars for the period from 1 May to 30 June 2011, at a monthly rate of 5,050,442 dollars, in accordance with the levels updated in resolution 64/249, and taking into account the scale of assessments for 2011, as set out in resolution 64/248, subject to a decision of the Security Council to extend the mandate of the Mission;

18. *Also decides* that, in accordance with the provisions of resolution 973(X), there shall be set off against the apportionment among Member States, as provided for in paragraph 17 above, their respective share in the Tax Equalization Fund of 449,030 dollars, comprising the estimated staff assessment income of 401,350 dollars approved for the Mission, the prorated share of 40,600 dollars of the estimated staff assessment income approved for the support account and the prorated share of 7,080 dollars of the estimated staff assessment income approved for the United Nations Logistics Base;

19. *Further decides* that, for Member States that have fulfilled their financial obligations to the Mission, there shall be set off against their apportionment, as provided for in paragraph 15 above, their respective share of the unencumbered balance and other income in the total amount of 1,638,500 dollars in respect of the financial period ended 30 June 2009, in accordance with the levels updated in General Assembly resolution 61/243 of 22 December 2006, and taking into account the scale of assessments for 2009, as set out in resolution 61/237 of 22 December 2006;

20. *Decides* that, for Member States that have not fulfilled their financial obligations to the Mission, there shall be set off against their outstanding obligations their respective share of the unencumbered balance and other income in the total amount of 1,638,500 dollars in respect of the financial period ended 30 June 2009, in accordance with the scheme set out in paragraph 19 above;

21. *Also decides* that the increase of 46,300 dollars in the estimated staff assessment income in respect of the financial period ended 30 June 2009 shall be added to the credits from the amount of 1,638,500 dollars referred to in paragraphs 19 and 20 above;

22. *Emphasizes* that no peacekeeping mission shall be financed by borrowing funds from other active peacekeeping missions;

23. *Encourages* the Secretary-General to continue to take additional measures to ensure the safety and security of all personnel participating in the Mission under the auspices of the United Nations, bearing in mind paragraphs 5 and 6 of Security Council resolution 1502(2003) of 26 August 2003;

24. *Invites* voluntary contributions to the Mission in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure and practices established by the General Assembly;

25. *Decides* to include in the provisional agenda of its sixty-fifth session the item entitled "Financing of the United Nations Mission for the Referendum in Western Sahara".

Other issues

Madagascar

Communications. On 4 March [S/2010/117], the AU Permanent Observer Mission forwarded to the Security Council a report of the Chairperson of the Commission on the situation in Madagascar since the eruption of the political crisis there in March 2009 [YUN 2009, p. 310], and the related communiqué issued by the AU Peace and Security Council at its 19 February meeting (Addis Ababa, Ethiopia), as well as a communiqué on the situation in the Niger issued at the same meeting.

On 19 March [S/2010/149], the AU Permanent Observer transmitted a copy of the communiqué on sanctions against Madagascar, adopted by the AU Peace and Security Council at its 17 March meeting (Addis Ababa).

By letters of 12 and 17 August [A/65/502, A/65/503], Madagascar transmitted to the General Assembly the political agreements signed by different political parties (Antananarivo, 9 and 13 August, respectively) to resolve the crisis and permit the holding of free, credible, transparent and democratic elections.

Mauritius–United Kingdom

Communications. By a 1 March letter to the Human Rights Council [A/HRC/13/G/14], Mauritius reiterated that the Chagos Archipelago, including Diego Garcia, was part of the territory of Mauritius. The Archipelago had been illegally excised by the United Kingdom from the territory of Mauritius prior to its independence, Mauritius charged, in total disregard of General Assembly resolutions 1514(XV) [YUN 1960, p. 49] and 2066(XX) [YUN 1965, p. 587]. Mauritius had never relinquished its sovereignty over the Archipelago, and since the illegal excision it had consistently and persistently pressed the United Kingdom, in both bilateral and multilateral forums, for the Archipelago's early and unconditional return.

Mauritius did not recognize the so-called “British Indian Ocean Territory” or any “British Overseas Territory in the Indian Ocean” or “UK Overseas Territory of Diego Garcia” in so far as those terms purported to describe or refer to the Chagos Archipelago. Mauritius deplored the fact that it was still not in a position to exercise effective control over the Archipelago as a result of the illegal excision of its territory.

Mauritius also viewed with the utmost concern the use of its territory for activities that might be in breach of the 1966 International Covenant on Civil and Political Rights [YUN 1966, p. 406] and other international human rights treaties, such as the 1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment [YUN 1984, p. 812]. In February 2008, Mauritius had expressed to the United Kingdom and the United States its grave concern about the use of its territory for activities that blatantly contravened basic human rights principles.

On 11 March [A/HRC/13/G/17], the United Kingdom replied that it had no doubt about its sovereignty over

the British Indian Ocean Territory, which was ceded to Britain in 1814 and had been a British dependency ever since. As the United Kingdom had reiterated in many occasions, it had undertaken to cede the Territory to Mauritius when it was no longer required for defence purposes.

Speaking before the General Assembly on 28 September [A/65/PV.21], Mauritius said it was deeply concerned that on 1 April the United Kingdom had decided to declare unilaterally a maritime protected area around the Chagos Archipelago, allegedly to protect the marine environment. Mauritius had decided not to recognize the existence of the so-called maritime protected area, and urged the United Kingdom once again to return the Archipelago to Mauritius unconditionally and without delay. Mauritius had drawn the Assembly’s attention every year to the fact that it had sovereignty over the Chagos Archipelago, including Diego Garcia, and had raised the issue of its sovereignty over the Archipelago with successive British Governments. Although bilateral talks were initiated in January 2009, the issue had yet to be addressed.

Americas

During 2010, the United Nations continued to advance the cause of lasting peace, human rights, good governance and the rule of law in the Americas, as well as to respond to natural disasters and humanitarian emergencies that also affected political stability.

The 12 January earthquake in Haiti took an estimated 222,750 lives and destroyed 105,000 homes. The Head of the United Nations Stabilization Mission in Haiti (MINUSTAH), his deputy and 100 other UN personnel were killed. The United Nations response to the earthquake was one of the largest ever mounted. The Security Council increased the overall force level of MINUSTAH to support the immediate recovery, reconstruction and stability efforts. Nearly 1.5 million people were sheltered and regularly provided with food, clean water and medical care. In October, ten months after the earthquake, a cholera outbreak was confirmed in Haiti. The epidemic quickly spread throughout the country, killing more than 2,000 people in less than two months. The suggestion that UN peacekeepers based in the central town of Mirebalais might have brought the disease to Haiti caused violent protests in several cities. In those circumstances, elections were held on 28 November to choose a new president and a 99-member Parliament, and to renew the mandate of one-third of the Senate. Widespread allegations of vote rigging emerged shortly after the Provisional Electoral Council announced that one of the presidential front-runners, Michel Martelly, had failed by a thin margin to secure sufficient votes to run in the second round. Protesters in the capital and other cities subsequently demanded a cancellation of the election results. The Security Council called on all political actors to work through the electoral process to ensure that the will of the people was reflected in the outcome.

The International Commission against Impunity in Guatemala continued to implement its mandate. In December, the Secretary-General provided the General Assembly with an update on the activities of the Commission, and the role of the United Nations in implementing its mandate.

In October, Costa Rica complained about dredging operations carried out by Nicaragua in the San Juan River, which represented a violation of territorial sovereignty and caused environmental damage on Costa Rican soil. Nicaragua rejected Costa Rica's claims, stating that the clean-up of the river had been carried out in Nicaraguan territory. In November,

Costa Rica instituted proceedings against Nicaragua before the International Court of Justice.

As in previous years, the General Assembly called on States to refrain from promulgating laws and measures such as the ongoing embargo against Cuba by the United States.

Central America

In 2010, Central America further consolidated peace and built democratic and equitable societies on the foundation developed in years of successful UN peacemaking efforts. The United Nations continued to assist the region through development programming, the good offices of the Secretary-General and other means.

Communication. On 8 March [A/64/720], Mexico transmitted to the General Assembly the Latin American and Caribbean Unity Summit Declaration and the Cancún Declaration, adopted during the first Latin American and Caribbean Unity Summit (Mayan Riviera, Mexico, 22–23 February).

On 27 July [A/65/179], Honduras informed the Secretary-General of actions taken by the President of Honduras, Porfirio Lobo Sosa, to promote the unity and reconciliation of that country, with a view to strengthening democracy.

On 24 December, by **decision 65/544**, the Assembly decided that the item on the situation in Central America: progress in fashioning a region of peace, freedom, democracy and development would remain for consideration during its resumed sixty-fifth (2011) session.

Guatemala

International Commission against Impunity

In 2010, the International Commission against Impunity in Guatemala (CICIG), established in 2007 [YUN 2007, p. 308] with the concurrent entry into force of the 2006 agreement between the country and the United Nations [YUN 2006, p. 870], continued to implement its mandate. Under the terms of the agreement, which set up the Commission as an independent, non-UN organ, the main CICIG objective was to assist, strengthen and support State institutions responsible for investigating and prosecuting crimes allegedly committed by illegal security forces and

clandestine security organizations, and other criminal conduct related to those entities.

Communications. On 8 March [A/64/718], Mexico transmitted to the General Assembly the Special Declaration on Guatemala, adopted at the first Latin American and Caribbean Unity Summit (Mayan Riviera, 22–23 February). In the Declaration, the Heads of State and Government of Latin America and the Caribbean thanked the President of Guatemala, Álvaro Colom, for the information he provided on the results of the investigation of the Rosenberg affair (see below) conducted by CICIG, which absolved the President, his wife and his private secretary of the charges made against them.

On 5 November [A/65/582], Guatemala requested the Assembly President to include in the agenda of the Assembly's sixty-fifth (2011) session the item on the situation in Central America. The Assembly included the item on 24 December (see p. 317).

CICIG activities. On 10 December [A/65/618], the Secretary-General updated the Assembly on the work of CICIG. The Commission was beginning its fourth year of operations, and many of its investigations had reached the trial stage. It was investigating 27 cases, and in 29 others had provided technical and investigative support to the Special Prosecutor's Unit—its main counterpart in the Public Prosecutor's Office. The most notable cases included those against former President Alfonso Portillo for illicit enrichment; the investigation into alleged extrajudicial executions committed at the Pavón penitentiary; and the investigation into the murder of attorney Rodrigo Rosenberg in 2009. In the Rosenberg case, in which CICIG acted as a complementary prosecutor, convictions were secured for the crimes of murder, illicit association and illegal possession of firearms.

CICIG promoted legal reforms to strengthen the fight against impunity. One of its proposals contributed to the approval of a 2009 decree reforming the Law on Criminal Jurisdiction in High-Risk Proceedings. In 2010, Congress approved a decree reforming the Code of Criminal Procedure. Many of its proposed legal reforms, however, had not seen substantial progress in Congress. CICIG also prepared thematic reports on issues ranging from illegal adoptions to firearms and munitions.

A number of CICIG investigations had touched upon powerful interests, including within Guatemalan institutions of justice. In that context, CICIG had not been exempt from criticism and had also faced a worrisome security environment. CICIG required strong international backing as it sought to finalize investigations, transfer knowledge and practice to Guatemalan institutions and promote the adoption of a legal framework that enabled a more effective fight against impunity.

Following the resignation of Commissioner Carlos Castresana (Spain) on 7 June, the Secretary-General, on 2 July, appointed Francisco Dall'Anese Ruiz (Costa Rica), the former Attorney-General of Costa Rica, to head the Commission.

In a 6 October letter to the Secretary-General, President Colom, noting that the period remaining in the Commission's mandate was insufficient to achieve the objectives laid out in the 2006 agreement between the United Nations and Guatemala [YUN 2006, p. 870], requested an extension of its mandate until 3 September 2013. The Secretary-General expressed support for such an extension.

GENERAL ASSEMBLY ACTION

On 20 December [meeting 69], the General Assembly adopted **resolution 65/181** [draft: A/65/L.51 & Add.1] without vote [agenda item 42].

International Commission against Impunity in Guatemala

The General Assembly,

Recalling its relevant resolutions on the situation in Central America, and particularly resolution 64/7 of 28 October 2009 regarding the activities of the International Commission against Impunity in Guatemala, created as a result of the Agreement between the United Nations and the State of Guatemala, which entered into force on 4 September 2007,

Bearing in mind that the Commission has carried out its activities through voluntary contributions of Member States and other donors from the international community and that the Government of Guatemala has provided additional budgetary allotments to State institutions to support their work in collaboration with the Commission,

Recalling that in paragraph 6 of resolution 64/7 the General Assembly requested the Secretary-General to periodically keep the Assembly apprised of the work of the Commission,

1. *Takes note with appreciation* of the letter dated 10 December 2010 from the Secretary-General regarding the new developments related to the International Commission against Impunity in Guatemala, particularly the change in its leadership as well as the request of the Government of Guatemala to extend its mandate for an additional two years until 3 September 2013;

2. *Calls upon* the Government of Guatemala to continue providing all the support necessary to consolidate the achievements and overcome the challenges facing the work of the Commission as well as to redouble its efforts to strengthen the institutions that buttress the rule of law and the defence of human rights in Guatemala;

3. *Expresses its appreciation* to those Member States and other donors that have supported the Commission, through voluntary contributions, financial and in kind, and urges them to continue their support;

4. *Requests* the Secretary-General to continue to periodically keep the General Assembly apprised of the work of the Commission and the implementation of the present resolution.

Nicaragua–Costa Rica

On 28 October [A/65/547], Nicaragua transmitted to the Secretary-General its 26 October reply to a 21 October letter of protest from Costa Rica regarding Nicaragua's dredging operations in the San Juan River. Nicaragua rejected the claims made by Costa Rica, since the clean-up of the river had been carried out in Nicaraguan territory. It protested against the repeated violations of its territory by Costa Rican troops; rejected the incursion into its territory by two armed judicial police officers, who were detained by border patrols and returned to Costa Rica; and proposed that the Binational Commission resume action to increase the number of boundary markers, on the basis of the rights set out in the Jerez-Cañas Boundary Treaty and subsequent Cleveland and Alexander arbitral awards.

On 3 November [A/65/558], Costa Rica transmitted two notes it had sent to Nicaragua on 1 November concerning violations of its territory by Nicaragua in the area of Finca Aragón, Isla Calero, Province of Limón. Costa Rica stated that its flag was removed and replaced by a Nicaraguan flag, and Nicaraguan army personnel had established themselves in that area. Nicaragua's dredging operations in the San Juan River violated Costa Rica's territorial sovereignty and caused environmental damage on Costa Rican soil. The matter of the dredging should be included on the agenda of the next binational meeting. The dredging operations should be suspended and Nicaraguan forces should withdraw from Costa Rican territory.

On 5 November [A/65/561], Costa Rica transmitted a 3 November statement by the President of Costa Rica, Laura Chinchilla Miranda, as well as an account of recent events. According to media reports, Nicaragua wanted to divert to the San Juan River (Nicaraguan waters but authorized for Costa Rican use for civilian purposes) 1,700 cubic metres per second of the flow of the Colorado river, which was entirely Costa Rican. In October, Edén Pastora Gómez, the overseer of the dredging, and Nicaraguan soldiers, on the pretext of dredging work, entered Finca Aragón, in Costa Rican territory. On 21 October, Costa Rica sent law enforcement personnel to the area to evaluate the situation. On 22 October, Costa Rican officials found that an area of about 2,500 square metres of Costa Rican territory had been covered with sediment from dredging. There were signs that Nicaragua was trying to make the San Juan River flow directly into the Los Portillos Lake through an artificial canal, which would result in the removal of the north-west sector of Portillo Island—Costa Rican territory.

On 16 November [A/65/579], Nicaragua transmitted to the Secretary-General the Declaration by the Branches of Government of the Republic of Nicaragua regarding the supposed border dispute with Costa Rica. It stated that following the 2009 Judgment by

the International Court of Justice (ICJ) concerning the border between the two countries [YUN 2009, p. 1271], no border dispute existed with Costa Rica. In the face of an Organization of American States (OAS) Permanent Council meeting on 12 November, Nicaragua withdrew from any OAS activity relating to the supposed border dispute, since OAS was a political body, not a court or tribunal, and had no authority to hear any such dispute. Nicaragua would continue to exercise its rights in its national territory, and in the present case the Nicaraguan army had exercised its rights within its territory and at no time had invaded foreign territory. Nicaragua reiterated its right to continue the cleaning and dredging of the San Juan River, as well as its willingness to engage in negotiation to settle the dispute.

On 18 November, Costa Rica instituted proceedings before ICJ against Nicaragua (see p. 1285).

On 22 December [A/65/670], Nicaragua said that, on 21 December, vessels of the Nicaraguan navy detected two Costa Rican vessels entering Nicaraguan waters. On the same day, a Costa Rican Cessna aircraft violated Nicaraguan air space. On 23 December [A/65/673], Nicaragua reaffirmed the violations and rejected Costa Rica's attempt to justify them by alleging a military occupation of Costa Rican territory.

Nicaragua–Honduras

On 26 March [A/64/733], Honduras transmitted to the Secretary-General a letter dated 24 March from Honduras to Nicaragua concerning an incident involving the Honduran vessel *Jeimi*. Honduras stated that on 20 March, while that vessel was fishing in Honduran waters, the Nicaraguan navy fired several shots at it and a Nicaraguan patrol boat rammed it, killing one fisherman and shipwrecking the other. Honduras requested, through the Secretary-General, a thorough investigation by the Nicaraguan authorities and punishment of those responsible.

On 26 April [A/64/766], Honduras complained about the arbitrary seizure by the Nicaraguan navy on 22 April of the Colombian-flagged vessel *Laura Any*, which was in the waters of the exclusive economic zone under Honduran jurisdiction. That violation of international law was aimed at demonstrating an artificial and purely formal exercise of control in the area of Serranía, challenging Honduran jurisdiction in the maritime zone in which the seizure took place.

Haiti

In January 2010, Haiti suffered a devastating earthquake that claimed the lives of more than 200,000 victims, including 102 United Nations personnel.

The United Nations response to the earthquake was one of the largest ever mounted. The Security Council twice authorized increasing the force level of the United Nations Stabilization Mission in Haiti (MINUSTAH) to support the immediate recovery, reconstruction and stability efforts. In October, the Council renewed the mandate of MINUSTAH for a further year. Haitian presidential and legislative elections, after being postponed, were held in November. Following a cholera outbreak in October, the United Nations and international partners mounted a response. In December, the Secretary-General announced the creation of an independent panel to investigate the cholera epidemic.

12 January earthquake

On 12 January, Haiti was hit by a 7.0 magnitude earthquake, particularly affecting the capital, Port-au-Prince; Petit Goâve, Grand Goâve and Léogâne; the town of Jacmel; and the town of Miragoâne. According to the Government, 222,750 people (2 per cent of the population) were killed, many thousands were injured or permanently disabled, and 1.5 million were left homeless. The earthquake caused damage and losses estimated at \$7.8 billion—slightly more than the country's gross domestic product for 2009. The Secretary-General reported on the earthquake and the United Nations response to the disaster in April [S/2010/200 & Corr.1] and August [A/65/335].

Some 1.17 million persons were internally displaced in the Port-au-Prince area alone. Hundreds of thousands more fled the capital for the rural areas and provincial capitals, placing great stress on local communities and host families. State capacity was seriously affected. Two senators and up to one third of the country's 60,000 civil servants were killed. Many government buildings were destroyed or badly damaged.

The United Nations itself was also affected. The Hotel Christopher, headquarters of MINUSTAH, collapsed, and nearby offices and facilities were severely damaged. A total of 102 United Nations staff lost their lives, including the Secretary-General's Special Representative, Hédi Annabi; the Deputy Special Representative, Luiz Carlos da Costa; the Acting Police Commissioner, Douglas Coates; the Director of Political Affairs, Gerard Le Chevallier; and the Head of the Elections Unit, Marc Plum. The United Nations suffered its greatest single loss of life in its history.

The immediate response was led by the Haitian population. Local communities provided support to the injured and conducted countless rescue efforts, saving thousands of lives. At the same time, the Government and the international community mobilized their response. Within hours of the earthquake, the United Nations and a number of Member States

launched emergency relief operations. Specialized military and civilian units undertook search-and-rescue operations, and established field hospitals. The units also supported life-saving assistance efforts and the restoration of key infrastructure. Despite its own losses, MINUSTAH acted as a crucial first responder, opening the major arterial road from the Port-au-Prince airport to the town centre, re-establishing communications and opening its medical facilities to victims.

On 13 January, the Office for the Coordination of Humanitarian Affairs (OCHA) deployed a disaster assessment and coordination team to identify priority needs. On the same day, the Secretary-General ordered \$10 million to be released from the Central Emergency Response Fund (CERF) to kick-start the Organization's response. On 14 January, the Secretary-General sent the Assistant Secretary-General for the Office of Operations in the Department of Peacekeeping Operations, Edmond Mulet, to Haiti as his Acting Special Representative.

The United States and Canada began to deploy disaster assistance troops to the most affected areas within 72 hours of the earthquake, and built up to a presence of 18,500 and 2,000 troops, respectively, by the end of January.

In the days following the earthquake, hundreds of bilateral aid agencies, non-governmental organizations and individuals sent emergency assistance. Calls for financial assistance received an overwhelming response. As at 15 April, CERF had allocated \$36 million towards the response; the Emergency Relief Response Fund for Haiti, supported by OCHA, had received \$83 million; and a revised flash appeal had received \$747 million.

The Secretary-General, along with the United Nations Emergency Relief Coordinator, John Holmes, and other senior officials, visited Haiti's disaster-affected areas on 17 January, meeting with Haitian President René Préval, other government officials and representatives from MINUSTAH.

The Secretary-General proposed a surge effort by MINUSTAH to provide additional technical, operational and logistical support in order to support the Government in meeting its responsibilities, and called on the Security Council to support his proposal.

Security Council press statements. In a 13 January press statement [SC/9842], the Security Council conveyed its sympathy and solidarity to all those affected by the earthquake, and expressed its support for the Government and the people of Haiti, and for international efforts to assist Haiti. It expressed its gratitude for the work of MINUSTAH and expressed concern for the situation of its staff and troops, as well as for that of the staff of other UN and international

organizations. The Council urged the international community to continue to assist in search-and-rescue operations.

In an 18 January press statement [SC/9846], the Council extended its condolences to the families of Special Representative Annabi, Principal Deputy Special Representative da Costa, Acting United Nations Police Commissioner Coates, and all other members of MINUSTAH and other UN and international organizations who had given their lives. It expressed its support for the Secretary-General's proposal to increase the overall level of MINUSTAH to support the recovery and stability efforts.

Communication. On 18 January [S/2010/27], Mexico transmitted to the Security Council a working document regarding the situation in Haiti.

SECURITY COUNCIL ACTION

On 19 January [meeting 6261], the Security Council unanimously adopted **resolution 1908(2010)**. The draft [S/2010/29] was submitted by 21 Member States.

The Security Council,

Reaffirming its previous resolutions on Haiti, in particular resolutions 1542(2004) of 30 April 2004, 1576(2004) of 29 November 2004, 1608(2005) of 22 June 2005, 1658(2006) of 14 February 2006, 1702(2006) of 15 August 2006, 1743(2007) of 15 February 2007, 1780(2007) of 15 October 2007, 1840(2008) of 14 October 2008 and 1892(2009) of 13 October 2009,

Expressing its deepest sympathy and solidarity to all those affected by the devastating earthquake of 12 January 2010 in Haiti, and to their families,

Further expressing its deepest gratitude for the work of the staff and troops of the United Nations Stabilization Mission in Haiti, as well as for the work of the staff of other United Nations and international organizations in Haiti,

Recognizing the dire circumstances and the urgent need for a response,

Welcoming the efforts of Member States to support the Government and people of Haiti and the Mission,

1. *Endorses* the recommendation made by the Secretary-General to increase the overall force levels of the United Nations Stabilization Mission in Haiti to support the immediate recovery, reconstruction and stability efforts;

2. *Decides*, therefore, that the Mission shall consist of a military component of up to 8,940 troops of all ranks and a police component of up to 3,711 police and that it will keep the new levels of troops and police in the Mission under review, as necessary;

3. *Decides also* to remain seized of the matter.

General Assembly action. In **resolution 64/250** of 22 January (see p. 931), the General Assembly appealed to Member States, UN system bodies, international financial institutions and development agencies to provide support for Haiti's relief, recovery, rehabilitation, reconstruction and development efforts.

Political and security developments

Report of Secretary-General (April). The Secretary-General reported in April [S/2010/200 & Corr.1] that the 12 January earthquake interrupted relatively smooth progress towards legislative, presidential and municipal elections scheduled for 2010. Two new parties had emerged: *Inité* (Unity), President Préval's platform, and *Alternative Patriotique pour le Progrès*, a coalition that included the *Fusion des Sociaux-Démocrates*, the *Organisation du Peuple en Lutte* and *Konfederasyon Inité Demokratik*. The coalition was considered the principal opposition party. On 27 January, President Préval announced the postponement of the legislative elections scheduled for February.

On 31 March, the Government's Action Plan for National Recovery and Development was presented to an international donor conference at UN Headquarters in New York. Donors pledged more than \$9 billion, of which \$5 billion was pledged for the 2010–2011 period. Implementation would be guided by the principles adopted at the Ministerial Preparatory Conference on Haiti (Montreal, Canada, 25 January). Despite criticism by the opposition of the Government's handling of the earthquake response, wide consultations by MINUSTAH with political and civil society actors indicated a broad acceptance of the need for political and social stability to allow for reconstruction and to ensure a democratic transfer of power. On 15 April, the Senate adopted the law on the state of emergency, as approved by the Chamber of Deputies on 5 April. The law extended the state of emergency for an 18-month period, and created the Interim Haiti Recovery Commission, giving the executive branch significant powers to implement the reconstruction plan presented at the 31 March donor conference.

The security environment remained generally calm. Initial fears of large-scale looting and violence in the aftermath of the earthquake did not materialize. Nevertheless, a number of crime-related incidents affected the humanitarian effort.

Despite its losses, MINUSTAH made extraordinary efforts to restore its capacity and acted decisively to respond to post-earthquake needs. In the immediate aftermath of the earthquake, MINUSTAH provided vital logistical and administrative support for rescue and relief operations. It conducted search-and-rescue efforts at the former MINUSTAH headquarters and the Montana Hotel, provided security support for humanitarian operations, performed initial damage assessments and cleared critical roads in the Port-au-Prince area. The MINUSTAH Logistics Base in Port-au-Prince, which suffered relatively little damage, became the centre of operations for most UN actors, and provided space and basic facilities to many non-UN humanitarian responders. Given the scale of

losses of the national police, MINUSTAH focused on supporting the capacity of the police to maintain security and public order. Increased patrols and security at key locations, including banks and warehouses, helped to create confidence, deter looting and foster re-establishment of economic activity. As settlements for displaced persons expanded, the focus of police activity shifted to protection in those locations, especially for the most vulnerable. Noting the vulnerability of displaced women and girls, and the loss of many prominent gender activists and senior cadres of the Ministry in Charge of Women and Women's Rights, MINUSTAH provided technical support for integrating gender concerns into post-disaster activities.

The Secretary-General recommended that the Security Council authorize an expansion of the MINUSTAH police component to help the Haitian National Police establish a sustainable and visible police presence, including to protect camps for internally displaced persons (IDPs) and maintain an environment conducive to free and fair elections; and maintain capable special national police units to detain dangerous escapees and confront the risk of gang violence. To that end, he recommended an increase of 680 police personnel, representing 200 UN police and three self-sustaining formed police units, in addition to the force levels authorized by the Council in its resolution 1908(2010).

Security Council consideration (April). Addressing the Council on 28 April [S/PV.6303], the Secretary-General's Special Representative and head of MINUSTAH, Mr. Mulet, reported that the MINUSTAH troops and police provided security throughout the country and logistical support for the distribution of assistance to over 1 million individuals. The provision of temporary shelter and sanitation facilities were the main priorities. Haiti's return to stability depended on adherence to the political and electoral timetable to enable a constitutional handover of power in February 2011. The challenge for the United Nations was to help create an environment in which the outpouring of international goodwill and generosity could be translated into much-needed practical support.

SECURITY COUNCIL ACTION

On 4 June [meeting 6330], the Security Council unanimously adopted **resolution 1927(2010)**. The draft [S/2010/277] was submitted by Argentina, Austria, Brazil, Canada, Chile, France, Guatemala, Japan, Mexico, Peru, Spain, the United States and Uruguay.

The Security Council,

Reaffirming its previous resolutions on Haiti, in particular resolutions 1542(2004) of 30 April 2004, 1576(2004) of 29 November 2004, 1608(2005) of 22 June 2005, 1658(2006) of 14 February 2006, 1702(2006) of 15 August 2006, 1743(2007) of 15 February 2007, 1780(2007)

of 15 October 2007, 1840(2008) of 14 October 2008, 1892(2009) of 13 October 2009 and 1908(2010) of 19 January 2010,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Haiti,

Recognizing the significant devastation that has been suffered by the Government and people of Haiti, expressing concern regarding the new challenges and threats as a result of the earthquake of 12 January 2010, and stressing the need for the United Nations Stabilization Mission in Haiti to continue to focus its work on ensuring Haiti's security and stability as currently mandated by the Security Council,

Sharing the Secretary-General's assessment of the impact of the earthquake, which has not destroyed the gains towards stabilization made in the past few years but has created new obstacles as well as new opportunities,

Recognizing the need for expanded assistance by the international community to the Government of Haiti in order to allow State institutions to continue operations, provide basic services and build State capacity, and acknowledging the valuable supporting role that the Mission can play in this regard,

Welcoming the establishment of priorities by the Government of Haiti in its Action Plan for National Recovery and Development of Haiti presented at the International Donors' Conference on 31 March 2010, and encouraging the international community to align its activities with the Action Plan,

Welcoming also the significant contributions of the international community, particularly at the International Donors' Conference on the theme "Towards a New Future for Haiti", held in New York on 31 March 2010, and urging donors to fulfil their pledges in a timely manner,

Commending the extraordinary efforts undertaken by the United Nations to respond to the earthquake, recognizing the critical role of the Mission in ensuring stability and security in Haiti, and also recognizing the complementary roles that the Mission and the United Nations country team have fulfilled to date in assisting Haiti in its recovery efforts, and reaffirming the authority of the Special Representative of the Secretary-General for Haiti in the co-ordination and conduct of all activities of United Nations agencies, funds and programmes in Haiti,

Stressing the leading role of the Government of Haiti in its post-disaster recovery and reconstruction process, and underlining the necessity for increased coordination and complementary efforts among all United Nations actors and other relevant stakeholders in assisting the Government in this regard,

Reaffirming the need for the Haitian authorities to continue their efforts to promote and protect human rights, including by strengthening national human rights institutions, as well as putting an end to impunity and ensuring the rule of law and security,

Stressing the importance of holding municipal, legislative and presidential elections in a timely manner, welcoming the intention of the Haitian authorities to do so, and encouraging all political parties and relevant stakeholders to work together towards this end and to promote the participation of women in the electoral process,

Welcoming the report of the Secretary-General of 22 April 2010, and the recommendations contained therein,

Acting under Chapter VII of the Charter of the United Nations, as described in section I of paragraph 7 of resolution 1542(2004),

1. *Authorizes* the deployment of a further 680 police in addition to the police strength authorized by resolution 1908(2010), as a temporary surge capacity with clearly defined objectives and a particular focus on building the capacity of the Haitian National Police;

2. *Decides*, therefore, that the United Nations Stabilization Mission in Haiti shall consist of a military component of up to 8,940 troops of all ranks and a police component of up to 4,391 police and that it will keep the new levels of troops and police in the Mission under close and regular review, including through the electoral period and subsequent constitutional transfer of power, and requests the Secretary-General to include in his upcoming report to the Security Council an assessment of the implementation of resolution 1908(2010) and the present resolution;

3. *Reiterates* that the ownership and primary responsibility for stabilization and development lies with the Government and people of Haiti, and recognizes the supporting role of the Mission in this regard;

4. *Recognizes* the need for the Mission to assist the Government of Haiti in providing adequate protection of the population, with particular attention to the needs of internally displaced persons and other vulnerable groups, especially women and children, including through additional joint community policing in the camps, along with strengthened mechanisms to address sexual and gender-based violence; and to tackle the risk of a resurgence in gang violence, organized crime and trafficking in children;

5. *Requests* the Mission to continue, within its current mandate, its collaboration with the Office for the Coordination of Humanitarian Affairs of the Secretariat and the United Nations country team in supporting the humanitarian and recovery efforts, and further encourages all actors to continue to engage in joint planning and coordination at the national and local levels;

6. *Underscores* the importance of the planning documents for the military and police components, such as the concept of operations and rules of engagement, being regularly updated, as appropriate, and in line with the provisions of all its relevant resolutions, and requests the Secretary-General to report on them to the Council and troop- and police-contributing countries;

7. *Encourages* the Mission to provide logistical support and technical expertise, within available means, to assist the Government of Haiti, as requested, to continue operations to build the capacity of its rule of law institutions at the national and local levels, and to speed up the implementation of the Government's resettlement strategy for displaced persons, in the knowledge that such measures are temporary and will be phased out as Haitian national capacity grows;

8. *Requests* the Mission to continue its support to the Government of Haiti and to the Provisional Electoral Council, as requested, in the preparation and conduct of Haiti's elections, and to coordinate international electoral assistance to Haiti in cooperation with other international stakeholders, including the Organization of American States;

9. *Decides* to remain seized of the matter.

Ad Hoc Advisory Group. The Ad Hoc Advisory Group on Haiti, mandated by Economic and Social Council decision 2004/322 [YUN 2004, p. 939] to follow and advise on the long-term development of the country, submitted a July report [E/2010/102 & Corr.1] based principally on the findings of the Group's visit to Haiti (16–19 June) (see p. 916).

By **resolution 2010/28** of 23 July (see p. 917), the Economic and Social Council extended the Advisory Group's mandate until the Council's substantive session in 2012, with the purpose of following and providing advice on Haiti's long-term development strategy for socio-economic recovery and reconstruction.

Report of Secretary-General (September). The Secretary-General reported in September [S/2010/446] that despite a fragile political environment, progress was made towards holding elections. At the request of President Préval, the Secretary-General in April dispatched to Haiti an electoral feasibility mission, which concluded that presidential, legislative and municipal elections were technically possible before the end of 2010. On 24 June, the Government issued decrees giving the Provisional Electoral Council a mandate to conduct presidential elections, and establishing 28 November as the date of presidential and legislative elections.

On 16 April, the Government issued a decree extending by 18 months the state of emergency declared on 16 January and renewed on 31 January. The Senate adopted an amendment to the electoral law on 8 May, as previously approved by the Chamber of Deputies, allowing the President to remain in power until 14 May 2011, should presidential elections not be held in November. On 10 May, the mandates of all the members of the Chamber of Deputies and one third of the Senate expired, leaving only 19 senators to exercise legislative functions. Draft legislation referred to the Senate by the Chamber of Deputies for approval, prior to its dissolution, remained pending because of political deadlock between opposition senators and those of the *Initié* party, triggered by the controversial amendment to the state of emergency law approved by the Senate on 10 May. The amendment paved the way for the establishment of the Interim Haiti Recovery Commission and provided exceptional powers to the executive branch, including requisitioning of land and property. MINUSTAH, through the good offices of the Special Representative, conducted consultations with a wide range of actors to address concerns and build trust in the political process.

Security in the camps for IDPs—in particular the vulnerability of women and children and the extent of sexual and gender-based violence—was of concern, especially in camps adjacent to traditional slum areas such as Cité Soleil and Martissant.

The Government estimated the number of IDPs at 1.3 million, spread across some 1,300 spontaneous settlement sites in Port-au-Prince, Jacmel, Léogâne and in Artibonite Department. Of the more than 600,000 people believed to have left Port-au-Prince in the wake of the earthquake, the majority were thought to have returned. The Ministry of Public Works, with international support, assessed the structural damage of some 230,000 buildings, including over 150,000 residences. Of those, 50.2 per cent were deemed to be structurally sound, some 27.3 per cent were assessed to need some repair, and 22.4 per cent were recommended for demolition.

More than six months after the earthquake, the immediate humanitarian needs of the displaced population in Port-au-Prince and the regions had largely been addressed. Some 4.3 million people received food aid and more than 1.5 million received emergency shelter. More than 90 per cent of IDPs in the capital had access to health clinics, and 2.1 million people received non-food items, including hygiene kits. A total of 11,000 latrines were installed, sufficiently serving the majority of the displaced. Water supply continued to reach 1.2 million people and the nutrition situation remained under the emergency threshold.

As at July, 80 per cent of primary schools in Port-au-Prince had reopened, compared with 72 per cent in Léogâne and 100 per cent in Petit-Goâve and Grand-Goâve, as well as Jacmel. The Secretary-General's Special Envoy for Haiti, former United States President William J. Clinton, and the Deputy Special Envoy, Paul Farmer, identified and sought to address gaps in the UN response to the earthquake. Those efforts included coordination work in the management of debris, the construction of hurricane and transitional shelters, strengthening protection of women and children against violence, and initiatives in the education, energy and health sectors. The Interim Haiti Recovery Commission was created by presidential decree on 21 April to coordinate and oversee recovery and reconstruction efforts under the co-chairmanship of the Prime Minister, Jean-Max Bellerive, and former President Clinton. Its role was to provide coordination and strategic direction by linking the work of line ministries and the Ministry of Planning.

In accordance with Security Council resolution 1927(2010), and at the request of President Préval, MINUSTAH was providing technical, security and logistical support to the Government and the Provisional Electoral Council in the preparation of presidential and legislative elections, and had begun to coordinate international electoral assistance, in cooperation with OAS and the Caribbean Community (CARICOM). The MINUSTAH military component delivered critical support to relief and recovery efforts and refocused its work on three priority areas: ensuring a secure and stable environment, particularly through the protec-

tion of internally displaced persons and host communities; preparing for natural disaster response; and providing support to the elections. A total of 1,723 military personnel, of the additional 2,000 authorized by the Security Council in resolution 1908(2010), had deployed as at 17 August. As at 15 August, 1,181 individual police officers and 1,838 formed police unit personnel were deployed, for a total strength of 3,019. The surge permitted the police component to expand its tasks, with particular focus on protecting displaced people and vulnerable groups, and building the capacity of the national police.

MINUSTAH continued its support to the Ministry of the Interior and State institutions at the subnational level through its regional offices. In particular, it helped the Ministry of the Interior prepare the 140 municipal budgets for the new fiscal year, and jointly identified capacity-strengthening requirements to support the decentralization process. MINUSTAH supported the Government in addressing child protection issues and continued to train police officers on the protection of and response to vulnerable and displaced children.

Security Council consideration (September).

Addressing the Council on 13 September [S/PV.6382], Special Representative Mulet said that the security situation in Haiti remained calm, but fragile, and the Government faced long- and short-term challenges, such as organizing elections, maintaining order in the camps set up for displaced persons, dealing with reconstruction and relocating some 1.3 million displaced persons. Haiti had to continue to rely on the support of the international community. At the same time, the Government had developed its own capacity with respect to the coordination of humanitarian and recovery activities.

SECURITY COUNCIL ACTION

On 14 October [meeting 6399], the Security Council unanimously adopted **resolution 1944(2010)**. The draft [S/2010/519] was submitted by Argentina, Brazil, Canada, Chile, Ecuador, France, Guatemala, Japan, Mexico, Peru, Spain, the United States and Uruguay.

The Security Council,

Reaffirming its previous resolutions on Haiti, in particular resolutions 1542(2004) of 30 April 2004, 1576(2004) of 29 November 2004, 1608(2005) of 22 June 2005, 1658(2006) of 14 February 2006, 1702(2006) of 15 August 2006, 1743(2007) of 15 February 2007, 1780(2007) of 15 October 2007, 1840(2008) of 14 October 2008, 1892(2009) of 13 October 2009, 1908(2010) of 19 January 2010 and 1927(2010) of 4 June 2010,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Haiti,

Recognizing the significant devastation that has been suffered by the Government and people of Haiti, expressing its concern regarding the new challenges and threats as

a result of the earthquake of 12 January 2010, sharing the Secretary-General's assessment that the earthquake has not destroyed the gains towards stabilization made in the past few years but has created new obstacles as well as new opportunities, and stressing the need for the United Nations Stabilization Mission in Haiti to continue to focus its work on ensuring Haiti's security and stability as currently mandated by the Security Council, including in the context of the upcoming presidential and legislative elections,

Calling upon the Government of Haiti and all the other relevant Haitian actors to ensure the holding of credible and legitimate presidential and legislative elections, due to be held on 28 November 2010, which will further consolidate democracy, allow for the completion of constitutional reform and contribute to the reconstruction process, and emphasizing the need to continue to promote the participation of women in the electoral process,

Emphasizing that progress in the recovery and reconstruction of Haiti is crucial to achieving lasting stability, and reiterating the need for security to be accompanied by social and economic development,

Stressing the leading role of the Government of Haiti in its post-disaster recovery and reconstruction process and underlining the necessity for increased coordination and complementary efforts among all United Nations actors and other relevant stakeholders in assisting the Government in this regard, and welcoming the establishment of the Interim Haiti Recovery Commission and the Haiti Reconstruction Fund, which play a central role in the medium- and long-term reconstruction efforts in Haiti,

Welcoming the creation of the ad hoc Presidential Commission on Resettlement established to coordinate all stakeholders involved in the relocation and resettlement of internally displaced persons,

Calling upon donors to fulfil without delay the pledges made at the International Donors' Conference entitled "Towards a New Future for Haiti", held in New York on 31 March 2010, with a view to promptly producing tangible and visible reconstruction dividends,

Emphasizing the role of regional organizations in the ongoing process of stabilization and reconstruction of Haiti, and calling upon the Mission to continue to work closely with regional and subregional organizations, international financial institutions and other stakeholders, in particular the Organization of American States and the Caribbean Community,

Acknowledging the continued support of the Organization of American States to modernize the Haitian voter registry, and stressing the importance of updating the voter list following the devastation caused by the earthquake of 12 January 2010,

Recognizing the interconnected nature of the challenges in Haiti, reaffirming that sustainable progress on security, the rule of law and institutional reform, national reconciliation and development is mutually reinforcing, and welcoming the continuing efforts of the Government of Haiti and the international community to address these challenges,

Expressing its concern over the rise in the number of weapons in circulation, the increase in drug trafficking and the security situation in camps for internally displaced persons, and further expressing its concern over sexual and gender-based crimes in Haiti,

Recognizing that strengthening national human rights institutions and respect for human rights, due process, combating criminality and sexual and gender-based violence, and putting an end to impunity are essential to ensuring the rule of law and security in Haiti,

Commending the extraordinary efforts undertaken by the United Nations to respond to the earthquake, recognizing the critical role of the Mission in ensuring stability and security in Haiti and also recognizing the complementary roles that the Mission and the United Nations country team have fulfilled to date in assisting Haiti in its recovery efforts, and reaffirming the authority of the Special Representative of the Secretary-General for Haiti in the co-ordination and conduct of all activities of United Nations agencies, funds and programmes in Haiti,

Commending the Mission for continuing to assist the Government of Haiti to ensure a secure and stable environment, expressing its gratitude to the personnel of the Mission and to their countries, and paying tribute to those injured or killed in the line of duty,

Calling upon the Government of Haiti, in coordination with the international community, to continue to advance security sector reform, in particular as called for in the Haitian National Police Reform Plan adopted by the Government,

Underlining the need to further strengthen the Haitian judicial and correctional systems, in accordance with the national justice reform plan, including judicial institution modernization and improvement in the access to justice, including through the establishment of new legal aid offices,

Welcoming the efforts of the former President of the United States of America, Mr. William J. Clinton, as the United Nations Special Envoy for Haiti, to enhance the United Nations response to the earthquake, in both humanitarian and development operations as well as tracking aid pledges and disbursement of funds, liaising with the Interim Haiti Recovery Commission and the international financial institutions, working to ensure coherence across United Nations operations in Haiti, and contributing to better coordination among non-governmental organizations, in line with Haitian priorities,

Stressing the importance of a strong coordination among the Office of the Special Envoy and other United Nations entities and Member States, and stressing the need for co-ordination among all international actors on the ground,

Underlining the need for the implementation of highly effective and visible labour-intensive projects that help to create jobs and deliver basic social services,

Welcoming the report of the Secretary-General of 1 September 2010,

Determining that the situation in Haiti continues to constitute a threat to international peace and security in the region, despite the progress achieved thus far,

Acting under Chapter VII of the Charter of the United Nations, as described in section I of paragraph 7 of resolution 1542(2004),

1. *Decides* to extend the mandate of the United Nations Stabilization Mission in Haiti, as contained in resolutions 1542(2004), 1608(2005), 1702(2006), 1743(2007), 1780(2007), 1840(2008), 1892(2009), 1908(2010) and 1927(2010), until 15 October 2011, with the intention of further renewal;

2. *Also decides* to maintain the current Mission overall force levels, which consist of a military component of up to 8,940 troops of all ranks and a police component of up to 4,391 police, and calls upon the Secretary-General to conduct a comprehensive assessment of the security environment following the elections and transfer of power to a new Government in 2011, as contained in paragraph 56 of the report of the Secretary-General;

3. *Recognizes* the ownership and primary responsibility of the Government and the people of Haiti over all aspects of the country's stabilization, welcomes the steps taken by the Mission to provide logistical and technical expertise, within available means, to assist the Government of Haiti, as requested, to continue operations to build the capacity of its rule of law institutions at the national and local levels and to speed up the implementation of the Government's resettlement strategy for displaced persons, in the knowledge that such measures are temporary and will be phased out as Haitian capacity grows, and calls upon the Mission to proceed swiftly with activities in this regard as recommended by the Secretary-General;

4. *Also recognizes* that the successful holding of free, fair, inclusive and transparent presidential and legislative elections in accordance with the constitutional timetable is a key condition for the consolidation of a stable political environment in which recovery and reconstruction efforts can progress, reaffirms its call upon the Mission to support the political process under way in Haiti, including through the good offices of the Special Representative of the Secretary-General for Haiti, and encourages the Mission to continue its support to the Government of Haiti and to the Provisional Electoral Council in the preparation and conduct of Haiti's presidential and legislative elections and to coordinate international electoral assistance to Haiti in cooperation with other international stakeholders, including the Organization of American States and the Caribbean Community;

5. *Calls upon* all donors and international and non-governmental organizations to coordinate their efforts and to work closely with the Interim Haiti Recovery Commission in order to strengthen the capacity of the Government of Haiti to fulfil the Action Plan for National Recovery and Development of Haiti;

6. *Welcomes* ongoing efforts by the Mission to increase coordination with the Haitian National Police and to expand its assistance to border management efforts in order to deter illicit activities, and calls upon Haiti's international and regional partners to intensify their assistance to the Government of Haiti in this regard, as requested;

7. *Requests* the United Nations country team, and calls upon all actors, to complement security and development operations undertaken by the Government of Haiti with the support of the Mission with activities aimed at effectively improving the living conditions of the concerned populations, in particular women and children;

8. *Requests* the Mission to continue to implement quick-impact projects that further enhance the trust of the Haitian population towards the Mission;

9. *Encourages* the Haitian authorities to take full advantage of that support, notably in enhancing Haitian National Police capacity, modernizing key legislation and in the implementation of the national justice reform

plan, to take the necessary steps, including nominations, that will allow superior judicial institutions to function adequately, and to address the issue of prolonged pretrial detentions and prison overcrowding, with special regard to children;

10. *Calls upon* the Government of Haiti, with the support of the Mission, to develop the next iteration of the Haitian National Police reform plan to ensure continuity upon the expiration of the current plan and the strategic plan of the National Prison Administration and encourages their implementation, and requests the Mission to continue to support vetting, mentoring and training of the police and corrections personnel and strengthening the institutional and operational capacities of the correctional services;

11. *Welcomes* the resumption of training of recruits for the Haitian National Police, and stresses the importance of maintaining and increasing the support of the international community for capacity-building of the National Police;

12. *Encourages* the Mission to continue assisting the Government of Haiti in providing adequate protection to the civilian population, with particular attention to the needs of internally displaced persons and other vulnerable groups, especially women and children, including through joint community policing in the camps, along with strengthened mechanisms to address sexual and gender-based violence;

13. *Also encourages* the Mission to assist the Government of Haiti in tackling the risk of a resurgence in gang violence, organized crime, drug trafficking and trafficking in children;

14. *Strongly condemns* the grave violations against children affected by armed violence, as well as widespread rape and other sexual abuse of women and girls, and calls upon the Government of Haiti, with the support of the Mission and the United Nations country team, to continue to promote and protect the rights of women and children as set out in Security Council resolutions 1325(2000) of 31 October 2000, 1612(2005) of 26 July 2005, 1820(2008) of 19 June 2008, 1882(2009) of 4 August 2009, 1888(2009) of 30 September 2009 and 1889(2009) of 5 October 2009;

15. *Requests* the Secretary-General to continue to take the measures necessary to ensure full compliance of all Mission personnel with the United Nations zero-tolerance policy on sexual exploitation and abuse, and to keep the Council informed, and urges troop- and police-contributing countries to ensure that acts involving their personnel are properly investigated and punished;

16. *Reaffirms* the human rights mandate of the Mission, calls upon the Haitian authorities to continue their efforts to promote and protect human rights, and calls upon the Mission to continue to provide human rights training to the Haitian National Police and other relevant institutions, including the correctional services;

17. *Welcomes* the important work done by the Mission in support of urgent needs in Haiti, encourages the Mission, within its mandate, to continue to make full use of existing means and capabilities, including its engineers, with a view to further enhancing stability in the country, and requests the Mission to develop its longer-term planning with a view to encouraging a Haitian-led effort to further enhance stability in the country;

18. *Requests* the Mission to continue to pursue its expanded community violence reduction approach, adapting the programme to the changing requirements of the post-earthquake Haitian context with a particular focus on the displaced and those living in violence-affected neighbourhoods;

19. *Also requests* the Mission to continue to support the Haitian authorities in their efforts to control the flow of small arms, including labour-intensive projects, the development of a weapons registry, the revision of current laws on importation and possession of arms, reform of the weapons permit system and the development and implementation of a national community policing doctrine;

20. *Underscores* the importance of planning documents for the military and police components, such as the concept of operations and rules of engagement, being regularly updated, as appropriate, and in line with the provisions of all its relevant resolutions, and requests the Secretary-General to report on them to the Council and troop- and police-contributing countries;

21. *Requests* the Secretary-General to report to the Council on the implementation of the mandate of the Mission, semi-annually and no later than forty-five days prior to its expiration;

22. *Also requests* the Secretary-General to include in his reports a comprehensive assessment of threats to security in Haiti and give particular attention to the protective environment for all, in particular women and children, and progress in the sustainable resettlement of displaced persons, and to propose, as appropriate, options to reconfigure the composition of the Mission;

23. *Decides* to remain seized of the matter.

Year-end developments

In a later report [S/2011/183], the Secretary-General said that a first round of presidential and legislative elections was held on 28 November. The elections were marred by intimidation, fraud and, following the preliminary announcement of the results on 7 December, violence and civil unrest in some parts of the country, including Port-au-Prince.

During the period leading up to election day, there were continued reports of intimidation by, and violence between, rival campaign supporters of all candidates—although the majority of the supporters were linked to *Inité*, the party in power. The use of State funds to promote the campaign of *Inité*'s presidential candidate, Jude Célestin, was reported.

On election day, 14 of the presidential candidates jointly declared the elections invalid five hours prior to the closing of the polls because of alleged rigging committed by the Government and *Inité*-aligned officials. On 7 December, amid allegations of electoral fraud and calls for cancellation, as well as demonstrations by supporters of various candidates, the Provisional Electoral Council announced the preliminary results of the first round of the presidential race, placing Mirlande Manigat (*Rassemblement des dé-*

mocrates nationaux progressistes) and Mr. Célestin in first and second place, respectively. On the same day, Ms. Manigat and Michel Martelly (*Repons Peyizan*) retracted their call for the annulment of the elections. Many of the major cities, including Port-au-Prince, experienced civil unrest, with demonstrations against the electoral authorities, as well as against the Government of President Préval and the candidacy of Mr. Célestin. Mr. Martelly and his supporters employed aggressive rhetoric against the alleged fraud. Violence and intimidation continued for three days, during which commercial and administrative activities in much of the country were halted. Between 7 and 10 December, mobs effectively closed down several towns across the country. At least four Haitians were killed and another 20 injured.

During that tense period, MINUSTAH troops guarded Government installations and Mission premises and personnel. The Special Representative engaged in intensive talks with President Préval, political, business and civil society leaders, and members of the international community to find a solution to the political impasse; address widespread criticism of the Government's handling of the elections and the subsequent crisis; and call for calm in a highly volatile political environment.

On 14 December, President Préval requested OAS to send a team of technical experts, under the authority of the head of the OAS-CARICOM joint electoral observation mission, which had the lead responsibility for electoral observation, to assist in the electoral verification process and the process of legal challenges to the preliminary results. Following that request, the Provisional Electoral Council on 19 December announced a delay in the final publication of the results of the elections, which had been due to be announced the following day. The OAS mission began its work on 31 December.

Security Council press statement. By a press statement of 10 December [SC/10110], Security Council members expressed their concern at incidents of violence that followed the announcement of preliminary election results; called upon candidates, their supporters, political parties and other political actors to remain calm, refrain from violence and resolve any electoral disputes through legal mechanisms; underscored their concern about allegations of fraud; and called on all political forces to ensure that the will of the people was reflected in the outcome of the election.

Cholera outbreak. The Secretary-General also reported that an outbreak of cholera occurred in October. The number of cases grew quickly due to unprotected water sources, poor sanitation and hygiene practices, floods, and population mobility. The epidemic spread to all of the country's ten departments,

killing more than 2,000 people in less than two months. The authorities, the United Nations and international partners mounted a rapid response, which helped to limit the number of deaths. MINUSTAH contributed to cholera mitigation efforts through the installation of 4,000 water dialysis filters in exposed communities in the Artibonite valley, Saint-Marc, Mirebalais, Cap-Haïtien, Gonaïves, Jacmel and Port-au-Prince. The filters provided daily drinking water to more than 1 million people. As part of the international response to the epidemic, MINUSTAH provided engineering support for the establishment of cholera treatment centres. It also participated in a massive distribution of family hygiene kits, water purification tablets and oral rehydration salts.

Violent public demonstrations in the North and Centre Departments took place in November, due, in part, to the perception that MINUSTAH might have been responsible for the outbreak of cholera. Armed groups damaged or destroyed UN vehicles and premises in Cap-Haïtien and Hinche. The public perception that MINUSTAH peacekeepers deployed in the Centre Department had possibly introduced cholera negatively affected the image of the Mission. MINUSTAH reviewed the sanitation practices in all of its facilities and began internal investigations.

General Assembly action. On 24 December, by **decision 65/544**, the Assembly decided that the item on the situation of democracy and human rights in Haiti would remain for consideration during its resumed sixty-fifth (2011) session.

MINUSTAH

In 2010, the United Nations Stabilization Mission in Haiti (MINUSTAH), established by Security Council resolution 1542(2004) [YUN 2004, p. 294], maintained its focus on ensuring a secure and stable environment, supporting the electoral process and reform of rule-of-law structures, strengthening State institutions, providing humanitarian and development assistance, and protecting and promoting human rights. MINUSTAH was based in Port-au-Prince. Its Head, the Secretary-General's Special Representative for Haiti, Hédi Annabi (Tunisia), was killed in the 12 January earthquake. He was succeeded by Edmond Mulet (Guatemala). By resolution 1944(2010), the Council extended the MINUSTAH mandate to 15 October 2011.

Appointments. On 8 March [S/2010/131], the Secretary-General informed the Security Council of his intention to appoint Major General Luiz Guilherme Paul Cruz (Brazil) to the post of MINUSTAH Force Commander, replacing Major General Floriano Peixoto (Brazil), who would complete his tour of duty on 9 April. The Council took note of that intention on 10 March [S/2010/132].

On 26 March [S/2010/160], the Secretary-General informed the Security Council of his intention to appoint Mr. Mulet as his Special Representative and Head of MINUSTAH. The Council took note of that intention on 29 March [S/2010/161].

Activities

During 2010, the Secretary-General reported to the Security Council on MINUSTAH activities and developments in Haiti for the periods from 1 September 2009 to 15 April 2010 [S/2010/200 & Corr.1] and from 16 April to 31 August [S/2010/446]. A later report [S/2011/183] covered activities for the remainder of the year. In addition to political and security aspects (see above), the reports summarized MINUSTAH activities dealing with humanitarian and recovery efforts; preparation for elections; protection of vulnerable groups; community violence reduction; support to State institutions; justice; corrections; human rights; gender issues; child protection; HIV/AIDS; public information; the conduct and discipline of UN personnel; and mission support.

Financing

In March [A/64/728], the Secretary-General reported that the operational requirements of MINUSTAH had increased following the earthquake, resulting in net additional requirements of \$120,641,800 for the period from 1 July 2009 to 30 June 2010. In April, the Advisory Committee on Administrative and Budgetary Questions (ACABQ) [A/64/660/Add.10] recommended that the General Assembly authorize those requirements, in addition to the amount of \$611,751,200 already appropriated for the same period for the maintenance of MINUSTAH under Assembly resolution 63/294 [YUN 2009, p. 327].

GENERAL ASSEMBLY ACTION

On 13 May [meeting 86], the General Assembly, on the recommendation of the Fifth (Administrative and Budgetary) Committee [A/64/774], adopted **resolution 64/264** without vote [agenda item 155].

Financing arrangements for the United Nations Stabilization Mission in Haiti for the period from 1 July 2009 to 30 June 2010

The General Assembly,

Having considered the note by the Secretary-General on the financing arrangements for the United Nations Stabilization Mission in Haiti for the period from 1 July 2009 to 30 June 2010 and the related report of the Advisory Committee on Administrative and Budgetary Questions,

Recalling Security Council resolution 1529(2004) of 29 February 2004, by which the Council declared its readiness to establish a United Nations stabilization force to

support the continuation of a peaceful and constitutional political process and the maintenance of a secure and stable environment in Haiti,

Recalling also Security Council resolution 1542(2004) of 30 April 2004, by which the Council decided to establish the United Nations Stabilization Mission in Haiti for an initial period of six months, and the subsequent resolutions by which the Council extended the mandate of the Mission, the latest of which was resolution 1892(2009) of 13 October 2009, by which the Council decided that the Mission would consist of a military component of up to 6,940 troops of all ranks and a police component of up to 2,211 police and extended the mandate of the Mission until 15 October 2010,

Recalling further Security Council resolution 1908(2010) of 19 January 2010, by which the Council endorsed the increase in the overall force levels of the Mission to support the immediate recovery, reconstruction and stability efforts and decided that the Mission would consist of a military component of up to 8,940 troops of all ranks and a police component of up to 3,711 police,

Recalling its resolution 58/315 of 1 July 2004,

Recalling also its resolution 58/311 of 18 June 2004 on the financing of the Mission and its subsequent resolutions thereon, the latest of which was resolution 63/294 of 30 June 2009,

Reaffirming the general principles underlying the financing of United Nations peacekeeping operations, as stated in General Assembly resolutions 1874(S-IV) of 27 June 1963, 3101(XXVIII) of 11 December 1973 and 55/235 of 23 December 2000,

Mindful of the fact that it is essential to provide the Mission with the financial resources necessary to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

1. *Requests* the Secretary-General to entrust the Head of Mission with the task of formulating future budget proposals in full accordance with the provisions of General Assembly resolutions 59/296 of 22 June 2005, 60/266 of 30 June 2006 and 61/276 of 29 June 2007, as well as other relevant resolutions;

2. *Takes note* of the status of contributions to the United Nations Stabilization Mission in Haiti as at 31 March 2010, including the contributions outstanding in the amount of 105.2 million United States dollars, representing some 4 per cent of the total assessed contributions, notes with concern that only thirty-eight Member States have paid their assessed contributions in full, and urges all other Member States, in particular those in arrears, to ensure payment of their outstanding assessed contributions;

3. *Expresses its appreciation* to those Member States which have paid their assessed contributions in full, and urges all other Member States to make every possible effort to ensure payment of their assessed contributions to the Mission in full;

4. *Expresses concern* at the financial situation with regard to peacekeeping activities, in particular as regards the reimbursements to troop contributors that bear additional burdens owing to overdue payments by Member States of their assessments;

5. *Also expresses concern* at the delay experienced by the Secretary-General in deploying and providing adequate re-

sources to some recent peacekeeping missions, in particular those in Africa;

6. *Emphasizes* that all future and existing peacekeeping missions shall be given equal and non-discriminatory treatment in respect of financial and administrative arrangements;

7. *Also emphasizes* that all peacekeeping missions shall be provided with adequate resources for the effective and efficient discharge of their respective mandates;

8. *Reiterates its request* to the Secretary-General to make the fullest possible use of facilities and equipment at the United Nations Logistics Base at Brindisi, Italy, in order to minimize the costs of procurement for the Mission;

9. *Requests* the Secretary-General to ensure that proposed peacekeeping budgets are based on the relevant legislative mandates;

10. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions, and requests the Secretary-General to ensure their full implementation;

11. *Requests* the Secretary-General to ensure the full implementation of the relevant provisions of its resolutions 59/296, 60/266 and 61/276;

12. *Also requests* the Secretary-General to take all necessary action to ensure that the Mission is administered with a maximum of efficiency and economy;

13. *Further requests* the Secretary-General, in order to reduce the cost of employing General Service staff, to continue efforts to recruit local staff for the Mission against General Service posts, commensurate with the requirements of the Mission;

Financing arrangements for the period from 1 July 2009 to 30 June 2010

14. *Authorizes* the Secretary-General to enter into commitments for the period from 1 July 2009 to 30 June 2010 in a total amount not exceeding 120,641,800 dollars for the operation of the Mission;

Financing of the commitment authority

15. *Decides* to apportion among Member States the amount of 120,641,800 dollars for the period from 1 July 2009 to 30 June 2010, in accordance with the levels updated in General Assembly resolution 64/249 of 24 December 2009 and taking into account the scale of assessments for 2010, as set out in Assembly resolution 64/248 of 24 December 2009;

16. *Emphasizes* that no peacekeeping mission shall be financed by borrowing funds from other active peacekeeping missions;

17. *Encourages* the Secretary-General to continue to take additional measures to ensure the safety and security of all personnel participating in the Mission under the auspices of the United Nations, bearing in mind paragraphs 5 and 6 of Security Council resolution 1502(2003) of 26 August 2003;

18. *Invites* voluntary contributions to the Mission in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure and practices established by the General Assembly;

19. *Decides* to keep under review during its sixty-fourth session the item entitled "Financing of the United Nations Stabilization Mission in Haiti".

The performance report on the MINUSTAH budget for the period from 1 July 2008 to 30 June 2009 [A/64/554] showed expenditures of \$574,401,700 against a total appropriation of \$574,916,500, leaving an unencumbered balance of \$514,800 and other income and adjustments in the amount of \$8,524,000. ACABQ [A/64/660/Add.16] recommended that the unencumbered balance as well as other income and adjustments be credited to Member States.

In April [A/64/764] the Secretary-General submitted a request for commitment authority in the amount of \$380,402,700 for the financing of MINUSTAH for the period from 1 July to 31 December 2010. ACABQ [A/64/660/Add.16] recommended that the Assembly authorize the Secretary-General to enter into commitments not exceeding an amount of \$375,000,000.

GENERAL ASSEMBLY ACTION

On 24 June [meeting 101], the General Assembly, on the recommendation of the Fifth Committee [A/64/774/Add.1], adopted **resolution 64/278** without vote [agenda item 155].

Financing of the United Nations Stabilization Mission in Haiti

The General Assembly,

Having considered the report of the Secretary-General on the financing of the United Nations Stabilization Mission in Haiti, the note by the Secretary-General on the financing arrangements for the Mission and the related report of the Advisory Committee on Administrative and Budgetary Questions,

Recalling Security Council resolution 1529(2004) of 29 February 2004, by which the Council declared its readiness to establish a United Nations stabilization force to support continuation of a peaceful and constitutional political process and the maintenance of a secure and stable environment in Haiti,

Recalling also Security Council resolution 1542(2004) of 30 April 2004, by which the Council decided to establish the United Nations Stabilization Mission in Haiti for an initial period of six months, and the subsequent resolutions by which the Council extended the mandate of the Mission, the latest of which was resolution 1892(2009) of 13 October 2009, by which the Council decided that the Mission would consist of a military component of up to 6,940 troops of all ranks and of a police component of up to 2,211 police and extended the mandate of the Mission until 15 October 2010,

Recalling further Security Council resolution 1908(2010) of 19 January 2010, by which the Council endorsed the increase in the overall force levels of the Mission to support the immediate recovery, reconstruction and stability efforts and decided that the Mission would consist of a military component of up to 8,940 troops of all ranks and of a police component of up to 3,711 police,

Recalling its resolution 58/315 of 1 July 2004,

Recalling also its resolution 58/311 of 18 June 2004 on the financing of the Mission and its subsequent resolu-

tions thereon, the latest of which was resolution 64/264 of 13 May 2010,

Reaffirming the general principles underlying the financing of United Nations peacekeeping operations, as stated in General Assembly resolutions 1874(S-IV) of 27 June 1963, 3101(XXVIII) of 11 December 1973 and 55/235 of 23 December 2000,

Mindful of the fact that it is essential to provide the Mission with the financial resources necessary to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

1. *Requests* the Secretary-General to entrust the Head of Mission with the task of formulating future budget proposals in full accordance with the provisions of General Assembly resolutions 59/296 of 22 June 2005, 60/266 of 30 June 2006, 61/276 of 29 June 2007 and 64/269 of 24 June 2010, as well as other relevant resolutions;

2. *Takes note* of the status of contributions to the United Nations Stabilization Mission in Haiti as at 30 April 2010, including the contributions outstanding in the amount of 83.7 million United States dollars, representing some 4 per cent of the total assessed contributions, notes with concern that only fifty-two Member States have paid their assessed contributions in full, and urges all other Member States, in particular those in arrears, to ensure payment of their outstanding assessed contributions;

3. *Expresses its appreciation* to those Member States which have paid their assessed contributions in full, and urges all other Member States to make every possible effort to ensure payment of their assessed contributions to the Mission in full;

4. *Expresses concern* at the financial situation with regard to peacekeeping activities, in particular as regards the reimbursements to troop contributors that bear additional burdens owing to overdue payments by Member States of their assessments;

5. *Also expresses concern* at the delay experienced by the Secretary-General in deploying and providing adequate resources to some recent peacekeeping missions, in particular those in Africa;

6. *Emphasizes* that all future and existing peacekeeping missions shall be given equal and non-discriminatory treatment in respect of financial and administrative arrangements;

7. *Also emphasizes* that all peacekeeping missions shall be provided with adequate resources for the effective and efficient discharge of their respective mandates;

8. *Reiterates its request* to the Secretary-General to make the fullest possible use of the facilities and equipment at the United Nations Logistics Base at Brindisi, Italy, in order to minimize the costs of procurement for the Mission;

9. *Requests* the Secretary-General to ensure that proposed peacekeeping budgets are based on the relevant legislative mandates;

10. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions, subject to the provisions of the present resolution, and requests the Secretary-General to ensure their full implementation;

11. *Takes note* of paragraph 15 of the report of the Advisory Committee, and decides to revert to the issue of reclassification of existing posts in the context of the proposed budget for the period from 1 July 2010 to 30 June 2011;

12. *Also takes note* of paragraphs 21 and 24 of the report of the Advisory Committee;

13. *Requests* the Secretary-General to ensure the full implementation of the relevant provisions of resolutions 59/296, 60/266, 61/276 and 64/269;

14. *Also requests* the Secretary-General to take all action necessary to ensure that the Mission is administered with a maximum of efficiency and economy;

15. *Further requests* the Secretary-General, in order to reduce the cost of employing General Service staff, to continue efforts to recruit local staff for the Mission against General Service posts, commensurate with the requirements of the Mission;

Financial performance report for the period from 1 July 2008 to 30 June 2009

16. *Takes note* of the report of the Secretary-General on the financial performance of the Mission for the period from 1 July 2008 to 30 June 2009;

Estimates for the period from 1 July to 31 December 2010

17. *Authorizes* the Secretary-General to enter into commitments for the period from 1 July to 31 December 2010 in a total amount not exceeding 380 million dollars for the operation of the Mission;

Financing of the commitment authority

18. *Decides* to apportion among Member States the amount of 221,666,700 dollars for the period from 1 July to 15 October 2010, in accordance with the levels updated in General Assembly resolution 64/249 of 24 December 2009, and taking into account the scale of assessments for 2010, as set out in Assembly resolution 64/248 of 24 December 2009;

19. *Also decides* that, in accordance with the provisions of its resolution 973(X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 18 above, their respective share in the Tax Equalization Fund of 4,794,900 dollars, representing the estimated staff assessment income approved for the period from 1 July to 15 October 2010;

20. *Further decides* to apportion among Member States the amount of 158,333,300 dollars for the period from 16 October to 31 December 2010, in accordance with the levels updated in resolution 64/249, and taking into account the scale of assessments for 2010, as set out in resolution 64/248, subject to a decision by the Security Council to extend the mandate of the Mission;

21. *Decides* that, in accordance with the provisions of resolution 973(X), there shall be set off against the apportionment among Member States, as provided for in paragraph 20 above, their respective share in the Tax Equalization Fund of 3,425,000 dollars, representing the estimated staff assessment income approved for the period from 16 October to 31 December 2010;

Estimates for the support account for peacekeeping operations and the United Nations Logistics Base for the period from 1 July 2010 to 30 June 2011

22. *Also decides* to appropriate to the Special Account for the United Nations Stabilization Mission in Haiti the amount of 23,041,700 dollars for the period from 1 July

2010 to 30 June 2011, comprising 19,514,400 dollars for the support account for peacekeeping operations and 3,527,300 dollars for the United Nations Logistics Base;

Financing of the appropriation

23. *Further decides* to apportion among Member States the amount of 23,041,700 dollars, in accordance with the levels updated in resolution 64/249, and taking into account the scale of assessments for 2010 and 2011, as set out in resolution 64/248;

24. *Decides* that, in accordance with the provisions of resolution 973(X), there shall be set off against the apportionment among Member States, as provided for in paragraph 23 above, their respective share in the Tax Equalization Fund of 1,898,000 dollars, comprising the prorated share of 1,615,800 dollars of the estimated staff assessment income approved for the support account and the prorated share of 282,200 dollars of the estimated staff assessment income approved for the United Nations Logistics Base;

25. *Also decides* that, for Member States that have fulfilled their financial obligations to the Mission, there shall be set off against their apportionment, as provided for in paragraph 18 above, their respective share of the unencumbered balance and other income in the total amount of 9,038,800 dollars in respect of the financial period ended 30 June 2009, in accordance with the levels updated in General Assembly resolution 61/243 of 22 December 2006, and taking into account the scale of assessments for 2009, as set out in Assembly resolution 61/237 of 22 December 2006;

26. *Further decides* that, for Member States that have not fulfilled their financial obligations to the Mission, there shall be set off against their outstanding obligations their respective share of the unencumbered balance and other income in the total amount of 9,038,800 dollars in respect of the financial period ended 30 June 2009, in accordance with the scheme set out in paragraph 25 above;

27. *Decides* that the increase in the estimated staff assessment income of 167,400 dollars in respect of the financial period ended 30 June 2009 shall be added to the credits from the amount of 9,038,800 dollars referred to in paragraphs 25 and 26 above;

28. *Emphasizes* that no peacekeeping mission shall be financed by borrowing funds from other active peacekeeping missions;

29. *Encourages* the Secretary-General to continue to take additional measures to ensure the safety and security of all personnel participating in the Mission under the auspices of the United Nations, bearing in mind paragraphs 5 and 6 of Security Council resolution 1502(2003) of 26 August 2003;

30. *Invites* voluntary contributions to the Mission in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure and practices established by the General Assembly;

31. *Decides* to include in the provisional agenda of its sixty-fifth session the item entitled "Financing of the United Nations Stabilization Mission in Haiti".

In October [A/65/535], the Secretary-General submitted the MINUSTAH budget for the period from 1 July 2010 to 30 June 2011, which amounted to \$865,313,200 and provided for the deployment of 8,940 military personnel, 1,451 UN police officers,

2,940 formed police personnel, 731 international staff, 1,478 national staff and 227 UN Volunteers, including temporary positions. In November [A/65/586], ACABQ recommended that the General Assembly appropriate an amount of \$853,827,400, inclusive of the amount of \$380 million previously authorized and in addition to the amount of \$23,041,700 appropriated under resolution 64/278.

GENERAL ASSEMBLY ACTION

On 24 December [meeting 73], the General Assembly, on the recommendation of the Fifth Committee [A/65/655], adopted **resolution 65/256 A** without vote [agenda item 153].

Financing of the United Nations Stabilization Mission in Haiti

The General Assembly,

Having considered the report of the Secretary-General on the financing of the United Nations Stabilization Mission in Haiti for the period from 1 July 2010 to 30 June 2011 and the related report of the Advisory Committee on Administrative and Budgetary Questions,

Recalling Security Council resolution 1529(2004) of 29 February 2004, by which the Council declared its readiness to establish a United Nations stabilization force to support continuation of a peaceful and constitutional political process and the maintenance of a secure and stable environment in Haiti,

Recalling also Security Council resolution 1542(2004) of 30 April 2004, by which the Council decided to establish the United Nations Stabilization Mission in Haiti for an initial period of six months, and the subsequent resolutions by which the Council extended the mandate of the Mission, the latest of which was resolution 1944(2010) of 14 October 2010, by which the Council decided to extend the mandate of the Mission until 15 October 2011 and to maintain the current overall force level, which comprises a military component of up to 8,940 troops of all ranks and a police component of up to 4,391 police,

Recalling further its resolution 58/315 of 1 July 2004,

Recalling its resolution 58/311 of 18 June 2004 on the financing of the Mission and its subsequent resolutions thereon, the latest of which was resolution 64/278 of 24 June 2010,

Reaffirming the general principles underlying the financing of United Nations peacekeeping operations, as stated in General Assembly resolutions 1874(S-IV) of 27 June 1963, 3101(XXVIII) of 11 December 1973 and 55/235 of 23 December 2000,

Mindful of the fact that it is essential to provide the Mission with the financial resources necessary to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

1. *Requests* the Secretary-General to entrust the Head of Mission with the task of formulating future budget proposals in full accordance with the provisions of General Assembly resolutions 59/296 of 22 June 2005, 60/266 of 30 June 2006, 61/276 of 29 June 2007 and 64/269 of 24 June 2010, as well as other relevant resolutions;

2. *Takes note* of the status of contributions to the United Nations Stabilization Mission in Haiti as at 30 November 2010, including the contributions outstanding in the amount of 213.0 million United States dollars, representing some 8 per cent of the total assessed contributions, notes with concern that only fourteen Member States have paid their assessed contributions in full, and urges all other Member States, in particular those in arrears, to ensure payment of their outstanding assessed contributions;

3. *Expresses its appreciation* to those Member States that have paid their assessed contributions in full, and urges all other Member States to make every possible effort to ensure payment of their assessed contributions to the Mission in full;

4. *Expresses concern* at the financial situation with regard to peacekeeping activities, in particular as regards the reimbursements to troop contributors that bear additional burdens owing to overdue payments by Member States of their assessments;

5. *Also expresses concern* at the delay experienced by the Secretary-General in deploying and providing adequate resources to some recent peacekeeping missions, in particular those in Africa;

6. *Emphasizes* that all future and existing peacekeeping missions shall be given equal and non-discriminatory treatment in respect of financial and administrative arrangements;

7. *Also emphasizes* that all peacekeeping missions shall be provided with adequate resources for the effective and efficient discharge of their respective mandates;

8. *Requests* the Secretary-General to ensure that proposed peacekeeping budgets are based on the relevant legislative mandates;

9. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions, subject to the provisions of the present resolution, and requests the Secretary-General to ensure their full implementation;

10. *Stresses* the importance of hiring Haitian nationals against national posts in the Mission, taking into account the need to promote national capacity-building and in order to bring to the Mission experience and knowledge of the local culture, language, traditions and institutions, and in this regard requests the Secretary-General to ensure accurate and timely posting of vacancy announcements for national staff on the Mission website;

11. *Expresses deep concern* over the continuing high vacancy rate in the Mission, especially in the National temporary positions, and its negative impact on the work of the Mission;

12. *Requests* the Secretary-General to speed up the recruitment process in order to fill vacancies in an expeditious and efficient manner, in particular in National temporary positions;

13. *Also requests* the Secretary-General to ensure that the Mission increases procurement opportunities for local vendors;

14. *Further requests* the Secretary-General to ensure the efficient, expeditious and full implementation of the total amount allocated to quick-impact projects for the period from 1 July 2010 to 30 June 2011;

15. *Requests* the Secretary-General, in submitting his next budget proposal for the Mission, to fully review current needs assessment on the ground regarding quick-impact projects, taking into account the related guidelines of the Department of Peacekeeping Operations of the Secretariat on quick-impact projects;

16. *Also requests* the Secretary-General to strengthen the coordination among the Mission, the United Nations country team and other United Nations entities, including in addressing the root causes of unexpected emergencies, such as the situation resulting from the cholera outbreak;

17. *Notes* that no provision for resources has been included in the budget for 2010/11 to cover expenses relating to the support provided by the Mission to ensure the welfare and well-being of personnel of the Mission in the context of the cholera outbreak, and requests the Secretary-General to strengthen efforts in this regard;

18. *Recognizes* the important role of the expanded community violence reduction approach in the post-earthquake context, in particular in assisting the displaced people and those living in violence-affected neighbourhoods;

19. *Requests* the Secretary-General to make use of the resources available for provision of logistical and technical expertise to assist the Government of Haiti, as mandated by Security Council resolutions 1927(2010) of 4 June 2010 and 1944(2010) of 14 October 2010, to proceed swiftly with activities in this regard;

20. *Decides* to allocate the amount of 1,563,905 dollars for the provision of support to the Office of the United Nations Special Envoy for Haiti;

21. *Requests* the Secretary-General to ensure the full implementation of the relevant provisions of resolutions 59/296, 60/266, 61/276 and 64/269;

22. *Also requests* the Secretary-General to take all action necessary to ensure that the Mission is administered with a maximum of efficiency and economy;

23. *Further requests* the Secretary-General, in order to reduce the cost of employing General Service staff, to continue efforts to recruit local staff for the Mission against General Service posts, commensurate with the requirements of the Mission;

Budget estimates for the period from 1 July 2010 to 30 June 2011

24. *Decides* to appropriate to the Special Account for the United Nations Stabilization Mission in Haiti the amount of 853,827,400 dollars for the maintenance of the Mission for the period from 1 July 2010 to 30 June 2011, inclusive of the amount of 380 million dollars previously authorized for the maintenance of the Mission for the period from 1 July to 31 December 2010, and in addition to the total amount of 23,041,700 dollars previously appropriated for the period from 1 July 2010 to 30 June 2011 under the terms of General Assembly resolution 64/278;

Financing of the appropriation

25. *Also decides*, taking into account the amount of 380 million dollars already apportioned for the period from 1 July to 31 December 2010 under the terms of its resolution 64/278, to apportion among Member States the additional amount of 473,827,400 dollars for the maintenance of the Mission for the period from 1 July 2010

to 30 June 2011, in accordance with the levels updated in General Assembly resolution 64/249 of 24 December 2009, and taking into account the scale of assessments for 2010 and 2011, as set out in Assembly resolution 64/248 of 24 December 2009;

26. *Further decides* that, in accordance with the provisions of its resolution 973(X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 25 above, their respective share in the Tax Equalization Fund of 9,094,700 dollars, representing the estimated additional staff assessment income approved for the Mission for the period from 1 July 2010 to 30 June 2011;

27. *Emphasizes* that no peacekeeping mission shall be financed by borrowing funds from other active peacekeeping missions;

28. *Encourages* the Secretary-General to continue to take additional measures to ensure the safety and security of all personnel participating in the Mission under the auspices of the United Nations, bearing in mind paragraphs 5 and 6 of Security Council resolution 1502(2003) of 26 August 2003;

29. *Invites* voluntary contributions to the Mission in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure and practices established by the General Assembly;

30. *Decides* to keep under review during its sixty-fifth session the item entitled "Financing of the United Nations Stabilization Mission in Haiti".

On 24 December, by **decision 65/544**, the Assembly decided that the item on the financing of MINUSTAH would remain for consideration during its resumed sixty-fifth (2011) session.

Other issues

Colombia

Children and armed conflict. The Working Group on Children and Armed Conflict reported in September [S/AC.51/2010/3] that at its twenty-second meeting on 12 October 2009, it examined the report of the Secretary-General on children and armed conflict in Colombia [YUN 2009, p. 329]; the Vice President of Colombia participated in the subsequent discussion. The Working Group agreed to address a public statement to the parties to armed conflict in Colombia that had been listed in the annexes to the Secretary-General's annual report on children and armed conflict [A/64/742-S/2010/181], urging them to ensure that children were not used in any military operation or any other violent action; end immediately rape and other sexual violence and killing and maiming of children; stop the use of anti-personnel mines and remove unexploded ordnance; release all abducted children, facilitate their return to their families and commu-

nities, and end and prevent abduction; cease attacks or threats of attacks against schools and educational facilities and respect the civilian status of schools; and ensure unhindered and safe access for the provision of humanitarian assistance and child protection. The Group recommended that the Security Council President transmit letters to the Government of Colombia and to the Secretary-General, and agreed to send a letter to donors.

Cuba–United States

In response to General Assembly resolution 64/6 [YUN 2009, p. 330], the Secretary-General in August [A/65/83 & Add.1] submitted information received as at 9 July 2010 from 134 States, the European Union and 26 UN bodies and specialized agencies on the implementation of the resolution, by which the Assembly had called on States to refrain from the unilateral application of economic and trade measures against other States, and urged them to repeal or invalidate such measures.

Communications. Cuba and Mexico, by letters of 25 February [A/64/688] and 8 March [A/64/719], respectively, transmitted the Declaration on the Need to End the United States Economic, Trade and Financial Embargo against Cuba, adopted at the first Latin American and Caribbean Unity Summit (Mayan Riviera, Mexico, 22–23 February).

On 21 October [A/65/550], Cuba transmitted the Final Declaration of the Seventh Forum of Cuban Civil Society against the Embargo, adopted in Havana on 20 October.

GENERAL ASSEMBLY ACTION

On 26 October [meeting 36], the General Assembly adopted **resolution 65/6** [draft: A/65/L.3] by recorded vote (187-2-3) [agenda item 41].

Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba

The General Assembly,

Determined to encourage strict compliance with the purposes and principles enshrined in the Charter of the United Nations,

Reaffirming, among other principles, the sovereign equality of States, non-intervention and non-interference in their internal affairs and freedom of international trade and navigation, which are also enshrined in many international legal instruments,

Recalling the statements of the Heads of State or Government at the Ibero-American Summits concerning the need to eliminate the unilateral application of economic and trade measures by one State against another that affect the free flow of international trade,

Concerned about the continued promulgation and application by Member States of laws and regulations, such as that promulgated on 12 March 1996 known as “the Helms-Burton Act”, the extraterritorial effects of which affect the sovereignty of other States, the legitimate interests of entities or persons under their jurisdiction and the freedom of trade and navigation,

Taking note of declarations and resolutions of different intergovernmental forums, bodies and Governments that express the rejection by the international community and public opinion of the promulgation and application of measures of the kind referred to above,

Recalling its resolutions 47/19 of 24 November 1992, 48/16 of 3 November 1993, 49/9 of 26 October 1994, 50/10 of 2 November 1995, 51/17 of 12 November 1996, 52/10 of 5 November 1997, 53/4 of 14 October 1998, 54/21 of 9 November 1999, 55/20 of 9 November 2000, 56/9 of 27 November 2001, 57/11 of 12 November 2002, 58/7 of 4 November 2003, 59/11 of 28 October 2004, 60/12 of 8 November 2005, 61/11 of 8 November 2006, 62/3 of 30 October 2007, 63/7 of 29 October 2008 and 64/6 of 28 October 2009,

Concerned that, since the adoption of its resolutions 47/19, 48/16, 49/9, 50/10, 51/17, 52/10, 53/4, 54/21, 55/20, 56/9, 57/11, 58/7, 59/11, 60/12, 61/11, 62/3, 63/7 and 64/6, further measures of that nature aimed at strengthening and extending the economic, commercial and financial embargo against Cuba continue to be promulgated and applied, and concerned also about the adverse effects of such measures on the Cuban people and on Cuban nationals living in other countries,

1. *Takes note* of the report of the Secretary-General on the implementation of resolution 64/6;

2. *Reiterates its call upon* all States to refrain from promulgating and applying laws and measures of the kind referred to in the preamble to the present resolution, in conformity with their obligations under the Charter of the United Nations and international law, which, inter alia, reaffirm the freedom of trade and navigation;

3. *Once again urges* States that have and continue to apply such laws and measures to take the necessary steps to repeal or invalidate them as soon as possible in accordance with their legal regime;

4. *Requests* the Secretary-General, in consultation with the appropriate organs and agencies of the United Nations system, to prepare a report on the implementation of the present resolution in the light of the purposes and principles of the Charter and international law and to submit it to the General Assembly at its sixty-sixth session;

5. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled “Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba”.

RECORDED VOTE ON RESOLUTION 65/6:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cam-

eroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, United States.

Abstaining: Marshall Islands, Micronesia, Palau.

Cooperation between the United Nations and regional organizations

Caribbean Community

The Secretary-General, in response to General Assembly resolution 58/316 [YUN 2004, p. 1374], submitted, in his August report [A/65/382-S/2010/490] on cooperation between the United Nations and regional and other organizations, a summary of United Nations/Caribbean Community (CARICOM) collaborative activities. The United Nations Development Programme Regional Centre in Panama was working with the CARICOM secretariat to develop capacity in results-based management and aid effectiveness. The Joint United Nations Programme on HIV/AIDS supported the CARICOM-based Pan Caribbean Partnership against HIV/AIDS, and was a key technical partner in developing the biannual plans for the implementation of the Caribbean Regional Strategic Framework on HIV/AIDS. The United Nations Children's Fund supported the organization of a summit of CARICOM Heads of Government on Youth and Development (Paramaribo, Suriname, 29–30 January), and worked

with the CARICOM Subregional Task Force on Child Protection and Child Rights. A regional programme for food security, prepared by the Food and Agriculture Organization of the United Nations in collaboration with the CARICOM secretariat, was approved by the CARICOM Council of Ministers responsible for Trade and Economic Development. The CARICOM regional coordinator for Security Council resolution 1540(2004) [YUN 2004, p. 544], relating to weapons of mass destruction and their means of delivery, participated in regional workshops organized by the Office for Disarmament Affairs, with a focus on border and export controls.

GENERAL ASSEMBLY ACTION

On 24 December [meeting 73], the General Assembly adopted **resolution 65/242** [draft: A/65/L.54 & Add.1] without vote [agenda item 122 (e)].

Cooperation between the United Nations and the Caribbean Community

The General Assembly,

Recalling its resolutions 46/8 of 16 October 1991, 49/141 of 20 December 1994, 51/16 of 11 November 1996, 53/17 of 29 October 1998, 55/17 of 7 November 2000, 57/41 of 21 November 2002, 59/138 of 10 December 2004, 61/50 of 4 December 2006 and 63/34 of 26 November 2008,

Bearing in mind the provisions of Chapter VIII of the Charter of the United Nations on the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action and other activities consistent with the purposes and principles of the United Nations,

Bearing in mind also, in this regard, the cooperation activities undertaken by the United Nations and the Caribbean Community in fields related to the prevention and eradication of the illicit trade in narcotic drugs, small arms and light weapons, the safety and management of stockpiles and the destruction of surplus weapons and ammunition, the non-proliferation of weapons of mass destruction and the prohibition and restriction of the use of certain conventional weapons,

Recalling the signing on 27 May 1997 by the Secretary-General of the United Nations and the Secretary-General of the Caribbean Community of a cooperation agreement between the secretariats of the two organizations,

Recalling also the fruitful and action-oriented exchanges that have taken place recently between the two organizations, including contacts between the Secretary-General of the United Nations and Heads of Government of the Caribbean Community, and also between the Secretary-General of the United Nations and the Secretary-General of the Caribbean Community,

Bearing in mind that, in its resolutions 54/225 of 22 December 1999, 55/203 of 20 December 2000, 57/261 of 20 December 2002, 59/230 of 22 December 2004, 61/197 of 20 December 2006 and 63/214 of 19 December 2008, it recognized the importance of adopting an integrated man-

agement approach to the Caribbean Sea area in the context of sustainable development, and mindful of the critical importance of the Caribbean Sea to the economic and social development and environmental well-being of the region, including in the areas of tourism, trade, commerce and the marine sector,

Bearing in mind also the support that Caribbean States have received from the United Nations in their efforts to advance the implementation of the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States,

Noting the support that the United Nations Environment Programme has been extending for the implementation of the environmental and sustainable development programmes of the Caribbean Community, including its close collaboration with the Sustainable Development Unit of the Caribbean Community Secretariat, and related national and regional institutions,

Expressing appreciation, in this context, for the technical role of the United Nations Environment Programme in building cooperation linkages among the small island developing States of the Caribbean Community, and in facilitating the assessment by them of the implications of their adaptation to climate change, which will guide future United Nations Environment Programme climate change programmes in the region,

Taking note of the outcome document of the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals, in which Heads of State and Government recognized the unique and particular vulnerabilities of small island developing States and reaffirmed their commitment to urgent and concrete action to address those vulnerabilities through the full and effective implementation of the Mauritius Strategy, and taking note also of the outcome document of the High-level Review Meeting on the Implementation of the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States, held on 24 and 25 September 2010 in New York,

Noting that the Caribbean region is the second most hazard-prone region in the world, with frequent exposure to devastating natural hazards, including earthquakes, floods, hurricanes and volcanic eruptions, and concerned that their increased frequency, intensity and destructive power continue to pose a challenge to the development of the region,

Recalling the devastating earthquake that struck Haiti on 12 January 2010 and the ongoing challenges that the country continues to face given the scale of the disaster, and calling for renewed attention to the critical situation in Haiti as well as the fulfilment of pledges made to assist Haiti in its long-term recovery and sustainable development initiatives,

Noting that in October and November 2010, parts of the Caribbean region, including Haiti, Saint Lucia and Saint Vincent and the Grenadines, were severely affected, in varying degrees of intensity, by Hurricane Tomas which caused significant loss of life and extensive damage to infrastructure, with consequent negative effects on the development efforts of the countries affected,

Noting with appreciation the robust support and encouragement that the United Nations continues to give to the

Pan-Caribbean Partnership against HIV/AIDS, which observed on 1 November 2010 the tenth anniversary of its establishment as a regional response mechanism for reducing the spread and impact of HIV and AIDS through a system of universal access to HIV prevention, treatment, care and support,

Noting with appreciation also the number of consultations and information exchanges that have been taking place between officials of the two organizations aimed at strengthening their bilateral cooperation in such areas as crime, drug abuse control and violence,

Expressing deep concern about the persistent challenges posed by an international environment characterized by, inter alia, crises in food and energy security, the impact of global warming, the loss of biodiversity and a fragile and uneven international financial system, all of which have increased the vulnerabilities and seriously exacerbated the challenges for the development efforts of the countries of the Caribbean Community,

Welcoming the initiative of the States members of the Caribbean Community leading to the adoption of General Assembly resolution 64/265 of 13 May 2010 on the prevention and control of non-communicable diseases, and acknowledging the contribution of the World Health Organization and the Pan-American Health Organization and their continuing support for the process leading up to the convening of the high-level meeting of the General Assembly to be held in New York in September 2011,

Affirming the need to further strengthen the cooperation that already exists between entities of the United Nations system and the Caribbean Community in the areas of economic and social development and of political and humanitarian affairs,

Convinced of the need for the coordinated utilization of available resources to promote the common objectives of the two organizations,

1. *Takes note* of the report of the Secretary-General, in particular paragraphs 41 to 54 on the Caribbean Community, concerning efforts to strengthen and deepen cooperation;

2. *Calls upon* the Secretary-General of the United Nations, in association with the Secretary-General of the Caribbean Community, as well as the relevant regional organizations, to continue to assist in furthering the development and maintenance of peace and security within the Caribbean region;

3. *Invites* the Secretary-General to continue to promote and expand cooperation and coordination between the United Nations and the Caribbean Community so as to increase the capacity of the two organizations to attain their objectives;

4. *Calls for*, in this context, vastly increased efforts by developed countries to strengthen the multilateral development framework to enable the United Nations development system to respond more effectively to the needs of programme countries, so that they, including the countries of the Caribbean Community, can pursue their development efforts on the basis of secure and predictable funding;

5. *Urges* the specialized agencies and other organizations and programmes of the United Nations system to enhance their cooperation with the Secretary-General of the United Nations and the Secretary-General of the Carib-

bean Community with a view to intensifying their consultations and programmes of cooperation with the Caribbean Community and its associated institutions in the attainment of their objectives;

6. *Expresses appreciation* for the active cooperation being extended by the United Nations Educational, Scientific and Cultural Organization for the purpose of enhancing the technical performance of the media in the region;

7. *Calls upon* the United Nations, the specialized agencies and other organizations and programmes of the United Nations system to intensify their assistance to the countries of the Caribbean in addressing the social and economic consequences of the vulnerability of Caribbean economies and the challenges that this poses for achieving the Millennium Development Goals and the goal of sustainable development;

8. *Notes* the continuing cooperation between the United Nations Development Programme and the Caribbean Community, inter alia in support of implementing the Caribbean Community Single Market and Economy, strengthening democratic institutions and mechanisms for citizen security and strengthening capacities to address issues related to climate change;

9. *Also notes* the cooperation between the United Nations Industrial Development Organization and the Caribbean Community aimed at the design and implementation of programmes for enhancing the industrial development capacity of the countries of the Caribbean Community and competitiveness in the Caribbean Community Single Market and Economy;

10. *Further notes* the various cooperation activities between the Caribbean Community and the Food and Agriculture Organization of the United Nations, including the Regional Food Security Project, designed to increase agricultural output, promote food security, increase income and employment opportunities and enhance the international competitiveness of the agriculture sector and its contribution to the sustainable development of the region;

11. *Invites* the organizations of the United Nations system, as well as Member States, to increase financial and other assistance to the countries of the Caribbean Community to help to implement the priorities of the Caribbean Regional Strategic Framework for HIV/AIDS, which sets out realistic targets for reducing the rate of new infections, raising the quality and coverage of care, treatment and support and building institutional capacity, and to cope with the problems and the burden caused by the HIV/AIDS pandemic;

12. *Stresses* the urgent need for the reopening of the office of the United Nations Office on Drugs and Crime in the region so as to reinforce the efforts of the States of the region in their struggle against the interrelated scourges of drugs, violent crime and the illicit trade in small arms and light weapons;

13. *Expresses appreciation* for the cooperation received from the Department of Public Information of the Secretariat in the implementation of the annual commemoration of the International Day of Remembrance of the Victims of Slavery and the Transatlantic Slave Trade on 25 March;

14. *Requests* the Department of Public Information, in cooperation with the countries concerned and relevant organizations and bodies of the United Nations system, to continue to take appropriate steps to enhance public awareness worldwide of the commemorative activities and the permanent memorial initiative, and to continue to facilitate efforts to erect the permanent memorial at United Nations Headquarters;

15. *Expresses appreciation* for the continuing support and cooperation being received from the Department of Public Information in the preparatory activities for establishing a permanent memorial to the victims of slavery and the transatlantic slave trade, in keeping with General Assembly resolution 62/122 of 17 December 2007 and subsequent resolutions;

16. *Stresses* the critical importance of implementing the decisions adopted at the High-level Review Meeting on the Implementation of the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States, including through the mobilization of financial and technological resources, as well as capacity-building programmes;

17. *Calls upon* the United Nations, including its specialized agencies, organizations and programmes, to assist in the preparatory process for the high-level meeting on non-communicable diseases and to provide support to Member States, as appropriate, leading up to the meeting;

18. *Welcomes* the initiatives of Member States in assisting in the cooperation between the United Nations and the Caribbean Community, and encourages their continuing efforts;

19. *Also welcomes* the convening in 2011 of the sixth general meeting between representatives of the Caribbean Community and its associated institutions on the one hand and of the United Nations system on the other, in order to review and appraise progress in the implementation of the agreed areas and issues and to hold consultations on such additional measures and procedures as may be required to facilitate and strengthen cooperation between the two organizations, including the updating of the Regional Strategic Framework;

20. *Requests* the Secretary-General to submit to the General Assembly at its sixty-seventh session a report on the implementation of the present resolution;

21. *Decides* to include in the provisional agenda of its sixty-seventh session the sub-item entitled "Cooperation between the United Nations and the Caribbean Community".

Asia and the Pacific

In 2010, the United Nations continued to address political and security challenges in Asia and the Pacific in its efforts to restore peace and stability and to promote economic and social development in the region.

The London Conference in January saw a renewal of the commitment between the Afghan Government and the international community to implement a reform-oriented nation-building agenda, and the Kabul Conference in July resulted in a strategy on the way forward: the Kabul process. On 18 September, despite threats and violence, 4.3 million Afghans voted in elections for the Lower House of the National Assembly, the Wolesi Jirga. The United Nations Assistance Mission in Afghanistan continued to foster political dialogue, coordinate international humanitarian and development activities, and assist the Government in institution-building. In March, the Security Council extended the Mission's mandate by another year. The International Security Assistance Force (ISAF), a multinational force led by the North Atlantic Treaty Organization, continued to assist the Government in maintaining security. The Council extended the authorization of ISAF until October 2011.

In Iraq, an estimated 12 million voters turned out to cast their ballots for the national parliamentary elections in March. In November, leading political blocs reached an agreement on forming a national partnership Government on the basis of the election results. In December, the Council adopted resolution 1956(2010) extending the arrangements for depositing proceeds from export sales of petroleum, petroleum products and natural gas into the Development Fund for Iraq until 30 June 2011; resolution 1957(2010) terminating the measures by which Iraq was requested to destroy all weapons of mass destruction and long-range ballistic missiles, and not to acquire any nuclear weapons; and resolution 1958(2010) terminating the residual activities of the oil-for-food programme. A series of attacks across Iraq in May, including in the relatively calm areas of southern Iraq, killed over 100 people. The United Nations Assistance Mission for Iraq continued to advise the Government on developing civil and social services, foster human rights protection and legal reforms, and contribute to the coordination of development and reconstruction. The Council extended the Mission's mandate until July 2011.

The United Nations Integrated Mission in Timor-Leste (UNMIT) continued to assist the country in re-

forming the security sector, strengthening the rule of law, promoting economic and social development and fostering democratic governance. The Secretary-General recommended the phased drawdown of the UNMIT police force, which began in April. In February, the Council extended the Mission's mandate for another year. After the Dili District Court delivered its verdict in the trial of the 11 February 2008 attacks against the President and the Prime Minister, convicting 24 of 28 defendants, President José Ramos-Horta granted commutations of the sentences for 23 of the convicted persons.

During the year, the Democratic People's Republic of Korea continued its nuclear weapons programme. In May, the Panel of Experts established under Council resolution 1874(2009) [YUN 2009, p. 384] submitted its final report. Tensions escalated on the Korean peninsula following a 26 March attack by the DPRK against a Republic of Korea naval ship, the *Cheonan*, which resulted in the sinking of the vessel and the deaths of 46 Korean servicemen on board.

The peace process in Nepal remained stalled during 2010, with few signs of a consensual way forward. Positive developments included the discharge of disqualified Maoist army personnel, which concluded in February, and the 13 September signing of a four-point agreement between the Government and the political parties to complete the process by 14 January 2011. The United Nations Mission in Nepal (UNMIN) continued to encourage the parties to reach an agreement on integration and rehabilitation and other related commitments. In September, by resolution 1939(2010), the Council extended the Mission's mandate for a four-month period and decided that UNMIN would terminate on 15 January 2011.

The International Atomic Energy Agency (IAEA) reported that Iran had not implemented the Additional Protocol to Iran's Safeguards Agreement or the relevant resolutions of the Security Council and the IAEA Board of Governors. The Government had also failed to provide the necessary cooperation to permit the Agency to confirm that all nuclear material in Iran was being used in peaceful activities. In June, by resolution 1929(2010), the Council imposed additional sanctions on Iran.

The three-member UN Commission of Inquiry into the assassination of former Prime Minister of Pakistan Benazir Bhutto submitted its report to the Secretary-General on 30 March. Following an unconstitutional

change of power in Kyrgyzstan in April, parliamentary elections were held on 10 October, which were assessed by observers as positive, transparent and well organized. In August, Cambodia and Thailand addressed the issue of border demarcation.

Afghanistan

In 2010, the international community continued to assist the Government of Afghanistan to lay the foundation for peace and stability and the restoration of economic and social development, through support provided by the United Nations Assistance Mission in Afghanistan (UNAMA), under the direction of the Special Representative of the Secretary-General and Head of Mission, and the International Security Assistance Force (ISAF), led by the North Atlantic Treaty Organization (NATO).

The Secretary-General submitted four progress reports to the General Assembly and the Security Council, in March [A/64/705-S/2010/127], June [A/64/872-S/2010/318], September [A/65/552-S/2010/463] and December [A/65/612-S/2010/630], on the situation in Afghanistan and on UNAMA activities, as well as a later report including information relating to 2010 [A/65/783-S/2011/120]. The Security Council carried out a mission to Afghanistan in June.

ISAF activities were reported to the Council by the NATO Secretary-General through the UN Secretary-General [S/2010/353, S/2010/437, S/2010/548, S/2010/657, S/2011/124]. The Council, by resolution 1917(2010) (see p. 340), extended the UNAMA mandate until 23 March 2011, and by resolution 1943(2010) (see p. 358) it extended the ISAF authorization until 13 October 2011.

Political and security developments

New Special Representative. On 26 January [S/2010/47], the Secretary-General informed the Security Council President of his intention to appoint Stefan de Mistura (Sweden) as his Special Representative for Afghanistan and Head of UNAMA as at 1 March. The Council took note of that intention on 27 January [S/2010/48].

London Conference. The International Conference on Afghanistan (London, 28 January), co-chaired by Afghanistan, the United Kingdom and the United Nations, saw the renewal of the mutual commitment of Afghanistan and the international community to implement a reform-oriented, nation-building agenda on the basis of President Hamid Karzai's November 2009 inaugural speech. The 78 participating nations and institutions agreed on

a new partnership premised on a transition to greater Afghan leadership and responsibility. Participants agreed to develop a plan for a phased, province-by-province transition to Afghan-led security starting by late 2010 or early 2011—provided that necessary conditions were met—and confirmed a significant increase in the number of international forces to support the training of Afghan forces. A consensus regarding an Afghan-led reconciliation and reintegration approach to those anti-Government elements willing to renounce violence and to respect the Afghan Constitution was generated. The Conference also set the agenda for an additional conference to be held in Kabul in the spring of 2010. On 2 February [S/2010/65], the United Kingdom transmitted the communiqué of the London Conference on Afghanistan to the Security Council.

Report of Secretary-General (March). In his March report on the situation in Afghanistan [A/64/705-S/2010/127], the Secretary-General said that key developments during the previous three months included the certification of the provincial council elections [YUN 2009, p. 350], the holding of the London Conference, the evolution of the security situation, and economic development in the country. On the formation of the new Government, President Karzai presented a list of Cabinet nominees to the Wolesi Jirga, the lower house of the parliament, in December 2009 and in January 2010. Following hearings in January, the parliament confirmed 14 candidates. The Independent Election Commission announced 22 May as the date for parliamentary elections, but due to concerns of insufficient time for preparation and needed electoral reforms, President Karzai convened a meeting with international and national stakeholders, and on 24 January, the Commission postponed the elections until 18 September. Another concern was the fact that well-known alleged human rights violators and individuals linked to illegal armed groups were able to stand for election to public office, a factor that had undermined the 2009 election process. In order to create an environment conducive to free and fair parliamentary elections, there was a need to establish a comprehensive vetting plan that would accurately identify and disqualify candidates, as well as a need to implement measures aimed at increased participation of women and minorities and more freedom of expression.

The security situation continued to deteriorate in January 2010, with the number of incidents totalling 40 per cent higher than in January 2009. Contributing factors included an increased number of international military troops and mild weather conditions in several parts of the country. The majority of incidents involved armed clashes and improvised explosive devices (IEDs). During the 20 January 2010 meeting of the Joint Coordination and Monitoring Board, the

Minister of the Interior presented an Afghan National Police strategy that identified specific threat areas and priorities, and would resolve long-standing differences within the international community over the structure of the Afghan National Police that had stalled police reform and given rise to contradictory approaches on the part of major donors. In that context, it was essential that UNAMA maintain and expand its police advisory presence in all eight regional offices to provide liaison, monitoring and advice on police and security-related issues. With a view to meeting the objective of ensuring that the Afghan National Security Forces assumed full responsibility for security within five years, the Board also agreed to increased growth targets of army and police personnel from approximately 104,300 and 96,800, respectively, to 134,000 and 109,000 by October 2010, and to 171,600 and 134,000 by October 2011. Those targets were endorsed by the London Conference.

In February 2010, the Afghan army and ISAF launched an offensive involving 15,000 troops against a Taliban stronghold in Helmand. The operation focused on Marjah in the centre of a significant opium-growing region and was to be followed by a major governance effort.

Landmines and explosive remnants of war remained a security concern, with more than 2,150 communities directly affected and an average of 42 people killed or injured every month. Mine contamination also prevented livelihood activities by blocking access to agricultural land, water, health and education.

On counter-narcotics efforts, in February, the United Nations Office on Drugs and Crime (UNODC) issued the *Opium Winter Rapid Assessment Survey*, which was based on a survey of farmers' intentions at planting time and predicted that opium cultivation levels would be similar to those in 2009. While eight additional provinces could become poppy-free in 2010, and opium cultivation in Afghanistan had declined by 36 per cent over the previous two years, prices for licit crops had begun to fall, raising the possibility that farmers could again turn to opium. In order to consolidate the decline in opium production, increased agricultural assistance and better governance at the subnational level were required. In other counter-narcotics developments, three joint operations among Afghanistan, Iran and Pakistan were successfully carried out as part of the triangular initiative of the Rainbow Strategy, which was implemented by UNODC. The three countries also agreed to appoint permanent liaison officers to the joint planning cell in Tehran, Iran, and to establish a border liaison office on each border.

Regarding mission support, the 2010 UNAMA budget provided for an increase in personnel as well as for the opening of four new provincial offices. In provinces

where UNAMA had no field offices, the Mission continued to be active through periodic visits. The Secretary-General recommended renewal of the UNAMA mandate for an additional 12 months, with modifications to three of the nine elements of the mandate as set out in resolution 1868(2009) [YUN 2009, p. 335], namely, overall coordination; electoral assistance; and good offices support for Afghan-led reconciliation programmes.

Communication. On 3 February [A/64/654-S/2010/70], Turkey transmitted to the Secretary-General the Istanbul Statement adopted at the end of the Regional Summit on Afghanistan (Istanbul, Turkey, 26 January).

SECURITY COUNCIL ACTION

On 22 March [meeting 6290], the Security Council unanimously adopted **resolution 1917(2010)**. The draft [S/2010/147] was submitted by Turkey.

The Security Council,

Recalling its previous resolutions on Afghanistan, in particular resolution 1868(2009) of 23 March 2009, in which it extended until 23 March 2010 the mandate of the United Nations Assistance Mission in Afghanistan as established by resolution 1662(2006) of 23 March 2006, and resolution 1659(2006) of 15 February 2006, in which it endorsed the Afghanistan Compact, and recalling also the report of the Security Council mission to Afghanistan from 21 to 28 November 2008,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan,

Stressing the importance of a comprehensive approach to address the situation in Afghanistan, and recognizing that there is no purely military solution to ensure the stability of Afghanistan,

Reaffirming its continued support for the Government and people of Afghanistan as they rebuild their country, strengthen the foundations of sustainable peace and constitutional democracy and assume their rightful place in the community of nations,

Welcoming the communiqué of the London Conference on Afghanistan, held on 28 January 2010, which set a clear agenda and agreed priorities for the way ahead on Afghanistan, underpinned by a comprehensive strategy to be taken forward by the Government of Afghanistan with the support of the region and the international community and with a central and impartial coordinating role for the United Nations,

Reaffirming in this context its support for the implementation, under the ownership of the Afghan people, of the Afghanistan Compact, the Afghanistan National Development Strategy and the National Drug Control Strategy, and noting that sustained and coordinated efforts by all relevant actors are required to consolidate progress made towards their implementation and to overcome continuing challenges,

Stressing the central and impartial role that the United Nations continues to play in promoting peace and stability in Afghanistan by leading the efforts of the international

community, including, jointly with the Government of Afghanistan, the coordination and monitoring of efforts in implementing the Afghanistan Compact through the Joint Coordination and Monitoring Board in support of the priorities set up by the Government, and expressing its appreciation and strong support for the ongoing efforts of the Secretary-General, his newly appointed Special Representative for Afghanistan and, in particular, the women and men of the Mission, who are serving in difficult conditions to help the people of Afghanistan,

Welcoming the continued commitment of the international community to support the stability and development of Afghanistan, and also welcoming in this regard international and regional initiatives, including commitments made at the regional Summit on Friendship and Cooperation in the “Heart of Asia”, held in Istanbul, Turkey, on 26 January 2010 with the participation of Afghanistan and its neighbours, and the London Conference on Afghanistan, held on 28 January 2010, and looking forward to the Government of Afghanistan’s concrete action plans and targets in anticipation of an international conference in Kabul later in the year,

Recalling the importance of the Kabul Declaration on Good-neighbourly Relations of 22 December 2002, the special conference on Afghanistan under the aegis of the Shanghai Cooperation Organization, held in Moscow on 27 March 2009, and the Istanbul Statement of 26 January 2010, looking forward to the Fourth Regional Economic Cooperation Conference on Afghanistan, to be held in Turkey, and stressing the crucial importance of advancing regional cooperation as an effective means to promote security, governance and economic and social development in Afghanistan,

Welcoming the efforts of countries that are increasing their civilian and humanitarian efforts to assist the Government and the people of Afghanistan, and encouraging the international community to further enhance its contributions in a coordinated manner with the Afghan authorities and the Mission,

Stressing the need for a transparent, credible and democratic process that preserves stability and security through the election period, and welcoming the commitment of the Government of Afghanistan to ensure the integrity of the 2010 national legislative elections and to prevent irregularities and misconduct,

Recognizing once again the interconnected nature of the challenges in Afghanistan, reaffirming that sustainable progress on security, governance, human rights, the rule of law and development, as well as the cross-cutting issues of anti-corruption, counter-narcotics and transparency, is mutually reinforcing, and welcoming the continuing efforts of the Government of Afghanistan and the international community to address these challenges through a comprehensive approach,

Stressing the importance of a comprehensive approach in addressing the challenges in Afghanistan, noting in this context the synergies in the objectives of the Mission and of the International Security Assistance Force, as also noted in resolution 1890(2009) of 8 October 2009, and stressing the need for strengthened cooperation, coordination and mutual support, taking due account of their respective designated responsibilities,

Stressing also the need to urgently address the humanitarian situation by improving the reach, quality and quantity of humanitarian aid, by ensuring efficient, effective and timely coordination and delivery of humanitarian assistance through enhanced coordination among the United Nations agencies, funds and programmes under the authority of the Special Representative and between the United Nations and other donors, and through the expansion and strengthening of the United Nations humanitarian presence in the provinces, where it is most needed,

Condemning attacks against humanitarian workers, emphasizing that the attacks impede efforts to aid the people of Afghanistan, and underlining the need for all parties to ensure safe and unhindered access for all humanitarian actors, including United Nations staff and associated personnel, and to comply fully with applicable international humanitarian law,

Reiterating its concern about the security situation in Afghanistan, in particular the increased violent and terrorist activities by the Taliban, Al-Qaida, illegal armed groups, criminals and those involved in the narcotics trade, and the increasingly strong links between terrorism activities and illicit drugs, resulting in threats to the local population, including children, national security forces and international military and civilian personnel,

Expressing its serious concern over the harmful consequences of violent and terrorist activities by the Taliban, Al-Qaida and other extremist groups on the capacity of the Government of Afghanistan to guarantee the rule of law, to provide security and basic services to the Afghan people and to ensure the improvement and protection of their human rights and fundamental freedoms,

Recognizing the increased threats posed by the Taliban, Al-Qaida and other extremist groups as well as the challenges related to the efforts to address such threats,

Recalling its resolutions 1674(2006) of 28 April 2006, 1738(2006) of 23 December 2006 and 1894(2009) of 11 November 2009 on the protection of civilians in armed conflict, expressing its concern at the high number of civilian casualties, the significant majority of which are caused by the Taliban, Al-Qaida and other extremist groups, welcoming the progress by Afghan and international forces in reducing civilian casualties, reiterating its call for all feasible steps to be taken to ensure the protection of civilians, and calling for compliance with international humanitarian and human rights law, as applicable,

Expressing its concern at the serious threat that anti-personnel mines, remnants of war and improvised explosive devices may pose to the civilian population, and stressing the need to refrain from the use of weapons and devices prohibited by international law,

Welcoming the achievements of the Government of Afghanistan in banning ammonium nitrate fertilizer, and urging prompt action to implement regulations for the control of all explosive materials and precursor chemicals, thereby reducing the ability of insurgents to use them for improvised explosive devices,

Recalling the declaration addressed to the International Narcotics Control Board by the Government of Afghanistan that there is no legal use for acetic anhydride in Afghanistan for the time being and that producing and exporting countries should abstain from authorizing the

export of this substance to Afghanistan without a request from the Government of Afghanistan, and encouraging, pursuant to resolution 1817(2008) of 11 June 2008, Member States to increase their cooperation with the Board, notably by complying fully with the provisions of article 12 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,

Expressing its support for the Afghan-Pakistani Peace Jirga process,

Recalling its resolutions 1265(1999) of 17 September 1999, 1296(2000) of 19 April 2000, 1674(2006), 1738(2006) and 1894(2009) on the protection of civilians in armed conflict, its resolutions 1325(2000) of 31 October 2000, 1820(2008) of 19 June 2008, 1888(2009) of 30 September 2009 and 1889(2009) of 5 October 2009 on women and peace and security and its resolutions 1612(2005) of 26 July 2005 and 1882(2009) of 4 August 2009 on children and armed conflict, and taking note of the report of the Secretary-General on children and armed conflict in Afghanistan,

1. *Welcomes* the report of the Secretary-General of 10 March 2010;

2. *Expresses its appreciation* for the United Nations long-term commitment to work with the Government and people of Afghanistan, and reiterates its full support for the work of the United Nations Assistance Mission in Afghanistan and the Special Representative of the Secretary-General for Afghanistan;

3. *Decides* to extend until 23 March 2011 the mandate of the Mission, as defined in its resolutions 1662(2006), 1746(2007) of 23 March 2007, 1806(2008) of 20 March 2008 and 1868(2009) and in paragraphs 4 to 6 below;

4. *Calls upon* the United Nations, with the support of the international community, to support the priorities of the Government of Afghanistan on the issues of security, governance and economic development, and regional co-operation, and to support the full implementation of mutual commitments made on these issues at the London Conference on Afghanistan, as well as on continuing implementation of the National Drug Control Strategy, and requests that the Mission assist the Government in the transition towards Afghan leadership, including by supporting the preparation of the conference to be held in Kabul later in the year;

5. *Decides* that the Mission and the Special Representative, within their mandate and guided by the principle of reinforcing Afghan ownership and leadership, shall continue to lead the international civilian efforts, in accordance with the communiqué of the London Conference on Afghanistan, and with a particular focus on the priorities laid down below:

(a) Promote, as co-chair of the Joint Coordination and Monitoring Board, more coherent support by the international community to the development and governance priorities of the Government of Afghanistan, including through mobilization of resources, coordination of international donors and organizations, and direction of the contributions of United Nations agencies, funds and programmes, in particular for counter-narcotics, reconstruction and development activities; at the same time, support efforts to increase the proportion of development aid delivered through the Government, and support efforts

to increase the transparency and effectiveness of the Government's use of such resources;

(b) Strengthen cooperation with the International Security Assistance Force and the Senior Civilian Representative of the North Atlantic Treaty Organization at all levels and throughout the country, in accordance with their existing mandates, in order to improve civil-military coordination, to facilitate the timely exchange of information and to ensure coherence between the activities of national and international security forces and of civilian actors in support of an Afghan-led development and stabilization process, including through engagement with provincial reconstruction teams and engagement with non-governmental organizations; and support the process of provincial transition to Afghan-led security responsibility, taking into account the respective mandates of the Mission and the Force;

(c) Provide political outreach as well as good offices to support, if requested by the Government of Afghanistan, the implementation of Afghan-led reconciliation and reintegration programmes, including by proposing and supporting confidence-building measures within the framework of the Afghan Constitution and with full respect for the implementation of measures and application of the procedures introduced by the Security Council in its resolutions 1267(1999) of 15 October 1999, 1822(2008) of 30 June 2008 and 1904(2009) of 17 December 2009, as well as other relevant resolutions of the Council;

(d) Support, at the request of the Afghan authorities, and taking into account progress on commitments on electoral reform agreed at the London Conference, preparations for the upcoming national legislative elections, by providing technical assistance, coordinating other international donors, agencies and organizations providing assistance and channelling existing and additional funds earmarked to support the process; and support, through civil society, the robust participation of the Afghan people in the elections and the electoral reform process;

6. *Reaffirms* that the Mission and the Special Representative shall continue to lead international civilian efforts in the following priority areas:

(a) Through a strengthened and expanded presence throughout the country, promote at the local level the implementation of the Afghanistan National Development Strategy and the National Drug Control Strategy, and facilitate inclusion in and understanding of the policies of the Government of Afghanistan;

(b) Support and strengthen efforts to improve governance and the rule of law, including transitional justice, and to combat corruption at the local and national levels, and to promote development initiatives at the local level with a view to helping to bring the benefits of peace and deliver services in a timely and sustainable manner;

(c) Play a central coordinating role to facilitate the delivery of humanitarian assistance in accordance with humanitarian principles and with a view to building the capacity of the Government of Afghanistan, including by providing effective support to national and local authorities in assisting and protecting internally displaced persons and to creating conditions conducive to the voluntary, safe, dignified and sustainable return of refugees and internally displaced persons;

(d) Continue, with the support of the Office of the United Nations High Commissioner for Human Rights, to cooperate with the Afghan Independent Human Rights Commission, to cooperate also with relevant international and local non-governmental organizations and the Government of Afghanistan, to monitor the situation of civilians, to coordinate efforts to ensure their protection, to promote accountability, and to assist in the full implementation of the fundamental freedoms and human rights provisions of the Afghan Constitution and international treaties to which Afghanistan is a State party, in particular those regarding the full enjoyment by women of their human rights;

(e) Support regional cooperation to work towards a stable and prosperous Afghanistan;

7. *Calls upon* all Afghan and international parties to coordinate with the Mission in the implementation of its mandate and in efforts to promote the security and freedom of movement of United Nations and associated personnel throughout the country;

8. *Reiterates* the need to ensure the security of United Nations staff and its support for the measures already taken by the Secretary-General in this regard, and looks forward to an analysis of the United Nations security requirements in Afghanistan;

9. *Stresses* the importance of strengthening and expanding the presence of the Mission and United Nations agencies, funds and programmes in the provinces, encourages the Secretary-General to continue his current efforts to take the measures necessary to address the security issues associated with such strengthening and expansion, and strongly supports the authority of the Special Representative in the coordination of all activities of United Nations agencies, funds and programmes in Afghanistan;

10. *Underscores* the importance of the upcoming national legislative elections for Afghanistan's democratic development, calls for all efforts to be made to ensure the credibility, safety and security of the elections, recognizes the challenges that face the Afghan Independent Election Commission and the Afghan Electoral Complaints Commission, underlines the need for those two bodies to effectively discharge their functions in preparing and monitoring elections, and encourages the Government of Afghanistan to work together with the Mission to ensure that the Independent Election Commission and the Electoral Complaints Commission are strong and independent and provide the proper checks and balances required by the Constitution;

11. *Welcomes* the commitment of the Government of Afghanistan to work closely with the United Nations to build on the lessons learned from the 2009 elections to deliver improvements to the electoral process in 2010 and beyond, and, taking into account the commitments on electoral reform made at the London Conference, reaffirms the leading role of the Mission in supporting the realization of these commitments at the request of the Government, and requests that the Mission provide technical assistance to the National Assembly and civil society to support constructive electoral reforms; and further calls upon members of the international community to provide assistance, as appropriate;

12. *Also welcomes* the renewed efforts of the Government of Afghanistan, including through the national Peace

Jirga to be held this year, to promote dialogue with those elements in opposition to the Government who are ready to renounce violence, break ties with Al-Qaida and other terrorist organizations, denounce terrorism and accept the Afghan Constitution, particularly as it relates to gender and human rights issues, and encourages the Government to make use of the good offices of the Mission to support this process, as appropriate, in full respect of the implementation of measures and procedures introduced by the Council in resolutions 1267(1999), 1822(2008) and 1904(2009), as well as other relevant resolutions of the Council;

13. *Further welcomes* the commitment of the Government of Afghanistan to develop and implement an effective, inclusive, transparent and sustainable national peace and reintegration programme, stresses the role of the Mission in supporting this programme as mandated in the present resolution, and encourages the international community to assist the efforts of the Government in this regard, including through a peace and reintegration trust fund;

14. *Welcomes* ongoing efforts by the Government of Afghanistan and its neighbouring and regional partners to foster trust and cooperation with each other, as well as recent cooperation initiatives developed by the countries concerned and regional organizations, including the Fourth Trilateral Summit of Afghanistan, Pakistan and Turkey, held in Istanbul on 24 and 25 January 2010, the Istanbul Summit, held on 26 January 2010 with the participation of Afghanistan and its neighbours, and the London Conference, held on 28 January 2010, further welcomes the reaffirmation in the communiqué of the London Conference of the principles set out in the Kabul Declaration on Good-neighbourly Relations of 22 December 2002, and stresses the importance of increasing cooperation between Afghanistan and its partners against the Taliban, Al-Qaida and other extremist groups, in promoting peace and prosperity in Afghanistan and in fostering cooperation in the economic and development sectors as a means to achieve the full integration of Afghanistan into regional dynamics and the global economy;

15. *Reaffirms* the central role played by the Joint Coordination and Monitoring Board in coordinating, facilitating and monitoring the implementation of the Afghanistan National Development Strategy, and calls upon all relevant actors to enhance their cooperation with the Board in this regard with a view to further improving its efficiency;

16. *Calls upon* international donors and organizations and the Government of Afghanistan to adhere to their commitments made at the International Conference in Support of Afghanistan, held in Paris on 12 June 2008, and at the London Conference, held on 28 January 2010, and reiterates the importance of further efforts in improving aid coordination and effectiveness, including by ensuring transparency, combating corruption and enhancing the capacity of the Government to coordinate aid;

17. *Calls upon* the Government of Afghanistan, with the assistance of the international community, including the International Security Assistance Force and the Operation Enduring Freedom coalition, in accordance with their respective designated responsibilities as they evolve, to continue to address the threat to the security and stability of Afghanistan posed by the Taliban, Al-Qaida, illegal armed groups, criminals and those involved in the narcotics trade;

18. *Condemns in the strongest terms* all attacks, including improvised explosive device attacks, suicide attacks and abductions, targeting civilians and Afghan and international forces and their deleterious effect on the stabilization, reconstruction and development efforts in Afghanistan, and condemns further the use by the Taliban and other extremist groups of civilians as human shields;

19. *Welcomes* the achievements to date in the implementation of the Mine Action Programme for Afghanistan, and encourages the Government of Afghanistan, with the support of the United Nations and all the relevant actors, to continue its efforts towards the removal of anti-personnel landmines, anti-tank landmines and explosive remnants of war in order to reduce the threats posed to human life and peace and security in the country; and expresses the need to provide assistance for the care, rehabilitation and economic and social reintegration of victims, including persons with disabilities;

20. *Recognizes* the progress made by the International Security Assistance Force and other international forces in minimizing the risk of civilian casualties, as described in the January 2010 report of the Mission on the protection of civilians in armed conflict, and calls upon them to continue to make robust efforts in this regard, notably by the continuous review of tactics and procedures and the conduct of after-action reviews and investigations in cooperation with the Government of Afghanistan in cases where civilian casualties have occurred and when the Government finds these joint investigations appropriate;

21. *Emphasizes* the importance of ensuring access for relevant organizations, as applicable, to all prisons and places of detention in Afghanistan, and calls for full respect for relevant international law, including humanitarian law and human rights law;

22. *Expresses its strong concern* about the recruitment and use of children by Taliban forces in Afghanistan as well as the killing and maiming of children as a result of the conflict, reiterates its strong condemnation of the recruitment and use of child soldiers in violation of applicable international law and all other violations and abuses committed against children in situations of armed conflict, in particular attacks against schools and the use of children in suicide attacks, calls for those responsible to be brought to justice, stresses the importance of implementing resolutions 1612(2005) and 1882(2009) in this context, and requests the Secretary-General to continue to strengthen the child protection component of the Mission, in particular through the appointment of child protection advisers;

23. *Reiterates* the importance of increasing, within a comprehensive framework, the functionality, professionalism and accountability of the Afghan security sector through appropriate vetting procedures, training, mentoring, equipping and empowerment efforts, for both women and men, in order to accelerate progress towards the goal of self-sufficient and ethnically balanced Afghan security forces providing security and ensuring the rule of law throughout the country;

24. *Welcomes*, in this context, the continued progress in the development of the Afghan National Army and its improved ability to plan and undertake operations, and encourages sustained training efforts, including through the contribution of trainers, resources and operational mentor-

ing and liaison teams through the North Atlantic Treaty Organization Training Mission-Afghanistan, and advice in developing a sustainable defence planning process as well as assistance in defence reform initiatives;

25. *Takes note* of the ongoing efforts of the Afghan authorities to enhance the capabilities of the Afghan National Police, calls for further efforts towards that goal, including through the Focused District Development programme, and stresses the importance, in this context, of international assistance through financial support and the provision of trainers and mentors, including the contribution of the North Atlantic Treaty Organization Training Mission-Afghanistan, the European Gendarmerie Force contribution to this mission and the European Union through the European Union Police Mission in Afghanistan;

26. *Welcomes* the progress in the implementation by the Government of Afghanistan of the programme of disbandment of illegal armed groups, and calls for accelerated efforts for further progress, with support from the international community;

27. *Takes note* of the recent progress in addressing opium production, remains concerned at the serious harm that opium cultivation, production and trafficking and consumption continue to cause to the security, development and governance of Afghanistan as well as to the region and internationally, calls upon the Government of Afghanistan, with the assistance of the international community, to accelerate the implementation of the National Drug Control Strategy, including through alternative livelihood programmes, and to mainstream counter-narcotics throughout national programmes, and encourages additional international support for the four priorities identified in the Strategy; and commends the support provided by the United Nations Office on Drugs and Crime to the Triangular Initiative and the Central Asian Regional Information and Coordination Centre within the framework of the Paris Pact initiative and the Rainbow Strategy, as well as the contribution of the Domodedovo Police Academy of the Russian Federation;

28. *Calls upon* States to strengthen international and regional cooperation to counter the threat to the international community posed by the illicit production, trafficking and consumption of drugs originating in Afghanistan, in accordance with the principle of common and shared responsibility, including by strengthening the law enforcement capacity in drug control and cooperation for the fight against the illicit trafficking in drugs and precursor chemicals and against money-laundering and corruption linked to such trafficking, taking into account the outcome of the Second Ministerial Conference on Drug Trafficking Routes from Afghanistan, organized by the Government of the Russian Federation in cooperation with the United Nations Office on Drugs and Crime and held in Moscow from 26 to 28 June 2006, within the framework of the Paris Pact initiative and its "Paris-Moscow" process, and in this regard calls for full implementation of Council resolution 1817(2008);

29. *Calls for* the continuation of the Paris Pact initiative in counteracting illicit production, trafficking and consumption of narcotics and the elimination of poppy crops and drug laboratories and stores as well as the interception of drug convoys, underlines the importance of border man-

agement cooperation, and welcomes the intensified cooperation of the relevant United Nations institutions with the Organization for Security and Cooperation in Europe in this regard;

30. *Reiterates* the importance of the full, sequenced, timely and coordinated implementation of the National Justice Programme by all the relevant Afghan institutions and other actors in view of accelerating the establishment of a fair and transparent justice system, eliminating impunity and contributing to the affirmation of the rule of law throughout the country;

31. *Stresses*, in this context, the importance of further progress in the reconstruction and reform of the prison sector in Afghanistan, in order to improve respect for the rule of law and human rights therein;

32. *Notes with strong concern* the effects of widespread corruption on security, good governance, counter-narcotics efforts and economic development, and urges the Government of Afghanistan, with the assistance of the international community, to vigorously lead the fight against corruption and to enhance its efforts to establish a more effective, accountable and transparent administration;

33. *Encourages* all Afghan institutions, including the executive and legislative branches, to work in a spirit of cooperation, calls upon the Government of Afghanistan to pursue continued legislative and public administration reform in order to ensure good governance, with full representation of all Afghan women and men, and accountability at both the national and the subnational levels, and stresses the need for further international efforts to provide technical assistance in this area;

34. *Calls for* full respect for human rights and fundamental freedoms and international humanitarian law throughout Afghanistan, notes with concern the restrictions on freedom of the media and attacks against journalists, commends the Afghan Independent Human Rights Commission for its courageous efforts to monitor respect for human rights in Afghanistan as well as to foster and protect those rights and to promote the emergence of a pluralistic civil society, and stresses the importance of full cooperation with the Commission by all relevant actors; and supports broad engagement across government agencies and civil society for the realization of the mutual commitments made at the London Conference, including the commitment to provide sufficient government financing for the Commission;

35. *Recognizes* that, despite progress achieved on gender equality, enhanced efforts are necessary to secure the rights of women and girls, strongly condemns continuing forms of discrimination and violence against women and girls, in particular violence aimed at preventing girls from attending school, stresses the importance of implementing resolutions 1325(2000), 1820(2008), 1888(2009) and 1889(2009), supports efforts to accelerate implementation of the National Action Plan for the Women of Afghanistan, welcomes the commitment of the Government of Afghanistan to strengthen the participation of women in all Afghan governance institutions, including elected and appointed bodies and the civil service, and requests the Secretary-General to continue to include in his reports to the Council relevant information on the process of integration of women into the political, economic and social life of Afghanistan;

36. *Welcomes* the cooperation of the Government of Afghanistan and the United Nations Assistance Mission in Afghanistan with the Security Council Committee established pursuant to resolution 1267(1999) in the implementation of resolution 1904(2009), including by providing relevant information for updating the Consolidated List and by identifying individuals and entities participating in the financing or support of acts or activities of Al-Qaida and the Taliban using proceeds derived from illicit cultivation and production of and trafficking in narcotic drugs and their precursors, and encourages the continuation of such cooperation;

37. *Calls for* the strengthening of the process of regional economic cooperation, including measures to facilitate regional trade, to increase foreign investments and to develop infrastructure, noting Afghanistan's historical role as a land bridge in Asia;

38. *Recognizes* the importance of the voluntary, safe, orderly return and sustainable reintegration of the remaining Afghan refugees for the stability of the country and the region, and calls for continued and enhanced international assistance in this regard;

39. *Affirms* the importance of the voluntary, safe, orderly return and sustainable reintegration of internally displaced persons;

40. *Requests* the Secretary-General to report to the Council every three months on developments in Afghanistan and to include in his next report an evaluation of progress made against the benchmarks for measuring and tracking progress in the implementation of the mandate of the Mission and priorities as set out in the present resolution, and calls upon all actors concerned to cooperate with the Mission in this process;

41. *Decides* to remain actively seized of the matter.

Report of Secretary-General (June). In a June report [A/64/872-S/2010/318], the Secretary-General said that the Afghan Government had continued efforts towards reintegration and reconciliation, improved security, preparations for the parliamentary elections, and strengthened regional cooperation in accordance with commitments at the London Conference. Preparations for the Kabul Conference (see p. 347) were under way, and a draft peace and reintegration programme had been released in April. The Government hosted the national Consultative Peace Jirga from 2 to 4 June—with the participation of 1,600 delegates from a wide spectrum of Afghan society and Afghan institutions—to define the framework for an intra-Afghan dialogue and to facilitate discussions on the mechanisms for the peace process. Despite rocket fire and thwarted suicide attacks during the opening session, the jirga proceeded undeterred. In a 16-point final communique, the participants endorsed President Karzai's initiative to convene a national dialogue on ways to restore peace; recommended that the Government draw up a multilateral peace programme as a national strategy; and requested that the Government and international forces release Afghans detained on unreliable reports and unproved accusations, remove names of members of the Afghan opposition from the

sanctions list established by Security Council resolution 1267(1999) [YUN 1999, p. 265], and guarantee the safety and security of those who joined the peace process.

The overall security situation had not improved since the Secretary-General's March report. Indiscriminate attacks against civilian targets, Government representatives and international military forces continued. The number of security incidents had increased significantly compared to previous years. The military focus remained on the southern region, with operations in central Helmand and Kandahar, with the primary goal of extending the reach of the Government. The rise in the use of improvised explosive devices constituted an alarming trend, with about three suicide attacks occurring per week and the persistent occurrence of complex suicide attacks. Attacks on schools increased steadily in the whole of the country, with peaks in the north, north-east, south and central regions. UNAMA provided feedback and advice on the drafting of the national threat assessment and contributed to the development of the National Police Strategy and National Police Plan of the Ministry of Interior. At the NATO Foreign Ministers' meeting (Tallinn, Estonia, 22–23 April), member countries agreed on a framework to enable a progressive handover of security responsibilities from international military to the Afghan Security Forces. ISAF and NATO were tasked with developing a plan on the way forward. UNAMA would work closely with Afghan and ISAF partners to ensure that non-security aspects of the transition plan were reflected and aligned with Afghan governance and development priorities.

Preparations for the September legislative elections commenced with the 17 April issuance of UNAMA-brokered implementation guidelines. Between 20 April and 6 May, the Independent Electoral Commission conducted candidate registration for the Wolesi Jirga elections without incident, resulting in a preliminary list of 2,635 candidates, of which 400 were women—a number which ensured that women candidates would fill all 68 of their allocated seats. On 29 May, the President approved the appointment of 113 provincial electoral complaints commission commissioners; six were women.

The Special Representative arrived in Kabul on 13 March and engaged the Government in discussions on UNAMA activities. In light of the tasks set out in resolution 1917(2010), four priority areas for Mission support were identified: electoral assistance, reintegration and reconciliation, regional cooperation, and aid coherence. In support of regional processes, on 8 May, the Special Representative launched the Kabul Silk Road initiative, an informal forum for the ambassadors of Afghanistan's neighbours to discuss their shared interest in long-term stability in

Afghanistan. Other UNAMA activities included work to finalize an implementation framework for the draft subnational governance policy approved by the cabinet in March; efforts to coordinate donor assistance in the justice sector; and ongoing monitoring of the human rights situation. UNAMA undertook a review of its structure and realigned it to deliver more effectively on identified priorities and to ensure critical programme capacity, while taking measures to minimize the exposure of staff to increased security risks. The review foresaw no significant reduction in the actual number of substantive staff members in Afghanistan.

Security Council mission

By a letter dated 14 June [S/2010/325], the Security Council President informed the Secretary-General that the Council had decided to send a mission to Afghanistan from 21 to 24 June and provided the mission's terms of reference. The mission was to be led by Ertuğrul Apakan (Turkey) and would conclude in Istanbul on 24 June, where the Government of Turkey would take over as the host of the informal Council retreat on peacemaking, peacekeeping and peacebuilding.

Report of Security Council mission. The report of the Security Council mission to Afghanistan was issued on 1 November [S/2010/564]. The mission met with, among others, President Karzai and members of his Cabinet, the Foreign Minister, the Speaker of the Wolesi Jirga, the Independent Election Commission Chairman, Electoral Complaints Commissioners, civil society organizations and opposition leaders. It also met with international interlocutors, such as UNAMA senior staff, the UN country team, ISAF, NATO and the European Union (EU), and visited the NATO training mission. The report focused on six key issues: the security situation; ISAF and the Afghan National Security Forces; reconciliation and reintegration; elections; governance, rule of law and human rights; and aid coherence and economic development. The mission noted the considerable building blocks required to empower the Government to lead a comprehensive process of transition to greater security, better provision of services and inclusive dialogue, by setting an Afghan-owned and prioritized agenda. It expressed concern about the significant rise in insecurity, especially the trends by insurgent groups towards complex suicide attacks, the near-doubling in the use of IEDs, indiscriminate attacks on civilians and the high number of targeted political assassinations, all of which threatened to overshadow political advances and were the main obstacle to Afghanistan's stabilization efforts. The increase in violence and terrorist activities by Al-Qaida, the Taliban, illegal armed groups, criminals and those involved in the narcotics

trade had resulted in threats to the local population, national security forces and international military and civilian personnel. Concerned by the increasingly high number of civilian casualties, the Council called for measures to ensure their protection.

The mission reiterated the need for a transparent, credible and democratic process that preserved stability and security throughout the electoral period; stressed the importance of a comprehensive approach in addressing the challenges in Afghanistan; noted the synergies in the objectives of the Government, UNAMA and the international community; and reiterated the importance of increasing the functionality, professionalism and accountability of the Afghan security sector through a comprehensive framework of appropriate vetting procedures, training, mentoring, and equipping and empowering of both women and men to accelerate progress towards self-sufficient and ethnically balanced Afghan security forces. Concerned by the effects of corruption, the mission encouraged the Government, with the assistance of the international community, to enhance its efforts to establish a more effective, accountable and transparent administration.

Further developments

Kabul Conference. The Government and the United Nations co-chaired the International Conference on Afghanistan (Kabul, 20 July), with the participation of 76 international delegations, marking the largest international high-level event held in Kabul since the beginning of the Bonn process [YUN 2001, p. 263]. Building on the London Conference in January (see p. 339), the Government presented a comprehensive road map to achieve its objectives, consisting of 23 national priority programmes to advance progress in security, governance, social and economic development, and the rule of law, including reforms to improve public financial management and accountability, and reduce corruption. International participants expressed their willingness to progressively align their development assistance behind the national programmes. The Conference resulted in joint commitments with detailed benchmarks indicating a clear way forward: the Kabul process. Key commitments made by both the Government and the international community included the development of a framework, timelines and benchmarks for the new national priority programmes, progress towards the Afghan lead in security, improvement of governance and tackling of corruption.

In a 23 July press statement [SC/9992], Security Council members welcomed the Kabul Conference communiqué and the commitments made by the

Government. In a joint statement adopted during their second quadrilateral meeting on the development of regional cooperation (Sochi, Russian Federation, 18 August), the Presidents of Afghanistan, Pakistan, the Russian Federation and Tajikistan welcomed and supported the launch of the Kabul Process [A/65/371-S/2010/479].

Report of Secretary-General (September). In a 14 September report [A/65/552-S/2010/463], the Secretary-General said that preparations for the parliamentary elections scheduled for 18 September were a major political focus during the period. The Independent Electoral Commission on 12 July announced the final list of candidates for the elections, which reflected the exclusion of 36 candidates on the ground of links to illegal armed groups. Thereafter, the Electoral Complaints Commission excluded additional candidates due to technical irregularities, bringing the number of excluded candidates to 76 as at 5 September; the number of candidates eligible to contest was 2,513, including 397 women. Some 229 of the sitting 249 members of the parliament were seeking re-election. The final list of polling centre locations was published four weeks in advance—an important development that would increase the transparency of the elections. All other technical elements of the preparations proceeded on schedule. The parliamentary elections had taken on increased significance owing to the political impasse between the executive and legislative branches over nominations to the Cabinet, which had existed since January and had left several cabinet seats unfilled. The Wolesi Jirga approved five of seven new Cabinet nominees on 28 June, while five other ministerial posts remained vacant.

The security situation had continued to deteriorate in many parts of the country with the overall number of security incidents increasing by 69 per cent compared with the same months in 2009, along with an 82 per cent rise in incidents using IEDs. One device targeted an UNAMA convoy in Parwan Province, killing three police escorts and a driver. Complex suicide attacks involving multiple bombers doubled from earlier in the year to a rate of four per month and continued to target the guesthouses and offices of international development agencies. The attacks negatively affected the population's confidence in the ability of the Afghan and international security forces to uphold the rule of law and deliver essential social services. The ongoing conflict and insecurity, including attacks against aid workers, limited the presence and activities of aid agencies across the country, impeding the delivery of humanitarian assistance. Insecurity also remained a cause for concern and created challenges in the electoral process. Widespread intimidation of candidates, particularly women, had been reported. As

at 30 August, four candidates had been killed, while five agents campaigning for a female candidate were found dead in Herat on 29 August. As fragile security could lead to the occurrence of systematic fraud and irregularities in the elections, measures taken to mitigate those risks included coordinated work between the Independent Electoral Commission and the security institutions to assess the situation and to determine the final list of polling centres and the timing of its distribution. The Commission made the final list public on 18 August, stating that 5,897 of the proposed 6,835 polling centres could be opened (88 per cent).

On 29 June, President Karzai issued a presidential decree launching the peace, reconciliation and reintegration programme. The decree designated the presidential adviser, Massoom Stanekzai, to lead the joint secretariat of the programme and required the creation of a financial oversight committee to support the establishment of a peace and reintegration trust fund. On 27 July, the Government and donors formalized an agreement on the financial mechanisms to create the fund. A 5 June presidential decree establishing a Detention Release Committee to review cases of suspected insurgents detained without evidence or charge was part of the Government's efforts to foster goodwill and trust as it sought to engage the armed opposition in a political process. The High Peace Council, which would guide and support the Government's efforts to build on the outcomes of the Consultative Peace Jirga, was established on 4 September. Another key component of the governance agenda was justice reform. UNAMA engaged Afghan judicial institutions and donors on the preparation of a six-month justice action plan to strengthen judicial institutions, access to justice, linkages between formal and informal systems, and transitional justice. The Mission also supported the nomination and selection of members of the Monitoring and Evaluation Committee of the High Office of Oversight, newly established as part of the Government's anti-corruption strategy.

Elections. The elections for the Lower House of the National Assembly, the Wolesi Jirga, were held as planned on 18 September. After a series of exclusions and disqualifications, 2,506 candidates, including 396 women, contested 249 seats. Despite threats and violence by the Taliban and other illegal armed groups, approximately 4.3 million Afghans, out of an estimated 12 million eligible voters, turned out to vote. Violence in parts of the country suppressed voter participation, but the overall security situation showed no significant deterioration compared with that prevailing during the 2009 presidential election [YUN 2009, p. 341]. After polling was completed, it became clear that there had been widespread fraud and irregularities across the country. The Independent Electoral Commission implemented fraud detec-

tion and correction measures, auditing and recounting votes from suspect polling stations and centres, including 6,813 of the 17,744 stations (38.4 per cent) open on polling day. Altogether, 4,271,908 votes cast were deemed valid, while 1,330,782 ballots were invalidated. The announcement of the final certified results was made on 24 November, when the results for 33 provinces and the Kuchi constituency were published. Certification of results for Ghazni Province was delayed on technical grounds until 1 December. The electoral results brought about a significant shift in ethnic representation in the Wolesi Jirga; the number of seats held by Pashtuns was reduced by more than 20. The results caused discontent in various quarters, and unsuccessful candidates organized demonstrations in Baghlan, Badakhshan, Faryab, Herat, Kabul, Khost, Samangan and other parts of the country. The Office of the Attorney-General expressed concern at some of the decisions taken by the electoral institutions and opened a number of investigations. Both electoral institutions emphasized that while criminal cases against individuals could be a part of a transparent process, their decisions on electoral matters were final under law. Canada, the Russian Federation, Turkey, the United States, the EU and UNAMA welcomed the certification of the final results, expressed support for the work of the independent electoral bodies, acknowledged that the process required improvement and called for accountability in proven cases of fraud.

Communication. On 26 October [A/65/554-S/2010/566], the Russian Federation and the United Kingdom transmitted to the Secretary-General a joint press statement on Afghanistan.

GENERAL ASSEMBLY ACTION

On 4 November [meeting 45], the General Assembly adopted **resolution 65/8** [draft: A/65/L.9 & Add.1] without vote [agenda item 38].

The situation in Afghanistan

The General Assembly,

Recalling its resolution 64/11 of 9 November 2009 and all its previous relevant resolutions,

Recalling also all relevant Security Council resolutions and statements by the President of the Council on the situation in Afghanistan, in particular resolutions 1659(2006) of 15 February 2006, 1817(2008) of 11 June 2008, 1917(2010) of 22 March 2010 and 1943(2010) of 13 October 2010,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan, and respecting its multicultural, multi-ethnic and historical heritage,

Recalling the long-term commitment of the international community to Afghanistan previously set out in the Bonn Agreement of 5 December 2001, made at the International Conference on Reconstruction Assistance to Afghanistan,

held in Tokyo on 21 and 22 January 2002, and set out in the Afghanistan Compact of 31 January 2006, the Declaration of the International Conference in Support of Afghanistan, held in Paris on 12 June 2008 and the Declaration adopted at the International Conference on Afghanistan, held in The Hague on 31 March 2009,

Recognizing once again the interconnected nature of the challenges in Afghanistan, reaffirming that sustainable progress on security, governance, human rights, the rule of law and development, as well as on the cross-cutting theme of counter-narcotics, is mutually reinforcing, and welcoming the continuing efforts of the Government of Afghanistan and the international community to address these challenges in a coherent manner,

Reiterating the urgent need to tackle the challenges in Afghanistan, in particular the increased violent criminal and terrorist activities by the Taliban, Al-Qaida, illegal armed groups and those involved in the narcotics trade, in particular in the south and east, and the development of Government of Afghanistan institutions, including at the subnational level, the strengthening of the rule of law and democratic processes, the fight against corruption, the acceleration of justice sector reform, the promotion of national reconciliation, without prejudice to the fulfilment of the measures introduced by the Security Council in its resolution 1267(1999) of 15 October 1999 and other relevant resolutions, an Afghan-led transitional justice process, the safe and voluntary return of Afghan refugees and internally displaced persons in an orderly and dignified manner, the promotion and protection of human rights and the advancement of economic and social development,

Condemning in the strongest terms all attacks, including improvised explosive device attacks, suicide attacks and abductions, targeting civilians and Afghan and international forces and their deleterious effect on the stabilization, reconstruction and development efforts in Afghanistan, and condemning further the use by the Taliban, Al-Qaida, and other extremist and criminal groups, of civilians as human shields,

Deeply concerned about the continued increase in violence in Afghanistan, in particular in the south and east, and recognizing the increased threats posed by the Taliban, Al-Qaida and other extremist and criminal groups, as well as the challenges related to the efforts to address such threats,

Expressing its serious concern about the high number of civilian casualties, recalling that the Taliban, Al-Qaida and other extremist and criminal groups are responsible for the significant majority of the civilian casualties in Afghanistan, and calling for compliance with international humanitarian and human rights law and for all appropriate measures to be taken to ensure the protection of civilians,

Recognizing additional efforts made by the International Security Assistance Force and other international forces to ensure the protection of the civilian population, and calling upon them to continue to make enhanced efforts in this regard, notably through the continuous review of tactics and procedures and the conduct of after-action reviews and investigations in cooperation with the Government of Afghanistan in cases where civilian casualties have occurred and when the Government finds these joint investigations appropriate,

Noting the importance of the national Government being inclusive and representative of the ethnic diversity of the country and ensuring also the full and equal participation of women,

1. *Emphasizes* the central and impartial role of the United Nations in promoting peace and stability in Afghanistan, expresses its appreciation and strong support for all efforts of the Secretary-General and his Special Representative in this regard, and stresses the leading role of the United Nations Assistance Mission in Afghanistan in seeking to further improve the coherence and coordination of international civilian efforts, guided by the principle of reinforcing Afghan ownership and leadership;

2. *Welcomes* the reports of the Secretary-General and the recommendations contained therein;

3. *Also welcomes* the renewed commitment by the Government of Afghanistan to the Afghan people and the renewed commitment by the international community to Afghanistan expressed in the communiqués of the London and Kabul Conferences, held on 28 January and 20 July 2010, respectively;

4. *Encourages* all partners to support constructively the Kabul process, building upon a deep and broad international partnership towards further increased Afghan responsibility and ownership in security, governance and development, aiming at a secure, prosperous and democratic Afghanistan, focusing on strengthening the constitutional checks and balances that guarantee citizen rights and obligations, and implementing structural reform to enable an accountable and effective Government to deliver concrete progress to its people, and recalls in this regard the second inaugural speech made by President Hamid Karzai on 19 November 2009;

5. *Reiterates in this regard its appreciation* for the Afghanistan National Development Strategy, welcomes the detailed national priority programmes presented at the Kabul Conference, stresses the importance of the complementary implementation and costing plans, and recalls the relevant provisions of the Afghanistan Compact, including the annexes thereto;

6. *Welcomes* the recent parliamentary election in Afghanistan, run entirely under the responsibility of the Afghan authorities supported by the international community, as a crucial step towards consolidating democracy in Afghanistan, expresses its appreciation for the courage of the Afghan people to actively engage in the electoral process and to participate in the election despite security threats, intimidation and incidents caused by the Taliban, Al-Qaida and other illegal armed groups, welcomes the efforts of the relevant Afghan institutions to address alleged irregularities and to ensure a credible, transparent and legitimate process in accordance with Afghan laws and the Constitution, and expresses its appreciation in this regard for the support provided by the international community through the Assistance Mission;

7. *Expresses its strong concern* about the security situation in Afghanistan, stresses the need to continue to address the threat to the security and stability of Afghanistan caused by increased violent and terrorist activity by the Taliban, Al-Qaida and other extremist and criminal groups, including those involved in the narcotics trade, and strongly condemns all acts of violence and intimidation committed in Afghanistan, in particular in the southern

and eastern parts, including suicide attacks and improvised explosive device attacks;

8. *Expresses deep regret*, in this regard, at the resulting loss of life and physical harm inflicted upon Afghan civilians and civilians of other nationalities, including the personnel of Afghan and international agencies and all other humanitarian workers and the diplomatic corps, as well as upon the personnel of the Afghan National Security Forces, the International Security Assistance Force and the Operation Enduring Freedom coalition, and pays homage to all those who have lost their lives;

9. *Stresses* the need for the Government of Afghanistan and the international community to continue to work closely together in countering the challenges of terrorist attacks by the Taliban, Al-Qaida and other extremist and criminal groups, which are threatening the democratic process as well as the reconstruction and economic development of Afghanistan, and reiterates in this regard its call for the full implementation of measures and application of procedures introduced in relevant Security Council resolutions, in particular resolutions 1267(1999), 1822(2008) of 30 June 2008 and 1904(2009) of 17 December 2009, and calls upon all Member States to deny those groups any form of sanctuary or financial, material and political support;

10. *Notes with concern* that the security situation is causing some organizations to cease or curtail their humanitarian and development work in some parts of Afghanistan;

11. *Stresses* the importance of the provision of sufficient security, and notes that the responsibility for providing security and law and order throughout the country resides with the Government of Afghanistan supported by the international community;

12. *Welcomes*, in this regard, the presence of the Assistance Force and the Operation Enduring Freedom coalition, expresses its appreciation for the support they have provided to the Afghan National Army, as well as for the assistance provided to the Afghan National Police by international partners, in particular by the North Atlantic Treaty Organization through its training mission in Afghanistan and by the European Gendarmerie Force contribution to that mission, acknowledges the continued deployment of the European Union Police Mission in Afghanistan as well as other bilateral training programmes, and encourages further coordination where appropriate;

13. *Commends* the Afghan National Security Forces and their international partners for their efforts to improve security conditions in Afghanistan, and calls upon the Government of Afghanistan, with the assistance of the international community, to continue to address the threat to the security and stability of Afghanistan;

14. *Stresses* the importance of further extending central government authority, including the presence of Afghan security forces, to all provinces of Afghanistan, and welcomes in this regard the plan of the Government of Afghanistan for a phased transition to full Afghan responsibility for security, based on mutually agreed criteria and conditions, as endorsed at the Kabul Conference;

15. *Expresses its support* for the objective of the Government of Afghanistan to enable the Afghan National Security Forces to lead and conduct military operations in all provinces by the end of 2014, and calls upon the international community to provide the support necessary to

increase security, as well as to provide continued support in training, equipping and providing financing to the Afghan National Security Forces to take on the task of securing their country;

16. *Welcomes* the commitment of the international partners of Afghanistan to support the Government in creating the conditions necessary to allow for transition and to continue to support the transition process so as to enable it to advance to the point at which the Afghan National Army and the Afghan National Police are fully capable of maintaining internal and external security, public order, law enforcement, the security of the borders of Afghanistan and the preservation of the constitutional rights of Afghan citizens, and calls upon Member States to accelerate their efforts in this regard;

17. *Also welcomes* the commitment of the Government of Afghanistan, with a view to ensuring stability and providing conditions for the effective rule of law, to continue the implementation of the Afghan National Police Strategy and the National Police Plan underpinning it, to build a strong, professional police force, with a focus on the ongoing institutional and administrative reforms of the Ministry of the Interior, including the implementation of its anti-corruption action plan, and leadership development, as well as to progressively enhance the quality and increase the strength of the Afghan National Security Forces, with the necessary continued financial and technical support by the international community;

18. *Calls upon* Member States to continue contributing personnel, equipment and other resources to the Assistance Force and to further develop the provincial reconstruction teams in close coordination with the Government of Afghanistan and the Assistance Mission;

19. *Notes*, in the context of the comprehensive approach, the synergies in the objectives of the Assistance Mission and the Assistance Force;

20. *Urges* the Afghan authorities, with the support of the international community, to take all possible steps to ensure the safety, security and free movement of all United Nations, development and humanitarian personnel and their safe and unhindered access to all affected populations, and to protect the property of the United Nations and of development or humanitarian organizations, and notes the importance of regulating private security contractors operating in Afghanistan;

21. *Also urges* the Afghan authorities to make every effort, in accordance with General Assembly resolution 60/123 of 15 December 2005, to bring to justice the perpetrators of attacks;

22. *Stresses* the importance of advancing the full implementation of the programme of disbandment of illegal armed groups throughout the country, under Afghan ownership, while ensuring coordination and coherence with other relevant efforts, including security sector reform, community development, counter-narcotics, district-level development and Afghan-led initiatives to ensure that entities and individuals do not illegally participate in the political process, in particular in future elections, in accordance with adopted laws and regulations in Afghanistan, and calls for adequate support in order for the Ministry of the Interior to increasingly assume its leading role in implementing the programme of disbandment of illegal armed groups;

23. *Expresses its appreciation* for the progress achieved by the Government of Afghanistan in the disbandment of illegal armed groups, welcomes the continued commitment of the Government to stand firm in this regard as well as to work actively at the national, provincial and local levels to advance this commitment, stresses the importance of all efforts to create sufficient legal income-earning opportunities, and calls for continued international support for these efforts;

24. *Remains deeply concerned* about the problem of millions of anti-personnel landmines and explosive remnants of war, which constitute a great danger to the population and a major obstacle to the resumption of economic activities and to recovery and reconstruction efforts;

25. *Welcomes* the progress achieved through the Mine Action Programme for Afghanistan, supports the Government of Afghanistan in its efforts to meet its responsibilities under the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction, to cooperate fully with the Mine Action Programme coordinated by the United Nations and to eliminate all known or new stocks of anti-personnel landmines, and acknowledges the need for continued assistance from the international community in this regard;

26. *Stresses* the crucial role of constructive regional cooperation in promoting security and development in Afghanistan, encourages further improved relations and enhanced engagement between Afghanistan and its neighbours, and calls for further efforts in this regard, including by regional organizations;

27. *Pledges its continued support* to the Government and people of Afghanistan as they rebuild their country, strengthen the foundations of a constitutional democracy and resume their rightful place in the community of nations;

28. *Emphasizes* that good governance, the rule of law and human rights form the foundation for the achievement of a stable and prosperous Afghanistan, and notes the importance of building the capacity of the Government of Afghanistan to promote and protect human rights, the rule of law and governance in an accountable and effective manner;

29. *Recalls* the constitutional guarantee of respect for human rights and fundamental freedoms for all Afghans as a significant political achievement, calls for full respect for the human rights and fundamental freedoms of all, without discrimination of any kind, and stresses the need to fully implement the human rights provisions of the Afghan Constitution, in accordance with obligations under applicable international law, including those regarding the full enjoyment by women and children of their human rights;

30. *Acknowledges and encourages* the efforts made by the Government of Afghanistan in this respect, and expresses its concern at the harmful consequences of violent and terrorist activities by the Taliban, Al-Qaida and other extremist and criminal groups for the enjoyment of human rights and for the capacity of the Government of Afghanistan to ensure human rights and fundamental freedoms for all Afghans;

31. *Recalls* Security Council resolutions 1674(2006) of 28 April 2006, 1738(2006) of 23 December 2006, 1894(2009) of 11 November 2009, the mid-year report of

August 2010 on the protection of civilians in armed conflict, prepared by the Assistance Mission, expresses its concern at the high number of civilian casualties, including women and children, notes that the Taliban, Al-Qaida and other extremist and criminal groups are responsible for the significant majority of civilian casualties, reiterates its call for all feasible steps to be taken to ensure the protection of civilians, and calls for additional appropriate steps in this regard and for full compliance with international humanitarian and human rights law;

32. *Recognizes* the importance of holding free, fair, transparent, credible, secure and inclusive elections as crucial steps towards consolidating democracy for all Afghans, stresses the responsibility of the Afghan authorities in this regard, also stresses the need for the timely and orderly preparation of elections, calls upon the international community to continue to provide financial and technical assistance, recalls the leading role of the Assistance Mission in coordinating these efforts, and calls upon the international community to support the Government of Afghanistan and the relevant Afghan institutions as they work to deliver on the Kabul communiqué commitments to initiate a strategy for longer-term election reform;

33. *Welcomes* the steps taken by the Government of Afghanistan on justice sector reform and the commitment to improving access to the delivery of justice throughout Afghanistan made by the Government of Afghanistan at the Kabul Conference, stresses the need for further accelerated progress towards the establishment of a fair, transparent and effective justice system, in particular by implementing the National Justice Programme and the National Justice Strategy in a timely manner and by providing security and ensuring the rule of law throughout the country, and urges the international community to continue to support the efforts of the Government in these areas in a coordinated manner;

34. *Acknowledges* the progress made by the Government of Afghanistan and the international community in devoting adequate resources to the reconstruction and reform of the prison sector in order to improve respect for the rule of law and human rights therein, while reducing physical and mental health risks to inmates;

35. *Emphasizes* the importance of ensuring access for relevant organizations to all prisons in Afghanistan, and calls for full respect for relevant international law, including humanitarian law and human rights law, where applicable, including with regard to minors, if detained;

36. *Acknowledges* the efforts of the Government of Afghanistan in promoting respect for human rights, notes with concern reports of continued violations of human rights and of international humanitarian law, including violent or discriminatory practices, violations committed against persons belonging to ethnic and religious minorities, as well as against women and children, in particular girls, stresses the need to promote tolerance and religious freedom as guaranteed by the Afghan Constitution, emphasizes the necessity of investigating allegations of current and past violations, and stresses the importance of facilitating the provision of efficient and effective remedies to the victims and of bringing the perpetrators to justice in accordance with national and international law;

37. *Commends* the Government of Afghanistan for its active participation in the universal periodic review pro-

cess, calls for continued active participation of Afghan civil society in this process, and encourages the timely implementation of the recommendations addressed in the relevant report;

38. *Stresses* the need to ensure respect for the right to freedom of expression and the right to freedom of thought, conscience or belief as enshrined in the Afghan Constitution, in this regard calls for full implementation of the mass media law, while noting with concern the continuing intimidation and violence targeting Afghan journalists and challenges to the independence of the media, condemns cases of the abduction and even killing of journalists by terrorist as well as extremist and criminal groups, and urges that harassment and attacks on journalists be investigated by Afghan authorities and that those responsible be brought to justice;

39. *Reiterates* the important role of the Afghan Independent Human Rights Commission in the promotion and protection of human rights and fundamental freedoms, stresses the need to guarantee its constitutional status and implement its mandate, focusing on communities across Afghanistan, so as to foster a more informed public and increase Government accountability, welcomes the decision of the Government of Afghanistan to take full responsibility for the core funding of the Commission, urges the Commission to cooperate closely with Afghan civil society, and calls upon the international community for continued support in this regard;

40. *Commends* the Government of Afghanistan for the holding of the Afghan national Consultative Peace Jirga in Kabul from 2 to 4 June 2010, expresses its support for a Government of Afghanistan-led process of peace and reconciliation as recommended by the Jirga, calls upon the Government to renew and fully implement the Action Plan on Peace, Justice and Reconciliation, supports the Afghan Peace and Reintegration Programme, which is open to those who are willing to reintegrate into their communities, renounce violence, have no links to terrorist organizations, respect the Afghan Constitution and are willing to join the mainstream in building a stable, secure, peaceful and prosperous Afghanistan, expresses its support for calls upon those concerned to meet these conditions and reconcile and reintegrate, without prejudice to the implementation of measures and application of procedures introduced by the Security Council in its resolutions 1267(1999) and 1904(2009), and recalls other relevant resolutions in this regard;

41. *Calls upon* the Government of Afghanistan to ensure that the Afghan Peace and Reintegration Programme is implemented in an inclusive manner consistent with the Afghan Constitution and the international legal obligations of Afghanistan, while upholding the human rights of all Afghans and countering impunity, notes with appreciation the establishment of the High Peace Council, welcomes the establishment of the Peace and Reintegration Trust Fund, recalls the respective commitments made at the London and Kabul Conferences, and stresses the importance of continued contributions by the international community to the Trust Fund;

42. *Recalls* Security Council resolutions 1325(2000) of 31 October 2000, 1820(2008) of 19 June 2008, 1888(2009) of 30 September 2009 and 1889(2009) of 5 October 2009 on women and peace and security, commends the efforts of the Government of Afghanistan to mainstream gender

issues, including into the national priority programmes, and to protect and promote the equal rights of women and men as guaranteed, inter alia, by virtue of its ratification of the Convention on the Elimination of All Forms of Discrimination against Women, and by the Afghan Constitution and the implementation of the National Action Plan for Women, reiterates the continued importance of the full and equal participation of women in all spheres of Afghan life, and of equality before the law and equal access to legal counsel without discrimination of any kind, and stresses the need for continued progress on gender issues in accordance with the obligations of Afghanistan under international law;

43. *Reiterates*, in view of legislation previously adopted, the continued importance of upholding international obligations for the advancement of women's rights as enshrined in the Afghan Constitution, and welcomes the commitment of the Government of Afghanistan to implement the law on the elimination of violence against women, including services for victims, and to submit its report to the Committee on the Elimination of Discrimination against Women in 2010;

44. *Strongly condemns* incidents of discrimination and violence against women and girls, in particular if directed against women activists and women prominent in public life, wherever they occur in Afghanistan, including killings, maimings and "honour killings" in certain parts of the country;

45. *Reiterates its appreciation* for the Elimination of Violence against Women Special Fund of the United Nations Development Fund for Women as well as for its Urgent Response Fund, which continues to address targeted violence against women and women's rights defenders in Afghanistan, and stresses the need for continued financial contributions by the international community to those funds;

46. *Welcomes* the achievements and efforts of the Government of Afghanistan in countering discrimination, urges the Government to actively involve all elements of Afghan society, in particular women, in the development and implementation of relief, rehabilitation, recovery and reconstruction programmes, as well as in national priority programmes, and accurately track the progress of the full integration of women into the political, economic and social life of Afghanistan, stresses the need for continued progress on gender equality, in accordance with its obligations under international law and in the empowerment of women in Afghan politics and public administration, including at the subnational level, also stresses the need to facilitate the access of women to employment and to ensure female literacy and training, and calls upon the international community to continue to provide support in this regard;

47. *Stresses* the need to ensure respect for the human rights and fundamental freedoms of children in Afghanistan, welcomes the initial report of Afghanistan to the Committee on the Rights of the Child, and recalls the need for the full implementation of the Convention on the Rights of the Child and the two Optional Protocols thereto by all States parties, as well as of Security Council resolutions 1612(2005) of 26 July 2005 and 1882(2009) of 4 August 2009 on children and armed conflict;

48. *Expresses its concern*, in this regard, about the ongoing recruitment and use of children by illegal armed and terrorist groups in Afghanistan, stresses the importance of ending the use of children contrary to international law, expresses appreciation for the progress achieved by and the firm commitment of the Government of Afghanistan in this regard, including the strong condemnation of any exploitation of children, and welcomes the Government action plan on the prevention of the recruitment of children under 18 years of age, the establishment of the Inter-Ministerial Steering Committee for the Protection of the Rights of Children and the appointment of a focal point on child protection by the Ministry of the Interior;

49. *Welcomes* the adoption by the Government of Afghanistan of the National Plan of Action on Combating Child Trafficking, also welcomes initiatives to pass legislation on human trafficking, guided by the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and stresses the importance of considering becoming a party to the Protocol;

50. *Urges* the Government of Afghanistan to continue to effectively reform the public administration sector in order to implement the rule of law and to ensure good governance and accountability, in accordance with the Kabul process, at both the national and subnational levels, with the support of the international community, welcomes the efforts of the Government and commitments made at the Kabul Conference in this regard, stresses the importance of transparent appointment procedures for senior civil servants, and continues to encourage the Government to make active use of the Senior Appointments Panel;

51. *Encourages* the international community, including all donor nations as well as international institutions, to assist the Government of Afghanistan in making capacity-building and human resources development a cross-cutting priority and to align with efforts by the Government, including the work of the Independent Administrative Reform and Civil Service Commission, to build administrative capacity at the national and subnational levels;

52. *Recalls* the ratification by Afghanistan of the United Nations Convention against Corruption, welcomes the anticorruption commitments made by the Government of Afghanistan at the London and Kabul Conferences, calls for further action by the Government to fulfil those commitments in order to establish a more effective, accountable and transparent administration at the national, provincial and local levels of Government, welcomes continued international support to that end, and notes with deep concern the effects of corruption with regard to security, good governance, the combating of the narcotics industry, and economic development;

53. *Welcomes* the Subnational Governance Policy, underscores the importance of more visible, accountable and capable subnational institutions and actors in reducing the political space for insurgents, emphasizes the importance of the Kabul process being accompanied by the implementation of national programmes at the subnational level, encourages the capacity-building of local institutions in a phased and fiscally sustainable manner, and calls for the allocation of more resources to provincial authorities, including continued support from the international community;

54. *Urges* the Government of Afghanistan to address, with the assistance of the international community, the question of claims for land property through a comprehensive land titling programme, including formal registration of all property and improved security of property rights, and welcomes the steps already taken by the Government in this regard;

55. *Welcomes* the Afghanistan National Development Strategy and the progress report thereon, as well as further efforts by the Government of Afghanistan to achieve the Millennium Development Goals, and expresses appreciation for the establishment of the interministerial coordination mechanism under the cluster approach and its role in prioritizing and implementing the Strategy and the national priority programmes as presented at the Kabul Conference;

56. *Also welcomes* the continuing and growing ownership of rehabilitation, reconstruction and development efforts by the Government of Afghanistan, and emphasizes the crucial need to achieve ownership in all fields of governance and to improve institutional capabilities, including at the subnational level, in order to use aid more effectively;

57. *Stresses* the need for a continued strong international commitment to humanitarian assistance and for programmes, under the ownership of the Government of Afghanistan, of recovery, rehabilitation, reconstruction and development, while expressing its appreciation to the United Nations system and to all States and international and non-governmental organizations whose international and local staff continue to respond positively to the humanitarian, transition and development needs of Afghanistan despite increasing security concerns and difficulties of access in certain areas;

58. *Expresses its appreciation* for the humanitarian and development assistance work of the international community in the reconstruction and development of Afghanistan, recognizes the necessity for further improvement in the living conditions of the Afghan people, and emphasizes the need to strengthen and support the capacity of the Government of Afghanistan to deliver basic social services, in particular education and public health services, and to promote development;

59. *Urges* the Government of Afghanistan to enhance efforts to reform key service delivery sectors, such as energy and drinking water supply, as preconditions for progress in social and economic development, commends the Government for its efforts to date to increase revenues and taxes collected to reach fiscal sustainability, and urges continued commitment to revenue generation;

60. *Expresses its appreciation* for the work of the provincial reconstruction teams as they work within the provincial context to support national priorities to build the capacities of local institutions;

61. *Urgently appeals* to all States, the United Nations system and international and non-governmental organizations, including the international and regional financial institutions, to continue to provide, in close coordination with the Government of Afghanistan and in accordance with Afghan priorities and the National Development Strategy, all possible and necessary humanitarian, recovery, reconstruction, development, financial, educational, technical and material assistance for Afghanistan, and recalls in this regard the leading role of the Assistance Mission in

seeking to further improve the coherence and coordination of international efforts;

62. *Welcomes* the principles of effective partnership set out in the communiqué of the Kabul Conference, in this context calls for the full implementation of the commitments made at the London Conference and reaffirmed at the Kabul Conference to channel increasing international resources through the budget of the Government of Afghanistan and in greater alignment with Afghan priorities, and encourages all partners to work with the Government to implement the “Operational guide: criteria for effective off-budget development finance” and to improve procurement procedures and due diligence in international contracting procedures;

63. *Invites* all States and intergovernmental and non-governmental organizations providing assistance to Afghanistan to focus on institution-building in a coordinated manner and to ensure that such work complements and contributes to the development of an economy characterized by sound macroeconomic policies, the development of a financial sector that provides services, inter alia, to micro-enterprises, small and medium-sized enterprises and households, transparent business regulations and accountability;

64. *Encourages* the international community and the corporate sector to support the Afghan economy as a measure for long-term stability and to explore possibilities for increased trade and investments and enhanced local procurements, and encourages the Government of Afghanistan to further promote an economic environment favourable for private-sector investments at both the national and subnational levels;

65. *Urgently encourages* all States as well as intergovernmental and non-governmental organizations to expand agricultural cooperation with Afghanistan, within the National Agricultural Development Framework and in line with the Afghanistan National Development Strategy;

66. *Expresses its appreciation* for all efforts to increase regional economic cooperation, in particular through the Regional Economic Cooperation Conference on Afghanistan, aimed at promoting economic cooperation between Afghanistan, regional neighbours, international partners and financial institutions, welcomes in this regard the Fourth Regional Economic Cooperation Conference on Afghanistan, held in Istanbul, Turkey, on 2 and 3 November 2010, and recognizes the important role of the Economic Cooperation Organization and the South Asian Association for Regional Cooperation in promoting the development of Afghanistan;

67. *Welcomes and urges* further efforts to strengthen the process of regional economic cooperation, including measures to facilitate regional trade and transit, including through finalizing bilateral transit trade agreements, to increase foreign investments and to develop infrastructure, including infrastructural connectivity, energy supply and integrated border management, noting the historic role of Afghanistan as a land bridge in Asia;

68. *Reiterates* the necessity of providing Afghan children, especially Afghan girls, with educational and health facilities in all parts of the country, welcomes the progress achieved in the sector of public education, recalls the National Education Strategic Plan as a promising basis for further achievements, and reiterates further the need to provide vocational training for adolescents;

69. *Recognizes* the special needs of girls, strongly condemns terrorist attacks on educational facilities, especially on those for Afghan girls, and encourages the Government of Afghanistan, with the assistance of the international community, to expand those facilities, train professional staff and promote full and equal access to them by all members of Afghan society, including in remote areas;

70. *Welcomes* the continuous return of refugees and internally displaced persons, in a voluntary and sustainable manner, while noting with concern that conditions in parts of Afghanistan are not yet conducive to a safe and sustainable return to some places of origin;

71. *Expresses its appreciation* to those Governments that continue to host Afghan refugees, acknowledging the huge burden they have so far shouldered in this regard, and reminds the host countries and the international community of their obligations under international refugee law with respect to the protection of refugees, the principle of voluntary return and the right to seek asylum and to ensure unhindered access for humanitarian relief agencies in order to provide protection and assistance to the refugees;

72. *Urges* the Government of Afghanistan, acting with the support of the international community, to continue to strengthen its efforts to create the conditions for the voluntary, safe, dignified and sustainable return and reintegration of the remaining Afghan refugees and internally displaced persons;

73. *Notes*, in this regard, the continued constructive work between the countries of the region, as well as the tripartite agreements between the Office of the United Nations High Commissioner for Refugees, the Government of Afghanistan and the Governments of countries hosting refugees from Afghanistan, in particular Pakistan and the Islamic Republic of Iran;

74. *Calls for* the provision of continued international assistance to the large numbers of Afghan refugees and internally displaced persons to facilitate their voluntary, safe, dignified and orderly return and sustainable reintegration into society so as to contribute to the stability of the entire country;

75. *Recognizes* that underdevelopment and lack of capacity increase the vulnerability of Afghanistan to natural disasters and to harsh climate conditions, and urges in this regard the Government of Afghanistan, with the support of the international community, to increase its efforts aimed at strengthening disaster risk reduction at the national and subnational levels and at modernizing the agricultural sector and strengthening its agricultural production, thereby reducing the vulnerability of Afghanistan to adverse external conditions such as drought, flooding and other natural disasters;

76. *Commends* the relief efforts by the Government of Afghanistan and donors, but continues to express its concern at the overall humanitarian situation, stresses the continued need for food assistance, and calls for continued international support for and the early fulfilment, before the approaching winter, of the funding target of the Afghanistan Humanitarian Action Plan;

77. *Welcomes* the efforts of the Government of Afghanistan in fighting drug production in Afghanistan, takes note of the sharp drop in opium production as reported by the United Nations Office on Drugs and Crime in the *Afghani-*

stan Opium Survey 2010, released on 30 September 2010, which notes plant infection as the main reason for the drop in opium production, but reiterates its deep concern about the continued cultivation and production of narcotic drugs in Afghanistan, mainly concentrated in areas where the Taliban, Al-Qaida and other extremist and criminal groups are particularly active, as well as the ongoing drug trafficking, and stresses the need for more coordinated and resolute efforts by the Government of Afghanistan, supported by the international community, to fight this menace;

78. *Stresses* the importance of a comprehensive approach in addressing the drug problem of Afghanistan, which, to be effective, must be integrated into the wider context of efforts carried out in the areas of security, governance, the rule of law and human rights, and economic and social development, and also stresses that the development of alternative livelihood programmes is of key importance in the success of the counter-narcotics efforts in Afghanistan;

79. *Notes with great concern* the increasingly strong nexus between the drug trade and terrorist activities by the Taliban, Al-Qaida and other extremist and criminal groups, which pose a serious threat to security, the rule of law and development in Afghanistan, and stresses the importance of the full implementation of all relevant Security Council resolutions in this regard, including resolutions 1735(2006) of 22 December 2006 and 1822(2008);

80. *Calls upon* all Member States in this regard to further intensify their efforts to reduce the demand for drugs in their respective countries and globally in order to contribute to the sustainability of the elimination of illicit cultivation in Afghanistan;

81. *Stresses* the need to prevent trafficking in and diversion of chemical precursors used in the illicit manufacturing of drugs in Afghanistan, and calls for the full implementation of Security Council resolution 1817(2008) in this regard;

82. *Urges* the Government of Afghanistan, supported by the international community, to work to mainstream counter-narcotics throughout all the national programmes and to ensure that counter-narcotics is a fundamental part of the comprehensive approach, as well as to increase its efforts against opium cultivation and drug trafficking in accordance with the balanced eight-pillar plan of the Afghan National Drug Control Strategy, to be updated in 2010 with specific benchmarks;

83. *Commends* the efforts of the Government of Afghanistan in this regard, as well as the efforts to update and carry out the National Drug Control Strategy, including the Prioritized Implementation Plan and benchmarks, urges the Government and the international community to take decisive action, in particular to stop the processing of and trade in drugs, by pursuing the concrete steps set out in the Strategy and in the Afghanistan Compact and through initiatives such as the Good Performers Initiative established to provide incentives for governors to reduce cultivation in their provinces, and encourages the Afghan authorities to work at the provincial level on elaborating counter-narcotics implementation plans;

84. *Calls upon* the international community to assist the Government of Afghanistan in carrying out its National Drug Control Strategy, aimed at eliminating the cultivation, production, trafficking in and consumption of il-

licit drugs, including through increased support for Afghan law enforcement and criminal justice agencies, agricultural and rural development, demand reduction, the elimination of illicit crops, increased public awareness, the building of the capacity of drug control institutions and care and treatment centres for drug addicts and the creation of alternative livelihoods for farmers, and reiterates its call upon the international community to channel counter-narcotics funding through the Government to the extent possible;

85. *Urges* the Government of Afghanistan, assisted by the international community, to promote the development of sustainable livelihoods in the formal production sector, as well as in other sectors, and to improve access to reasonable and sustainable credit and financing in rural areas, thus improving substantially the lives, health and security of the people, particularly in rural areas;

86. *Supports* the fight against the illicit trafficking in drugs from and precursors to Afghanistan and neighbouring States and countries along trafficking routes, including increased cooperation among them in strengthening anti-narcotic controls and the monitoring of the international trade in chemical precursors;

87. *Acknowledges* the global challenge of illicit narcotics, recalls the need to strengthen international and regional cooperation with Afghanistan in its sustained efforts to address drug production and trafficking, recognizes the threat posed by illicit drug production, trade and trafficking to peace and stability in the region and beyond, also recognizes the progress achieved by relevant initiatives within the framework of the Paris Pact, stresses the importance of further progress in the implementation of these initiatives, and welcomes the intent of the Government of Afghanistan to strengthen international and regional cooperation in this regard;

88. *Pays homage* to all those who have innocently lost their lives in the fight against drug traffickers, in particular members of the security forces of Afghanistan and its neighbours;

89. *Welcomes* initiatives to enhance border management cooperation between Afghanistan and its neighbours in ensuring comprehensive measures for drug control, including the financial dimension, emphasizes the importance of pursuing such cooperation, especially through bilateral arrangements and those launched by the Collective Security Treaty Organization, and welcomes the intention of the Government of Afghanistan to strengthen international and regional cooperation with relevant partners in the field of border control;

90. *Stresses* the importance of further, effective cooperative support by relevant international and regional actors, including the United Nations and the Assistance Force, within its designated responsibilities, to Afghan-led sustained efforts to address the threat posed by the illicit production of and trafficking in drugs, welcomes in this regard the regional programme on Afghanistan and neighbouring countries of the United Nations Office on Drugs and Crime, and encourages the respective countries to continue to participate;

91. *Expresses its appreciation* for the work of the Assistance Mission as mandated by the Security Council in its resolution 1917(2010), and stresses the continued importance of the central and impartial role played by the

Assistance Mission in promoting and coordinating a more coherent international engagement;

92. *Welcomes* the ongoing extension of the presence of the Assistance Mission into additional provinces, which thus ensures that the United Nations fulfils its essential coordinating role, and encourages the Assistance Mission to consolidate its presence and to continue its expansion throughout the country, in particular in the south, security conditions permitting;

93. *Stresses* the need to ensure that the Assistance Mission is adequately resourced to fulfil its mandate;

94. *Acknowledges* the central role played by the Joint Coordination and Monitoring Board, stresses that the role of the Board is to support Afghanistan by, inter alia, monitoring and supporting the Kabul process and coordinating international assistance and reconstruction programmes, and welcomes further efforts to provide appropriate guidance and promote a more coherent international engagement;

95. *Commends* the continuing efforts of the signatories of the Kabul Declaration on Good-neighbourly Relations of 22 December 2002 to implement their commitments under the Declaration, and furthermore calls upon all other States to respect and support the implementation of those provisions and to promote regional stability;

96. *Welcomes and encourages* further efforts by the Government of Afghanistan and its neighbouring partners to foster trust and cooperation with each other, and looks forward, where appropriate, to increasing cooperation between Afghanistan, all its neighbouring and regional partners, and regional organizations against the Taliban, Al-Qaida and other extremist and criminal groups and in promoting peace and prosperity in Afghanistan, in the region and beyond;

97. *Welcomes* the ongoing efforts by the Government of Afghanistan and its neighbouring and regional partners to foster trust and cooperation with each other, also welcomes in this regard the inclusive vision set out in the Istanbul Statement on Friendship and Cooperation in the "Heart of Asia", adopted at the Regional Summit on Afghanistan held in Istanbul on 26 January 2010, expresses its appreciation for the meeting of regional organizations held in Kabul on 19 July 2010, hosted by the Government of Afghanistan, commends the agreement by those organizations on a plan for enhanced coordination of the regional engagement of Afghanistan within the framework of a high-level core group, takes note of the inaugural Core Group meeting, held in Istanbul on 4 November 2010, and notes the trilateral summits of Afghanistan, Pakistan and Turkey, held in Istanbul in January 2010; of Afghanistan, the Islamic Republic of Iran and Tajikistan, held in Tehran in August 2010; and of Afghanistan, the Islamic Republic of Iran and Pakistan in January 2010, and the quadrilateral summit of Afghanistan, Pakistan, Tajikistan and the Russian Federation, held in Sochi, Russian Federation, in August 2010, as well as efforts made by the Shanghai Cooperation Organization, including the outcome of the special conference on Afghanistan held under the auspices of the Shanghai Cooperation Organization in Moscow on 27 March 2009, and initiatives within the framework of the Dubai Process to promote the country's stability and development;

98. *Expresses its appreciation* for the continued commitment of the international community to supporting

the stability and development of Afghanistan, and recalls the additional international support as pledged;

99. *Encourages* the Group of Eight countries to continue to stimulate and support cooperation between Afghanistan and its neighbours through mutual consultation and agreement, including on development projects in areas such as infrastructural connectivity, repatriation of refugees, border management and economic development;

100. *Expresses its appreciation* for the efforts of the members of the Tripartite Commission, namely, Afghanistan, Pakistan and the Assistance Force, to continue to address cross-border activities and to broaden their cooperation;

101. *Emphasizes* the need to maintain, strengthen and review civil-military relations among international actors, as appropriate, at all levels in order to ensure complementarity of action based on the different mandates and comparative advantages of the humanitarian, development, law enforcement and military actors present in Afghanistan, bearing in mind the central and impartial coordinating role of the United Nations;

102. *Requests* the Secretary-General to report to the General Assembly every three months on developments in Afghanistan, as well as on the progress made in the implementation of the present resolution;

103. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "The situation in Afghanistan".

Report of Secretary-General (December). In his December report [A/65/612-S/2010/630], the Secretary-General provided a summary of key developments, as well as updates on humanitarian, development and human rights activities carried out by the United Nations. On the transfer of full security responsibilities to Afghan forces by 2014, the framework for the transition to Afghan leadership was endorsed at the 20 November 2010 meeting of ISAF Heads of State and Government on the margins of the NATO summit in Lisbon, Portugal. The process defined a clear path for the transition, on a province-by-province basis, with a concomitant drawdown of international combat forces. The United Nations would support the civilian aspects of the transition, and UNAMA was reviewing the implications and opportunities of the process. President Karzai formally inaugurated the High Peace Council, mandated to promote peace and national unity through confidence-building, at the Council's first meeting, held on 7 October. On 20 October, the Council called for all sides of the conflict to renounce violence and engage in talks. It also made requests for the United Nations to play a role in the process, including strengthening of global support for the peace and stability process, and for the Organization of the Islamic Conference to provide support and facilitation. It was subsequently agreed that UNAMA would establish an internal capacity to respond to technical and practical assistance requests from the Council, and that the Salaam Support Group would provide that capacity.

The Fourth Regional Economic Cooperation Conference on Afghanistan (Istanbul, 2–4 November) resulted in recommendations on priority investment areas. On implementation of the Kabul process, at the 15 November meeting of the Joint Coordination and Monitoring Board, the Government reported that more than 70 per cent of the October 2010 target benchmarks had been met, demonstrating its growing capacity to assume ownership of and responsibility for Afghanistan's transition and development. The Government also presented a monitoring and reporting framework to track progress made in each of its 22 priority programmes.

The number of security incidents was 66 per cent higher than the same period in 2009. Violent activities that peaked on polling day and decreased thereafter were characterized by widespread, low-level security incidents designed to frighten potential voters, such as the launching of rockets and mortars against polling centres. Civilians continued to bear the brunt of intensified armed conflict. UNAMA documented 6,215 conflict-related civilian casualties during the first 10 months of 2010—a 20 per cent increase compared to the same period in 2009. A 23 October 2010 attack targeting the United Nations Multi-Agency Compound at Herat (see p. 78), marked the third suicide attack against the United Nations in three years. Afghan security and law enforcement personnel reacted swiftly to the attack. Although there were no staff casualties and all attackers were killed before they could come near the compound's office and residential buildings, the attack demonstrated the need to remain vigilant and adapt to a dynamic security environment, as well as the importance of security enhancements under way in all the Mission's regional and provincial offices.

In November, the United Nations and the Kuwaiti Government agreed to establish a UNAMA Support Office in Kuwait that would enable UNAMA to ensure the backup of its critical data; maintain vital technical and administrative functions in a secure environment; and serve as a relocation centre in the event of an in extremis situation in Afghanistan. In other efforts, UNAMA had taken on a greater role in generating a coherent approach to donor assistance in support of the Government's anti-corruption agenda. It had assumed the duties of Co-Chair of the International Community Transparency and Accountability Working Group and the Chair of the United Nations Donor Group in Support of the High Office of Oversight and Anti-Corruption.

The Afghanistan return operation remained the single largest such operation for UNHCR. During the year, some 112,542 Afghan refugees had returned with its assistance. Under the mine action programme, emergency response teams were available in all but one of the country's seven regions. Since it became operational in the

most recent quarter, the programme had responded to 21 emergency requests for demining. In September, the UNODC annual Afghan Opium Poppy Survey indicated that opium poppy cultivation in 2010 had remained at 2009 levels, while opium production had declined by half. All 20 poppy-free provinces remained poppy-free in 2010, while four additional provinces (Herat, Kunar, Laghman, Zabul) were nearly poppy-free. The fourth ministerial meeting of the Triangular Initiative (Islamabad, Pakistan, 24–25 November) adopted measures to strengthen cooperation between the three countries (Afghanistan, Iran, Pakistan) to address drug trafficking.

Year-end developments. In a later report [A/65/783-S/2011/120], the Secretary-General said that with the certification of the 18 September election results, a number of powerful candidates had not obtained seats in the parliament, either because they had lost the vote according to the tally of the Independent Election Commission or they had been disqualified owing to evidence of fraud. Several unsuccessful candidates complained about fraud and disenfranchisement due to insecurity in the areas of their constituencies, mostly in districts with a predominantly Pashtun population. The Attorney General's Office initiated an investigation that resulted in 14 electoral officials being named by the Attorney General as complicit in fraud, and on 13 December their files were sent to the Supreme Court. On 21 December, the Supreme Court announced the creation of an ad hoc Special Court with the authority to review complaints arising from the elections, including those assembled by the Attorney General. The Independent Election Commission and the Electoral Complaints Commission rejected the Court's authority over the elections, arguing that according to the Constitution and the electoral law, the decisions of those two bodies on electoral matters were final.

In a 22 December press statement [SC/10143], the Security Council welcomed the announcement of the final results and said it was looking forward to all Afghan institutions' continuing to act within their clearly defined areas of competence in accordance with the relevant laws and the Constitution.

In Ashgabat, Turkmenistan, President Karzai attended the 11 December signing of the inter-governmental agreement and gas pipeline framework agreement for the Turkmenistan-Afghanistan-Pakistan-India gas pipeline. With regard to counter-narcotics efforts, an Afghan-to-Afghan training course to raise the awareness and improve detection abilities of law enforcement agencies was convened in December with a focus on impeding the flow of chemicals used in the manufacture of heroin and other narcotics as well as IEDs. In the same month, the UNODC country office for Afghanistan inaugurated the first border liaison office at the Torkham

crossing between Afghanistan and Pakistan to support the fight against transnational organized crime.

On 24 December (**decision 65/544**), the General Assembly decided that the agenda item on the situation in Afghanistan would remain for consideration during its resumed sixty-fifth (2011) session.

UNAMA

The United Nations Assistance Mission in Afghanistan (UNAMA) was established by Security Council resolution 1401(2002) [YUN 2002, p. 264] to promote, among other things, national reconciliation and the responsibilities entrusted to the United Nations under the 2001 Bonn Agreement [YUN 2001, p. 263]. It comprised the Office of the Special Representative, two substantive pillars—one political (Pillar I) and one on relief, recovery and reconstruction (Pillar II)—and an administrative component. UNAMA was headquartered in Kabul, with regional offices in Bamyan, Gardez, Herat, Jalalabad, Kabul, Kandahar, Kunduz and Mazar-e-Sharif and provincial offices in Badakhshan, Badghis, Baghlan, Daikundi, Farah, Faryab, Ghor, Khost, Kunar, Nimroz, Sari Pul, Sheberghan, Taloqan, Uruzgan and Zabul. UNAMA was headed by the Special Representative of the Secretary-General, Kai Eide (Norway), who was succeeded by Staffan de Mistura (Sweden) as at 1 March 2010. By resolution 1917(2010) (see p. 340), the Security Council extended the UNAMA mandate until 23 March 2011.

Financing

In October [A/65/328/Add.4], the Secretary-General submitted proposed resource requirements for UNAMA for 2011 totalling \$270,010,400 net (\$284,758,400 gross). As the Mission's projected expenditures of \$238,595,100 for 2010 would result in an over-expenditure of \$11,674,300, the amount being sought totalled \$281,684,700 net. In December [A/65/602], the Advisory Committee on Administrative and Budgetary Questions (ACABQ) recommended a 5 per cent reduction in the overall operational requirements (\$164,271,600) proposed for the Mission.

On 24 December, the General Assembly, in section XIII of **resolution 65/259** (see p. 633), approved the budgets for 29 special political missions, including UNAMA, for the 2010–2011 biennium.

International Security Assistance Force

During 2010, the Secretary-General transmitted to the Security Council, in accordance with Council resolutions 1386(2001) [YUN 2001, p. 267] and 1510(2003) [YUN 2003, p. 310], a report from the Inter-

national Security Assistance Force (ISAF) on its activities for the period from 1 November 2009 to 31 January 2010 [S/2010/353]. Subsequent reports covered ISAF activities from 1 February to 30 April [S/2010/437]; 1 May to 31 July [S/2010/548]; 1 August to 31 October [S/2010/657]; and 1 November to 31 January 2011 [S/2011/124]. Throughout the year, ISAF continued to assist the Afghan Government in accordance with relevant Security Council resolutions.

As at 1 February, ISAF had 87,646 personnel from 28 NATO countries and 15 non-NATO countries. Between 1 November 2009 and 31 January 2010, ISAF suffered 794 casualties—89 killed in action, 696 wounded in action and nine non-battle deaths. The London Conference (see p. 339) agreed on targets for significant increases in the Afghan National Army (171,000) and the Afghan National Police (134,000) by the end of 2011, taking total security force numbers to over 300,000. The NATO decision to develop a plan for phased transition to Afghan security leadership, province by province, possibly beginning at the end of 2010 or early 2011, was welcomed. It was also agreed that the transition should be conditions-based, and that ISAF would move to a supporting role in the provinces as conditions were met.

As at 25 October, ISAF had 130,432 personnel from 28 NATO nations and 20 non-NATO nations. During the quarter ending 31 October, ISAF suffered 2,201 casualties—179 killed in action, 2,007 wounded in action and 15 non-battle-related deaths. As the preparation process for transition continued, ISAF extended its focus on the training and mentorship of entities within the Afghan National Security Forces. Recognizing that vital gaps existed, ISAF expanded its capacity and capabilities to cover its mandate in a more comprehensive manner. NATO/ISAF invited additional UN Member States to support the mission by providing trainers, mentors and enablers for the Afghan National Security Forces as well as for the civilian sectors of governance and development.

Communication. In a 6 October letter to the Secretary-General [S/2010/542], Afghanistan expressed appreciation for the ISAF role in the country and welcomed the proposed extension of its mandate.

SECURITY COUNCIL ACTION

On 13 October [meeting 6395], the Security Council unanimously adopted **resolution 1943(2010)**. The draft [S/2010/518] was submitted by Turkey.

The Security Council,

Reaffirming its previous resolutions on Afghanistan, in particular resolutions 1386(2001) of 20 December 2001, 1510(2003) of 13 October 2003, 1833(2008) of 22 September 2008, 1890(2009) of 8 October 2009 and 1917(2010) of 22 March 2010,

Reaffirming also its resolutions 1267(1999) of 15 October 1999, 1368(2001) of 12 September 2001, 1373(2001) of 28 September 2001, 1822(2008) of 30 June 2008 and 1904(2009) of 17 December 2009, and reiterating its support for international efforts to root out terrorism in accordance with the Charter of the United Nations,

Recalling its resolutions 1265(1999) of 17 September 1999, 1296(2000) of 19 April 2000, 1674(2006) of 28 April 2006, 1738(2006) of 23 December 2006 and 1894(2009) of 11 November 2009 on the protection of civilians in armed conflict, its resolutions 1325(2000) of 31 October 2000, 1820(2008) of 19 June 2008, 1888(2009) of 30 September 2009 and 1889(2009) of 5 October 2009 on women and peace and security and its resolutions 1612(2005) of 26 July 2005 and 1882(2009) of 4 August 2009 on children and armed conflict,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan,

Recognizing that the responsibility for providing security and law and order throughout the country resides with the Afghan authorities, stressing the role of the International Security Assistance Force in assisting the Government of Afghanistan to improve the security situation and build its own security capabilities, and welcoming the cooperation of the Government with the Force,

Welcoming the communiqués of the London Conference on Afghanistan, held on 28 January 2010, and the Kabul International Conference on Afghanistan, held on 20 July 2010, which set a clear agenda and agreed priorities for the way ahead on Afghanistan,

Recognizing once again the interconnected nature of the challenges in Afghanistan, reaffirming that sustainable progress on security, governance, human rights, the rule of law and development, as well as the cross-cutting issues of counter-narcotics, anti-corruption and accountability, is mutually reinforcing, and welcoming the continuing efforts of the Government of Afghanistan and the international community to address these challenges through a comprehensive approach,

Stressing, in this context, the need for further efforts by the Government of Afghanistan to fight corruption, promote transparency and increase its accountability, in line with the commitment of the Government to strengthen measures to combat corruption after the London and Kabul Conferences,

Recognizing the commitment by the international community to support the phased transition to full Afghan responsibility for security, including through the establishment of the Joint Afghan-North Atlantic Treaty Organization Inteqal (Transition) Board to determine mutually agreed criteria to commence the transition process, and the imperative for the international community to continue to train, mentor and partner with the Afghan National Security Forces in order to support the international and Afghan objective for Afghan National Security Forces leadership on military and civilian police operations by the end of 2014, noting that these issues will be discussed at the forthcoming North Atlantic Treaty Organization summit in Lisbon, and stressing the long-term commitment of the international community to support the further development and professionalization of the Afghan National Security Forces,

Stressing the central and impartial role that the United Nations continues to play in promoting peace and stability in Afghanistan by leading the efforts of the international community, noting in this context the synergies in the objectives of the United Nations Assistance Mission in Afghanistan and of the International Security Assistance Force, and stressing the need for strengthened cooperation, coordination and mutual support, taking due account of their respective designated responsibilities,

Expressing its strong concern about the security situation in Afghanistan, in particular the increased violent and terrorist activities by the Taliban, Al-Qaida, other illegal armed groups and criminals, including those involved in the narcotics trade, and the increasingly strong links between terrorism activities and illicit drugs, resulting in threats to the local population, including children, as well as to the national security forces and international military and civilian personnel,

Welcoming the efforts of the Government of Afghanistan to update and improve the National Drug Control Strategy, with a particular emphasis on a partnership approach to ensure joint, effective implementation and coordination, encouraging the International Security Assistance Force to further effectively support, within its designated responsibilities, Afghan-led sustained efforts to address drug production and trafficking, in cooperation with relevant international and regional actors, and recognizing the threat posed by illicit drug production, trade and trafficking to international peace and stability in different regions of the world, and the important role played by the United Nations Office on Drugs and Crime in this regard,

Expressing its concern over the harmful consequences of violent and terrorist activities by the Taliban, Al-Qaida and other extremist groups on the capacity of the Government of Afghanistan to guarantee the rule of law, to provide security and basic services to the Afghan people and to ensure the full enjoyment of their human rights and fundamental freedoms,

Reiterating its support for the continuing endeavours of the Government of Afghanistan, with the assistance of the international community, including the International Security Assistance Force and the Operation Enduring Freedom coalition, to improve the security situation and to continue to address the threat posed by the Taliban, Al-Qaida and other extremist groups, and stressing in this context the need for sustained international efforts, including those of the Force and the coalition,

Condemning in the strongest terms all attacks, including improvised explosive device attacks, suicide attacks, assassinations and abductions, targeting civilians and Afghan and international forces and their deleterious effect on the stabilization, reconstruction and development efforts in Afghanistan, and condemning further the use by the Taliban, Al-Qaida and other extremist groups of civilians as human shields,

Welcoming the achievements of the Government of Afghanistan in banning ammonium nitrate fertilizer, and urging continued action to implement regulations for the control of all explosive materials and precursor chemicals, thereby reducing the ability of insurgents to use them for improvised explosive devices,

Recognizing the increased threats posed by the Taliban, Al-Qaida and other extremist groups as well as the challenges related to the efforts to address such threats,

Expressing its serious concern about the increased high number of civilian casualties in Afghanistan, in particular casualties among women and children, the large majority of which are caused by the Taliban, Al-Qaida and other extremist groups, reaffirming that all parties to armed conflict must take all feasible steps to ensure the protection of affected civilians, calling for all parties to comply with their obligations under international humanitarian and human rights law and for all appropriate measures to be taken to ensure the protection of civilians, and recognizing the importance of the ongoing monitoring of and reporting to the Security Council, including by the International Security Assistance Force, on the situation of civilians and, in particular, civilian casualties,

Taking note of the progress made by the International Security Assistance Force and other international forces in minimizing civilian casualties, as described in the report of the United Nations Assistance Mission in Afghanistan of 10 August 2010 on the protection of civilians in armed conflict, urging the International Security Assistance Force and other international forces to continue to undertake enhanced efforts to prevent civilian casualties, including the increased focus on protecting the Afghan population as a central element of the mission, and noting the importance of conducting continuous reviews of tactics and procedures and after-action reviews and investigations in cooperation with the Government of Afghanistan in cases where civilian casualties have occurred and when the Government finds these joint investigations appropriate,

Expressing its strong concern about the recruitment and use of children by Taliban forces in Afghanistan as well the killing and maiming of children as a result of the conflict, welcoming the establishment of the Inter-Ministerial Steering Committee for the Protection of the Rights of Children and the intention of the Government of Afghanistan to develop an action plan on the prevention of recruitment of children under 18 years of age, and the appointment by the Ministry of the Interior of the focal point dealing with child protection issues,

Acknowledging the progress made in security sector reform, welcoming the support and assistance extended to the Afghan National Police by the international partners in this regard, in particular the continued commitment of the North Atlantic Treaty Organization Training Mission–Afghanistan, the European Gendarmerie Force contribution to this mission and assistance extended to the Afghan National Police, including through the European Union Police Mission in Afghanistan, and stressing the need for Afghanistan, together with international donors, to further strengthen the Afghan National Army and the Afghan National Police to ensure Afghan capability to assume increasing responsibilities and leadership of security operations and maintain public order, law enforcement, the security of Afghanistan's borders and the preservation of the constitutional rights of Afghan citizens as well as to increase its efforts in the disbandment of illegal armed groups and counter-narcotics, as outlined in the London Conference and Kabul Conference communiqués,

Stressing, in this context, the importance of further progress by the Government of Afghanistan in ending impunity and strengthening judicial institutions, in the reconstruction and reform of the prison sector, and the rule of law and respect for human rights within Afghanistan,

including for women and girls, and, in particular, women's rights under the Constitution to fully participate in the political, economic and social spheres of Afghan life,

Reiterating its call upon all Afghan parties and groups to engage constructively in peaceful political dialogue as requested by participants at the Consultative Peace Jirga, held in Kabul from 2 to 4 June 2010 within the framework of the Afghan Constitution, to work together with international donors for the socio-economic development of the country and to avoid resorting to violence, including through the use of illegal armed groups, supporting the aims of the High Peace Council, encouraging the Government of Afghanistan-led peace process, in particular the implementation of the Afghan Peace and Reintegration Programme, within the framework of the Afghan Constitution and with full respect for the implementation of measures and application of the procedures introduced by the Security Council in its resolutions 1267(1999), 1822(2008) and 1904(2009) as well as other relevant resolutions of the Council, and pledging to continue supporting this work as requested by the Government,

Noting the leading role played by the Afghan Independent Election Commission and the Electoral Complaints Commission in organizing the 2010 parliamentary elections, and the support of the United Nations and the International Security Assistance Force, and the commitment of the Government of Afghanistan in the Kabul Conference communiqué to address long-term electoral reform, based on lessons learned in previous elections,

Recognizing the importance of the contribution of neighbouring and regional partners as well as regional organizations, including the European Union, the Organization for Security and Cooperation in Europe, the Shanghai Cooperation Organization and the Collective Security Treaty Organization, to the stabilization of Afghanistan, stressing the crucial importance of advancing regional cooperation as an effective means to promote security, governance and development in Afghanistan, welcoming the regional efforts in this regard, and looking forward to the inaugural meeting in Istanbul, Turkey, in November 2010 of the Core Group established in support of enhanced regional cooperation in conjunction with the Kabul Conference,

Welcoming the efforts of the international community carried out to strengthen the coherence of military and civilian actions, including those within the framework of the International Security Assistance Force,

Welcoming also the continued coordination between the International Security Assistance Force and the Operation Enduring Freedom coalition, and in-theatre cooperation established between the Force and the European Union presence in Afghanistan,

Expressing its appreciation for the leadership provided by the North Atlantic Treaty Organization and for the contributions of many nations to the International Security Assistance Force and to the Operation Enduring Freedom coalition, which operates within the framework of the counter-terrorism operations in Afghanistan and in accordance with the applicable rules of international law,

Determining that the situation in Afghanistan still constitutes a threat to international peace and security,

Determined to ensure the full implementation of the mandate of the International Security Assistance Force, in coordination with the Government of Afghanistan,

Acting, for these reasons, under Chapter VII of the Charter,

1. *Decides* to extend the authorization of the International Security Assistance Force, as defined in resolutions 1386(2001) and 1510(2003), for a period of twelve months, until 13 October 2011;

2. *Authorizes* the Member States participating in the International Security Assistance Force to take all measures necessary to fulfil its mandate;

3. *Recognizes* the need to further strengthen the International Security Assistance Force to meet all its operational requirements, and in this regard calls upon Member States to contribute personnel, equipment and other resources to the Force;

4. *Stresses* the importance of increasing, within a comprehensive framework, the functionality, professionalism and accountability of the Afghan security sector, encourages the International Security Assistance Force and other partners to sustain their efforts, as resources permit, to train, mentor and empower the Afghan National Security Forces in order to accelerate progress towards the goal of self-sufficient, accountable and ethnically balanced Afghan security forces providing security and ensuring the rule of law throughout the country, welcomes the increasing leadership role played by the Afghan authorities in security responsibilities throughout the country, and stresses the importance of supporting the planned expansion of the Afghan National Army and the Afghan National Police as endorsed by the Joint Coordination and Monitoring Board in January 2010;

5. *Calls upon* the International Security Assistance Force and the Senior Civilian Representative of the North Atlantic Treaty Organization to continue to work in close consultation with the Government of Afghanistan and the Special Representative of the Secretary-General for Afghanistan in accordance with Security Council resolution 1917(2010) as well as with the Operation Enduring Freedom coalition in the implementation of the mandate of the Force;

6. *Requests* the leadership of the International Security Assistance Force to keep the Security Council regularly informed, through the Secretary-General, on the implementation of its mandate, including through the timely provision of quarterly reports;

7. *Decides* to remain actively seized of the matter.

Children and armed conflict

In an April report on children and armed conflict [A/64/742-S/2010/181], issued pursuant to presidential statement S/PRST/2009/9 [YUN 2009, p. 737] and covering developments in 2009, the Secretary-General provided information on measures taken by parties to end violations against children; on implementation of the reporting and monitoring mechanism established by Security Council resolution 1612(2005) [YUN 2005, p. 863]; and on grave violations committed against children. The Afghan Government appointed a high-level focal point to interact with the country task force on monitoring and reporting, while four regional task forces

on monitoring and reporting were established in the eastern, central, south-eastern and western regions. A number of investigations were conducted into incidents involving the killing and maiming of children by military forces. An investigation led by NATO was ordered into the events surrounding the air strike in Kunduz that killed 40 children. Available information indicated that a number of children were recruited or used by armed opposition groups, including the Taliban, the Haqqani network, Hezbi-Islami, the Tora Bora Front and Jamat Sunat al-Dawa Salafia. Cases were documented of children as young as 13 and 14 years of age who carried out suicide attacks or were used to plant explosives. More than 1,000 children were killed or injured in conflict-related violence, a marked increase from the previous year that was mainly due to the growth and spread of the insurgency, with armed groups being responsible for the vast majority of incidents.

Communication. On 10 June, Afghanistan transmitted to the Secretary-General a memorandum [A/64/836-S/2010/320] regarding his April report and the inclusion of the Afghan National Police in annex I as a party to conflict that recruited or used children in contravention of international law.

Sanctions

UN sanctions-related activities were guided by the measures adopted by Security Council resolution 1904(2009) [YUN 2009, p. 355] and previous resolutions against Osama bin Laden, Al-Qaida, the Taliban, their associates and associated entities, which further refined the financial measures, travel ban and arms embargo imposed on those persons identified in the consolidated list created pursuant to resolution 1267(1999) [YUN 1999, p. 265]. The Al-Qaida and Taliban Sanctions Committee, established pursuant to resolution 1267(1999), oversaw the implementation of those measures. The Committee was assisted by an Analytical Support and Sanctions Monitoring Team. Pursuant to resolution 1904(2009), the Office of the Ombudsman was established to assist the Committee when considering delisting requests and to address the right of a listed individual to a review of the listing by an independent mechanism. On 3 June [S/2010/282], the Secretary-General informed the Council that Kimberley Prost (Canada) had been appointed as Ombudsperson for a period ending 30 June 2011.

Sanctions Committee activities

On 31 December, the Al-Qaida and Taliban Sanctions Committee submitted a report [S/2010/685] covering its activities in 2010. During the year, the Committee held two formal meetings and 32 in-

formal meetings. Following consultations among Security Council members, the Council elected the Bureau of the Committee for 2010, which consisted of Thomas Mayr-Harting (Austria) as Chairman, with Brazil and the Russian Federation providing the two Vice-Chairmen.

The Committee completed the review of 488 names on the consolidated list of individuals and entities subject to sanctions, pursuant to resolution 1822(2008) [YUN 2008, p. 377]; adopted revised guidelines on the conduct of its work; and was assisted in its consideration of delisting requests, for the first time in its history, by an independent and impartial Ombuds-person. The consolidated list was updated 31 times in 2010, and by year's end, 485 individuals and entities were included on it. The Committee decided to add 20 individuals and two entities to the list, while it acceded to the delisting of 23 individuals and 17 entities. The Committee also addressed the issue of deceased persons and entities that had ceased to exist, resulting in eight individuals who were confirmed to be dead and three entities that had ceased to exist being removed from the list. The Committee responded to requests from relevant authorities seeking its assistance in confirming the identity of certain individuals or entities for the purpose of implementing the sanctions measures. It also continued to consider notifications and requests for exemptions submitted pursuant to resolution 1452(2002) [YUN 2002, p. 280], receiving eight such communications from States in 2010.

On 5 March [S/2010/125], the Chairman transmitted to the Security Council a report on the Committee's position on recommendations contained in the tenth report of the Monitoring Team [YUN 2009, p. 354].

On 28 June [S/2010/341], the Chairman transmitted a request to the Council to extend the comprehensive review period by one month, until 31 July, to which the Council agreed on 29 June [S/2010/342]. On 31 December, the Chairman transmitted a letter [S/2010/686] to the Council on the status of the review and the issues covered by it, including 10 requests to add 69 names to the consolidated list; 5 requests to remove 8 names from the list; 2 proposals to amend 4 entries on the list; and 6 notifications submitted pursuant to resolution 1452(2002).

The Sanctions Committee Chairman briefed the Security Council on its work on 11 May [S/PV.6310] and 15 November [S/PV.6424].

Monitoring Team

The Analytical Support and Sanctions Monitoring Team (the Monitoring Team), established by Security Council resolution 1526(2004) [YUN 2004, p. 332] and most recently extended by resolution 1904(2009), had the mandate of collating, assessing,

monitoring, reporting on and making recommendations on the implementation of measures imposed by that resolution. The Monitoring Team visited 15 States, while the Chairman used the opportunity of the Council Mission to Afghanistan in June to visit the country. At the request of the Council, the Monitoring Team continued to organize regional meetings with the heads and deputy heads of intelligence and security services to discuss how the sanctions could be adapted to address changes in the threat posed by Al-Qaida-related terrorism. The Monitoring Team also reported on the outcome of the review of the Consolidated List conducted by the Al-Qaida and Taliban Sanctions Committee as described in paragraph 25 of resolution 1822(2008) [YUN 2008, p. 377].

Report on Consolidated List review. In accordance with resolution 1904(2009), the Sanctions Committee Chairman on 28 September transmitted to the Security Council the Monitoring Team's August report on the outcome of the review of the Consolidated List [S/2010/497] conducted by the Committee from 30 June 2008 to 31 July 2010. The review examined 488 names of individuals, groups and entities subject to the Al-Qaida and Taliban sanctions regime in order to update their entries or remove them from the List. The Committee conducted the review in closed meetings and sought information from 89 States: 63 in their capacity as designating States and 58 in their capacity as the State of residence or citizenship for individuals, or as the State of incorporation or location for entities. Of the 488 names reviewed, the Committee found that the listing remained appropriate for 380; of the remaining 108 names, it removed 45 from the List and delayed a final decision on the other 63 pending receipt of further detail. Meanwhile, Member States had submitted information during the review that would lead to 465 proposed amendments to the List.

The review was the first such review conducted by a Security Council sanctions committee. In addition to focusing on the accuracy and relevance of the List, the review had also addressed widespread calls for greater transparency and consultation with regard to the Committee's listing and de-listing procedures. The unprecedented level of engagement between the Committee and Member States during the review suggested that a large group of States continued to share the Council's concern that there should be a coordinated international response to the threat from Al-Qaida and the Taliban. The report contained general recommendations for the conduct of future reviews, including that the Committee encourage States to take a more active part in reviews by appearing before the Committee to discuss cases of particular interest or importance and to appoint a single national focal point for dealing with the Committee's

reviews. It also made recommendations pertaining to the triennial review of all names, the six-monthly review of deceased persons and the annual review of entries that lacked identifiers.

On 20 December [S/2010/653], the Sanctions Committee Chairman transmitted to the Council a report containing the Committee's position on the recommendations contained in the report of the Monitoring Team on the outcome of the review of the Consolidated List.

Iraq

In 2010, the United Nations, through the Secretary-General's Special Representative for Iraq and the United Nations Assistance Mission for Iraq (UNAMI), continued to assist the country in its transition to democratic governance and in promoting reconstruction and reconciliation. Parliamentary elections were held in March and a national partnership Government was formed in November. Although Iraq improved its capacity to address security, throughout the year insurgent groups continued to demonstrate the ability to stage violent attacks with a view to undermining the progress achieved. On 5 August, the Security Council extended the UNAMI mandate until 31 July 2011 (see p. 366). On 15 December, the Council extended the arrangements for depositing into the Development Fund for Iraq proceeds from export sales of petroleum, petroleum products and natural gas until 30 June 2011 (see p. 371); terminated the residual activities of the oil-for-food programme (see p. 376); and terminated the measures by which Iraq was requested to destroy all weapons of mass destruction and long-range ballistic missiles and not to acquire any nuclear weapons (see p. 374).

Political and security developments

Report of Secretary-General (February). In his report on United Nations Assistance Mission for Iraq (UNAMI) activities [S/2010/76], submitted in response to resolution 1883(2009) [YUN 2009, p. 367] and summarizing developments since his November 2009 report [*ibid.*, p. 369], the Secretary-General said that preparations for national elections scheduled for 7 March 2010 continued. Following the completion of a nationwide voter registration update exercise in 2009, the Independent High Electoral Commission compiled the voter list and, consequently, some 18.9 million voters had been allocated to around 50,000 polling stations. Candidate nomination had been reopened to accommodate the new amendments to the Election Law [*ibid.*, p. 371] and had closed, with approximately 6,600 candidates nominated from 86

political entities or coalitions. On 7 January, the Accountability and Justice Commission announced that 15 political entities would be excluded from participating in the elections. On 14 January, it informed the Electoral Commission that it had disqualified 496 candidate nominees, a figure that increased to 511 on 19 January. A number of candidates filed appeals and, on 3 February, the Court of Cassation ruled that the review of the appeals would be postponed until after the elections, allowing them to run in the elections. If elected, those candidates would have their privileges and immunities deferred until a final decision was made on their appeals. The Accountability and Justice Commission and a number of political parties rejected the court ruling. Uncertain as to whether the decision was binding, the Electoral Commission sought clarification from the Supreme Federal Court, resulting in the postponement of the campaign period until 12 February. The Speaker of the Council of Representatives called for a meeting on 6 February with the Presidency Council, the Prime Minister, the Speaker and the Chief Justice to discuss the Court of Cassation's decision. On 7 February, the Court of Cassation announced that it would review all appeals filed before the start of the electoral campaign period on or around 12 February.

Political disagreements in the Ninewa Governorate remained a matter of concern. The Deputy Prime Minister continued his efforts to reduce tensions between the Ninewa Brotherhood List, which continued to boycott the Provincial Council, and the Al-Hadba National List led by Governor Atheel Nujafi, making regular visits to both the Ninewa Governorate and the Kurdistan region, meeting with both sides and seeking to create conditions for improved security. Meanwhile, to ease tensions in northern Iraq, the Iraqi Government and the Kurdistan Regional Government (KRG) agreed to set up joint security structures in the Governorates of Diyala, Kirkuk and Ninewa. The new arrangement included joint patrols and checkpoints consisting of personnel from the Iraqi Army, Iraqi Kurdistan Peshmerga and the Iraqi police, under the coordination of the United States Forces in Iraq (USF-I). The security plan had received mixed reactions in the affected communities, but the intention remained to build trust between communities, strengthen security coordination prior to the national elections and create an environment conducive to political dialogue over the disputed territories.

While the number of security incidents continued to decrease after October 2009, insurgent groups continued to mount mass casualty attacks aimed at civilians and governmental structures to destabilize the country. On 25 January 2010, 38 people were killed and 74 injured when car bombs were detonated near three hotels in the centre of Baghdad frequented by foreign journalists and contractors, and a car bomb

killed 17 people and wounded 80 at a government forensics centre in Baghdad on 26 January. Following an official letter of protest from the Iraqi Government to the Iranian Government, requesting the withdrawal of Iranian forces that had reportedly deployed in the vicinity of the disputed Al-Fakkah oil field, the two countries agreed on 6 January to activate the work of a previously established joint border technical committee. On 27 January, Iraq confirmed that all Iranian forces had redeployed from the Al-Fakkah area. The Iraqi Foreign Minister also confirmed that an agreement was reached with Iran to normalize the situation on the borders between the two countries. In accordance with the UNAMI mandate to advance cooperation between Iraq and its neighbours, a Mission delegation visited Tehran to prepare the start of a small liaison office in that city.

National elections. General elections for the Council of Representatives were held on 7 March. UNAMI provided support to the Independent High Electoral Commission and the Iraqi Government throughout the process. The Commission had certified 86 political entities and coalitions, which nominated more than 6,000 candidates to contest the 325 seats in the Council of Representatives. An estimated 12 million of the 18.9 million eligible voters turned out to cast their ballots. In the first three hours of polling, there were approximately 40 explosions in Baghdad. Despite those attempts at intimidation by insurgent groups, the overall environment in which the election was conducted was relatively free of violence and without any major security incidents that affected the polling. For the first time, many Iraqi television channels broadcast the counts taking place. From 4 to 8 March, UNAMI deployed “poll-watching” teams in Baghdad, the Kurdish Region, Basra and Kirkuk, which assisted the Electoral Commission to resolve difficulties. UNAMI, the international diplomatic community, international and national observers and monitors welcomed the overall integrity and transparency of the electoral process, which was widely assessed as having been conducted according to international standards. On 26 March, the Electoral Commission released the preliminary election results, which showed that the Al-Iraqiya bloc, headed by former Prime Minister Ayad Allawi, led with 91 seats. Prime Minister Nuri Kamel al-Maliki’s State of Law Coalition ranked second with 89 seats, followed by the Iraqi National Alliance with 71 seats. Kurdish representatives won 57 seats, including 40 for the Kurdish Alliance. On 31 March [SC/9897], the Security Council welcomed the election results and noted that international and independent Iraqi observers had affirmed the overall integrity of the process.

Report of Secretary-General (May). In his May report on UNAMI activities [S/2010/240], the Secretary-General said that following the 26 March announce-

ment of the preliminary election results (see above), 335 appeals had been submitted to the Electoral Judicial Panel. Some political entities called for a manual recount in 4 of 18 provinces, including a request in Baghdad by the State of Law Coalition. On 19 April, the Electoral Judicial Panel ordered a partial recount of all votes cast in Baghdad Province, accounting for 68 seats in Parliament. The recount process began on 3 May and, as at 10 May, over half of the votes had been recounted, with no major discrepancies or evidence of fraud found. On the same day, the Electoral Commission announced that it would shortly submit the names of 244 winners (from the total 325 seats) in 17 governorates to the Supreme Court for certification. Meanwhile, the major political blocs had engaged in talks on forming alliances and on identifying a suitable candidate for Prime Minister. On 4 May, the State of Law Coalition and the Iraqi National Alliance announced that they would form a larger coalition that would give them a total of 160 votes in the new Parliament, three seats short of a majority. The Secretary-General’s Special Representative met with the leaders of the winning blocs in early May, including Mr. Allawi and Mr. al-Maliki, to urge the start of the government-formation process in a cooperative and inclusive manner.

In other political activities, the Special Representative travelled to Erbil and Sulaimaniyah to meet with President Jalal Talabani, KRG President Barzani and Prime Minister Saleh, and other leading political figures in the region. The visit provided a gauge of regional views on the electoral process and facilitated discussions on Ninewa. The Special Representative also travelled to the Kurdistan region and Ninewa Governorate to explore the possibility of restarting the stalled dialogue between the Arabs and Kurds. On 3 April, he hosted talks to end the boycott of the Ninewa Provincial Council by the Kurdish-sponsored Ninewa Brotherhood List. The meeting resulted in the identification of distinct areas to address the situation in Ninewa. UNAMI had worked to facilitate the formation of two committees called for in the draft agreement, including a committee on missing persons and detainees, and a committee for the protection of minorities in Ninewa.

With regard to the security environment, hostile groups remained a concern, carrying out two significant bombing attacks in Baghdad during early April and, in the most serious security development since the March elections, a series of attacks across Iraq on 10 May that killed over 100 people and left more wounded. The targeting of Government officials, senior officers of the security forces, Awakening Council members and prominent citizens continued unabated. On 4 April, several attacks on some embassies and neighbourhoods of Baghdad took place, followed on 23 April by a string of bomb attacks targeting residents in Sadr City. The Al-Qaida group

in Iraq claimed responsibility for the attacks against Baghdad embassies and residents in mainly Shia districts of the capital and had reportedly reiterated its intent to continue its campaign of violent activities against the diplomatic corps, embassies and international organizations. Notwithstanding those attacks, the Iraqi security forces had demonstrated their increased capacity to assume greater security responsibilities, evidenced by their successful maintenance of security during the elections. In view of the planned drawdown of USF-I, UNAMI had started actions to ensure that alternative arrangements would be put in place, including the deployment of additional UN air assets. Incidents in the north-central regions continued to revolve around Kirkuk. Tensions were still present, but had taken the back-stage since the elections. Emerging from the elections, there was no clear indicator of how the security situation would unfold in Kirkuk; Arab-Kurdish tensions over the ownership of the city were likely to remain after the new Iraqi Government was named. The high-level task force on Arab-Kurdish issues, a mechanism aimed at fostering dialogue, continued to focus on resolving outstanding issues concerning areas of mutual interest. In its 7 February meeting, the task force agreed to prioritize the issues of property disputes, detainees and language rights in schools.

On development matters, the formulation of the first United Nations Development Assistance Framework for Iraq was successful. Following the 8 April joint strategy meeting, the document was signed in Baghdad on 11 May by Iraq and the United Nations, marking a significant milestone towards longer-term economic and human development planning for Iraq, centring on five national development priorities.

The Secretary-General said that the national elections were a testament of the Iraqi people's determination to exercise their democratic right to vote and elect a Government. He noted that all election complaints that had been filed were being vetted by competent electoral and judicial bodies and the decision to conduct a recount in Baghdad was made via a legitimate legal process. UNAMI had been assisting the Electoral Commission in developing clear protocols and procedures to ensure that the recount was conducted in a transparent and efficient manner. He urged political leaders to move swiftly and work together to build a cohesive and inclusive Government and ensure a peaceful transition. He welcomed the call issued by the Presidential Council of Iraq on 4 May asking all Iraqi parties to accelerate government formation based on the results of the elections and stated that the United Nations stood ready to assist if requested by the parties concerned.

Report of Secretary-General (July). In his July report on UNAMI activities [S/2010/406], the Secretary-General said that on 14 May, the Electoral Commission had completed the ballot recount for the Baghdad Governorate, which reviewed more than 2.5 million votes cast in over 11,000 polling places. The recount revealed no evidence of significant fraud or manipulation of ballots. On 16 May, the Electoral Commission announced that there would be no changes to the allocation of seats: the Al-Iraqiya list would stand, with 91 of 325 parliamentary seats, and the State of Law Coalition would continue to hold 89 seats. The Electoral Judicial Panel and the Court of Cassation ruled on all outstanding appeals and by 2 June, the Federal Supreme Court had certified the names of all 325 winning candidates for the Council of Representatives, thereby concluding the electoral process. UNAMI, which had continued to assist the Commission in addressing questions that arose from the appeals and challenges being handled by the relevant judicial bodies, also assisted the Commission with the planning of several conferences to reflect on the lessons learned during the election process and in identifying ways to improve its operational capacity for future elections and referendums. On 11 June, the State of Law Coalition and the Iraqi National Alliance announced their merger into a new coalition, the National Alliance. Despite claiming the right to form the new Government as the largest parliamentary bloc, the National Alliance had yet to name its candidate to the position of Prime Minister. Meanwhile, Al-Iraqiya maintained its constitutional right to form the next Government on the basis of the election results. After their first meeting on 12 June, Prime Minister al-Maliki and Al-Iraqiya leader Ayad Allawi met on several occasions to discuss the impasse. On 14 June, at the inaugural parliamentary session of the elected Council of Representatives, the newly elected members took their oaths of office. The Acting Speaker of Parliament suspended the session to allow more time for negotiations over key posts, including those of the Speaker, the President of the Republic and the Prime Minister. No date was set for the next meeting.

In a renewed effort to normalize Arab-Kurdish relations in the north, UNAMI supported a government-initiated dialogue aimed at ending the boycott of the Ninewa Provincial Council and facilitated two meetings between the Ninewa Fraternal list and the Hadba list, on 3 April and 15 May, respectively. The discussions focused on security issues and the transfer of detainees from Ninewa (held in the Kurdistan region), as well as power-sharing with regard to senior posts in the Ninewa Provincial Council. A detainee committee established as part of the Ninewa talks conducted several field visits to Asayesh detention facilities in the Kurdistan region. UNAMI also facilitated two further meetings of the newly established

Committee on Ethnic and Religious Communities under the Ninewa dialogue process. Meanwhile, on 24 May, the Kurdistan Regional Parliament passed a law establishing a regional human rights institution, the Independent Board of Human Rights, which would replace the dissolved KRG Ministry of Human Rights. UNAMI would work with the KRG to build the capacity of the new institution.

In other developments, the Iraq National Development Plan, 2010–2014, was launched by the Prime Minister on 4 July. Progress was also made on the integration of the implementing activities of UNAMI and the UN country team in relation to key State and peacebuilding priorities. However, the overall human rights situation remained a concern, notably the high rate of indiscriminate and targeted attacks against the civilian population. In addition, a number of groups in Iraq were still in need of humanitarian support. Ensuring access to essential basic services, such as quality education, health and nutrition, shelter, water and sanitation services, particularly for internally displaced persons (IDPs), remained a priority for the UN country team.

Although the successful conclusion of the national electoral process on 2 June and the convening of the new Council of Representatives on 14 June represented important milestones in Iraq's democratic transition, the Secretary-General expressed concern that continued delays in the government-formation process were contributing to a growing sense of uncertainty. He urged all political bloc leaders to work together through an inclusive and participatory process to end the impasse. Once the government process was completed, it was imperative for the new Government, together with the Council of Representatives and other stakeholders, to make national reconciliation a priority and to address the many outstanding political and constitutional challenges facing the country.

Extension of UNAMI mandate

In a 28 July letter to the Security Council [S/2010/404], Iraqi Foreign Minister Hoshyar Zebari conveyed his Government's wish that UNAMI's mandate be extended for a 12-month period. The Government valued the advice, support and assistance of UNAMI and looked forward to a more positive, effective and constructive role for the Mission with the return to work in Iraq of the UN specialized agencies, funds and programmes and their direct and valuable contribution to its reconstruction.

SECURITY COUNCIL ACTION

On 5 August [meeting 6369], the Security Council unanimously adopted **resolution 1936(2010)**. The draft [S/2010/407] was submitted by Japan, Turkey, the United Kingdom and the United States.

The Security Council,

Recalling all its previous relevant resolutions on Iraq, in particular resolutions 1500(2003) of 14 August 2003, 1546(2004) of 8 June 2004, 1557(2004) of 12 August 2004, 1619(2005) of 11 August 2005, 1700(2006) of 10 August 2006, 1770(2007) of 10 August 2007, 1830(2008) of 7 August 2008 and 1883(2009) of 7 August 2009,

Reaffirming the independence, sovereignty, unity and territorial integrity of Iraq,

Emphasizing the importance of the stability and security of Iraq for the people of Iraq, the region and the international community,

Encouraging the Government of Iraq to continue strengthening democracy and the rule of law, improving security and public order and combating terrorism and sectarian violence across the country, and reiterating its support for the people and Government of Iraq in their efforts to build a secure, stable, federal, united and democratic nation, based on the rule of law and respect for human rights,

Welcoming improvements in the security situation in Iraq achieved through concerted political and security efforts, and stressing that challenges to security in Iraq still exist and that improvements need to be sustained through meaningful political dialogue and national unity,

Underscoring the need for all communities in Iraq to participate in the political process and an inclusive political dialogue, to refrain from statements and actions which could aggravate tensions, to reach a comprehensive solution on the distribution of resources, and to develop a just and fair solution for the nation's disputed internal boundaries and work towards national unity,

Reaffirming the importance of the United Nations, in particular the United Nations Assistance Mission for Iraq, in advising, supporting and assisting the people and Government of Iraq to strengthen democratic institutions, advance inclusive political dialogue and national reconciliation, facilitate regional dialogue, aid vulnerable groups, including refugees and internally displaced persons, strengthen gender equality, promote the protection of human rights, and promote judicial and legal reform, and emphasizing the importance of the United Nations, in particular the Mission, prioritizing advice, support and assistance to the people and Government of Iraq to achieve these goals,

Congratulating the people and Government of Iraq on the holding of the parliamentary elections on 7 March 2010 and the Federal Supreme Court certification of the results, and calling upon Iraq's leaders to form, in an inclusive political process, a Government as quickly as possible, and in accordance with the Iraqi Constitution, that represents the will and sovereignty of the Iraqi people and their hope for a strong, independent, unified and democratic Iraq,

Commending the efforts of the Mission to assist the Independent High Electoral Commission and the Government of Iraq in the development of processes for holding successful Iraqi national parliamentary elections in March 2010, and stressing the importance of the transparency, impartiality and independence of the Commission,

Urging the Government of Iraq to address human rights challenges and concerns and also to consider additional steps to support the Independent High Commission for Human Rights,

Expressing the importance of addressing humanitarian issues confronting the Iraqi people, and stressing the need

to continue to form a coordinated response and to provide adequate resources to address those issues,

Underscoring the sovereignty of the Government of Iraq, reaffirming that all parties should continue to take all feasible steps and to develop modalities to ensure the protection of affected civilians, including children, women and members of religious and ethnic minority groups, and should create conditions conducive to the voluntary, safe, dignified and sustainable return of refugees and internally displaced persons, welcoming commitments and encouraging continued efforts of the Government for the relief of internally displaced persons, refugees and returnees, and noting the important role of the Office of the United Nations High Commissioner for Refugees, based on its mandate, in providing continued advice and support to the Government, in coordination with the Mission, on these issues,

Stressing the importance of implementing Security Council resolution 1882(2009) of 4 August 2009, including through the appointment of child protection advisers in the Mission, as appropriate,

Urging all those concerned, as set forth in international humanitarian law, including the Geneva Conventions of 1949 and the Regulations annexed to the Hague Convention IV of 1907, to allow full unimpeded access by humanitarian personnel to all people in need of assistance and to make available, as far as possible, all facilities necessary for their operations, and to promote the safety, security and freedom of movement of humanitarian personnel and United Nations and associated personnel and their assets,

Recognizing the importance of Iraq achieving international standing equal to that which it held prior to the adoption of resolution 661(1990) on 6 August 1990, welcoming Iraq's application of the Additional Protocol to its comprehensive safeguards agreement provisionally pending ratification and reaffirming the importance of its ratification by Iraq as soon as possible, welcoming also the intention of the Government of Iraq to sign the Hague Code of Conduct against Ballistic Missile Proliferation, and calling upon the Government to take all other necessary steps to meet its outstanding obligations, including to work with due haste and diligence to close the oil-for-food programme,

Thanking the Special Representative of the Secretary-General for Iraq, Mr. Ad Melkert, for his efforts and strong leadership of the Mission, and expressing deep gratitude to all the United Nations staff in Iraq for their courageous and tireless efforts,

1. *Decides* to extend the mandate of the United Nations Assistance Mission for Iraq until 31 July 2011;

2. *Decides also* that the Special Representative of the Secretary-General for Iraq and the Mission, at the request of the Government of Iraq, and taking into account the letter dated 28 July 2010 from the Minister for Foreign Affairs of Iraq to the Secretary-General, shall continue to pursue their mandate as stipulated in resolution 1883(2009);

3. *Recognizes* that the security of United Nations personnel is essential for the Mission to carry out its work for the benefit of the people of Iraq, and calls upon the Government of Iraq and other Member States to continue to provide security and logistical support to the United Nations presence in Iraq;

4. *Welcomes* the contributions of Member States in providing the Mission with the financial, logistical and security resources and support that it needs to fulfil its mission,

and calls upon Member States to continue to provide the Mission with sufficient resources and support;

5. *Expresses its intention* to review the mandate of the Mission in twelve months or sooner, if requested by the Government of Iraq;

6. *Requests* the Secretary-General to report to the Security Council every four months on the progress made towards the fulfilment of all the responsibilities of the Mission;

7. *Decides* to remain seized of the matter.

Further developments

Formation of national Government. After months of political negotiations, leading Iraqi political blocs reached an agreement on forming a national partnership Government from the blocs elected during the national parliamentary elections. As a result, at its 11 November session, the Council of Representatives elected Jalal Talabani as President of the Republic, Osama al-Nujaifi from the Iraqi bloc as Speaker, and Qusai al-Suhail from the Sadrist Trend and Aref Tayfour from the Kurdistan Alliance as Deputy Speakers. The main political blocs also signed an agreement consisting of three elements: the establishment of a National Council for Higher Strategies and an agreement that the necessary legislation would be adopted by the Council of Representatives; the exemption of three prominent Iraqiya Alliance candidates from the process of de-Ba'athification; and the exploration of issues of national reconciliation by the National Council for Higher Strategies. After his re-election for a second term, President Talabani asked Nuri al-Maliki to form the new Government as Prime Minister-designate. The breakthrough in the formation of the Government was welcomed by the international community, including neighbouring countries.

SECURITY COUNCIL ACTION

On 12 November [meeting 6423], following consultations among Security Council members, the President made statement **S/PRST/2010/23** on behalf of the Council:

The Security Council welcomes the agreement to form a national partnership government achieved in Iraq on 11 November 2010.

The Council welcomes the inclusive political process and representative outcome and encourages Iraq's leaders to rededicate themselves to the pursuit of national reconciliation.

The Council reaffirms its commitment to the independence, sovereignty, unity and territorial integrity of Iraq, and emphasizes the importance of the stability and security of Iraq for its people, the region and the international community.

Report of Secretary-General (November). In his report on UNAMI activities [S/2010/606], submitted in response to resolution 1936(2010), the Secretary-General said that members of the Iraqiya Alliance who had walked out in protest during the 11 November

parliamentary vote to elect the President returned to Parliament on 13 November on the understanding that a committee would be established to ensure the implementation of the three-point agreement signed on 11 November. The members had demanded the release of detainees and rescission of the decision to disqualify three Alliance candidates under the process of de-Ba'athification. Discussions were expected to continue among the leaders of the political blocs on the government agenda, the composition of the Council of Ministers and the reform of State institutions. On 3 October, following the refusal of the Ninewa Governorate authorities to allow the KRG to conduct the census in some of the Ninewa districts, the Council of Ministers postponed the nationwide census scheduled for 24 October to the provisional date of 5 December. An agreement was subsequently reached between the Ninewa Governor and the Central Organization for Statistics and Information Technology of the Ministry of Planning, allowing census preparations to resume in the Governorate. Arab and Turkomen leaders from Kirkuk and Sunni Arab politicians from other governorates had also asked for a postponement, citing an inadequate security environment and concerns of possible links of the census to the future of the disputed territories. On 19 October, the Federal Supreme Court issued a ruling clarifying that the proposed nationwide census was not the same as the one mentioned in article 140 of the Iraqi constitution for the resolution of disputed territories.

UNAMI facilitated efforts to address issues of national reconciliation, particularly on improving Arab-Kurdish relations and resolving disputes over internal boundaries. It also facilitated several rounds of talks among the parties in Ninewa to enhance the security of minority populations, improve access to services and education, and secure political, cultural, religious and administrative rights. UNAMI continued to facilitate meetings of the Committee on Ethnic and Religious Communities, which included representatives of the Ninewa administration, the KRG and the Iraqi Government. In August, the Electoral Commission expressed its readiness to the KRG to organize the governorate council elections in the Kurdistan region. The Commission provided an operational concept, a timeline and an estimated budget for the regional elections. A draft law that would establish an independent Kurdistan regional election commission to conduct and oversee the elections was tabled in the Kurdistan Regional Parliament in July. No date was set for the elections.

While Iraq continued to make progress in improving its capacity to address security within the country, many challenges remained. Armed opposition groups continued to demonstrate the ability to conduct operations such as the series of orchestrated bombings on

3 November in Baghdad that left 91 dead and over 380 injured. Twin bombings on 8 November targeting Shia pilgrims killed at least 13 people in Karbala and Najaf and targeted assassinations persisted across the country. Al-Qaida in Iraq remained active, particularly in the Governorate of Diyala. The withdrawal of USF-I was likely to have a short- to medium-term effect on the security situation as the central Government attempted to assert itself over the security situation. Armed opposition groups had changed tactics, relying more on longer-range weapons that targeted indiscriminately; that would continue to affect the UN presence in locations such as Baghdad, Kirkuk and Mosul. Since 1 October, there had been 24 indirect fire attacks against Forward Operating Base Warrior in Kirkuk, a UNAMI operating location. Due to the frequency of attacks, UNAMI had temporarily downsized its staff until new security mitigation measures were in place.

The Secretary-General welcomed the political gains achieved, yet observed that the prolonged process of government formation had been accompanied by a sense of insecurity. The increasing number of security incidents throughout Iraq, particularly in the north and in Baghdad and attacks against Iraqi security forces and innocent civilians, remained a major concern. The United States drawdown was making it more difficult for the United Nations to carry out its operations. Although there had been progress in making the Organization more self-reliant, certain security and logistical arrangements provided by the United States would need to be replaced. It was also his sincere hope that with the formation of the new Government, the security situation in the country would improve.

High-level Security Council meeting on Iraq. On 15 December [S/PV.6450], the Security Council convened a high-level meeting on the situation concerning Iraq, chaired by Vice-President Joe Biden (United States) as Council President. The Council had before it a concept paper by the United States [S/2010/621]; a letter from Prime Minister al-Maliki on the Development Fund for Iraq (DFI) (see p. 371); the Secretary-General's reports on DFI [ibid.] and UNAMI (see above); notes verbales from Iraq on DFI (see p. 371), disarmament issues (see p. 374) and the oil-for-food programme (see p. 375); and a letter from the Secretary-General on the UN Iraq Account [ibid.].

Prior to hearing statements, the Council adopted resolution 1956(2010) extending the DFI arrangements until 30 June 2011 (see p. 371); resolution 1957(2010) terminating the weapons of mass destruction and other Chapter 7 measures (see p. 374); and resolution 1958(2010) concluding the oil-for-food programme residual activities (see p. 376). The Council President then made statement S/PRST/2010/27 on behalf of the Council.

SECURITY COUNCIL ACTION

On 15 December [meeting 6450], following consultations among Security Council members, the President made statement **S/PRST/2010/27** on behalf of the Council:

The Security Council reaffirms its commitment to the independence, sovereignty, unity and territorial integrity of Iraq, and emphasizes the importance of the stability and security of Iraq for its people, the region and the international community.

The Council supports the inclusive political process and power-sharing agreement reached by Iraq's leaders to form a representative national partnership government that reflects the will of the Iraqi people as displayed by the parliamentary elections of 7 March 2010. We encourage its leaders to continue to pursue a federal, democratic, pluralistic and unified Iraq based on the rule of law and respect for human rights.

The Council reaffirms the need to combat all forms of terrorism and that no terrorist act can reverse a path towards peace, democracy and reconstruction in Iraq, which is supported by its people, the Government of Iraq and the international community.

The Council welcomes the positive developments in Iraq and recognizes that the situation now existing in Iraq is significantly different from that which existed at the time of the adoption of resolution 661(1990). Consistent with resolution 1859(2008), the Council also welcomes the important progress Iraq has made in regaining the international standing it held prior to the adoption of resolution 661(1990). In recognition of Iraq's progress in supporting the international non-proliferation regime and complying with disarmament treaties and other relevant international instruments, its commitment to taking additional steps in this regard, and its provisional application of the Additional Protocol to its comprehensive safeguards agreement with the International Atomic Energy Agency, pending its ratification, the Council has adopted resolution 1957(2010), which lifts the restrictions imposed by resolutions 687(1991) and 707(1991) relating to weapons of mass destruction and civilian nuclear activities. In recognition of Iraq's success in closing out remaining contracts in the oil-for-food programme, the Council has also adopted resolution 1958(2010) to terminate the residual activities of the oil-for-food programme. And, in recognition of Iraq's progress towards the establishment of effective and accountable successor arrangements for the transition of the Development Fund for Iraq, the Council has adopted resolution 1956(2010), which terminates arrangements for the Development Fund on 30 June 2011. Welcoming the progress made by the Governments of Iraq and Kuwait towards the resolution of the outstanding issues between both countries, and encouraging their further cooperation, the Council calls upon Iraq to quickly fulfil its remaining obligations under the relevant Chapter VII Council resolutions pertaining to the situation between Iraq and Kuwait.

The Council welcomes Iraq's reintegration into the region and encourages Iraq and all regional States to deepen and broaden their relations and to conduct those relations in a spirit of partnership and cooperation.

The Council reaffirms its full support for the United Nations Assistance Mission for Iraq in advising, supporting and assisting the people and Government of Iraq to strengthen democratic institutions, advance inclusive dialogue and national reconciliation, facilitate regional dialogue, aid vulnerable groups, strengthen gender equality, promote the protection of human rights, including through the establishment of the Independent High Commission for Human Rights, promote the protection of affected civilians, including children, women and members of religious and ethnic minority groups, and promote judicial and legal reform.

The Council commends the Mission, headed by the Special Representative of the Secretary-General for Iraq, for its support throughout the electoral process, consistent with its mandate.

The Council encourages the continued work of the Mission, in coordination with the Government of Iraq, to provide protection and help to create conditions conducive to the voluntary, safe, dignified and, in particular, the sustainable return of Iraqi refugees and internally displaced persons, and stresses the importance of further attention to this issue by all concerned.

The Council underscores the important role of the Mission in supporting the people and Government of Iraq to promote dialogue, ease tension and encourage a negotiated political agreement to the nation's disputed internal boundaries, and calls upon all relevant parties to participate in an inclusive dialogue to this end.

After the presidential statement, Mr. Biden made a further statement in his national capacity. He said that over 100,000 American troops had withdrawn from Iraq since 2008 and the United States mission in the country had transitioned from a military-led to a civilian-led engagement. The 50,000 troops that would remain until the end of 2011 had been given a new mission: advising and assisting their Iraqi counterparts. The United States would continue to reinforce the progress being made in Iraq consistent with the Strategic Framework Agreement with the Iraqis and to forge an enduring partnership across a range of sectors. It would also continue to work with Iraqi leaders on the tasks that lay ahead, such as conducting the census, integrating Kurdish forces into Iraqi security forces, keeping commitments to Sons of Iraq, resolving disputed internal boundaries with regard to Kirkuk, passing critical hydrocarbon legislation and a fiscally responsible budget, and helping stabilize the country's economy. He also recognized the work of UNAMI, Special Representative Melkert and his staff.

The Secretary-General said that the meeting was a milestone for Iraq. He commended Iraq's leaders for ending their political deadlock and urged the country's political blocs to honour their agreements and move swiftly to conclude the process of paving the way for a national partnership Government and for the first peaceful transition between elected Governments under full Iraqi sovereignty. He encouraged Iraq's neighbours to open a new chapter in their rela-

tions with Iraq and encouraged Iraq to reaffirm its commitment with respect to its land and maritime boundary with Kuwait and to fulfil all other outstanding obligations, including with regard to missing Kuwaiti persons and property, compensation and the maintenance of boundary markers. UNAMI would continue to promote political dialogue, provide constitutional support, monitor human rights, deliver humanitarian assistance to Iraqi refugees and IDPs, help build the capacity of Iraq's electoral institutions and encourage a negotiated agreement to the disputed internal boundaries.

Year-end developments. In a later report [S/2011/213], the Secretary-General said that on 21 December, a new Government, led by Prime Minister al-Maliki, was endorsed by the Iraqi Council of Representatives. It was hailed as a national partnership Government, consisting of the country's main political blocs, and brought an end to the nine-month political stalemate that had followed the national elections in March. The Council of Representatives had lifted de-Ba'athification charges against three key Iraqiya bloc leaders. One of the leaders, Saleh al-Mutlaq, was appointed as Deputy Prime Minister. Two other Deputy Prime Ministers, Hussein Shahristani and Rowsch Shaways, were appointed from the National Alliance and the Kurdistan Alliance, respectively. Meanwhile, political disagreements over the potential use of census data resulted in further delays in the implementation of the population counting stage. On 5 December, the heads of political parties and blocs met to discuss concerns surrounding the census. They decided to establish three provincial committees, in Diyala, Kirkuk and Ninewa, to explore possible solutions and report back to the Prime Minister by 19 December. In Kirkuk, Arab and Turkomen members boycotted the meetings, with only Kurds submitting their proposals.

With regard to human rights, the security situation continued to affect the civilian population, who faced ongoing acts of violence perpetrated by armed opposition groups and criminal gangs. Mass graves continued to be discovered containing the victims of the former regime or of the violence that had afflicted the country since 2003. On 11 and 20 December 2010, mass graves were discovered in the Basra governorate in the village of al-Dair (al-Qurna district) and in the Mahaweel area in Babil Governorate, respectively. The latter contained the bodies of 13 civilians; both grave sites were believed to date from around 2006 or 2007 and to contain the victims of insurgent groups. Ongoing violence had also caused immeasurable suffering for all Iraqis, Sunnis, Shias, Christians and others. The protection of children in contact with the law continued to be a challenge as the numbers of boys and girls in prison and in pre-

trial detention remained high. As at 28 November 2010, there were 1,136 children (1,096 boys and 40 girls) in detention, excluding the region of Kurdistan. On strengthening the promotion and protection of women's rights, UNAMI and the UN country team supported the November launching of the "16 days of activism against gender violence" campaign. It was the first time Iraq had launched such a campaign since the ratification of the Convention on the Elimination of Discrimination against Women in 1986. The campaign was also launched jointly by the United Nations and the KRG.

UNAMI security arrangements. On 21 December [S/2010/666], the Secretary-General informed the Council that due to the changing circumstances in Iraq, he intended to implement adjustments to the integrated UN security structure configured in 2004 [YUN 2004, p. 357]. As a result, the coordination mechanism between the United Nations and the Iraqi Government would include police advisers and/or liaison officers. In addition to controlling access to and conducting patrols within the UNAMI premises, the guard force would provide mobile and close protection security for UN personnel outside UN premises. On 23 December [S/2010/667], the Council welcomed the proposed arrangements.

Communication. On 29 July [A/65/195], the Libyan Arab Jamahiriya transmitted a letter to the Secretary-General requesting the inclusion of a supplementary item in the agenda of the General Assembly's sixty-fifth (2010) session, entitled "Investigation into the invasion of Iraq". In an 11 September letter [A/65/363], the Iraqi Foreign Minister said that it considered the Libyan request to be a violation of Security Council resolutions.

UNAMI

The United Nations Assistance Mission for Iraq (UNAMI), established by Security Council resolution 1500(2003) [YUN 2003, p. 346], continued to support the Secretary-General in fulfilling his mandate under Council resolution 1483(2003) [ibid., p. 338], as extended by resolution 1546(2004) [YUN 2004, p. 348]. The Secretary-General's Special Representative and head of UNAMI Ad Melkert (Netherlands) and his substantive, security and administrative support staff were based in Baghdad, with regional offices in Erbil, Basra and Kirkuk.

Financing

On 25 October [A/65/328/Add.5], the Secretary-General submitted the proposed resource requirements for UNAMI for 2011, totalling \$207,729,000 net

(\$219,314,500 gross). After taking into account the anticipated overexpenditure of the 2010 appropriation in the amount of \$2,200,600, total requirements for 2011 would amount to \$209,929,600 net. The report also contained an update on the construction project related to the planned integrated headquarters compound in Baghdad.

In December [A/65/602], ACABQ recommended that the General Assembly approve the resources requested by the Secretary-General, subject to its observations and recommendations.

On 24 December, in section XIII of **resolution 65/259** (see p. 1429), the Assembly approved the budgets for the 29 special political missions, including UNAMI, totalling \$631,162,600.

International Advisory and Monitoring Board

The International Advisory and Monitoring Board (IAMB) for Iraq, established by Security Council resolution 1483(2003) [YUN 2003, p. 338] to ensure that the Development Fund for Iraq was used in a transparent manner for the benefit of the Iraqi people and that Iraqi export sales of petroleum products were consistent with international market best practices, continued to oversee the auditing of the Fund. The Iraqi Committee of Financial Experts, established in 2006 by the Council of Ministers [YUN 2007, p. 353] to work alongside the Board and take over its tasks upon the expiration of the Board's mandate, worked closely with the Board in 2010 and attended all its meetings.

On 6 April [S/PV.6293] and 12 July [S/PV.6356], the UN Controller, Jun Yamazaki—the Secretary-General's designated representative on the Board—briefed the Council on the activities of the Fund and the Board.

Reports of Secretary-General. In accordance with Council resolution 1905(2009) [YUN 2009, p. 372], the Secretary-General reported quarterly on the activities of the Fund and the Board, the legal issues and options to be considered with respect to implementing successor arrangements for the Fund and the Iraqi Government's progress in preparing for such arrangements. In April [S/2010/166], he said that the 2009 audit of the Fund was under way; the external auditor, KPMG, was expected to issue a summary and brief the Board later in the month. To enhance the Fund's transparency and accountability, the Committee of Financial Experts had published monthly summaries of the Fund's cash inflows and outflows on its website. The Committee had also finalized a time-bound action plan to implement a comprehensive oil-metering system that would become operational by the end of 2011. The first quarterly report of the

Iraqi Government [S/2010/308 & S/2010/153 & Corr.1] provided an action plan and timeline for the transition to successor arrangements for the Fund and the Board by 31 December 2010.

In his July report [S/2010/359], the Secretary-General said that the preliminary results of the 2009 audit of the Fund highlighted issues of concern regarding weaknesses in controls over oil extraction and in the spending ministries. The Board also approved the audit appointment process and concurred with the Government's recommendation to appoint PricewaterhouseCoopers to conduct the 2010 audit of the Fund. The Secretary-General welcomed the second quarterly report of the Iraqi Government [S/2010/365] and noted that as at 15 June, measures had been implemented in accordance with the plan presented in March.

In his November report [S/2010/563], the Secretary-General said that at the IAMB meeting, the Board had been briefed by KPMG on the final results of the 2009 audit and by PricewaterhouseCoopers on the preliminary results of the 2010 audit. The 2009 final reports and a summary of the 2010 results were available on the Board's website. He noted that implementation of the plan for installing a comprehensive oil-metering system was behind schedule and encouraged the Iraqi Government to implement the metering plan on schedule. He also stated that the Government, in its third quarterly report [S/2010/567], had proposed that immunity for the Fund be extended for a further year due to conditions in the country that had affected the ability of Government institutions to meet requirements for the timeline, including the fact that political blocs and entities had yet to reach agreement on the formation of a new Government.

Extension of Fund. In an 8 December letter [S/2010/625] to the Council, Prime Minister al-Maliki requested a final extension of the Fund until 30 June 2011.

SECURITY COUNCIL ACTION

On 15 December [meeting 6450], the Security Council unanimously adopted **resolution 1956(2010)**. The draft [S/2010/632] was submitted by Austria, Bosnia and Herzegovina, China, France, Gabon, Japan, Lebanon, Nigeria, the Russian Federation, Turkey, Uganda, the United Kingdom and the United States.

The Security Council,

Taking note of the letter dated 8 December 2010 from the Prime Minister of Iraq to the President of the Security Council, which is annexed to the present resolution,

Recognizing the positive developments in Iraq and that the situation now existing in Iraq is significantly different from that which existed at the time of the adoption of resolution 661(1990) on 6 August 1990, also recognizing that Iraqi institutions are strengthening, and further recognizing the importance of Iraq achieving international standing equal to that which it held prior to the adoption of resolution 661(1990),

Welcoming the letter from the Prime Minister of Iraq, which reaffirms the commitment by the Government of Iraq not to request any further extensions of the Development Fund for Iraq arrangements, and recognizing that the letter from the Prime Minister also reaffirms the commitment by the Government to ensure that oil revenue would continue to be used fairly and in the interests of the Iraqi people, and that transition arrangements would be in keeping with the Constitution and with international best practices in respect of transparency, accountability and integrity,

Recognizing the significant role of the Development Fund for Iraq and the International Advisory and Monitoring Board and the provisions of paragraphs 20 and 22 of resolution 1483(2003) of 22 May 2003 in helping the Government of Iraq to ensure that Iraq's resources are being used transparently and accountably for the benefit of the Iraqi people, and stressing the need for Iraq to finalize the transition to successor arrangements for the Development Fund and the Board,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to terminate, on 30 June 2011, the arrangements established in paragraph 20 of resolution 1483(2003) for depositing into the Development Fund for Iraq proceeds from export sales of petroleum, petroleum products and natural gas and the arrangements referred to in paragraph 12 of resolution 1483(2003) and paragraph 24 of resolution 1546(2004) of 8 June 2004 for the monitoring of the Development Fund by the International Advisory and Monitoring Board, and further decides that, subject to the exception provided for in paragraph 27 of resolution 1546(2004), the provisions of paragraph 22 of resolution 1483(2003) shall continue to apply until that date, including with respect to funds and financial assets and economic resources described in paragraph 23 of that resolution;

2. *Welcomes and affirms* the decision of the Government of Iraq not to request any further extensions of the Development Fund for Iraq arrangements, and further decides that this is the final extension of the Development Fund arrangements;

3. *Decides* that, after 30 June 2011, the requirement established in paragraph 20 of resolution 1483(2003) that all proceeds from export sales of petroleum, petroleum products and natural gas from Iraq be deposited into the Development Fund for Iraq shall no longer apply, affirms that the requirement established in paragraph 21 of resolution 1483(2003) that 5 per cent of the proceeds from all export sales of petroleum, petroleum products and natural gas shall be deposited into the United Nations Compensation Fund, established in accordance with resolution 687(1991) of 3 April 1991 and subsequent resolutions shall continue to apply, and further decides that 5 per cent of the value of any non-monetary payments of petroleum, petroleum products and natural gas made to service providers shall be deposited into the Compensation Fund and that, unless the Government of Iraq and the Governing Council of the United Nations Compensation Commission, in the exercise of its authority over methods of ensuring that payments are made into the Compensation Fund, decide otherwise, the above requirements shall be binding on the Government of Iraq;

4. *Calls upon* the Government of Iraq to work closely with the Secretary-General to finalize the full and effective transition to a post-Development Fund for Iraq mecha-

nism by or before 30 June 2011, which takes into account International Monetary Fund Stand-By Arrangement requirements, includes external auditing arrangements and ensures that Iraq will continue to meet its obligations as established in the provisions of paragraph 21 of resolution 1483(2003); and further requests that the Government provide a written report to the Security Council no later than 1 May 2011 on progress towards the transition to a post-Development Fund mechanism;

5. *Directs* the transfer of the full proceeds from the Development Fund for Iraq to the Government of Iraq's successor arrangements account or accounts and the termination of the Development Fund no later than 30 June 2011, and requests written confirmation to the Council once the transfer and termination are completed;

6. *Requests* the Secretary-General to provide written reports on an ongoing basis to the Council every six months, with the first report due no later than 1 January 2012, about the United Nations Compensation Fund, evaluating the continued compliance with the provisions of paragraph 21 of resolution 1483(2003);

7. *Decides* to remain actively seized of the matter.

ANNEX

Letter dated 8 December 2010 from Mr. Nuri Kamel al-Maliki, Prime Minister of Iraq, to the President of the Security Council

I should like to refer to my letter dated 13 December 2009 addressed to the President of the Security Council, in which I explained that in 2010 the Government of Iraq would put in place appropriate arrangements, in keeping with the Constitution, for the Development Fund for Iraq and the International Advisory and Monitoring Board, with a view to ensuring the continued equitable use of oil revenue in the interests of the Iraqi people, in accordance with international best practices with regard to transparency, accountability and integrity.

Pursuant to Security Council resolution 1905(2009), the Government of Iraq submitted in its first quarterly report the requisite action plan and timeline for the transition to the successor arrangements for the Development Fund for Iraq and the International Advisory and Monitoring Board. It subsequently submitted its second and third reports on the progress that had been made. In the third report, details were given of the parts of the action plan that had been completed and those that remained incomplete. Reference was also made to the situation in Iraq and the fact that the delay in the formation of a new Government after the legislative elections that took place on 7 March 2010 had, in one way or another, affected the ability of Government institutions to take rapid and effective action with regard to the comprehensive implementation of the action plan.

On the basis of the foregoing, and in order to make it possible to ensure the comprehensive implementation of the action plan and a smooth transition to the successor arrangements, the Government of Iraq is once more in need of the assistance of the international community. It therefore hopes that the Security Council will extend for a further and final six months, ending on 30 June 2011, immunity for the Development Fund for Iraq, on the basis of the arrangements set forth in paragraph 20 of Security Council resolution 1483(2003).

I should be grateful if you would circulate this letter to the members of the Security Council with the greatest possible expedition and include it as an annex to the resolution currently being drafted on Iraq.

Security Council Committee established pursuant to resolution 1518(2003)

The Chairman of the Security Council Committee established pursuant to resolution 1518(2003) [YUN 2003, p. 362] submitted to the Council the Committee's annual report for 2010 [S/2011/40]. The Committee was established to continue to identify, in accordance with paragraphs 19 and 23 of resolution 1483(2003) [ibid., p. 338], individuals and entities associated with the former Iraqi regime whose funds, other financial assets and economic resources should be frozen and transferred to the Development Fund for Iraq. At year's end, the Committee's list of individuals contained 89 names; its list of entities contained 208 names.

Several issues brought to the Committee's attention in 2007 [YUN 2007, p. 354] remained pending in 2010. The Chairman had undertaken consultations with the relevant Committee members with a view to resolving those outstanding matters promptly. Although the Committee did not hold any meetings in 2010, it continued to consider relevant issues brought to its attention. The assets-freeze and transfer lists of individuals and entities were available on the Committee's website.

Non-proliferation and disarmament obligations

On 19 January [S/2010/37], Iraq transmitted to the Security Council President a letter from its Foreign Affairs Minister, referring to the Secretary-General's July 2009 report [S/2009/385] on the review of resolutions adopted by the Council pertaining to Iraq, starting with resolution 661(1990) [YUN 1990, p. 192]; the actions necessary for Iraq to achieve international standing equal to that which it held prior to the adoption of resolution 661(1990); and outstanding issues related to its disarmament obligations.

Since Iraq had fulfilled its obligations under the relevant Council resolutions, the international community should lift the restrictions imposed by resolutions 661(1990) and 707(1991). He detailed the steps taken by Iraq with regard to disarmament and non-proliferation, reiterated that Iraq supported the international non-proliferation regime and had complied with disarmament treaties and other relevant international instruments, and indicated that Iraq was committed to taking additional steps to comply with non-proliferation and disarmament standards. The Government would inform the Council, the International Atomic Energy Agency (IAEA) and

other relevant agencies on progress made towards implementing those measures. He requested that the Council give immediate consideration to the removal of all restrictions on Iraq pertaining to disarmament, weapons of mass destruction and ballistic missiles, including resolutions 687(1991) [YUN 1991, p. 172] and 707(1991) [ibid., p. 188].

SECURITY COUNCIL ACTION

On 26 February [meeting 6279], following consultations among Security Council members, the President made statement **S/PRST/2010/5** on behalf of the Council:

The Security Council reaffirms its commitment to the independence, sovereignty, unity and territorial integrity of Iraq, and emphasizes the importance of the stability and security of Iraq for its people, the region and the international community.

The Council welcomes the letter dated 18 January 2010 from the Minister for Foreign Affairs of Iraq, which confirms that the Government of Iraq supports the international non-proliferation regime and complies with disarmament treaties and other relevant international instruments, is committed to taking additional steps to comply with non-proliferation and disarmament standards, and has also committed to inform the Council, the International Atomic Energy Agency and other relevant agencies of progress made towards implementing those measures in accordance with the Government's constitutional and legislative procedures and in compliance with international norms and obligations.

The Council welcomes Iraq's accession to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, becoming the 186th State party on 12 February 2009.

The Council also welcomes the intention of the Government of Iraq to sign the Hague Code of Conduct against Ballistic Missile Proliferation.

The Council also welcomes the fact that Iraq signed the Additional Protocol to its comprehensive safeguards agreement with the International Atomic Energy Agency in 2008 and that the Additional Protocol is currently before Parliament for ratification, as is the Comprehensive Nuclear-Test-Ban Treaty. The Council further welcomes the fact that, consistent with Iraqi law, Iraq has agreed to apply the Additional Protocol provisionally, pending its entry into force.

The Council underlines, in particular, the importance of Iraq ratifying the Additional Protocol. The Council also requests that the International Atomic Energy Agency inform the Council as soon as possible regarding the quality of Iraq's safeguards-related cooperation with the Agency, including provisional implementation of the Additional Protocol pending its entry into force.

The Council underlines its readiness, once the necessary steps have been taken, to review, with a view towards lifting, the restrictions in resolutions 687(1991) and 707(1991) related to weapons of mass destruction and civil nuclear activities.

IAEA response. In a letter dated 11 March [S/2010/150], the IAEA Director General reported that the Agency had been receiving excellent cooperation from Iraq in the implementation of its comprehensive safeguards agreement, thus allowing IAEA to effectively conduct its safeguards activities. Iraq's decision to provisionally apply, as from 17 February 2010, the protocol additional to its safeguards agreement pending the protocol's entry into force was an example of Iraq's proactive safeguards-related cooperation with IAEA. Iraq was also in the process, with IAEA assistance, of updating its national legislation relevant to the application of safeguards.

Communications. In a letter dated 25 July [S/2010/403], the Iraqi Foreign Minister informed the Council of action taken by the Government demonstrating its commitment to the principles of disarmament and non-proliferation, including Iraq's submission of its first report to the Organization for the Prohibition of Chemical Weapons (OPCW) on dismantling the chemical weapons programme inherited from the previous regime on 28 June; the Government's decision to accede to the Hague Code of Conduct (HCOC) against Ballistic Missile Proliferation [YUN 2002, p. 504] on 13 July; and Iraq's official submission of its notification to IAEA in accordance with the Comprehensive Safeguards Agreement Additional Protocol, article 17, on 16 July.

On 2 September, Iraq transmitted to the Council a 12 August letter [S/2010/464] from France, the HCOC against Ballistic Missile Proliferation Chair, congratulating Iraq on its announcement on 11 August that it had subscribed to the Code, becoming the 131st State to subscribe to the instrument (see p. 533).

On 8 December [S/2010/618], the Iraqi Foreign Minister informed the Council of further developments with regard to disarmament issues, including among others, its membership on the OPCW Executive Council and the Government's approval of a draft law concerning accession to the Convention on the Physical Protection of Nuclear Material. Having fulfilled all its obligations, Iraq hoped that the Council would lift the outstanding disarmament restrictions imposed by Council resolutions 687(1991) and 707(1991).

SECURITY COUNCIL ACTION

On 15 December [meeting 6450], the Security Council unanimously adopted **resolution 1957(2010)**. The draft [S/2010/633] was submitted by Austria, Bosnia and Herzegovina, China, France, Gabon, Japan, Lebanon, Nigeria, the Russian Federation, Turkey, Uganda, the United Kingdom and the United States.

The Security Council,

Recalling its previous resolutions on the situation in Iraq,

Recalling also the statement by its President of 26 February 2010, which welcomed Iraq's progress on compliance with non-proliferation and disarmament commitments,

Recognizing the importance of Iraq achieving international standing equal to that which it held prior to the adoption of resolution 661(1990) on 6 August 1990,

Welcoming the letter dated 18 January 2010 from the Minister for Foreign Affairs of Iraq to the President of the Security Council, which confirms that the Government of Iraq supports the international non-proliferation regime and complies with disarmament treaties and other relevant international instruments, is committed to taking additional steps in this regard to comply with non-proliferation and disarmament standards, and has also committed to inform the Security Council, the International Atomic Energy Agency and other relevant agencies of progress made towards implementing those measures in accordance with the Government's constitutional and legislative procedures and in compliance with international norms and obligations,

Welcoming also the letter dated 11 March 2010 from the Director General of the International Atomic Energy Agency to the Secretary-General, which notes that the Agency has been receiving excellent cooperation from Iraq in the implementation of its comprehensive safeguards agreement, and proceeding on the basis of the decision by the Government of Iraq to provisionally apply, as of 17 February 2010, the Additional Protocol to its comprehensive safeguards agreement pending the entry into force of the Additional Protocol,

Welcoming further Iraq's accession to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, becoming the one hundred and eighty-sixth State party on 12 February 2009,

Welcoming the fact that Iraq has subscribed to the Hague Code of Conduct against Ballistic Missile Proliferation, becoming the one hundred and thirty-first State to do so on 11 August 2010,

Welcoming also the fact that Iraq signed the Additional Protocol to its comprehensive safeguards agreement with the International Atomic Energy Agency in 2008 and that the Additional Protocol is currently before Parliament for approval, as is the Comprehensive Nuclear-Test-Ban Treaty, and welcoming the fact that Iraq has agreed to apply the Additional Protocol provisionally, pending ratification,

Reaffirming the importance of the ratification by Iraq as soon as possible of the Additional Protocol,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to terminate the weapons of mass destruction, missile and civil nuclear-related measures imposed by paragraphs 8, 9, 10, 12 and 13 of resolution 687(1991) of 3 April 1991 and paragraph 3 (f) of resolution 707(1991) of 15 August 1991 and as reaffirmed in subsequent relevant resolutions;

2. *Urges* Iraq to ratify the Additional Protocol to its comprehensive safeguards agreement and the Comprehensive Nuclear-Test-Ban Treaty as soon as possible;

3. *Decides* to review in one year's time progress made by Iraq on its commitment to ratify the Additional Protocol and meet its obligations under the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, and requests the Secretary-General to report to the Security Council in this regard;

4. *Decides also* to remain actively seized of the matter.

Oil-for-food programme

Under the oil-for-food programme, established by Security Council resolution 986(1995) [YUN 1995, p. 475], Iraq had been authorized to sell petroleum and petroleum products to finance humanitarian assistance, thereby alleviating the adverse consequences of the sanctions imposed by the Council. The programme was phased out in November 2003 [YUN 2003, p. 362].

On 13 September, by **decision 64/569**, the Council deferred consideration of the “Follow-up to the recommendations on administrative management and internal oversight of the Independent Inquiry Committee into the UN Oil-for-Food Programme” to its sixty-fifth (2010) session. On 24 December, the Assembly decided the item would remain for consideration during its resumed sixty-fifth (2011) session (**decision 65/544**).

UN Iraq Account

Following the termination of all activities under the oil-for-food programme [ibid., p. 366], the United Nations retained responsibility for the administration and execution of letters of credit issued under the programme by the bank holding the UN Iraq Account, Banque Nationale de Paris Paribas, for purchasing humanitarian supplies for the south/centre of Iraq, until such letters were executed or expired, in accordance with Security Council resolution 1483(2003) [ibid., p. 338]. At that stage, some 3,009 prioritized contracts, with associated letters of credit valued at approximately \$8 billion, were considered essential for the reconstruction and/or humanitarian needs of the Iraqi people.

On 8 December 2010 [S/2010/619], the Secretary-General informed the Council about the status as at 7 December of the remaining activity relating to the letters of credit issued against the UN Iraq Account under resolution 1483(2003). Since May 2009, the number of outstanding letters of credit had been reduced from 92, worth some \$313 million, to 43, worth approximately \$101 million. Of those 43 letters of credit, all had expired according to their terms, and six could not be paid owing to the advising bank not being able to locate the beneficiaries or the beneficiaries not providing the documentation required by the relevant letter of credit. He noted that the Iraqi Government, in its June 2010 report (see p. 371), had informed the Council that no confirmations of arrival would be issued, to the extent that no record of delivery was available, in relation to the remaining 37 letters of credit with claims of delivery. Subject to the definitive confirmation by the Iraqi Government that no more confirmations of arrival would be issued, the Council might consider declaring all such

letters of credit closed for all relevant purposes. All funds associated with those letters of credit contained in the UN Iraq Account would then become available for transfer to the Development Fund for Iraq (DFI). The Secretary-General presented a series of actions the Council might take to ensure the prompt and orderly conclusion of all residual activities under the programme.

Since 2003, a total of \$10.4 billion dollars had been transferred from the UN Iraq Account to DFI. As at 7 December 2010, the Account contained \$790 million, of which some \$101 million was held in the cash collateral portion of the Account to cover the amount of claims of delivery made by suppliers, and \$689 million in the non-collateral portion of the Account.

On 8 December, Iraq transmitted a letter dated 6 December [S/2010/620] to the Council regarding the arrangement of the closure of the oil-for-food programme before the end of 2010, and confirming the Government's commitment to the arrangement of suitable funding for indemnity to the United Nations.

By resolution 1958(2010) of 15 December (see p. 376), the Security Council requested the Secretary-General to take actions to terminate all residual activities under the oil-for-food programme, including establishing an escrow account retaining \$20 million for the Organization's expenses related to the termination of those activities and \$131 million for providing indemnification to the United Nations, its representatives, agents and independent contractors until 31 December 2016. All remaining funds in the UN Iraq Account beyond those retained amounts would be transferred to DFI.

Report of Board of Auditors

On 6 December, the Secretary-General transmitted to the Security Council the report of the Board of Auditors [S/2010/627] on the financial statements of the United Nations escrow (Iraq) accounts for the year ended 31 December 2009, reflecting the transactions covering the sixth year of the phase-down operations following the termination of the oil-for-food programme in November 2003 [YUN 2003, p. 366]. The number of letters of credit had been reduced during 2009 from 95 to 69; however, the liquidation remained hampered by the delay in the issuance of authentication documents by the Iraqi Government, despite the repeated calls of the Security Council and the Secretary-General.

In 2009, total income was \$44 million and total expenditure was \$21.5 million. Total expenditure for humanitarian activities of \$13.6 million included \$11.8 million relating to currency exchange adjustments and \$1.8 million relating to the purchase of spare parts. From the inception of the oil-for-food

programme up to 31 December 2009, total expenditures for the purchase of humanitarian supplies and oil spares amounted to \$43.9 billion.

Total cash resources (cash and term deposits and cash pool) at year's end amounted to \$955.9 million, an 8 per cent decrease from \$1 billion as at the end of 2007. Despite the decline, the cash resources of the "Humanitarian activities in Iraq" account, amounting to \$932.4 million, were sufficient to cover the \$268 million of current and prior-year unliquidated obligations arising from approved contracts for humanitarian supplies and oil spares. As at 31 December, the total reserves and fund balances of the "Humanitarian activities in Iraq" account and the "Administrative and operational costs" account totalled \$686.7 million.

The Board made three recommendations based on its audit: that the Administration settle the outstanding accounts payable and receivable of the United Nations Monitoring, Verification and Inspection Commission and transfer all remaining unencumbered funds to DFI in accordance with Council resolution 1762(2007) [YUN 2007, p. 356]; that it keep the matter of transferring the unencumbered funds to DFI under review; and that it disclose as a separate note to the financial statements the reasons for reclassification and restatement of any comparative.

SECURITY COUNCIL ACTION

On 15 December [meeting 6450], the Security Council adopted **resolution 1958(2010)** by vote (14-0-1). The draft [S/2010/636] was submitted by Austria, Bosnia and Herzegovina, China, France, Gabon, Japan, Lebanon, Nigeria, the Russian Federation, Turkey, Uganda, the United Kingdom and the United States.

The Security Council,

Recalling its previous resolutions on the situation in Iraq, in particular resolutions 986(1995) of 14 April 1995, 1472(2003) of 28 March 2003, 1476(2003) of 24 April 2003, 1483(2003) of 22 May 2003 and 1546(2004) of 8 June 2004, and the report of the Secretary-General of 27 July 2009 submitted pursuant to paragraph 5 of resolution 1859(2008) of 22 December 2008,

Recalling also the need for the "oil-for-food" programme (hereinafter "the programme") established under resolution 986(1995) as a temporary measure to provide for the humanitarian needs of the Iraqi people,

Recognizing the importance of Iraq achieving international standing equal to that which it held prior to the adoption of resolution 661(1990) on 6 August 1990,

Recognizing also the importance of the activities of the office of the Secretary-General's High-level Coordinator established pursuant to resolution 1284(1999) of 17 December 1999,

Recalling the letter dated 8 December 2010 from the Secretary-General to the President of the Security Council and the note attached thereto, the third report of the Secretary-General, of 1 November 2010, submitted pur-

suant to paragraph 3 of resolution 1905(2009) of 21 December 2009, and the third quarterly report of the Government of Iraq submitted pursuant to paragraph 5 of resolution 1905(2009),

Taking note of the letter dated 6 December 2010 from the Government of Iraq to the President of the Security Council,

Acting under Chapter VII of the Charter of the United Nations,

1. *Requests* the Secretary-General to take all actions necessary to terminate all residual activities under the programme, noting that all letters of credit with outstanding claims of delivery listed in annex I to the note by the Secretary-General of 8 December 2010 have expired according to their terms and that no confirmation of arrival will be provided by the Government of Iraq and are closed for all purposes under the programme, including for purposes of transferring the funds associated with such letters of credit from the collateral portion of the United Nations Iraq Account to the non-collateral portion of the Iraq Account, without prejudice to any rights or claims that the suppliers with claims of delivery may have for payment, or otherwise, against the Government of Iraq under their respective commercial contracts with the Government of Iraq;

2. *Notes* the provision by the Government of Iraq of certificates of arrival on file with the United Nations as of 15 December 2010, for which payment has not been effected either as a result of the advising bank not being able to locate the relevant beneficiaries or as a result of the beneficiary not providing requisite documentation, as referenced in the note by the Secretary-General of 8 December 2010, in paragraphs 11 and 12 and annexes II and III, and calls upon the Government of Iraq to provide without delay direct payment if contacted by the beneficiaries or their representatives;

3. *Authorizes* the Secretary-General to establish an escrow account for the purposes of paragraphs 4 and 5 of the present resolution, to appoint independent and certified public accountants to audit it, and to keep the Government of Iraq fully informed;

4. *Also authorizes* the Secretary-General to ensure that 20 million United States dollars of the Iraq Account are retained in the escrow account until 31 December 2016, exclusively for the expenses of the United Nations related to the orderly termination of the residual activities of the programme, including the Organization's support to Member State investigations and Member State proceedings related to the programme, and the expenses of the office of the High-level Coordinator created pursuant to resolution 1284(1999), and further requests that all remaining funds be transferred to the Government of Iraq by 31 December 2016;

5. *Further authorizes* the Secretary-General to ensure that up to 131 million United States dollars of the Iraq Account are retained in the escrow account for the purpose of providing indemnification to the United Nations, its representatives, agents and independent contractors for a period of six years with regard to all activities in connection with the programme since its inception, and further requests that all remaining funds be transferred to the Government of Iraq by 31 December 2016;

6. *Authorizes* the Secretary-General to facilitate the transfer as soon as possible of all funds remaining, beyond those retained for the purposes of paragraphs 4 and 5 above,

from the Iraq Account created pursuant to paragraph 16 (d) of resolution 1483(2003) to the Development Fund for Iraq;

7. *Requests* the Secretary-General to take all necessary actions to ensure the effective implementation of the present resolution and to enter into all necessary implementing arrangements or agreements as soon as possible with the Government of Iraq;

(a) To provide appropriate indemnification, as referenced in paragraph 5 above, to the United Nations, its representatives, agents and independent contractors with regard to all activities in connection with the programme since its inception; and

(b) To provide for a waiver of any future claims the Government of Iraq may have against the United Nations, its representatives, agents and independent contractors with regard to all activities in connection with the programme since its inception, as referenced in paragraphs 19, 20 and 21 of the attachment to the note by the Secretary-General of 25 July 2008, and requests him to report to the Council when he has done so;

8. *Also requests* the Secretary-General to report and provide analysis to the Council on the usage and expenditure of the escrow account referenced in paragraphs 4 and 5 above on an annual basis, with the first report no later than 31 March 2012, and the final report occurring three months after the transfer of any remaining funds retained for the purposes of paragraphs 4 and 5 to the Government of Iraq by 31 December 2016, unless otherwise authorized by the Council;

9. *Decides* to remain actively seized of the matter.

VOTE ON RESOLUTION 1958(2010):

In favour: Austria, Bosnia and Herzegovina, Brazil, China, Gabon, Japan, Lebanon, Mexico, Nigeria, Russian Federation, Turkey, Uganda, United Kingdom, United States.

Against: None.

Abstaining: France.

Iraq–Kuwait

POWs, Kuwaiti property and missing persons

In response to Security Council resolution 1284(1999) [YUN 1999, p. 230], the Secretary-General reported in 2010 on Iraq's compliance with its obligations regarding the issue of missing Kuwaiti and third-country nationals and the repatriation of Kuwaiti property seized by Iraq during its occupation of Kuwait as of August 1990 [YUN 1990, p. 189]. The High-level Coordinator for compliance by Iraq with its obligations regarding the return of Kuwaiti nationals and property, Gennady Tarasov (Russian Federation), briefed the Council in June [SC/9955] and in December [SC/10130].

On 4 February [S/2010/83], Iraq informed the Council that its Ministry of Foreign Affairs had made a public announcement in the official newspaper, *Al-Sabah*, calling on anyone who possessed Kuwaiti documents or property seized by the former regime

during the 1990 occupation of Kuwait to contact the Ministry so that they could be returned to Kuwait.

Reports of Secretary-General. In his June report [S/2010/300] the Secretary-General said that at the January meeting of the Technical Subcommittee of the Tripartite Commission, which was the primary mechanism for dealing with the issue of persons unaccounted for from the 1990–1991 Gulf war, Kuwait presented its plan of action for the search for the remains of Kuwaiti prisoners and missing persons (annex I). The plan, which included among other documents lists of names and sketches of Iraqi security officials active during the occupation of Kuwait, was accepted by the Committee as a non-binding document. Activities by Iraq in the search for missing Kuwaiti and third-country nationals included publishing their pictures and names on the website of the Ministry of Human Rights. Iraq also formed an Inter-Ministerial Committee to deal with the issue, which had met several times since 16 February. The Kuwaiti plan was made available to participants. The Secretary-General observed that the positive results attained to date had been primarily of a preparatory nature. He expressed concern that the Kuwaiti national archives had not been found and no credible information about their whereabouts had emerged. He also reported that no confirmed remains of Kuwaiti or third-country nationals (of the 369 people still on the list of the missing) had been found since his October 2009 report [YUN 2009, p. 375].

In his December report [S/2010/635], the Secretary-General said that by a 26 November note verbale (annexed to the report), Iraq transmitted a letter “regarding the missing Kuwaiti prisoners of war in Iraq”, attached to which was a summary of key measures taken by the Iraqi Government in 2009 and 2010 with respect to the matter. In other activity, Iraqi officials informed the Coordinator that an announcement in *Al-Sabah* elicited a response from the Iraqi Ministry for Industry and Mines, which claimed it had equipment belonging to Kuwait. The Secretary-General reiterated his concern that no progress had been made in finding the Kuwaiti national archives. In that connection, he urged the Iraqi Government to set up an official body to lead and coordinate efforts to clarify the fate of the Kuwaiti archives and other missing property. He also recommended that the Council extend the financing of the Coordinator's mandate until June 2011.

Year-end developments. In a later report [S/2011/213], the Secretary-General said that from 20 to 22 December, a joint Iraq–Kuwait team conducted an exploratory field assessment to a possible site of Kuwaiti mass graves in Nassiriyah, pursuant to a decision of the Technical Subcommittee at its 28 September session in Kuwait. The field visit took place under the auspices of the International Committee

of the Red Cross with logistical support from UNAMI. It was anticipated that there would be further field work at the site in April 2011.

Financing of High-level Coordinator. In response to the Secretary-General's December 2009 letter [YUN 2009, p. 376] on financing the activities of the High-level Coordinator and his staff, the Council, on 4 February 2010 [S/2010/72], informed him that it had decided to earmark \$251,400 from the operating reserves and the fund balance of the 2.2 per cent part of the escrow account intended for administration and operational costs to finance the continuation of those activities until 30 June 2010.

On 10 June [S/2010/310], Kuwait advised the Council that its Government supported extending the financing of the Coordinator's mandate for one year, considering the important humanitarian dimensions of the subject and reaffirming the need to comply with the relevant Council resolutions. Kuwait also viewed the extension as necessary to allow more time for the confidence- and cooperation-building period to bear fruit and produce tangible results.

On 7 July [S/2010/377], the Secretary-General said that the mandated activities for the Coordinator and his staff had led to expenditures of \$476,301 from 25 April 2008 to 31 May 2010, provided through transfers from the Iraq escrow account. Given the need to intensify those activities, it would be necessary to allocate resources of \$233,600 to finance them through 31 December 2010. Should the Council agree, those funds could be earmarked from the operating reserves and fund balance of the 2.2 per cent part of the escrow account and would be transferred and made available to the Department of Political Affairs. On 12 July, the Council informed the Secretary-General of its concurrence with the proposal [S/2010/378].

UN Compensation Commission and Fund

The United Nations Compensation Commission, established in 1991 [YUN 1991, p. 195] for the resolution and payment of claims against Iraq for losses and damages resulting from its 1990 invasion and occupation of Kuwait [YUN 1990, p. 189], continued in 2010 to expedite the settlement of claims through the United Nations Compensation Fund, which was established at the same time as the Commission. Under Council resolution 1483(2003) [YUN 2003, p. 338], the Fund received 5 per cent of the proceeds generated by export sales of Iraqi petroleum, petroleum products and natural gas.

On 28 January, the Commission paid out \$647.2 million to Kuwait for distribution to 10 claimants; \$590 million on 29 April to Kuwait for distribution

to 9 claimants; \$650 million on 29 July to Kuwait for distribution to 9 claimants; and \$590 million on 28 October to Kuwait for distribution to 9 claimants. That payment brought the overall amount of compensation made available by the Commission for successful claims of individuals, corporations, Governments and international organizations to \$30.7 billion, leaving an outstanding balance of approximately \$21.7 billion remaining to be paid.

Governing Council. The Commission's Governing Council held two sessions in Geneva during the year—the sixty-ninth (27–29 April) [S/2010/208] and the seventieth (9–11 November) [S/2010/587]—at which it considered reports on the activities of the Commission, the distribution by Governments and international organizations of payments to claimants, the transparency of the distribution process and the return of undistributed funds. The Council also heard briefings from the Secretariat on progress made by participating Governments under the Follow-up Programme for Environmental Awards and possible options for its future. The Programme was established by a 2005 decision [S/AC.26/Dec. 258(2005)] to monitor the implementation of approximately \$4.3 billion of environmental remediation and restoration projects being undertaken by the Governments of Iran, Jordan, Kuwait and Saudi Arabia. The Council anticipated that it would take a decision on the issue at its next (2011) session. The Council noted that the final management letter of the Board of Auditors on the review of interim accounts for the period to 31 December 2008 confirmed that the Compensation Commission had no outstanding recommendations. The Council did not adopt any decisions in 2010.

Oversight activities. The Office of Internal Oversight Services (OIOS), in an August report on its activities for the period 1 July 2009–30 June 2010 [A/65/271 (Part I) & Corr.1], stated that in its audit of claims payments from July 2009 to May 2010, the Office found that the Commission had adequate control mechanisms to ensure that award and payment records as well as reports were accurate, properly documented and compliant with Governing Council decisions and UN Financial Regulations and Rules. The Commission secretariat had also implemented the previous audit recommendation issued by OIOS, requiring it to pursue efforts to obtain the outstanding audit certificates and distribution reports. As at 31 May, the Commission had paid \$29 billion.

On 24 December, the General Assembly decided that the item on the "Consequences of the Iraqi occupation of and aggression against Kuwait" would remain for consideration during its resumed sixty-fifth (2011) session (**decision 65/544**).

Timor-Leste

During 2010, the United Nations Integrated Mission in Timor-Leste (UNMIT), established by Security Council resolution 1704(2006) [YUN 2006, p. 422], continued to carry out its mandate to assist the Government in consolidating stability, enhancing democratic governance and facilitating political dialogue. It also provided support to the national police; helped strengthen the country's human rights capacity; and cooperated with UN bodies and their partners in peacebuilding and capacity-building.

Political and security developments

Report of Secretary-General (February). Pursuant to Security Council resolution 1867(2009) [YUN 2009, p. 377], the Secretary-General submitted a February report [S/2010/85] on major developments in Timor-Leste and on the activities of UNMIT since his previous report [YUN 2009, p. 380]. The report presented proposals on the future role of UNMIT during 2010–2012, including possible adjustments in its mandate and strength. It also presented the findings and recommendations of the technical assessment mission to Timor-Leste from 10 to 17 January, led by Ian Martin, former Special Envoy for Timor-Leste and Head of the United Nations Mission in East Timor (UNAMET) [YUN 1999, p. 281].

Political developments were generally indicative of continuing stability. On 19 January, President José Ramos-Horta arranged a meeting with Prime Minister Kay Rala Xanana Gusmão and the Frente Revolucionaria de Timor-Leste Independente (Fretilin) Secretary-General, Mari Alkatiri, during which they agreed to continue discussions on issues of national interest. In a speech to the diplomatic community on the same date, the President said he would continue his engagement with national and local leaders and other stakeholders in forging peace and national unity. The security situation in the country remained stable as reported incidents dropped to an average of 87 per week compared with 97 per week in the previous reporting period. On 20 January, the Polícia Nacional de Timor-Leste (PNTL) had resumed policing in four districts. For those districts and units where PNTL was assessed as not yet ready for resumption, UNMIT police and PNTL had jointly developed and were implementing measures to enhance PNTL institutional capacities.

Limited progress was made towards holding accountable those responsible for criminal acts and human rights violations committed during the 2006 crisis [YUN 2006, p. 418], as recommended by the Independent Special Commission of Inquiry.

As at 20 January, final judgements had been rendered in three cases, which resulted in convictions against nine persons; four trials were ongoing; and 13 cases were under investigation. The UNMIT Serious Crimes Investigation Team continued investigations into cases of serious human rights violations committed in 1999 in 9 out of 13 districts. Out of 396 outstanding cases, investigations had been concluded in 110 and were ongoing in 23 others.

The findings and recommendations of the technical assessment focused on the Mission's four mandated priority areas as reflected in the medium-term strategy: security sector review and reform; strengthening the rule of law; promoting a culture of democratic governance and dialogue; and economic and social development. As UNMIT was an integrated mission that continued to apply a "one UN system" approach within an integrated strategic framework covering all mandated areas, the assessment mission considered UNMIT activities in conjunction with those of the UN agencies, funds and programmes. The assessment mission confirmed the broad desire of the Timorese leadership and other national stakeholders for the United Nations to maintain the integrated support provided through UNMIT in all major areas of its mandate, spearheaded by the continuation of a strong good offices role on the part of the Special Representative. At the same time, there was a clear emphasis on the need for UN support to be delivered with full respect for national sovereignty and growing national capacity, as well as with cultural sensitivity. The Secretary-General said that his Special Representative would establish a team to plan the downsizing of UNMIT during the period through 2012 and the transition of functions to the appropriate entity. He recommended an extension of the UNMIT mandate for one year, with the same composition and number of military liaison officers, while gradually decreasing police personnel from 1,608 to 1,280 by mid-2011; and 19 additional civilian posts in the police component to support PNTL development.

SECURITY COUNCIL ACTION

On 26 February [meeting 6278], the Security Council unanimously adopted **resolution 1912(2010)**. The draft [S/2010/95] was submitted by Australia, Austria, Bosnia and Herzegovina, Brazil, China, France, Gabon, Japan, Lebanon, Malaysia, Mexico, New Zealand, Nigeria, the Philippines, Portugal, the Russian Federation, South Africa, Turkey, Uganda, the United Kingdom and the United States.

The Security Council,

Reaffirming all its previous resolutions and the statements by its President on the situation in Timor-Leste, in particular resolutions 1599(2005) of 28 April 2005, 1677(2006) of 12 May 2006, 1690(2006) of 20 June 2006, 1703(2006) of 18 August 2006, 1704(2006) of 25 August

2006, 1745(2007) of 22 February 2007, 1802(2008) of 25 February 2008 and 1867(2009) of 26 February 2009,

Welcoming the report of the Secretary-General of 12 February 2010, including the overview of the findings and recommendations of the technical assessment mission, and its broad consultations with the Timorese authorities and other relevant stakeholders,

Reaffirming its full commitment to the sovereignty, independence, territorial integrity and national unity of Timor-Leste and the promotion of long-term stability in the country,

Taking note of the general stability through further improvements in the political and security situation, and reiterating its call upon the leadership and other stakeholders in Timor-Leste to continue to pursue peaceful dialogue and to avoid violent means to resolve differences,

Welcoming the successful completion of the village (suco) elections in October 2009 as an indication of the progress made in the democratic political process in Timor-Leste,

Welcoming also the efforts of the political leadership of Timor-Leste to create opportunities for all political parties to make contributions to issues of national interest,

Reaffirming the need for respect for the independence of the judiciary, stressing the need to act against impunity, in this regard acknowledging the serious resource constraints of the judicial system, encouraging the leadership of Timor-Leste to continue its efforts to establish accountability for serious criminal offences, including those committed during the 2006 crisis, as recommended by the Independent Special Commission of Inquiry for Timor-Leste, and welcoming the adoption of a resolution by the National Parliament of Timor-Leste on 14 December 2009,

Expressing its full support for the establishment of the Anti-Corruption Commission, an independent organ that reports to the National Parliament, welcoming the appointment of its first commissioner, and encouraging Timor-Leste to take further steps to continue to increase the transparency, accountability and efficiency of the public administration,

Welcoming the resumption of primary policing responsibilities by the National Police of Timor-Leste to date, and recalling its previous statements on the need to implement fully the "Arrangement on the Restoration and Maintenance of Public Security in Timor-Leste and Assistance to the Reform, Restructuring and Rebuilding of the Timorese National Police and the Ministry of the Interior", concluded between the Government of Timor-Leste and the United Nations Integrated Mission in Timor-Leste on 1 December 2006,

Noting the statement made by President Jose Ramos Horta on 9 December 2009 on the views of the Timorese authorities regarding the future role of the Mission police during the period 2010–2012,

Expressing its full support for the role of the international security forces in assisting the Government of Timor-Leste and the Mission in the maintenance of law and stability, in response to the requests of the Government of Timor-Leste,

Expressing deep concern at the high rates of unemployment and poverty among the Timorese population, as indicated in the report of the Secretary-General, welcoming in this regard the actions already taken by the Government of Timor-Leste to address these issues, in particular the efforts to finalize the National Strategic Development Plan, and underlining the importance of continued support by the international community for the socio-economic development of Timor-Leste,

Recalling that, while the manifestations of the current challenges in Timor-Leste are political and institutional in nature, poverty and its associated deprivations also contribute to these challenges, paying tribute to Timor-Leste's bilateral and multilateral partners for their invaluable assistance, particularly with regard to human resources development, institutional capacity-building and social and economic development, and recognizing the progress being made in the development of many aspects of governance in Timor-Leste,

Welcoming the closing of all the internally displaced persons camps, while recognizing the remaining challenges with regard to the full reintegration of internally displaced persons in assuring the sustainability of their return and their reintegration into Timorese society,

Reaffirming its resolutions 1325(2000) of 31 October 2000, 1820(2008) of 19 June 2008, 1888(2009) of 30 September 2009 and 1889(2009) of 5 October 2009 on women and peace and security, resolutions 1674(2006) of 28 April 2006 and 1894(2009) of 11 November 2009 on the protection of civilians and resolution 1502(2003) of 26 August 2003 on the protection of humanitarian and United Nations personnel, and welcoming the cooperation of the Mission with other United Nations partners to support the efforts of the Government of Timor-Leste to develop a national gender equality policy and strategy,

Recognizing the important role that the Mission continues to play in promoting peace, stability and development in Timor-Leste, and expressing its appreciation for the efforts of the Mission and the United Nations country team, under the leadership of the Special Representative of the Secretary-General for Timor-Leste,

1. *Decides* to extend the mandate of the United Nations Integrated Mission in Timor-Leste until 26 February 2011 at the current authorized levels;

2. *Urges* all parties in Timor-Leste, in particular political leaders, to continue to work together and engage in political dialogue and to consolidate peace, democracy, the rule of law, sustainable social and economic development, advancement of protection of human rights and national reconciliation in the country, and reaffirms its full support for the continued efforts of the Special Representative of the Secretary-General for Timor-Leste aimed at addressing critical political and security-related issues facing the country, including enhancing a culture of democratic governance, through inclusive and collaborative processes;

3. *Requests* the Mission to extend the necessary support, within its current mandate, for municipal elections if requested by the Government of Timor-Leste, and encourages the international community to assist in this process;

4. *Reaffirms* the continued importance of the review and reform of the security sector in Timor-Leste, in particular the need to delineate roles and responsibilities between the Falintil-Forças de Defesa de Timor-Leste and the National Police of Timor-Leste, to strengthen legal frameworks and to enhance civilian oversight and accountability mechanisms of both security institutions, and requests the Mission to continue to support the Government of Timor-Leste in these efforts;

5. *Supports* the ongoing work on the resumption of policing responsibilities by the National Police of Timor-Leste through a phased approach to ensure that the National Police meets the criteria mutually agreed between the Government of Timor-Leste and the Mission as set

out in paragraph 21 of the report of the Secretary-General of 4 February 2009, and requests the Government and the Mission to continue their cooperation to implement expeditiously the resumption process in accordance with the mutually agreed criteria;

6. *Endorses* the intention of the Secretary-General to reconfigure the Mission police component, including its drawdown, in accordance with the phased process of resumption of policing responsibilities by the National Police of Timor-Leste, and requests the Secretary-General to include in his next report his review of this process;

7. *Requests* the Mission to continue to ensure, through the presence of the Mission police component and the provision of support to the National Police of Timor-Leste, the maintenance of public security in Timor-Leste, which includes interim law enforcement and public security until the National Police is fully reconstituted, and, working with partners, to intensify its efforts to assist with further training, mentoring, institutional development and strengthening of the National Police with a view to enhancing its effectiveness, including with respect to community policing, and to address the special needs of women, and recognizes the importance of ensuring that Mission personnel have the appropriate profile and specialized skill sets for these tasks, and the potential need for civilian experts for the above purpose;

8. *Underscores* the need for the concept of operations and rules of engagement to be regularly updated as necessary and to be fully in line with the provisions of the present resolution, and requests the Secretary-General to report on them to the Security Council and troop- and police-contributing countries within ninety days of the adoption of the present resolution;

9. *Reaffirms* the importance of ongoing efforts to achieve accountability and justice, expresses its support for the work of the Mission in assisting the Government of Timor-Leste in this regard, within its mandate, and underlines the importance of the implementation by the Government of the recommendations contained in the report of the Independent Special Commission of Inquiry for Timor-Leste of 2 October 2006, including paragraphs 225 to 228 thereof;

10. *Underlines* the importance of a coordinated approach to the justice sector reform, taking into account the recommendations of the independent comprehensive needs assessment and through the implementation of the Government of Timor-Leste's Justice Sector Strategic Plan, and the ongoing need to increase Timorese ownership and strengthen national capacity in judicial line functions, including the training and specialization of national lawyers and judges, and emphasizes the need for sustained support of the international community in capacity-building and strengthening of institutions in this sector;

11. *Requests* the Mission to continue its efforts, adjusting them as necessary to enhance the effectiveness of the judiciary, in assisting the Government of Timor-Leste in carrying out the proceedings recommended by the Commission of Inquiry;

12. *Calls upon* the Mission to continue to support the Government of Timor-Leste in its efforts to coordinate donor cooperation in areas of institutional capacity-building;

13. *Recognizes* the importance of the Timor-Leste National Recovery Strategy, especially the attention paid to infrastructure, rural development and human resources capacity development, and in this regard calls upon the

Mission to continue to cooperate and coordinate with the United Nations agencies, funds and programmes, as well as all relevant partners, to support the Government of Timor-Leste and relevant institutions in designing poverty reduction, education improvement, promotion of sustainable livelihood and economic growth policies;

14. *Encourages* the Government of Timor-Leste to strengthen peacebuilding perspectives in such areas as employment and empowerment, especially focusing on rural areas and youth, as well as local socio-economic development, in particular in the agricultural sector;

15. *Requests* the Mission to fully take into account gender considerations as set out in resolutions 1325(2000), 1820(2008), 1888(2009) and 1889(2009) as a cross-cutting issue throughout its mandate, stressing the importance of strengthening the responsiveness of the security sector to the specific needs of women, and requests the Secretary-General to include in his reporting to the Council progress on gender mainstreaming throughout the Mission and all other aspects relating to the situation of women and girls, especially on the need to protect them from gender-based violence, detailing special measures to protect women and girls from such violence;

16. *Requests* the Secretary-General to continue to take the measures necessary to ensure full compliance by the Mission with the United Nations zero-tolerance policy on sexual exploitation and abuse and to keep the Council informed, and urges those countries contributing troops and police to take appropriate preventive action and to ensure full accountability in cases of such conduct involving their personnel;

17. *Also requests* the Secretary-General to keep the Council regularly informed of the developments on the ground and the implementation of the present resolution and to submit to the Council, no later than 15 October 2010, a report which includes the elements requested in paragraph 6 of the present resolution and, no later than 26 January 2011, a report which includes possible adjustments in the mandate and strength of the Mission;

18. *Reaffirms* the importance of the medium-term strategy and benchmarks for measuring and tracking progress in Timor-Leste and assessing the level and form of United Nations support while keeping the benchmarks under active review, and underlines the importance of ownership of the strategy by the leaders and people of Timor-Leste in this process;

19. *Decides* to remain seized of the matter.

Report on UNMIT concept of operations. On 26 May, pursuant to a request in resolution 1912(2010) (see above), the Secretary-General reported [S/2010/254] to the Council on the status of the UNMIT concept of operations and rules of engagement. Since the roles and tasks of the military liaison group had not changed, no adjustments were required to the military concept of operations. The concept of operations of the police component, which was approved in January 2010, had been carefully reviewed by the Department of Peacekeeping Operations and UNMIT and met the requirements of the mandate as outlined in resolution 1912(2010). In line with the 13 May 2009 policing agreement [YUN 2009, p. 379],

joint assessment teams of civilian and police representatives from the Government and UNMIT continued to determine the readiness of the districts and units for the resumption process based on the agreed criteria. The teams also identified any shortcomings that needed to be addressed by PNTL and the Government, both prior to and before resumption, with UNMIT assistance. A revised version of the concept of operations would provide strategic objectives, as well as operational guidance for implementation of the gradual resumption of PNTL policing responsibilities, and set out the change in PNTL and UNMIT police roles and responsibilities.

Report of Secretary-General (October). In an October report [S/2010/522] on major developments in Timor-Leste and on UNMIT activities since 12 February, the Secretary-General said that the overall situation remained calm, providing an enabling environment for the Government to focus attention on addressing the long-term challenges facing the country. The National Strategic Development Plan for 2011–2030 was developed, and Prime Minister Gusmão, who held public consultations in each of the country's 65 subdistricts from 19 April to 11 September, explained the overarching goals of the draft Plan, spoke about how local communities could participate in the country's development and responded to queries and suggestions from the audiences. The Plan would be submitted to the National Parliament for approval. After a prolonged lack of consensus on a candidate for the post of Anti-Corruption Commissioner, the National Parliament held an election to select Adérito De Jesus Soares, who was sworn in on 22 February. The reporting period also saw progress in the resumption of PNTL primary policing responsibilities in four more districts; the promulgation by President Ramos-Horta of a national security legislative package to strengthen the security sector on 21 April; the launch of the Justice Sector Strategic Plan for Timor-Leste on 17 June; and the continued development of critical State institutions.

The Alliance for a Parliamentary Majority (AMP) Government, formed after the 2007 elections [YUN 2007, p. 366] and comprising three political parties/coalitions, marked its third anniversary on 8 August. In a 6 August speech, President Ramos-Horta said that peace efforts over the previous three years had been encouraging and highlighted the importance of dialogue and mutual respect. On 21 and 22 August, the Catholic Church hosted a retreat with prominent national leaders, including the President; the Prime Minister; the two Deputy Prime Ministers; the Commander of the Timorese armed forces, Falintil-Forças de Defesa de Timor-Leste; and the Fretilin Secretary-General. Although Fretilin continued to deny the AMP Government's legitimacy, it did not make any public calls for elections before the end of the term

of parliament in 2012. On 20 May 2010, the Fretilin Secretary-General publicly reiterated the commitment of his party to overcoming past challenges. A divergence of views with Prime Minister Gusmão led to the 6 September resignation of the Deputy Prime Minister for the Coordination of Affairs related to the Administration of the State, but the Deputy Prime Minister's Social Democratic Party had indicated that it would not withdraw from the AMP coalition so as to ensure the stability of the Government. The Government postponed the municipal elections until after the presidential and parliamentary elections to allow for the additional human resource and institutional development it deemed necessary at the district level. It also conducted a voter registration update exercise from 1 February to 1 July, targeting the elderly, women in rural areas and new voters.

The security situation remained stable, with no major incidents of public disorder or spikes in reported crime or violence, including in the districts where PNTL had resumed primary policing responsibilities. As at 20 September, joint assessment teams of civilian and police representatives from the Government and UNMIT had assessed all 13 districts and 6 units. Primary policing responsibilities had resumed in four more districts, bringing the total resumed to eight districts and three units. While UNMIT police continued to perform the mandated task of interim law enforcement, they increasingly focused efforts on supporting the training, institutional development and strengthening of PNTL. Meanwhile, human rights violations by members of the security services remained a concern. UNMIT received allegations of 59 cases of violations by the national police and 13 cases of violations by Falintil-Forças de Defesa de Timor-Leste. Despite indications of the strengthening of PNTL internal disciplinary mechanisms, progress was slow in bringing members of the security services responsible for violations to justice through the courts.

On 3 March, the Dili District Court delivered its verdict in the trial of 28 defendants accused of involvement in the 11 February 2008 attacks against the President and the Prime Minister [YUN 2008, p. 400], with 24 defendants convicted and 4 acquitted. On 27 August, a week after President Ramos-Horta granted commutations of the sentences of 23 of the 24 convicted persons, they were released. With regard to the UNMIT Serious Crimes Investigation Team, as at 20 September, the investigations of 163 out of 396 outstanding cases had been concluded, with an additional 29 cases under investigation.

The Secretary-General said that the continued advances in the four mandated UNMIT priority areas were examples of Timor-Leste's increasing focus on the more long-term issues confronting the country, including, among others, further progress in PNTL

resumption of primary policing responsibilities and the promulgation of the national security legislative package. In order to facilitate progress towards full reconstitution of the national police, a reinvigorated partnership between UNMIT police and PNTL was required. At a 17 September meeting on transition planning and UNMIT activities through 2012, Special Representative Haq, President Ramos-Horta and senior government officials agreed to establish a jointly owned planning and implementation mechanism to be overseen by a high-level steering group. The Secretary-General also said there were concerns that the President's 20 August granting of commutations could adversely impact efforts to combat impunity, undermine future investigations and trials of cases recommended by the Commission of Inquiry and lead to a public perception that members of the security forces were treated in a favoured manner.

Security Council consideration (October). In a 19 October briefing [S/PV.6405] to the Council, the Special Representative said that the Government had clarified that municipal elections would not take place until after national elections, projected for mid-2012. Since the national elections would be the first significant test of the ability of PNTL to provide security for a large and multifaceted event, it was advisable to maintain a robust presence of UNMIT police and formed police units of about 800 and 490, respectively, through the period of national elections. In the meantime, UNMIT police would focus on capacity development of the PNTL specialized units that would assume the role of UNMIT formed police units.

Year-end developments. In a later report [S/2011/32], the Secretary-General said that the desire for continued peace, stability and unity was reflected in the messages of national leaders. In December, President Ramos-Horta emphasized the importance of fostering national unity and dialogue, while the Fretilin Secretary-General called for the Timorese to unite to defend the Constitution's principles and the democratic rule of law, and to reject the use of violence for obtaining political power. A major government initiative was the organization of a meeting with all 442 *suco* (village) chiefs in Dili, from 27 to 29 December, providing an opportunity for the Government and chiefs to discuss the Government's development plans for 2011. Although the draft national strategic development plan had yet to be finalized, the Government had submitted the 2011 State budget proposal to the National Parliament for approval on 15 November 2010, taking the draft plan into account.

Bilateral relations between Indonesia and Timor-Leste remained strong. At the Bali Democracy Forum on 10 and 11 December, Prime Minister Gusmão and Indonesian President Susilo Bambang Yudhoyono

held a bilateral meeting, and Indonesia expressed its willingness to support Timor-Leste's desire to become a member of the Association of Southeast Asian Nations. On border demarcation, joint technical work was undertaken between 27 November and 8 December to inspect border markers and make improvements to the geodetic network.

In a 15 September letter to the President of the National Parliament, the Prime Minister said that indictments had been filed against the Deputy Prime Minister and the Foreign Affairs Minister for the crimes of illegal enrichment and abuse of authority. On 23 November, the Foreign Affairs Ministry announced that the Dili District Court had rejected all accusations filed against the Foreign Affairs Minister—a decision that was upheld by the Court of Appeal on 13 December. On 25 November, the Prime Minister said on national television that he had received notification from the Dili District Court to suspend the Deputy Prime Minister, yet before making a decision, the Government would wait for a Court of Appeal judgement on the appeal lodged by the defence team. Meanwhile, efforts to move the electoral process forward continued. On 29 September and 24 November, the Council of Ministers approved amendments to the laws on presidential elections, parliamentary elections and the electoral management bodies that would allow for the organization of the 2012 elections. As UNMIT was requested to provide support for the electoral process, a needs assessment mission would be conducted by the Electoral Assistance Division of the UN Department of Political Affairs early in 2011 to determine the scope and kind of support needed.

The national police resumed primary policing responsibilities in two districts as well as for the Border Patrol Unit, the migration service and the national cabinet of INTERPOL in 28 September. The PNTL strategic development plan for 2011–2012 was presented at the meeting of the High-Level Committee on Transition of the Government and UNMIT held on 25 November. On 23 December, the Secretary of State for Security and the PNTL General Commander announced the planned recruitment of an additional 250 officers, to begin in January 2011. On 21 September, Parliament began plenary deliberations on the draft laws on reparations and on the follow-on institution to the Commission for Reception, Truth and Reconciliation and the Commission of Truth and Friendship. On 29 September, Parliament postponed any further debate on the draft laws until February 2011 following a request by 12 Parliament members that the legislation on veterans be discussed prior to further consideration of the draft laws. In other developments, the concluding conference of the national consensus dialogue on truth, justice and reconciliation was held from 21 to 23 October.

UNAMET

The United Nations Mission in East Timor (UNAMET) was established by Security Council resolution 1246(1999) [YUN 1999, p. 283] to conduct the 1999 popular consultation to ascertain the East Timorese people's will on the future status of East Timor [ibid., p. 288]; its mandate ended on 30 November 1999, in accordance with resolution 1262(1999) [ibid., p. 287].

On 13 September, by **decision 64/570**, the Council deferred consideration of UNAMET financing until its sixty-fifth (2010) session. On 24 December, it decided that the item would remain for consideration during its resumed sixty-fifth (2011) session (**decision 65/544**).

UNMIT

The United Nations Integrated Mission in Timor-Leste (UNMIT) was established by Security Council resolution 1704(2006) [YUN 2006, p. 422] to support the Government in consolidating stability, enhancing a culture of democratic governance and facilitating political dialogue; ensure the maintenance of public security; assist the Government in reviewing the role and needs of the security sector; strengthen capacity for promoting human rights, justice and reconciliation; and assist in implementing the Secretary-General's recommendations on justice and reconciliation. The mission continued to be headed by Ameerah Haq (Bangladesh), who served as the Secretary-General's Special Representative for Timor-Leste.

Financing

In June, the General Assembly considered the performance report of the UNMIT budget from 1 July 2008 to 30 June 2009 [A/64/617], with expenditures amounting to \$172,814,500, compared to an apportionment of \$172,842,000, resulting in an unencumbered balance of \$27,500. The Assembly also had before it the proposed UNMIT budget for 1 July 2010 to 30 June 2011 [A/64/686] in the amount of \$208,838,400, and the related comments and recommendations of ACABQ [A/64/660/Add.11].

GENERAL ASSEMBLY ACTION

On 24 June [meeting 101], the General Assembly, on the recommendation of the Fifth (Administrative and Budgetary) Committee [A/64/825], adopted **resolution 64/276** without vote [agenda item 152].

Financing of the United Nations Integrated Mission in Timor-Leste

The General Assembly,

Having considered the reports of the Secretary-General on the financing of the United Nations Inte-

grated Mission in Timor-Leste and the related report of the Advisory Committee on Administrative and Budgetary Questions,

Recalling Security Council resolution 1704(2006) of 25 August 2006, by which the Council decided to establish a follow-on mission in Timor-Leste, the United Nations Integrated Mission in Timor-Leste, for an initial period of six months, with the intention to renew it for further periods, and the subsequent resolutions by which the Council extended the mandate of the Mission, the latest of which was resolution 1912(2010) of 26 February 2010, by which the Council extended the mandate of the Mission until 26 February 2011,

Recalling also its resolutions 61/249 A of 22 December 2006 and 61/249 B of 2 April 2007 on the financing of the Mission and its subsequent resolutions thereon, the latest of which was resolution 63/292 of 30 June 2009,

Reaffirming the general principles underlying the financing of United Nations peacekeeping operations, as stated in General Assembly resolutions 1874(S-IV) of 27 June 1963, 3101(XXVIII) of 11 December 1973 and 55/235 of 23 December 2000,

Mindful of the fact that it is essential to provide the Mission with the financial resources necessary to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

1. *Requests* the Secretary-General to entrust the Head of Mission with the task of formulating future budget proposals in full accordance with the provisions of General Assembly resolutions 59/296 of 22 June 2005, 60/266 of 30 June 2006, 61/276 of 29 June 2007 and 64/269 of 24 June 2010, as well as other relevant resolutions;

2. *Takes note* of the status of contributions to the United Nations Integrated Mission in Timor-Leste as at 30 April 2010, including the contributions outstanding in the amount of 22.4 million United States dollars, representing some 3 per cent of the total assessed contributions, notes with concern that only forty-four Member States have paid their assessed contributions in full, and urges all other Member States, in particular those in arrears, to ensure payment of their outstanding assessed contributions;

3. *Expresses its appreciation* to those Member States which have paid their assessed contributions in full, and urges all other Member States to make every possible effort to ensure payment of their assessed contributions to the Mission in full;

4. *Expresses concern* at the financial situation with regard to peacekeeping activities, in particular as regards the reimbursements to troop contributors that bear additional burdens owing to overdue payments by Member States of their assessments;

5. *Also expresses concern* at the delay experienced by the Secretary-General in deploying and providing adequate resources to some recent peacekeeping missions, in particular those in Africa;

6. *Emphasizes* that all future and existing peacekeeping missions shall be given equal and non-discriminatory treatment in respect of financial and administrative arrangements;

7. *Also emphasizes* that all peacekeeping missions shall be provided with adequate resources for the effective and efficient discharge of their respective mandates;

8. *Reiterates its request* to the Secretary-General to make the fullest possible use of facilities and equipment at the United Nations Logistics Base at Brindisi, Italy, in order to minimize the costs of procurement for the Mission;

9. *Requests* the Secretary-General to ensure that proposed peacekeeping budgets are based on the relevant legislative mandates;

10. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions, subject to the provisions of the present resolution, and requests the Secretary-General to ensure their full implementation;

11. *Takes note* of paragraph 38 of the report of the Advisory Committee;

12. *Also takes note* of paragraph 28 of the report of the Advisory Committee, and decides to establish nineteen posts in the Office of the Police Commissioner (one P-5, five P-4, eleven P-3, one P-2, one Field Service);

13. *Requests* the Secretary-General to take all necessary action to ensure that the Mission is administered with a maximum of efficiency and economy;

14. *Also requests* the Secretary-General, in order to reduce the cost of employing General Service staff, to continue efforts to recruit local staff for the Mission against General Service posts, commensurate with the requirements of the Mission;

15. *Further requests* the Secretary-General to continue to take the steps necessary to facilitate the acceleration of the recruitment process and improve incumbency levels in the Mission;

Financial performance report for the period from 1 July 2008 to 30 June 2009

16. *Takes note* of the report of the Secretary-General on the financial performance of the Mission for the period from 1 July 2008 to 30 June 2009;

Budget estimates for the period from 1 July 2010 to 30 June 2011

17. *Decides* to appropriate to the Special Account for the United Nations Integrated Mission in Timor-Leste the amount of 218,804,600 dollars for the period from 1 July 2010 to 30 June 2011, inclusive of 206,311,600 dollars for the maintenance of the Mission, 10,580,500 dollars for the support account for peacekeeping operations and 1,912,500 dollars for the United Nations Logistics Base;

Financing of the appropriation for the period from 1 July 2010 to 30 June 2011

18. *Also decides* to apportion among Member States the amount of 144,567,325 dollars for the period from 1 July 2010 to 26 February 2011, in accordance with the levels updated in General Assembly resolution 64/249 of 24 December 2009, and taking into account the scale of assessments for 2010 and 2011, as set out in its resolution 64/248 of 24 December 2009;

19. *Further decides* that, in accordance with the provisions of its resolution 973(X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 18 above, their respective share in the Tax Equalization Fund of 6,939,945 dollars, comprising the estimated staff assessment income of 6,260,004 dollars approved for the Mission, the prorated share of 578,786 dollars of the estimated staff assessment income approved for the support account and the prorated

share of 101,155 dollars of the estimated staff assessment income approved for the United Nations Logistics Base;

20. *Decides* to apportion among Member States the amount of 74,237,275 dollars for the period from 27 February to 30 June 2011 at a monthly rate of 18,233,716 dollars, in accordance with the levels updated in resolution 64/249, and taking into account the scale of assessments for 2011, as set out in resolution 64/248, subject to a decision of the Security Council to extend the mandate of the Mission;

21. *Also decides* that, in accordance with the provisions of its resolution 973(X), there shall be set off against the apportionment among Member States, as provided for in paragraph 20 above, their respective share in the Tax Equalization Fund of 3,563,755 dollars, comprising the estimated staff assessment income of 3,214,596 dollars approved for the Mission, the prorated share of 297,214 dollars of the estimated staff assessment income approved for the support account and the prorated share of 51,945 dollars of the estimated staff assessment income approved for the United Nations Logistics Base;

22. *Further decides* that, for Member States that have fulfilled their financial obligations to the Mission, there shall be set off against their apportionment, as provided for in paragraph 18 above, their respective share of the unencumbered balance and other income in the total amount of 6,779,000 dollars in respect of the financial period ended 30 June 2009, in accordance with the levels updated in General Assembly resolution 61/243 of 22 December 2006, taking into account the scale of assessments for 2008, as set out in its resolution 61/237 of 22 December 2006;

23. *Decides* that, for Member States that have not fulfilled their financial obligations to the Mission, there shall be set off against their outstanding obligations their respective share of the unencumbered balance and other income in the total amount of 6,779,000 dollars in respect of the financial period ended 30 June 2009, in accordance with the scheme set out in paragraph 22 above;

24. *Also decides* that the increase of 662,000 dollars in the estimated staff assessment income in respect of the financial period ended 30 June 2009 shall be added to the credits from the amount of 6,779,000 dollars referred to in paragraphs 22 and 23 above;

25. *Emphasizes* that no peacekeeping mission shall be financed by borrowing funds from other active peacekeeping missions;

26. *Encourages* the Secretary-General to continue to take additional measures to ensure the safety and security of all personnel participating in the Mission under the auspices of the United Nations, bearing in mind paragraphs 5 and 6 of Security Council resolution 1502(2003) of 26 August 2003;

27. *Invites* voluntary contributions to the Mission in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure and practices established by the General Assembly;

28. *Decides* to include in the provisional agenda of its sixty-fifth session the item entitled "Financing of the United Nations Integrated Mission in Timor-Leste".

On 24 December, the General Assembly decided that the agenda item on the financing of UNMIT would remain for consideration during its resumed sixty-fifth (2011) session (**decision 65/544**).

Democratic People's Republic of Korea

In 2010, the United Nations continued to address the non-proliferation of nuclear weapons in the Democratic People's Republic of Korea as well as related issues. In July, the Security Council issued a presidential statement regarding the sinking of a Republic of Korea naval ship.

Non-proliferation

On 22 April [S/2010/205], the Democratic People's Republic of Korea (DPRK) transmitted to the Security Council President a memorandum on "The Korean peninsula and nuclear weapons". It discussed the deadlock facing the six-party talks (China, DPRK, Japan, Republic of Korea, Russian Federation, United States) aimed at achieving a nuclear-weapon-free peninsula and a comprehensive settlement of related issues [YUN 2004, p. 382]; DPRK efforts to end the nuclear imbalance in north-east Asia; and the nuclear policy of the DPRK.

Report of Panel of Experts. Pursuant to Security Council resolution 1874(2009) [YUN 2009, p. 384], the Panel of Experts established under that resolution submitted its final report [S/2010/571] on 12 May. The Panel was mandated to gather, examine and analyse information on implementation of the measures imposed by Council resolutions 1718(2006) [YUN, 2006, p. 444] and 1874(2009), particularly incidents of non-compliance; make recommendations on actions that the Council, the Committee or Member States might consider to improve implementation of those measures; and assist the Security Council Committee established pursuant to resolution 1718(2006) in carrying out its functions.

Since the adoption of resolution 1718(2006), no official allegations had been presented to the Committee concerning the provision of proscribed nuclear-related or ballistic missile-related items, technology or know-how to or from the DPRK. Nonetheless, several government assessments, IAEA reports, research papers and media reports had indicated continuing DPRK involvement in nuclear and ballistic missile-related activities in certain countries, including Iran, Myanmar and the Syrian Arab Republic. Since the adoption of resolution 1874(2009), the Committee had been notified of four non-compliance cases involving arms exports. An analysis of those cases indicated that the DPRK continued to engage in exporting such proscribed items. The Panel recommended extra vigilance at the first overseas maritime port handling such the DPRK shipments or trans-shipments with regard to containers carrying cargo originating from the DPRK; and introduction of procedures to ensure that onward trans-shipment ports were aware of the cargo's origin from the DPRK.

The Panel recommended that Member States over whose territory aircraft might fly, stop or transit consider undertaking efforts to closely monitor air traffic to and from Pyongyang International Airport and other the DPRK airports, and that cargoes to and from the DPRK be declared before overflight clearance was provided. As the eight entities and five individuals designated for sanctions by the Committee in 2009 [YUN 2009, pp. 384 & 387] seriously understated the number of those known to be engaged in proscribed activities, the Panel advised that all Member States be invited to provide to the Committee the names of entities and individuals who were believed to be engaged in such activities, especially those that had been implicated in non-compliance cases reported to the Committee. The Panel issued recommendations in monitoring and oversight; interdiction; disposal of goods; luxury goods; financial measures; outreach; and designation of goods, entities and individuals. It also drew attention to the fact that a substantial number of Member States had not filed the national implementation reports called for in the resolutions.

SECURITY COUNCIL ACTION

On 7 June [meeting 6333], the Security Council unanimously adopted **resolution 1928(2010)**. The draft [S/2010/285] was submitted by Japan and the United States.

The Security Council,

Recalling its previous relevant resolutions, including resolutions 825(1993) of 11 May 1993, 1540(2004) of 28 April 2004, 1695(2006) of 15 July 2006, 1718(2006) of 14 October 2006, 1874(2009) of 12 June 2009 and 1887(2009) of 24 September 2009, as well as the statements by its President of 6 October 2006 and 13 April 2009,

Recalling also the interim report of 11 November 2009 of the Panel of Experts on the Democratic People's Republic of Korea appointed by the Secretary-General pursuant to paragraph 26 of resolution 1874(2009) and the final report of the Panel of Experts, of 12 May 2010,

Determining that the proliferation of nuclear, chemical and biological weapons, as well as their means of delivery, continues to constitute a threat to international peace and security,

Acting under Article 41 of Chapter VII of the Charter of the United Nations,

1. *Decides* to extend until 12 June 2011 the mandate of the Panel of Experts on the Democratic People's Republic of Korea, as specified in paragraph 26 of resolution 1874(2009), and requests the Secretary-General to take the necessary administrative measures to this effect;

2. *Requests* the Panel of Experts to provide to the Security Council no later than 12 November 2010 a mid-term report on its work, and a final report to the Council no later than thirty days prior to the termination of its mandate, with its findings and recommendations;

3. *Urges* all States, relevant United Nations bodies and other interested parties to cooperate fully with the Security Council Committee established pursuant to resolution

1718(2006) and the Panel of Experts, in particular by supplying any information at their disposal on the implementation of the measures imposed by resolutions 1718(2006) and 1874(2009);

4. *Decides* to remain actively seized of the matter.

Panel of Experts. Pursuant to Council resolution 1928(2010) that extended the Panel of Experts mandate until 12 June 2011 (see above), the Secretary-General in July 2010 informed the Council [S/2010/376] that he had reappointed seven experts to the Panel. In October [S/2010/527], the Secretary-General informed the Council that he had appointed two new members to replace two experts who had withdrawn from the Panel.

Sanctions Committee report. Reporting to the Security Council on the activities of the Sanctions Committee in 2010 [S/2011/84], the Committee Chairman said that during the reporting period, 14 Member States reported to the Committee on the steps they had taken to implement provisions of resolutions 1718(2006) and 1874(2009), including financial measures set out in resolution 1874(2009). The Committee also received three new reports of alleged violations. In the first of the three reported cases, after letters requesting additional information were sent to six Member States, the Committee received four replies. In the second and third cases, respectively, the Committee replied in a note verbale to the Member State, and the reporting State informed the Committee that relevant entities under its jurisdiction had acted responsibly and cooperated fully with the Committee and the Panel of Experts in preventing the attempted violation and in the subsequent investigation of the case. On 6 December, the Committee discussed the midterm report of the Panel of Experts submitted to the Security Council on 10 November and relevant issues.

Other issues

Republic of Korea naval ship incident and aftermath

In a 4 June letter [S/2010/281] to the Security Council President, the Republic of Korea stated that a 26 March armed attack by the DPRK against a Republic of Korea naval ship, the *Cheonan*, resulted in the sinking of the vessel and the deaths of 46 Korean servicemen on board. An investigation had been conducted by the Republic of Korea Joint Civilian-Military Investigation Group with the participation of international experts from Australia, Sweden, the United Kingdom and the United States, and the Multinational Combined Intelligence Task Force (Australia, Canada, Republic of Korea, United Kingdom, United States). Based on the evidence obtained, it was determined that the sinking was caused by an underwater explosion of a torpedo made in the DPRK. The Republic of Korea

requested the Council to consider the matter and to deter the recurrence of any further provocation.

In an 8 June response [S/2010/294], the DPRK clarified its position that it had nothing to do with the incident and proposed that the inspection group of the DPRK National Defence Commission be dispatched to conduct an evaluation of the investigation result. The DPRK requested that the Council give priority to determining the truth of the incident.

Further letters were transmitted to the Council from the DPRK on 29 June [S/2010/343] and 6 July [S/2010/358] and from the Republic of Korea on 30 June [S/2010/349].

Security Council consideration. On 9 July [S/PV.6355], the Council, in view of the findings of the Joint Civilian-Military Investigation Group, which concluded that the DPRK was responsible for sinking the *Cheonan*, condemned the attack, called for full adherence to the 1953 Korean Armistice Agreement [YUN 1953, p. 136] and encouraged the settlement of outstanding issues on the Korean Peninsula by peaceful means and resumed direct dialogue.

SECURITY COUNCIL ACTION

On 9 July [meeting 6355], following consultations among Security Council members, the President made statement **S/PRST/2010/13** on behalf of the Council:

The Security Council notes the letter dated 4 June 2010 from the Permanent Representative of the Republic of Korea to the United Nations addressed to the President of the Security Council and the letter dated 8 June 2010 from the Permanent Representative of the Democratic People's Republic of Korea to the United Nations addressed to the President of the Security Council.

The Council deplores the attack of 26 March 2010, which led to the sinking of the Republic of Korea naval ship the *Cheonan*, resulting in the tragic loss of 46 lives.

The Council determines that such an incident endangers peace and security in the region and beyond.

The Council deplores the loss of life and injuries, expresses its deep sympathy and condolences to the victims and their families and to the people and Government of the Republic of Korea, and calls for appropriate and peaceful measures to be taken against those responsible for the incident aimed at the peaceful settlement of the issue in accordance with the Charter of the United Nations and all other relevant provisions of international law.

In view of the findings of the five-nation Joint Civilian-Military Investigation Group led by the Republic of Korea, which concluded that the Democratic People's Republic of Korea was responsible for sinking the *Cheonan*, the Council expresses its deep concern.

The Council takes note of the responses from other relevant parties, including from the Democratic People's Republic of Korea, which has stated that it had nothing to do with the incident.

Therefore, the Council condemns the attack which led to the sinking of the *Cheonan*.

The Council underscores the importance of preventing further such attacks or hostilities against the Republic of Korea or in the region.

The Council welcomes the restraint shown by the Republic of Korea and stresses the importance of maintaining peace and stability on the Korean peninsula and in north-east Asia as a whole.

The Council calls for full adherence to the Korean Armistice Agreement and encourages the settlement of outstanding issues on the Korean peninsula by peaceful means to resume direct dialogue and negotiation through appropriate channels as early as possible, with a view to avoiding conflicts and averting escalation.

The Council reaffirms the importance that all Member States uphold the purposes and principles of the Charter.

Further developments. On 23 July [S/2010/398], the United States submitted a special report by the United Nations Command on the special investigation of the sinking of the *Cheonan*. The DPRK transmitted related letters on 3 August [S/2010/419] and 2 November [S/2010/568]. The latter contained an announcement by the DPRK Inspection Group of the National Defence Commission, to which the Republic of Korea transmitted a reply on 12 November [S/2010/583].

In December [S/2010/648], the United States submitted a report by the United Nations Command on the special investigation into the 23 November 2010 exchange of artillery fire between the DPRK Korean People's Army at Mu-Do and Gaemeori and the Republic of Korea Marine Corps forces at Yeonpyeong-Do. On 18 December [S/2010/646], the Russian Federation requested an emergency Council meeting to consider the escalating tensions on the Korean peninsula; a closed meeting was held the following day [S/PV.6456].

Nepal

In 2010, the United Nations Mission in Nepal (UNMIN) helped build confidence in the peace process, including through its arms monitoring responsibilities. Unarmed UN arms monitors were deployed in the Maoist army cantonment and satellite sites around the country, as well as at the Nepal Army arms storage depot in Kathmandu. In September, the Security Council extended the Mission's mandate until 15 January 2011 (see p. 393).

Report of Secretary-General (January). On 7 January [S/2010/17], the Secretary-General reported on the peace process in Nepal and UNMIN's activities since 26 October 2009 [YUN 2009, p. 392]. He said that the peace process remained largely stalled and that the tensions, deep differences and mistrust among parties highlighted in his last report persisted. While the major political parties maintained some

level of dialogue and communication, no agreement had been reached on critical issues, including integration and rehabilitation of Maoist army personnel, democratization of the Nepal Army and the scope of presidential authority. The proposed high-level political mechanism to serve as a dedicated forum for multiparty dialogue on key peace process issues had not been established. Talks among senior leaders of the Nepali Congress, the Communist Party of Nepal-Unified Marxist-Leninist (UML) and the Unified Communist Party of Nepal-Maoist (UCPN-M) had remained inconclusive. President Ram Baran Yadav and UCPN-M Chairman Pushpa Kamal Dahal had held discussions, but without progress. The protracted stalemate also had an impact on the constitution-drafting process. The Constituent Assembly had concluded discussions on concept papers and draft texts submitted by 8 of 10 thematic committees intended to provide the basic tenets and language of the new constitution. Nonetheless, the committees on the determination of forms of governance of the State and on State restructuring and sharing of State power, as well as the Constitutional Committee itself, had yet to present their papers. Owing to those delays, on 23 December, the Constituent Assembly announced an eighth amendment to its workplan for drafting the new constitution, reducing the public consultation period to three weeks and making the 28 May 2010 deadline for promulgation increasingly tight.

The Secretary-General urged the parties to make every effort to return to their tradition of working by consensus and to lead the peace process to a successful conclusion.

Communication. On 14 January [S/2010/25], the Secretary-General transmitted to the Security Council a 9 January letter from Nepal requesting an extension of the UNMIN mandate until 15 May 2010.

SECURITY COUNCIL ACTION

On 21 January [meeting 6262], the Security Council unanimously adopted **resolution 1909(2010)**. The draft [S/2010/32] was submitted by the United Kingdom.

The Security Council,

Recalling its resolutions 1740(2007) of 23 January 2007, 1796(2008) of 23 January 2008, 1825(2008) of 23 July 2008, 1864(2009) of 23 January 2009 and 1879(2009) of 23 July 2009 and the statement by its President of 5 May 2009,

Reaffirming the sovereignty, territorial integrity and political independence of Nepal and its ownership of the implementation of the Comprehensive Peace Agreement and subsequent agreements,

Recalling the signing on 21 November 2006 by the Government of Nepal and the Communist Party of Nepal (Maoist) of the Comprehensive Peace Agreement, and the stated commitment of both parties to find a permanent and sustainable peace,

Acknowledging the strong desire of the Nepalese people for peace and the restoration of democracy and the importance in this respect of the implementation of the Comprehensive Peace Agreement and subsequent agreements by the relevant parties,

Expressing its continued readiness to support the peace process in Nepal in the timely and effective implementation of the Comprehensive Peace Agreement and subsequent agreements, in particular the agreement of 25 June 2008 between the political parties, as requested by the Government of Nepal,

Noting that the deadline for the promulgation of the new democratic constitution of Nepal is 28 May 2010,

Welcoming the recent formation of a high-level political mechanism to focus on the timely promulgation of the new constitution and to bring the ongoing peace process to its logical conclusion,

Echoing the call by the Secretary-General for all parties in Nepal to move forward swiftly in the implementation of the agreements reached, noting the assessment of the Secretary-General that the United Nations Mission in Nepal is well placed to assist in the monitoring of the management of arms and armed personnel in accordance with the agreement of 25 June 2008 between the political parties, and recognizing the ability of the Mission to assist the parties in this, as requested, in order to achieve a durable solution,

Welcoming the report of the Secretary-General of 7 January 2010 on the Mission,

Recalling the completion of the two phases of the verification process, welcoming continuing assistance with the monitoring of the management of arms and armed personnel of both sides in accordance with resolution 1740(2007) and in line with the provisions of the Comprehensive Peace Agreement, noting the importance of a durable long-term solution in helping to create the conditions for the completion of the activities of the Mission, and noting also in this regard the need to address outstanding issues without further delay,

Welcoming the signing on 16 December 2009 by the Government of Nepal, the Unified Communist Party of Nepal (Maoist) and the United Nations of an action plan for the discharge and rehabilitation process for Maoist army personnel disqualified as minors, and calling upon all political parties to implement this process fully and expeditiously, and for continued reporting on this issue as required under resolutions 1612(2005) of 26 July 2005 and 1882(2009) of 4 August 2009,

Recalling that, with the successful holding of the Constituent Assembly elections, some of the elements of the mandate of the Mission as set out in resolution 1740(2007) have already been accomplished,

Taking note of the letter dated 9 January 2010 from the Government of Nepal to the Secretary-General, in which it recognizes the contribution of the Mission and requests an extension of the mandate of the Mission until 15 May 2010,

Recognizing the need to pay special attention to the needs and the role of women, children and traditionally marginalized groups in the peace process, as mentioned in the Comprehensive Peace Agreement and in resolution 1325(2000) of 31 October 2000,

Recognizing also the need to address impunity, to promote and protect human rights and to strengthen the

capacity of independent national human rights institutions in accordance with international principles,

Recognizing further that civil society can play an important role in democratic transition and conflict prevention,

Expressing its appreciation for the contribution of the Representative of the Secretary-General in Nepal and the efforts of her team in the Mission, and the United Nations country team, including the Office of the United Nations High Commissioner for Human Rights, which is monitoring human rights at the request of the Government of Nepal, and stressing the need for coordination and complementarity of efforts between the Mission and all the United Nations actors in the Mission area, particularly in order to ensure continuity, as the mandate comes to an end,

1. *Decides*, in line with the request of the Government of Nepal and the recommendations of the Secretary-General, to renew the mandate of the United Nations Mission in Nepal, as established under resolution 1740(2007), until 15 May 2010, taking into account the completion of some elements of the mandate and the ongoing work on the monitoring of the management of arms and armed personnel in line with the agreement of 25 June 2008 between the political parties, which will support the completion of the peace process;

2. *Calls upon* all parties to take full advantage of the expertise and readiness of the Mission, within its mandate, to support the peace process to facilitate the completion of outstanding aspects of the mandate of the Mission by 15 May 2010;

3. *Decides* that, working with the parties, the Mission should make the necessary arrangements with the Government of Nepal for its withdrawal, including handing over any residual monitoring responsibilities by 15 May 2010;

4. *Welcomes* the recent understanding between the Government of Nepal and the Unified Communist Party of Nepal (Maoist) on having a timetabled action plan for the integration and rehabilitation of Maoist army personnel by 15 May 2010, and calls upon them to work together to ensure the completion and implementation of this plan, with the support of the Special Committee for the supervision, integration and rehabilitation of Maoist army personnel and its Technical Committee;

5. *Calls upon* all political parties in Nepal to expedite the peace process and to work together in a spirit of cooperation, consensus and compromise in order to continue the transition to a durable long-term solution to enable the country to move to a peaceful, democratic and more prosperous future;

6. *Requests* the parties in Nepal to take the steps necessary to promote the safety, security and freedom of movement of Mission and associated personnel in executing the tasks defined in the mandate;

7. *Requests* the Secretary-General to report to the Security Council by 1 May 2010 on the implementation of the present resolution;

8. *Decides* to remain seized of the matter.

Report of Secretary-General (April). In his April report [S/2010/214], the Secretary-General said that some progress had been made in the peace process. The discharge of Maoist army personnel dis-

qualified by the 2007 UNMIN-led verification process began on 6 January 2010 and concluded on 8 February. The high-level political mechanism, the forum for senior political leaders to address key peace process issues, was established on 8 January. Despite continuing efforts, no progress had been made on resolving the future of the two armies and completing the drafting of the constitution by the 28 May deadline.

The constitution-making process had become politically entwined with the issue of the establishment of a unity Government as well as integration and rehabilitation of Maoist army personnel. While there was broad consensus on the need for a national unity Government, there were serious differences among the major parties on who should lead it. In January, Prime Minister Madhav Kumar Nepal submitted to the Special Committee a 112-day action plan for the integration and rehabilitation of Maoist army personnel, which had yet to be approved. The Special Committee tasked to supervise, integrate and rehabilitate Maoist army personnel had not reached agreement on the proposed action plan and had referred some of the unresolved issues to the high-level political mechanism. The most contentious issues remained the number of Maoist army personnel to be integrated into the security forces, in particular the Nepal Army, and the modalities for such integration. No consensus had been reached in the high-level political mechanism. The Prime Minister tasked the Technical Committee to formulate an expedited action plan for integration and rehabilitation, yet discussions remained inconclusive.

During his visit to Nepal from 10 to 12 March, the Under-Secretary-General for Political Affairs, B. Lynn Pascoe, met with the Prime Minister, senior government officials and political and military leaders. He underscored the need for parties to break the deadlock and overcome their outstanding differences. He also discussed the challenges for UNMIN, which continued to operate under an inadequately narrow mandate, and conveyed the Security Council's concern about repeated extensions of the Mission's mandate without tangible progress. In line with resolution 1909(2010) (see p. 388), UNMIN held consultations with the major political parties and the Government on arrangements for its withdrawal and the transfer of its residual monitoring responsibilities to the Government. Senior party representatives and government officials underlined the need for UNMIN to continue its presence and support the peace progress. Among the priorities proposed was the enhancement of the UNMIN arms monitoring function and support to the Special Committee in assuming its constitutional responsibility for supervision of the Maoist army cantonments and in the planning and implementation of the integration of the Maoist army personnel. UNMIN was also urged to facilitate the resolution of impediments to progress.

The security situation in the Terai region, where numerous armed groups had continued to operate largely with impunity, had become increasingly precarious, with 62 killings reported between January and March. The sometimes violent activities of political party-affiliated youth groups remained a source of concern.

The Secretary-General said that besides the stalemate, other challenges to the process included continuing disaffection among traditionally marginalized groups, the heightened visibility of the opposition to some agreed tenets including federalism, republicanism and secularism, and widespread threats of fresh confrontation. He appealed to the Government and parties to resolve the remaining political impediments and take concrete steps towards the fulfilment of commitments through a structured process of consultation and dialogue.

Communication. On 5 May [S/2010/229], the Secretary-General transmitted to the Council a letter from Nepal requesting an extension of the UNMIN mandate until 15 September 2010.

SECURITY COUNCIL ACTION

On 12 May [meeting 6311], the Security Council unanimously adopted **resolution 1921(2010)**. The draft [S/2010/236] was submitted by the United Kingdom.

The Security Council,

Recalling its resolutions 1740(2007) of 23 January 2007, 1796(2008) of 23 January 2008, 1825(2008) of 23 July 2008, 1864(2009) of 23 January 2009, 1879(2009) of 23 July 2009 and 1909(2010) of 21 January 2010 and the statement by its President of 5 May 2009,

Reaffirming the sovereignty, territorial integrity and political independence of Nepal and its ownership of the implementation of the Comprehensive Peace Agreement and subsequent agreements,

Recalling the signing on 21 November 2006 by the Government of Nepal and the Communist Party of Nepal (Maoist) of the Comprehensive Peace Agreement, and the stated commitment of both parties to find a permanent and sustainable peace,

Acknowledging the strong desire of the Nepalese people for peace and the restoration of democracy and the importance in this respect of the implementation of the Comprehensive Peace Agreement and subsequent agreements by the relevant parties,

Expressing its continued readiness to support the peace process in Nepal in the timely and effective implementation of the Comprehensive Peace Agreement and subsequent agreements, in particular the agreement of 25 June 2008 between the political parties, as requested by the Government of Nepal,

Noting that the deadline for the promulgation of the new democratic constitution of Nepal is 28 May 2010, and concerned that, to date, the political parties are yet to reach consensus on the new constitution or on extending the tenure of the Constituent Assembly,

Expressing its concern at the recent tensions in Nepal, and calling upon all sides to resolve their differences through peaceful negotiation,

Echoing the call by the Secretary-General for all parties in Nepal to move forward swiftly in the implementation of the agreements reached, noting the assessment of the Secretary-General that the United Nations Mission in Nepal is well placed to assist in the monitoring of the management of arms and armed personnel in accordance with the agreement of 25 June 2008 between the political parties, and recognizing the ability of the Mission to assist the parties in this, as requested, in order to achieve a durable solution,

Welcoming the report of the Secretary-General of 28 April 2010 on the Mission,

Recalling the completion of the two phases of the verification process, welcoming continuing assistance with the monitoring of the management of arms and armed personnel of both sides in accordance with resolution 1740(2007) and in line with the provisions of the Comprehensive Peace Agreement, noting the importance of a durable long-term solution in helping to create the conditions for the completion of the activities of the Mission, and noting also in this regard the need to address outstanding issues without further delay,

Welcoming the completion of the discharge process for disqualified Maoist army personnel as agreed in the action plan for the discharge and rehabilitation of Maoist army personnel disqualified as minors agreed between the Government of Nepal, the Unified Communist Party of Nepal (Maoist) and the United Nations on 16 December 2009, and calling upon all parties to continue implementing this action plan, with the appropriate monitoring and reporting activities, in accordance with resolutions 1612(2005) of 26 July 2005 and 1882(2009) of 4 August 2009,

Recalling that, with the successful holding of the Constituent Assembly elections, some of the elements of the mandate of the Mission as set out in resolution 1740(2007) have already been accomplished,

Taking note of the letter dated 5 May 2010 from the Government of Nepal to the Secretary-General, in which it recognizes the contribution of the Mission and requests an extension of the mandate of the Mission until 15 September 2010,

Recognizing the need to pay special attention to the needs and the role of women, children and traditionally marginalized groups in the peace process, as mentioned in the Comprehensive Peace Agreement and in resolution 1325(2000) of 31 October 2000,

Recognizing also the need to address impunity, to promote and protect human rights and to strengthen the capacity of independent national human rights institutions in accordance with international principles,

Recognizing further that civil society can play an important role in democratic transition and conflict prevention,

Expressing its appreciation for the contribution of the Representative of the Secretary-General in Nepal and the efforts of her team in the Mission, and the United Nations country team, including the Office of the United Nations High Commissioner for Human Rights, which is monitoring human rights at the request of the Government of Nepal, and stressing the need for coordination and complementarity of efforts between the Mission and all the United Nations

actors in the Mission area, particularly in order to ensure continuity, as the mandate comes to an end,

1. *Decides*, in line with the request of the Government of Nepal and the recommendations of the Secretary-General, to renew the mandate of the United Nations Mission in Nepal, as established under resolution 1740(2007), until 15 September 2010, taking into account the completion of some elements of the mandate and the ongoing work on the monitoring of the management of arms and armed personnel in line with the agreement of 25 June 2008 between the political parties, which will support the completion of the peace process;

2. *Calls upon* all parties to take full advantage of the expertise and readiness of the Mission, within its mandate, to support the peace process to facilitate the completion of outstanding aspects of the mandate of the Mission by 15 September 2010;

3. *Underlines* the fact that the current arrangements were conceived as temporary measures, rather than long-term solutions, and decides that, working with the parties, the Mission should immediately begin to make the arrangements necessary for its withdrawal, including handing over any residual monitoring responsibilities by 15 September 2010;

4. *Calls upon* the Government of Nepal and the Unified Communist Party of Nepal (Maoist) to agree and implement a timetabled action plan with clear benchmarks for the integration and rehabilitation of Maoist army personnel, with the support of the Special Committee for the supervision, integration and rehabilitation of Maoist army personnel and its Technical Committee;

5. *Calls upon* all political parties in Nepal to expedite the peace process and to work together in a spirit of co-operation, consensus and compromise in order to continue the transition to a durable long-term solution to enable the country to move to a peaceful, democratic and more prosperous future;

6. *Requests* the parties in Nepal to take the steps necessary to promote the safety, security and freedom of movement of Mission and associated personnel in executing the tasks defined in the mandate;

7. *Requests* the Secretary-General to report to the Security Council by 1 September 2010 on the implementation of the present resolution;

8. *Decides* to remain seized of the matter.

Report of Secretary-General (September).

In his September report [S/2010/453], the Secretary-General said that Nepal's peace process remained stalled. The major parties were preoccupied by their political differences related to the extension of the term of the Constituent Assembly and the election of a Prime Minister, both of which became linked to the issue of integration and rehabilitation of Maoist army personnel. A constitutional crisis over the expiry of the term of the Constituent Assembly was averted when UCPN-M, UML and the Nepali Congress concluded a three-point agreement by which they committed themselves to move forward by consensus to complete the remaining peace process tasks; extend the Constituent Assembly's tenure by one year; and pave the way for

a consensus Government through the resignation of the Prime Minister.

Although the Prime Minister submitted his resignation on 30 June, the deadline set by President Yadav for inter-party negotiations to form a consensus Government passed without an agreement, and Parliament was convened to elect a Prime Minister by an absolute majority vote. The voting started on 21 July, yet after five rounds neither of the two remaining nominees, Ram Chandra Poudel of the Nepali Congress and Pushpa Kamal Dahal "Prachanda" of UCPN-M, had secured a majority. Following the extension of its term until 28 May 2011, the Constituent Assembly amended its schedule of work and identified 13 April 2011 as the date for the promulgation of the new constitution. The Constitutional Committee would prepare the first draft of the constitution by mid-November 2010. The timeline for the remaining steps would be determined by the Business Advisory Committee of the Constituent Assembly.

The Special Committee to supervise, integrate and rehabilitate Maoist army personnel had not achieved a quorum in its meetings because of the non-attendance of some members. No agreement had been reached on previous proposals, including the 112-day action plan and the establishment of a supervisory mechanism and code of conduct for the Maoist army. Discussions had been held bilaterally between the political parties, the three major parties each tabling a separate proposal. The positions converged on bringing Maoist army personnel under Special Committee supervision as a first step, and on their separation into groups based on their preference for political work, for integration into the security forces or for rehabilitation. Disagreements persisted on the number of Maoist personnel to be integrated into the Nepal Army and other security forces, their eligibility criteria, whether they should be integrated individually or in groups, and the sequencing and time frame for the implementation process. In July, the Supreme Court ruled that the matter of whether recruitment by the Nepal Army violated the peace agreements was not within its jurisdiction and fell under the purview of the Joint Monitoring Coordination Committee. The Nepal Army interpreted the verdict as allowing it to begin fresh recruitment and advertised 3,464 positions. The Maoist army announced that it would also begin to recruit. UNMIN wrote to the Government and UCPN-M and reiterated publicly that recruitment by either army was a breach of the Agreement on the Monitoring of the Management of Arms and Armies.

The security situation in Kathmandu had been generally calm, notwithstanding clashes during the rally called on 1 May by UCPN-M to unseat the Government. Tensions were high and sporadic clashes were observed in several districts during the six subsequent

days of the strike. An estimated 200 people were injured due to the activities of UCPN-M or the police or in clashes between parties. The Nepal Police and Armed Police Force were deployed and prevented an escalation of violence. Other challenges to the peace process included persistent insecurity and reports of lawlessness, predominantly in the Terai and the eastern hills, including violent clashes between political party-affiliated organizations, especially their youth wings. Extortion by armed groups and ethnic-based organizations had increased, targeting local government officials, teachers and businessmen, particularly in the eastern hills districts.

The Secretary-General observed that despite UNMIN's sustained efforts, little progress had been made towards the conditions for the Mission's departure. The two four-month extensions of UNMIN since January 2010 carried significant management difficulties for the Mission, while having had no discernible effect in expediting the political decisions required for UNMIN to complete its work. Under those circumstances, he recommended that the UNMIN mandate be rolled over by the Council in order to permit the necessary discussions to take place with a duly formed Government. If those discussions offered neither clarity over the UNMIN role nor any prospect of consensus among the parties on a realistic and time-bound fulfilment of their commitments concerning the armies and the phasing out of UNMIN monitoring, he would propose alternative measures to the Council, including the possible termination of UNMIN.

Communications. On 7 September [S/2010/472], Nepal transmitted to the Secretary-General a letter from Prime Minister Nepal requesting a four-month extension of UNMIN from 15 September. Its mandate should focus on the monitoring of management of the Maoist combatants and their arms until the Special Committee took responsibility of that task. On 9 September [S/2010/473], the Secretary-General forwarded to the Council a letter from UCPN-M Chairman, Pushpa Kamal Dahal, requesting that the UNMIN mandate of monitoring both armies be extended for six months from 15 September.

Government/UCPN-M agreement. On 13 September, Prime Minister Nepal and UCPN-M Chairman Dahal signed a four-point agreement to take the peace process to its logical conclusion by reaching agreement on the documents prepared by the Special Committee for expediting the peace process and implementing them; bringing the Maoist army combatants under the Special Committee and providing all the details about the combatants to the Committee; starting the remaining tasks of the peace process on 17 September and completing them by 14 January 2011; and extending the UNMIN mandate for the last time for a four-month period.

Communication. On 14 September [S/2010/474], the Secretary-General forwarded to the Council two separate letters from the Prime Minister and the UCPN-M Chairman, requesting a four-month extension of the UNMIN mandate from 15 September.

By resolution 1939(2010) of 15 September, the Council noted that the deadline for the promulgation of the new constitution of Nepal had been extended to 28 May 2011; noted the 13 September agreement between the caretaker Government and the political parties; renewed the UNMIN mandate until 15 January 2011; and decided to terminate the mandate on the same date, after which UNMIN would leave Nepal.

SECURITY COUNCIL ACTION

On 15 September [meeting 6385], the Security Council unanimously adopted **resolution 1939(2010)**. The draft [S/2010/476] was submitted by the United Kingdom.

The Security Council,

Recalling its previous resolutions, in particular resolution 1921(2010) of 12 May 2010, and the statement by its President of 5 May 2009,

Reaffirming the sovereignty, territorial integrity and political independence of Nepal and its ownership of the implementation of the Comprehensive Peace Agreement and subsequent agreements,

Recalling the signing on 21 November 2006 by the Government of Nepal and the Communist Party of Nepal (Maoist) of the Comprehensive Peace Agreement, and the stated commitment of both parties to find a permanent and sustainable peace,

Acknowledging the strong desire of the Nepalese people for peace and the restoration of democracy and the importance in this respect of the implementation of the Comprehensive Peace Agreement and subsequent agreements by the relevant parties,

Expressing its continued readiness to support the peace process in Nepal in the timely and effective implementation of the Comprehensive Peace Agreement and subsequent agreements, in particular the agreement of 25 June 2008 between the political parties, as requested by the Government of Nepal,

Noting that the deadline for the promulgation of the new democratic constitution of Nepal has been extended to 28 May 2011,

Expressing its concern at the recent tensions in Nepal,

Calling upon all sides to resolve their differences through peaceful negotiation, and noting in this regard the agreement between the caretaker Government of Nepal and the political parties reached on 13 September 2010, namely (i) documents prepared in the Special Committee will be finalized soon with an understanding to forge ahead on the peace process and the agreed documents will be implemented, (ii) the combatants of the Maoist army will be brought under the Special Committee and their total profile will be submitted to the Special Committee without delay, (iii) the remaining tasks of the peace process will be started from 17 September 2010 and will be completed by 14 January 2011, and (iv) the wish of the parties that the

tenure of the United Nations Mission in Nepal shall be extended for four months as the last extension,

Welcoming the report of the Secretary-General of 2 September 2010 on the Mission,

Recalling the completion of the two phases of the verification process, welcoming continuing assistance with the monitoring of the management of arms and armed personnel of both sides in accordance with resolution 1740(2007) of 23 January 2007 and in line with the provisions of the Comprehensive Peace Agreement, noting the importance of a durable long-term solution and the need to address outstanding issues, including agreeing on the modalities for the conclusion of the presence of the Mission in Nepal, without further delay,

Welcoming the completion of the discharge process for disqualified Maoist army personnel as agreed in the action plan for the discharge and rehabilitation of Maoist army personnel disqualified as minors agreed between the Government of Nepal, the Unified Communist Party of Nepal (Maoist) and the United Nations on 16 December 2009, and calling upon all parties to continue implementing this action plan, with the appropriate monitoring and reporting activities, in accordance with resolutions 1612(2005) of 26 July 2005 and 1882(2009) of 4 August 2009,

Recalling that, with the successful holding of the Constituent Assembly elections, some of the elements of the mandate of the Mission as set out in resolution 1740(2007) have already been accomplished,

Taking note of the letters dated 14 September 2010 from the caretaker Government of Nepal and the Unified Communist Party of Nepal (Maoist) to the Secretary-General, in which they request a final extension of the mandate of the Mission until 15 January 2011,

Recognizing the need to pay special attention to the needs and the role of women, children and traditionally marginalized groups in the peace process, as mentioned in the Comprehensive Peace Agreement and in resolution 1325(2000) of 31 October 2000,

Recognizing also the need to address impunity, to promote and protect human rights and to strengthen the capacity of independent national human rights institutions in accordance with international principles,

Recognizing further that civil society can play an important role in democratic transition and conflict prevention,

Expressing its appreciation for the contribution of the Representative of the Secretary-General in Nepal and the efforts of her team in the Mission, and the United Nations country team, including the Office of the United Nations High Commissioner for Human Rights, which is monitoring human rights at the request of the Government of Nepal, and stressing the need for coordination and complementarity of efforts between the Mission and all the United Nations actors in the Mission area, particularly in order to ensure continuity, as the mandate comes to an end,

1. *Decides*, in line with the request of the Government of Nepal, to renew the mandate of the United Nations Mission in Nepal as established under resolution 1740(2007), until 15 January 2011, taking into account the completion of some elements of the mandate and the ongoing work on the monitoring of the management of arms and armed personnel in line with the agreement of 25 June 2008 between the political parties, which will support the completion of the peace process;

2. *Decides also*, in line with the request of the Government of Nepal, that the mandate of the Mission will terminate on 15 January 2011, after which date the Mission will leave Nepal;

3. *Calls upon* all parties to take full advantage of the expertise and readiness of the Mission, within its mandate, to support the peace process to facilitate the completion of outstanding aspects of the mandate of the Mission by 15 January 2011;

4. *Calls upon* the Government of Nepal and the Unified Communist Party of Nepal (Maoist) to implement both the agreement reached on 13 September 2010 as well as a timetabled action plan with clear benchmarks for the integration and rehabilitation of Maoist army personnel, with the support of the Special Committee for the supervision, integration and rehabilitation of Maoist army personnel and its Technical Committee;

5. *Calls upon* all political parties in Nepal to expedite the peace process and to work together in a spirit of cooperation, consensus and compromise in order to continue the transition to a durable long-term solution to enable the country to move to a peaceful, democratic and more prosperous future;

6. *Requests* the parties in Nepal to take the steps necessary to promote the safety, security and freedom of movement of Mission and associated personnel in executing the tasks defined in the mandate;

7. *Requests* the Secretary-General to report to the Security Council by 15 October 2010, following high-level discussions between the United Nations and the caretaker Government of Nepal and the political parties, on the implementation of the agreement of 13 September 2010 between the caretaker Government of Nepal and the political parties;

8. *Decides* to remain seized of the matter.

Report of Secretary-General (December). In his December report [S/2010/658], the Secretary-General said that despite continued efforts, the parties had achieved only limited progress in advancing Nepal's peace. Central was the unresolved issue of forming a new Government following the 30 June resignation of Prime Minister Nepal. Sixteen rounds of voting in the Legislature-Parliament had failed to produce a new prime minister. Options for power-sharing had been discussed by the parties and proved to be inconclusive.

An agreement by UCPN-M not to block the Government's submission of a basic budget broke down in November when the Government presented a full budget and UCPN-M responded by physically manhandling the Minister of Finance in the Legislature-Parliament. The Legislature-Parliament was subsequently prorogued by the President on the recommendation of the Prime Minister, and the budget was passed by ordinance. The opposition questioned the authority of a caretaker Government to involve the President in that matter. The suspension of the Legislature-Parliament also raised questions about future voting for the premiership and the implementation

of the budget. On 12 December, UCPN-M requested the President to summon the House. In public pronouncements, the Prime Minister indicated that the House would be reconvened only after the political deadlock was resolved.

In late September, at the first General Convention of the Nepali Congress since 2005, Sushil Koirala was elected party president, succeeding the late Girija Prasad Koirala. The UCPN-M Central Committee plenum concluded on 26 November with the leadership presenting a united front, but without having settled internal differences. UNMIN sought, but had yet to receive, clarification from the parties on the scope of the unwritten "gentlemen's agreement" that reportedly addressed the issue of the Nepal Army's confinement and the implementation of its responsibilities. UNMIN continued efforts to ensure the Mission's orderly withdrawal on 15 January 2011, intensifying engagement with the relevant parties over the integration and rehabilitation of Maoist army personnel and on alternative monitoring arrangements. It also urged the parties to address the future of the Agreement on the Monitoring of the Management of Arms and Armies and the Joint Monitoring Coordination Committee.

The high-level task force headed by UCPN-M Chairman Dahal had reached agreement on more than half of the 210 unresolved issues related to the new constitution. Some fundamental issues, such as forms of government and the federal structure, remained unresolved. The Constitutional Committee did not meet the 17 November deadline for preparing a first draft of the constitution, contributing to concerns about meeting the 28 May 2011 deadline for its promulgation.

The security situation in the Tarai remained fragile, with continued reports of killings and abductions by criminal and armed groups. The incidents had mostly targeted members of the business community and sometimes young children, primarily for ransom. Altercations between youth organizations affiliated to political parties had also led to serious injuries and a number of deaths. Another concern was a renewed emphasis on identity-based politics that could raise tensions in the lead-up to the promulgation of the new constitution. Madhesh-based parties had long voiced frustration at their exclusion from the dialogue on formation of the Government. They had also resisted Election Commission attempts to update voter lists by using citizenship cards, as that would exclude more than 3 million Madhesi Nepali citizens. No substantial progress was achieved in addressing impunity and ensuring accountability for human rights violations committed during or after the conflict.

The Secretary-General observed that with the peace process still incomplete and arrangements uncertain for supervision, integration and rehabilitation of Mao-

ist army personnel, the optimal conditions for UNMIN's departure had not yet been attained. At the same time, it had become clear that it made no sense to extend the Mission continually without any meaningful progress by the parties on political issues. He urged the parties to do their utmost to preserve the advances made in the peace process, complete the peace process and ensure the country's democratic stability.

UNMIN

The United Nations Mission in Nepal (UNMIN), established in 2007 [YUN 2007, p. 385], continued to assist the country in its transition to peace following a decade of armed conflict. It was headed by Karin Landgren (Sweden), the Secretary-General's Representative in Nepal.

Financing

On 11 October [A/65/328/Add.3], the Secretary-General estimated UNMIN resource requirements for 2011 at \$16,830,200. ACABQ recommended [A/65/602] approval of the revised requirements proposed for staffing and resources for UNMIN for 2011. Taking into account the shortfall of \$4,190,500 for 2010, the net requirements for 2011 would amount to \$9,421,000.

On 24 December, in section XIII of **resolution 65/259** (see p. 1429), the Assembly approved budgets for the 29 special political missions, including UNMIN, totalling \$631,162,600.

Children and armed conflict

In April, as requested by Security Council resolution 1612(2005) [YUN 2005, p. 863], the Secretary-General submitted a report [S/2010/183] on children and armed conflict in Nepal, covering 2009. The report examined trends in violations of children's rights, provided information on grave violations against children in Nepal and provided an update and follow-up to the recommendations in his 2008 report [YUN 2008, p. 420]. Significant progress was made in the latter part of 2009 in planning for the discharge and rehabilitation of the 4,008 disqualified Maoist army personnel, including 2,973 verified as minors. On 16 December, an Action Plan for that process was signed by the Government, UCPN-M and the United Nations [YUN 2009, p. 393]. The discharge began on 7 January 2010 and was completed on 8 February, resulting in the discharge of 1,843 personnel verified as minors. The remainder of the caseload—1,130 children who did not present themselves—would obtain discharge notifications and would be traced in their home communities for assistance and protection.

Friction between youth wings of the major political parties continued, mainly the Young Communist League affiliated with UCPN-M, the Youth Force affiliated with the Communist Party of Nepal-United Marxist-Leninist (UML) and to a lesser extent the Nepali Congress-affiliated Tarun Dal. Meanwhile, youth groups affiliated with political parties and movements continued to proliferate. While no cases of active recruitment of children into armed forces or armed groups were documented, the continuing use of children in political violence remained a concern. Monitors observed large numbers of children participating in protest rallies and demonstrations. Of the 42 protests and demonstrations where the Task Force documented significant numbers of children, 14 were organized by UCPN-M and its sister organizations.

The Secretary-General called upon the Government and UCPN-M to cooperate to ensure the full implementation of the Action Plan and for UCPN-M to ensure that Maoist army personnel disqualified as minors had unhindered access to the rehabilitation packages offered by the Government and supported by the United Nations. He also called upon the Government to operationalize the National Plan of Action for the Reintegration of Children Affected by Armed Conflict and to ensure resources for its implementation.

In November, the Security Council Working Group on Children and Armed Conflict, established by resolution 1612(2005), submitted its conclusions on children and armed conflict in Nepal [S/AC.51/2010/4], which contained the Group's exchange of views on the Secretary-General's report, the participation of Nepal in the discussion and the Group's agreed actions to be taken. Among other conclusions, the Group agreed to address a message to all stakeholders in the protection of children in Nepal, in particular UCPN-M and youth wings of the major political parties, through a public statement by the Chairman, urging them to refrain from any new recruitment or re-recruitment of children; ensure that children were not exposed to or forced to participate in violent activities; immediately stop the closure and use of schools during strikes; give all necessary support to strengthening the monitoring and reporting of violations against children, in particular those committed in the Terai region; ensure the full implementation of the Action Plan and unhindered access of the Maoist army personnel disqualified as minors to the rehabilitation packages; and stop the use of improvised explosive devices to avoid the killing and maiming of children. The Working Group also stressed its intention to visit Nepal in the coming months to follow up on the progress made in the protection of children.

Communication. On 30 November [S/2010/610], the Security Council President transmitted to the Secretary-General a letter from the Working Group's

Chairman, requesting the Secretary-General to ensure that the United Nations continued monitoring UCPN-M compliance with the action plan and relevant Council resolutions, with particular attention to whether discharged minors were forced or otherwise coerced into association with groups that engaged in political violence. It also requested that a child protection capacity be preserved in the phasing out of UNMIN activities, with a view to facilitating the discharge of all children in the containment camps.

Iran

In 2010, the United Nations continued to address Iran's nuclear programme and the sanctions it imposed, reinforced by resolutions 1737(2006) [YUN 2006, p. 436], 1747(2007) [YUN 2007, p. 374], 1803(2008) [YUN 2008, p. 409] and 1835(2008) [ibid., p. 414]. On 9 June, the Security Council, by resolution 1929(2010) (see p. 396), imposed additional sanctions, requiring Iran to comply with relevant Council resolutions and to increase its cooperation with the International Atomic Energy Agency (IAEA). During the year the Agency reported that Iran had not implemented the Additional Protocol to Iran's Safeguards Agreement or the relevant resolutions of the Security Council and the IAEA Board of Governors. It had also failed to provide the necessary cooperation to permit the Agency to confirm that all nuclear material in Iran was being used in peaceful activities. Iran maintained that its nuclear programme was for peaceful purposes.

The Committee established pursuant to resolution 1737(2006) continued overseeing implementation of the sanctions regime.

Non-proliferation

IAEA reports

During 2010, the Council had before it four reports by the IAEA Board of Governors on Iran's implementation of the Non-Proliferation Treaty Safeguards Agreement and relevant Security Council resolutions. Each report stated that the Agency had continued activities to verify the non-diversion of declared nuclear material and elaborated on that process, including cooperation issues and difficulties encountered.

IAEA reports (February and May). IAEA's February report [GOV/2010/10] on developments since 16 November 2009 [YUN 2009, p. 395] stated that, in February, the Agency had carried out a design information verification at the Iran Nuclear Research Reactor (IR-40) and verified that construction of the facility was ongoing. Due to Iran's refusal to permit the Agency access to the Heavy Water Production Plant (HWPP), the Agency had to rely on satellite imagery to

monitor the plant's status, which seemed to indicate the HWPP was in operation again. The Agency reiterated its requests for Iran to provide IAEA with access to the HWPP; the heavy water stored at the Uranium Conversion Facility (UCF) at Esfahan to take samples for destructive analysis; and any other location where heavy water-related projects were being carried out. Iran had also continued with the operation of the Fuel Enrichment Plant (FEP) and the Pilot Fuel Enrichment Plant located at Natanz, as well as the construction of a new plant at Fordow, which was contrary to relevant Board of Governors and Security Council resolutions.

The May IAEA report [GOV/2010/28] stated that on 16 May, the Agency carried out a design information verification at the Fuel Manufacturing Plant (FMP), and confirmed that no new process equipment had been installed at the facility and that no new assemblies, rods or pellets had been produced at the FMP since May 2009. The Agency continued to verify the non-diversion of declared nuclear material in Iran, yet Iran had not provided the necessary cooperation for IAEA to confirm that all nuclear material in Iran was being used in peaceful activities. It had not implemented the requirements contained in the relevant Board of Governors and Security Council resolutions, including implementation of the Additional Protocol, which IAEA deemed essential to build confidence in the exclusively peaceful purpose of Iran's nuclear programme and to resolve outstanding questions. Iran needed to cooperate in clarifying outstanding issues that gave rise to concerns about possible military dimensions to its nuclear programme, and to implement the modified Code 3.1 on the early provision of design information. Iran had not suspended enrichment activities; it had also announced that it had selected the venues for new nuclear sites and that construction was under way, but had not provided IAEA with the necessary relevant information and access in accordance with its Safeguards Agreement. Construction of the IR-40 reactor and heavy water-related activities continued. IAEA had not been permitted to take samples of the heavy water stored at the UCF, or provided with access to the HWPP.

SECURITY COUNCIL ACTION

On 9 June [meeting 6335], the Security Council adopted **resolution 1929(2010)** by vote (12-2-1). The draft [S/2010/283] was submitted by France, Germany, the United Kingdom and the United States.

The Security Council,

Recalling the statement by its President of 29 March 2006 and its resolutions 1696(2006) of 31 July 2006, 1737(2006) of 23 December 2006, 1747(2007) of 24 March 2007, 1803(2008) of 3 March 2008, 1835(2008) of 27 September 2008 and 1887(2009) of 24 September 2009, and reaffirming the provisions thereof,

Reaffirming its commitment to the Treaty on the Non-Proliferation of Nuclear Weapons and the need for all States parties to the Treaty to comply fully with all their obligations, and recalling the right of States parties, in conformity with articles I and II of the Treaty, to develop research, production and use of nuclear energy for peaceful purposes without discrimination,

Recalling resolution GOV/2006/14 adopted by the Board of Governors of the International Atomic Energy Agency on 4 February 2006, which states that a solution to the Iranian nuclear issue would contribute to global non-proliferation efforts and to realizing the objective of a Middle East free of weapons of mass destruction, including their means of delivery,

Noting with serious concern that, as confirmed in the reports of the Director General of the International Atomic Energy Agency of 27 February, 8 June, 31 August and 14 November 2006, 22 February, 23 May, 30 August and 15 November 2007, 22 February, 26 May, 15 September and 19 November 2008, 19 February, 5 June, 28 August and 16 November 2009 and 18 February and 31 May 2010, the Islamic Republic of Iran has not established full and sustained suspension of all enrichment-related and reprocessing activities and heavy water-related projects as set out in Security Council resolutions 1696(2006), 1737(2006), 1747(2007) and 1803(2008) nor resumed its cooperation with the Agency under the Additional Protocol, nor cooperated with the Agency in connection with the remaining issues of concern, which need to be clarified to exclude the possibility of military dimensions of the Islamic Republic of Iran's nuclear programme, nor taken the other steps required by the Board of Governors of the Agency, nor complied with the provisions of resolutions 1696(2006), 1737(2006), 1747(2007) and 1803(2008), which are essential to build confidence, and deploring the refusal of the Islamic Republic of Iran to take these steps,

Reaffirming that outstanding issues can be best resolved and confidence built in the exclusively peaceful nature of the Islamic Republic of Iran's nuclear programme by the Islamic Republic of Iran responding positively to all the calls which the Council and the Board of Governors of the Agency have made on the Islamic Republic of Iran,

Noting with serious concern the role of elements of the Islamic Revolutionary Guard Corps (also known as "Army of the Guardians of the Islamic Revolution"), including those specified in sections D and E of the annex to resolution 1737(2006), annex I to resolution 1747(2007) and annex II to the present resolution, in the Islamic Republic of Iran's proliferation-sensitive nuclear activities and the development of nuclear weapon delivery systems,

Noting with serious concern also that the Islamic Republic of Iran has constructed an enrichment facility at Qom in breach of its obligations to suspend all enrichment-related activities, and that the Islamic Republic of Iran failed to notify it to the Agency until September 2009, which is inconsistent with its obligations under the subsidiary arrangements to its safeguards agreement,

Noting resolution GOV/2009/82 adopted by the Board of Governors of the Agency on 27 November 2009, which urges the Islamic Republic of Iran to suspend immediately construction at Qom and to clarify the facility's purpose, and chronology of design and construction, and calls upon the Islamic Republic of Iran to confirm, as requested by

the Agency, that it has not taken a decision to construct, or authorize construction of, any other nuclear facility which has as yet not been declared to the Agency,

Noting with serious concern that the Islamic Republic of Iran has enriched uranium to 20 per cent, and did so without notifying the Agency with sufficient time for it to adjust the existing safeguards procedures,

Noting with concern that the Islamic Republic of Iran has taken issue with the right of the Agency to verify design information which had been provided by the Islamic Republic of Iran pursuant to the modified Code 3.1, and emphasizing that, in accordance with article 39 of the Islamic Republic of Iran's safeguards agreement, Code 3.1 cannot be modified nor suspended unilaterally and that the right of the Agency to verify design information provided to it is a continuing right which is not dependent on the stage of construction of, or the presence of nuclear material at, a facility,

Reiterating its determination to reinforce the authority of the Agency, strongly supporting the role of the Board of Governors of the Agency, and commending the Agency for its efforts to resolve outstanding issues relating to the Islamic Republic of Iran's nuclear programme,

Expressing the conviction that the suspension set out in paragraph 2 of resolution 1737(2006) as well as full, verified Iranian compliance with the requirements set out by the Board of Governors of the Agency would contribute to a diplomatic, negotiated solution that guarantees that the Islamic Republic of Iran's nuclear programme is for exclusively peaceful purposes,

Emphasizing the importance of political and diplomatic efforts to find a negotiated solution guaranteeing that the Islamic Republic of Iran's nuclear programme is exclusively for peaceful purposes, and noting in this regard the efforts of Turkey and Brazil towards an agreement with the Islamic Republic of Iran on the Tehran Research Reactor that could serve as a confidence-building measure,

Emphasizing also, however, in the context of these efforts, the importance of the Islamic Republic of Iran addressing the core issues related to its nuclear programme,

Stressing that China, France, Germany, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America are willing to take further concrete measures on exploring an overall strategy of resolving the Iranian nuclear issue through negotiation on the basis of their proposal of June 2006 and their proposal of June 2008, contained in annex IV to the present resolution, and noting the confirmation by those countries that, once the confidence of the international community in the exclusively peaceful nature of the Islamic Republic of Iran's nuclear programme is restored, it will be treated in the same manner as that of any non-nuclear weapon State party to the Treaty on the Non-Proliferation of Nuclear Weapons,

Welcoming the guidance issued by the Financial Action Task Force to assist States in implementing their financial obligations under resolutions 1737(2006) and 1803(2008), and recalling, in particular, the need to exercise vigilance over transactions involving Iranian banks, including the Central Bank of Iran, so as to prevent such transactions contributing to proliferation-sensitive nuclear activities or to the development of nuclear weapon delivery systems,

Recognizing that access to diverse, reliable energy is critical for sustainable growth and development, while noting

the potential connection between the Islamic Republic of Iran's revenues derived from its energy sector and the funding of the Islamic Republic of Iran's proliferation-sensitive nuclear activities, and further noting that chemical process equipment and materials required for the petrochemical industry have much in common with those required for certain sensitive nuclear fuel cycle activities,

Having regard to the rights and obligations of States relating to international trade,

Recalling that the law of the sea, as reflected in the United Nations Convention on the Law of the Sea of 10 December 1982, sets out the legal framework applicable to ocean activities,

Calling for the ratification of the Comprehensive Nuclear-Test-Ban Treaty by the Islamic Republic of Iran at an early date,

Determined to give effect to its decisions by adopting appropriate measures to persuade the Islamic Republic of Iran to comply with resolutions 1696(2006), 1737(2006), 1747(2007) and 1803(2008) and with the requirements of the Agency, and also to constrain the development by the Islamic Republic of Iran of sensitive technologies in support of its nuclear and missile programmes, until such time as the Council determines that the objectives of those resolutions have been met,

Concerned by the proliferation risks presented by the Iranian nuclear programme, and mindful of its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security,

Stressing that nothing in the present resolution compels States to take measures or actions exceeding the scope of the present resolution, including the use of force or the threat of force,

Acting under Article 41 of Chapter VII of the Charter,

1. Affirms that the Islamic Republic of Iran has so far failed to meet the requirements of the Board of Governors of the International Atomic Energy Agency and to comply with resolutions 1696(2006), 1737(2006), 1747(2007) and 1803(2008);

2. *Affirms also* that the Islamic Republic of Iran shall without further delay take the steps required by the Board of Governors of the Agency in its resolutions GOV/2006/14 and GOV/2009/82, which are essential to build confidence in the exclusively peaceful purpose of its nuclear programme, to resolve outstanding questions and to address the serious concerns raised by the construction of an enrichment facility at Qom in breach of its obligations to suspend all enrichment-related activities, and in this context further affirms its decision that the Islamic Republic of Iran shall without delay take the steps required in paragraph 2 of resolution 1737(2006);

3. *Reaffirms* that the Islamic Republic of Iran shall cooperate fully with the Agency on all outstanding issues, particularly those which give rise to concerns about the possible military dimensions of the Iranian nuclear programme, including by providing access without delay to all sites, equipment, persons and documents requested by the Agency, and stresses the importance of ensuring that the Agency has all resources and authority necessary for the fulfilment of its work in the Islamic Republic of Iran;

4. *Requests* the Director General of the International Atomic Energy Agency to communicate to the Security

Council all his reports on the application of safeguards in the Islamic Republic of Iran;

5. *Decides* that the Islamic Republic of Iran shall without delay comply fully and without qualification with its safeguards agreement, including through the application of the modified Code 3.1 of the subsidiary arrangement to its safeguards agreement, calls upon the Islamic Republic of Iran to act strictly in accordance with the provisions of the Additional Protocol to its safeguards agreement that it signed on 18 December 2003, calls upon the Islamic Republic of Iran to ratify promptly the Additional Protocol, and reaffirms that, in accordance with articles 24 and 39 of the Islamic Republic of Iran's safeguards agreement, the agreement and its subsidiary arrangement, including the modified Code 3.1, cannot be amended or changed unilaterally by the Islamic Republic of Iran, and notes that there is no mechanism in the agreement for the suspension of any of the provisions in the subsidiary arrangement;

6. *Reaffirms* that, in accordance with the obligations of the Islamic Republic of Iran under previous resolutions to suspend all reprocessing, heavy water-related and enrichment-related activities, the Islamic Republic of Iran shall not begin construction on any new uranium-enrichment, reprocessing or heavy water-related facility and shall discontinue any ongoing construction of any uranium-enrichment, reprocessing or heavy water-related facility;

7. *Decides* that the Islamic Republic of Iran shall not acquire an interest in any commercial activity in another State involving uranium mining, production or use of nuclear materials and technology as listed in INF/CIRC/254/Rev.9/Part 1, in particular uranium-enrichment and reprocessing activities, all heavy-water activities or technology related to ballistic missiles capable of delivering nuclear weapons, and further decides that all States shall prohibit such investment in territories under their jurisdiction by the Islamic Republic of Iran, its nationals and entities incorporated in the Islamic Republic of Iran or subject to its jurisdiction, or by persons or entities acting on their behalf or at their direction, or by entities owned or controlled by them;

8. *Decides also* that all States shall prevent the direct or indirect supply, sale or transfer to the Islamic Republic of Iran, from or through their territories or by their nationals or individuals subject to their jurisdiction, or using their flag vessels or aircraft, and whether or not originating in their territories, of any battle tanks, armoured combat vehicles, large-calibre artillery systems, combat aircraft, attack helicopters, warships, missiles or missile systems as defined for the purpose of the United Nations Register of Conventional Arms, or related materiel, including spare parts, or items as determined by the Security Council or the Security Council Committee established pursuant to resolution 1737(2006) ("the Committee"), decides further that all States shall prevent the provision to the Islamic Republic of Iran by their nationals or from or through their territories of technical training, financial resources or services, advice, other services or assistance related to the supply, sale, transfer, provision, manufacture, maintenance or use of such arms and related materiel, and in this context calls upon all States to exercise vigilance and restraint over the supply, sale, transfer, provision, manufacture and use of all other arms and related materiel;

9. *Decides further* that the Islamic Republic of Iran shall not undertake any activity related to ballistic missiles

capable of delivering nuclear weapons, including launches using ballistic missile technology, and that States shall take all measures necessary to prevent the transfer of technology or technical assistance to the Islamic Republic of Iran related to such activities;

10. *Decides* that all States shall take the measures necessary to prevent the entry into or transit through their territories of individuals designated in the annex to resolution 1737(2006), annex I to resolution 1747(2007), annex I to resolution 1803(2008) and annex I to the present resolution, or by the Council or the Committee pursuant to paragraph 10 of resolution 1737(2006), except where such entry or transit is for activities directly related to the provision to the Islamic Republic of Iran of items listed in paragraphs 3(b) (i) and (ii) of resolution 1737(2006) in accordance with paragraph 3 of resolution 1737(2006), underlines that nothing in the present paragraph shall oblige a State to refuse its own nationals entry into its territory, and decides that the measures imposed in the present paragraph shall not apply when the Committee determines on a case-by-case basis that such travel is justified on the grounds of humanitarian need, including religious obligations, or where the Committee concludes that an exemption would otherwise further the objectives of the present resolution, including where article XV of the statute of the Agency is engaged;

11. *Decides also* that the measures specified in paragraphs 12 to 15 of resolution 1737(2006) shall apply also to the individuals and entities listed in annex I to the present resolution and to any individuals or entities acting on their behalf or at their direction, and to entities owned or controlled by them, including through illicit means, and to any individuals and entities determined by the Council or the Committee to have assisted designated individuals or entities in evading sanctions of, or in violating the provisions of, resolution 1737(2006), 1747(2007), 1803(2008) or the present resolution;

12. *Decides further* that the measures specified in paragraphs 12 to 15 of resolution 1737(2006) shall apply also to the Islamic Revolutionary Guard Corps (also known as "Army of the Guardians of the Islamic Revolution") individuals and entities specified in annex II to the present resolution, and to any individuals or entities acting on their behalf or at their direction, and to entities owned or controlled by them, including through illicit means, and calls upon all States to exercise vigilance over those transactions involving the Islamic Revolutionary Guard Corps that could contribute to the Islamic Republic of Iran's proliferation-sensitive nuclear activities or the development of nuclear weapon delivery systems;

13. *Decides* that, for the purposes of the measures specified in paragraphs 3 to 7 of resolution 1737(2006), the list of items in document S/2006/814 shall be superseded by the list of items in INFCIRC/254/Rev.9/Part 1 and INFCIRC/254/Rev.7/Part 2, and any further items if the State determines that they could contribute to enrichment-related, reprocessing or heavy water-related activities or to the development of nuclear weapon delivery systems, and further decides that, for the purposes of the measures specified in paragraphs 3 to 7 of resolution 1737(2006), the list of items contained in document S/2006/815 shall be superseded by the list of items contained in document S/2010/263;

14. *Calls upon* all States to inspect, in accordance with their national authorities and legislation and consistent with international law, in particular the law of the sea and relevant international civil aviation agreements, all cargo to and from the Islamic Republic of Iran, in their territory, including seaports and airports, if the State concerned has information that provides reasonable grounds to believe that the cargo contains items, the supply, sale, transfer or export of which is prohibited by paragraph 3, 4 or 7 of resolution 1737(2006), paragraph 5 of resolution 1747(2007), paragraph 8 of resolution 1803(2008) or paragraph 8 or 9 of the present resolution, for the purpose of ensuring strict implementation of those provisions;

15. *Notes* that States, consistent with international law, in particular the law of the sea, may request inspections of vessels on the high seas with the consent of the flag State, and calls upon all States to cooperate in such inspections if there is information that provides reasonable grounds to believe that the vessel is carrying items, the supply, sale, transfer or export of which is prohibited by paragraph 3, 4 or 7 of resolution 1737(2006), paragraph 5 of resolution 1747(2007), paragraph 8 of resolution 1803(2008) or paragraph 8 or 9 of the present resolution, for the purpose of ensuring strict implementation of those provisions;

16. *Decides* to authorize all States to, and that all States shall, seize and dispose of (such as through destruction, rendering inoperable, storage or transferring to a State other than the originating or destination State for disposal) items, the supply, sale, transfer or export of which is prohibited by paragraph 3, 4 or 7 of resolution 1737(2006), paragraph 5 of resolution 1747(2007), paragraph 8 of resolution 1803(2008) or paragraph 8 or 9 of the present resolution that are identified in inspections pursuant to paragraph 14 or 15 of the present resolution, in a manner that is not inconsistent with their obligations under applicable Council resolutions, including resolution 1540(2004) of 28 April 2004, as well as any obligations of parties to the Treaty on the Non-Proliferation of Nuclear Weapons, and decides further that all States shall cooperate in such efforts;

17. *Requires* any State, when it undertakes an inspection pursuant to paragraph 14 or 15 of the present resolution, to submit to the Committee within five working days an initial written report containing, in particular, an explanation of the grounds for the inspection, the results of such inspection and whether or not cooperation was provided, and, if items prohibited for transfer are found, further requires such States to submit to the Committee, at a later stage, a subsequent written report containing relevant details on the inspection, seizure and disposal, and relevant details of the transfer, including a description of the items, their origin and intended destination, if that information is not in the initial report;

18. *Decides* that all States shall prohibit the provision by their nationals or from their territory of bunkering services, such as the provision of fuel or supplies, or other servicing of vessels, to Iranian-owned or -contracted vessels, including chartered vessels, if they have information that provides reasonable grounds to believe that they are carrying items, the supply, sale, transfer or export of which is prohibited by paragraph 3, 4 or 7 of resolution 1737(2006), paragraph 5 of resolution 1747(2007), paragraph 8 of resolution 1803(2008) or paragraph 8 or 9 of the

present resolution, unless the provision of such services is necessary for humanitarian purposes or until such time as the cargo has been inspected, and seized and disposed of if necessary, and underlines that the present paragraph is not intended to affect legal economic activities;

19. *Decides also* that the measures specified in paragraphs 12 to 15 of resolution 1737(2006) shall also apply to the entities of the Islamic Republic of Iran Shipping Lines as specified in annex III to the present resolution and to any person or entity acting on their behalf or at their direction, and to entities owned or controlled by them, including through illicit means, or determined by the Council or the Committee to have assisted them in evading the sanctions of, or in violating the provisions of, resolution 1737(2006), 1747(2007), 1803(2008) or the present resolution;

20. *Requests* all Member States to communicate to the Committee any information available on transfers to other companies or activity by Iran Air's cargo division or vessels owned or operated by the Islamic Republic of Iran Shipping Lines that may have been undertaken in order to evade the sanctions of, or in violation of the provisions of, resolution 1737(2006), 1747(2007), 1803(2008) or the present resolution, including renaming or re-registering of aircraft, vessels or ships, and requests the Committee to make that information widely available;

21. *Calls upon* all States, in addition to implementing their obligations pursuant to resolutions 1737(2006), 1747(2007), 1803(2008) and the present resolution, to prevent the provision of financial services, including insurance or reinsurance, or the transfer to, through or from their territory, or to or by their nationals or entities organized under their laws (including branches abroad), or persons or financial institutions in their territory, of any financial or other assets or resources if they have information that provides reasonable grounds to believe that such services, assets or resources could contribute to the Islamic Republic of Iran's proliferation-sensitive nuclear activities or the development of nuclear weapon delivery systems, including by freezing any financial or other assets or resources on their territories or that hereafter come within their territories, or that are subject to their jurisdiction or that hereafter become subject to their jurisdiction, that are related to such programmes or activities and applying enhanced monitoring to prevent all such transactions in accordance with their national authorities and legislation;

22. *Decides* that all States shall require their nationals, persons subject to their jurisdiction and firms incorporated in their territory or subject to their jurisdiction to exercise vigilance when doing business with entities incorporated in the Islamic Republic of Iran or subject to the Islamic Republic of Iran's jurisdiction, including those of the Islamic Revolutionary Guard Corps and the Islamic Republic of Iran Shipping Lines, and any individuals or entities acting on their behalf or at their direction, and entities owned or controlled by them, including through illicit means, if they have information that provides reasonable grounds to believe that such business could contribute to the Islamic Republic of Iran's proliferation-sensitive nuclear activities or the development of nuclear weapon delivery systems or to violations of resolution 1737(2006), 1747(2007) 1803(2008) or the present resolution;

23. *Calls upon* States to take appropriate measures that prohibit in their territories the opening of new branches, subsidiaries or representative offices of Iranian banks, and also that prohibit Iranian banks from establishing new joint ventures, taking an ownership interest in or establishing or maintaining correspondent relationships with banks in their jurisdiction to prevent the provision of financial services if they have information that provides reasonable grounds to believe that these activities could contribute to the Islamic Republic of Iran's proliferation-sensitive nuclear activities or the development of nuclear weapon delivery systems;

24. *Also calls upon* States to take appropriate measures that prohibit financial institutions within their territories or under their jurisdiction from opening representative offices or subsidiaries or banking accounts in the Islamic Republic of Iran if they have information that provides reasonable grounds to believe that such financial services could contribute to the Islamic Republic of Iran's proliferation-sensitive nuclear activities or the development of nuclear weapon delivery systems;

25. *Deplores* the violations of the prohibitions of paragraph 5 of resolution 1747(2007) that have been reported to the Committee since the adoption of resolution 1747(2007), and commends States that have taken action to respond to these violations and report them to the Committee;

26. *Directs* the Committee to respond effectively to violations of the measures decided in resolutions 1737(2006), 1747(2007), 1803(2008) and the present resolution, and recalls that the Committee may designate individuals and entities who have assisted designated persons or entities in evading sanctions of, or in violating the provisions of, these resolutions;

27. *Decides* that the Committee shall intensify its efforts to promote the full implementation of resolutions 1737(2006), 1747(2007), 1803(2008) and the present resolution, including through a work programme covering compliance, investigations, outreach, dialogue, assistance and cooperation, to be submitted to the Council within forty-five days of the adoption of the present resolution;

28. *Decides also* that the mandate of the Committee as set out in paragraph 18 of resolution 1737(2006), as amended by paragraph 14 of resolution 1803(2008), shall also apply to the measures decided in the present resolution, including to receive reports from States submitted pursuant to paragraph 17 of the present resolution;

29. *Requests* the Secretary-General to create for an initial period of one year, in consultation with the Committee, a group of up to eight experts ("the Panel of Experts"), under the direction of the Committee, to carry out the following tasks: (a) assist the Committee in carrying out its mandate as specified in paragraph 18 of resolution 1737(2006) and paragraph 28 of the present resolution; (b) gather, examine and analyse information from States, relevant United Nations bodies and other interested parties regarding the implementation of the measures decided in resolutions 1737(2006), 1747(2007), 1803(2008) and the present resolution, in particular incidents of non-compliance; (c) make recommendations on actions the Council, or the Committee or the State, may consider to improve implementation of the relevant measures; and (d) provide to the Council an interim report on its work no later than ninety

days after the appointment of the Panel of Experts, and a final report to the Council no later than thirty days prior to the termination of its mandate, with its findings and recommendations;

30. *Urges* all States, relevant United Nations bodies and other interested parties to cooperate fully with the Committee and the Panel of Experts, in particular by supplying any information at their disposal on the implementation of the measures decided in resolutions 1737(2006), 1747(2007), 1803(2008) and the present resolution, in particular incidents of non-compliance;

31. *Calls upon* all States to report to the Committee within sixty days of the adoption of the present resolution on the steps they have taken with a view to implementing effectively paragraphs 7 to 19 and 21 to 24 of the present resolution;

32. *Stresses* the willingness of China, France, Germany, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America to further enhance diplomatic efforts to promote dialogue and consultations, including to resume dialogue with the Islamic Republic of Iran on the nuclear issue without preconditions, most recently in their meeting with the Islamic Republic of Iran, held in Geneva on 1 October 2009, with a view to seeking a comprehensive, long-term and proper solution of this issue on the basis of the proposal made by China, France, Germany, the Russian Federation, the United Kingdom and the United States on 14 June 2008, which would allow for the development of relations and wider cooperation with the Islamic Republic of Iran based on mutual respect and the establishment of international confidence in the exclusively peaceful nature of the Islamic Republic of Iran's nuclear programme and, inter alia, starting formal negotiations with the Islamic Republic of Iran on the basis of the proposal of June 2008, and acknowledges with appreciation that the proposal of June 2008, as contained in annex IV to the present resolution, remains on the table;

33. *Encourages* the High Representative of the European Union for Foreign Affairs and Security Policy to continue communication with the Islamic Republic of Iran in support of political and diplomatic efforts to find a negotiated solution, including relevant proposals by China, France, Germany, the Russian Federation, the United Kingdom and the United States with a view to creating the conditions necessary for resuming talks, and encourages the Islamic Republic of Iran to respond positively to such proposals;

34. *Commends* the Director General of the International Atomic Energy Agency for his proposal of 21 October 2009 on a draft Agreement between the International Atomic Energy Agency and the Governments of the Republic of France, the Islamic Republic of Iran and the Russian Federation for Assistance in Securing Nuclear Fuel for a Research Reactor in Iran for the Supply of Nuclear Fuel to the Tehran Research Reactor, regrets that the Islamic Republic of Iran has not responded constructively to the proposal of 21 October 2009, and encourages the Agency to continue exploring such measures to build confidence consistent with and in furtherance of the resolutions of the Council;

35. *Emphasizes* the importance of all States, including the Islamic Republic of Iran, taking the measures necessary

to ensure that no claim shall lie at the instance of the Government of the Islamic Republic of Iran, or of any person or entity in the Islamic Republic of Iran, or of persons or entities designated pursuant to resolution 1737(2006) and related resolutions, or any person claiming through or for the benefit of any such person or entity, in connection with any contract or other transaction where its performance was prevented by reason of the measures imposed by resolutions 1737(2006), 1747(2007), 1803(2008) and the present resolution;

36. *Requests* within ninety days a report of the Director General of the Agency on whether the Islamic Republic of Iran has established full and sustained suspension of all activities mentioned in resolution 1737(2006), as well as on the process of Iranian compliance with all the steps required by the Board of Governors of the Agency and with other provisions of resolutions 1737(2006), 1747(2007), 1803(2008) and the present resolution, to the Board of Governors and in parallel to the Council for its consideration;

37. *Affirms* that it shall review the actions of the Islamic Republic of Iran in the light of the report referred to in paragraph 36 above, to be submitted within ninety days, and (a) that it shall suspend the implementation of measures if and for so long as the Islamic Republic of Iran suspends all enrichment-related and reprocessing activities, including research and development, as verified by the Agency, to allow for negotiations in good faith in order to reach an early and mutually acceptable outcome; (b) that it shall terminate the measures specified in paragraphs 3 to 7 and 12 of resolution 1737(2006), as well as in paragraphs 2 and 4 to 7 of resolution 1747(2007), paragraphs 3, 5 and 7 to 11 of resolution 1803(2008), and in paragraphs 7 to 19 and 21 to 24 of the present resolution, as soon as it determines, following receipt of the report referred to in paragraph 36 above, that the Islamic Republic of Iran has fully complied with its obligations under the relevant resolutions of the Council and met the requirements of the Board of Governors of the Agency, as confirmed by the Board of Governors; (c) that it shall, in the event that the report shows that the Islamic Republic of Iran has not complied with resolutions 1737(2006), 1747(2007), 1803(2008) and the present resolution, adopt further appropriate measures under Article 41 of Chapter VII of the Charter of the United Nations to persuade the Islamic Republic of Iran to comply with these resolutions and the requirements of the Agency, and underlines that further decisions will be required should such additional measures be necessary;

38. *Decides* to remain seized of the matter.

ANNEX I

Individuals and entities involved in nuclear or ballistic missile activities

Entities

1. **Amin Industrial Complex:** Amin Industrial Complex sought temperature controllers which may be used in nuclear research and operational/production facilities. Amin Industrial Complex is owned or controlled by, or acts on behalf of, the Defense Industries Organization (DIO), which was designated in resolution 1737(2006).

Location: P.O. Box 91735-549, Mashad, Iran; Amin Industrial Estate, Khalage Rd., Seyedi District, Mashad, Iran; Kaveh Complex, Khalaj Rd., Seyedi St., Mashad, Iran

A.K.A.: Amin Industrial Compound and Amin Industrial Company

2. **Armament Industries Group:** Armament Industries Group (AIG) manufactures and services a variety of small arms and light weapons, including large- and medium-calibre guns and related technology. AIG conducts the majority of its procurement activity through Hadid Industries Complex.

Location: Sepah Islam Road, Karaj Special Road Km 10, Iran; Pasdaran Ave., P.O. Box 19585/777, Tehran, Iran

3. **Defense Technology and Science Research Center:** Defense Technology and Science Research Center (DTSRC) is owned or controlled by, or acts on behalf of, Iran's Ministry of Defense and Armed Forces Logistics (MODAFL), which oversees Iran's defence R&D, production, maintenance, exports and procurement.

Location: Pasdaran Ave, P.O. Box 19585/777, Tehran, Iran

4. **Doostan International Company:** Doostan International Company (DICO) supplies elements to Iran's ballistic missile programme.

5. **Farasakht Industries:** Farasakht Industries is owned or controlled by, or acts on behalf of, the Iran Aircraft Manufacturing Company, which in turn is owned or controlled by MODAFL.

Location: P.O. Box 83145-311, Kilometer 28, Esfahan-Tehran Freeway, Shahin Shahr, Esfahan, Iran

6. **First East Export Bank, P.L.C.:** First East Export Bank, P.L.C. is owned or controlled by, or acts on behalf of, Bank Mellat. Over the last seven years, Bank Mellat has facilitated hundreds of millions of dollars in transactions for Iranian nuclear, missile and defense entities.

Location: Unit Level 10 (B1), Main Office Tower, Financial Park Labuan, Jalan Merdeka, 87000 WP Labuan, Malaysia; Business Registration Number LL06889 (Malaysia)

7. **Kaveh Cutting Tools Company:** Kaveh Cutting Tools Company is owned or controlled by, or acts on behalf of, the DIO.

Location: 3rd Km of Khalaj Road, Seyyedi Street, Mashad 91638, Iran; Km 4 of Khalaj Road, End of Seyedi Street, Mashad, Iran; P.O. Box 91735-549, Mashad, Iran; Khalaj Rd., End of Seyyedi Alley, Mashad, Iran; Moqan St., Pasdaran St., Pasdaran Cross Rd., Tehran, Iran

8. **M. Babaie Industries:** M. Babaie Industries is subordinate to Shahid Ahmad Kazemi Industries Group (formally the Air Defense Missile Industries Group) of Iran's Aerospace Industries Organization (AIO). AIO controls the missile organizations Shahid Hemmat Industrial Group (SHIG) and the Shahid Bakeri Industrial Group (SBIG), both of which were designated in resolution 1737(2006).

Location: P.O. Box 16535-76, Tehran, 16548, Iran

9. **Malek Ashtar University:** A subordinate of the DTSRC within MODAFL. This includes research groups previously falling under the Physics Research Center (PHRC). International Atomic Energy Agency inspectors have not been allowed to interview staff or see documents under the control

of this organization to resolve the outstanding issue of the possible military dimension to Iran's nuclear programme.

Location: Corner of Imam Ali Highway and Babaei Highway, Tehran, Iran

10. **Ministry of Defense Logistics Export:** Ministry of Defense Logistics Export (MODLEX) sells Iranian-produced arms to customers around the world in contravention of resolution 1747(2007), which prohibits Iran from selling arms or related materiel.

Location: P.O. Box 16315-189, Tehran, Iran; located on the west side of Dabestan Street, Abbas Abad District, Tehran, Iran

11. **Mizan Machinery Manufacturing:** Mizan Machinery Manufacturing (3M) is owned or controlled by, or acts on behalf of, SHIG.

Location: P.O. Box 16595-365, Tehran, Iran

A.K.A.: 3MG

12. **Modern Industries Technique Company:** Modern Industries Technique Company (MITEC) is responsible for design and construction of the IR-40 heavy water reactor in Arak. MITEC has spearheaded procurement for the construction of the IR-40 heavy water reactor.

Location: Arak, Iran

A.K.A.: Rahkar Company, Rahkar Industries, Rahkar Sanaye Company, Rahkar Sanaye Novin

13. **Nuclear Research Center for Agriculture and Medicine:** The Nuclear Research Center for Agriculture and Medicine (NFRPC) is a large research component of the Atomic Energy Organization of Iran (AEOI), which was designated in resolution 1737(2006). The NFRPC is AEOI's center for the development of nuclear fuel and is involved in enrichment-related activities.

Location: P.O. Box 31585-4395, Karaj, Iran

A.K.A.: Center for Agricultural Research and Nuclear Medicine; Karaji Agricultural and Medical Research Center

14. **Pejman Industrial Services Corporation:** Pejman Industrial Services Corporation is owned or controlled by, or acts on behalf of, SBIG.

Location: P.O. Box 16785-195, Tehran, Iran

15. **Sabalan Company:** Sabalan is a cover name for SHIG.

Location: Damavand Tehran Highway, Tehran, Iran

16. **Sahand Aluminum Parts Industrial Company (SAPICO):** SAPICO is a cover name for SHIG.

Location: Damavand Tehran Highway, Tehran, Iran

17. **Shahid Karrazi Industries:** Shahid Karrazi Industries is owned or controlled by, or acts on behalf of, SBIG.

Location: Tehran, Iran

18. **Shahid Sattari Industries:** Shahid Sattari Industries is owned or controlled by, or acts on behalf of, SBIG.

Location: Southeast Tehran, Iran

A.K.A.: Shahid Sattari Group Equipment Industries

19. **Shahid Sayyade Shirazi Industries:** Shahid Sayyade Shirazi Industries (sssi) is owned or controlled by, or acts on behalf of, the DIO.

Location: Next to Nirou Battery Mfg. Co., Shahid Babaei Expressway, Nobonyad Square, Tehran, Iran; Pasdaran St., P.O. Box 16765, Tehran 1835, Iran; Babaei Highway—Next to Niru M.F.G., Tehran, Iran

20. **Special Industries Group:** Special Industries Group (SIG) is a subordinate of DIO.

Location: Pasdaran Avenue, P.O. Box 19585/777, Tehran, Iran

21. **Tiz Pars:** Tiz Pars is a cover name for SHIG. Between April and July 2007, Tiz Pars attempted to procure a five axis laser welding and cutting machine, which could make a material contribution to Iran's missile programme, on behalf of SHIG.

Location: Damavand Tehran Highway, Tehran, Iran

22. **Yazd Metallurgy Industries:** Yazd Metallurgy Industries (YMI) is a subordinate of DIO.

Location: Pasdaran Avenue, Next to Telecommunication Industry, Tehran 16588, Iran; Postal Box 89195/878, Yazd, Iran; P.O. Box 89195-678, Yazd, Iran; Km 5 of Taft Road, Yazd, Iran

A.K.A.: Yazd Ammunition Manufacturing and Metallurgy Industries, Directorate of Yazd Ammunition and Metallurgy Industries

Individuals

Javad Rahiqi: Head of the Atomic Energy Organization of Iran (AEOI) Esfahan Nuclear Technology Center (additional information: DOB: 24 April 1954; POB: Marshad).

ANNEX II

Entities owned or controlled by, or acting on behalf of the Islamic Revolutionary Guard Corps

1. **Fater (or Faater) Institute:** Khatam al-Anbiya (KAA) subsidiary. Fater has worked with foreign suppliers, likely on behalf of other KAA companies on IRGC projects in Iran.

2. **Gharagahe Sazandegi Ghaem:** Gharagahe Sazandegi Ghaem is owned or controlled by KAA.

3. **Ghorb Karbala:** Ghorb Karbala is owned or controlled by KAA.

4. **Ghorb Nooh:** Ghorb Nooh is owned or controlled by KAA.

5. **Hara Company:** Owned or controlled by Ghorb Nooh.

6. **Imensazan Consultant Engineers Institute:** Owned or controlled by, or acts on behalf of, KAA.

7. **Khatam al-Anbiya Construction Headquarters:** Khatam al-Anbiya Construction Headquarters (KAA) is an IRGC-owned company involved in large-scale civil and military construction projects and other engineering activities. It undertakes a significant amount of work on Passive Defense Organization projects. In particular, KAA subsidiaries were heavily involved in the construction of the uranium enrichment site at Qom/Fordow.

8. **Makin:** Makin is owned or controlled by or acting on behalf of KAA, and is a subsidiary of KAA.

9. **Omran Sahel:** Owned or controlled by Ghorb Nooh.

10. **Oriental Oil Kish:** Oriental Oil Kish is owned or controlled by or acting on behalf of KAA.

11. **Rah Sahel:** Rah Sahel is owned or controlled by or acting on behalf of KAA.

12. **Rahab Engineering Institute:** Rahab is owned or controlled by or acting on behalf of KAA, and is a subsidiary of KAA.

13. **Sahel Consultant Engineers:** Owned or controlled by Ghorb Nooh.

14. **Sepanir:** Sepanir is owned or controlled by or acting on behalf of KAA.

15. **Sepasad Engineering Company:** Sepasad Engineering Company is owned or controlled by or acting on behalf of KAA.

ANNEX III

Entities owned or controlled by, or acting on behalf of the Islamic Republic of Iran Shipping Lines (IRISL)

1. Irano Hind Shipping Company

Location: 18 Mehrshad Street, Sadaghat Street, Opposite of Park Mellat, Vali-e-Asr Ave., Tehran, Iran; 265, Next to Mehrshad, Sedaghat St., Opposite of Mellat Park, Vali Asr Ave., Tehran 1A001, Iran

2. IRISLBelux NV

Location: Noorderlaan 139, B-2030, Antwerp, Belgium; V.A.T. Number BE480224531 (Belgium)

3. South Shipping Line Iran (SSL)

Location: Apt. No. 7, 3rd Floor, No. 2, 4th Alley, Gandi Ave., Tehran, Iran; Qaem Magham Farahani St., Tehran, Iran

ANNEX IV

Proposal to the Islamic Republic of Iran by China, France, Germany, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland, the United States of America and the European Union

Presented to the Iranian authorities on 14 June 2008, Tehran

Possible areas of cooperation with Iran

In order to seek a comprehensive, long-term and proper solution of the Iranian nuclear issue consistent with relevant United Nations Security Council resolutions and building further upon the proposal presented to Iran in June 2006, which remains on the table, the elements below are proposed as topics for negotiations between China, France, Germany, Iran, Russia, the United Kingdom and the United States, joined by the High Representative of the European Union, as long as Iran verifiably suspends its enrichment-related and reprocessing activities, pursuant to paragraph 15 and paragraph 19 (a) of Security Council resolution 1803(2008). In the perspective of such negotiations, we also expect Iran to heed the requirements of the Security Council and the International Atomic Energy Agency. For their part, China, France, Germany, Russia, the United Kingdom, the United States and the European Union High Representative state their readiness:

—To recognize Iran's right to develop research, production and use of nuclear energy for peaceful purposes in conformity with its obligations under the Treaty on the Non-Proliferation of Nuclear Weapons;

—To treat Iran's nuclear programme in the same manner as that of any non-nuclear weapon State party to the Treaty on the Non-Proliferation of Nuclear Weapons once international confidence in the exclusively peaceful nature of Iran's nuclear programme is restored.

Nuclear energy

- Reaffirmation of Iran's right to nuclear energy for exclusively peaceful purposes in conformity with its obligations under the Treaty on the Non-Proliferation of Nuclear Weapons.
- Provision of technological and financial assistance necessary for Iran's peaceful use of nuclear energy, support for the resumption of technical cooperation projects in Iran by the International Atomic Energy Agency.
- Support for construction of light water reactors based on state-of-the-art technology.
- Support for research and development in nuclear energy as international confidence is gradually restored.
- Provision of legally binding nuclear fuel supply guarantees.
- Cooperation with regard to management of spent fuel and radioactive waste.

Political

- Improving the six countries' and the European Union's relations with Iran and building up mutual trust.
- Encouragement of direct contact and dialogue with Iran.
- Support Iran in playing an important and constructive role in international affairs.
- Promotion of dialogue and cooperation on non-proliferation, regional security and stabilization issues.
- Work with Iran and others in the region to encourage confidence-building measures and regional security.
- Establishment of appropriate consultation and cooperation mechanisms.
- Support for a conference on regional security issues.
- Reaffirmation that a solution to the Iranian nuclear issue would contribute to non-proliferation efforts and to realizing the objective of a Middle East free of weapons of mass destruction, including their means of delivery.
- Reaffirmation of the obligation under the Charter of the United Nations to refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State or in any other manner inconsistent with the Charter of the United Nations.
- Cooperation on Afghanistan, including on intensified cooperation in the fight against drug trafficking, support for programmes on the return of Afghan refugees to Afghanistan, cooperation on reconstruction of Afghanistan, cooperation on guarding the Iran-Afghan border.

Economic

Steps towards the normalization of trade and economic relations, such as improving Iran's access to the international economy, markets and capital through practical support for full integration into international structures, including the World Trade Organization, and to create the framework for increased direct investment in Iran and trade with Iran.

Energy partnership

Steps towards the normalization of cooperation with Iran in the area of energy: establishment of a long-term and wide-ranging strategic energy partnership between Iran and the European Union and other willing partners, with concrete and practical applications/measures.

Agriculture

- Support for agricultural development in Iran.
- Facilitation of Iran's complete self-sufficiency in food through cooperation in modern technology.

Environment, infrastructure

- Civilian projects in the field of environmental protection, infrastructure, science and technology, and high-tech:
 - Development of transport infrastructure, including international transport corridors;
 - Support for modernization of Iran's telecommunication infrastructure, including by possible removal of relevant export restrictions.

Civil aviation

- Civil aviation cooperation, including the possible removal of restrictions on manufacturers exporting aircraft to Iran:
 - Enabling Iran to renew its civil aviation fleet;
 - Assisting Iran to ensure that Iranian aircraft meet international safety standards.

Economic, social and human development/humanitarian issues

- Provide, as necessary, assistance to Iran's economic and social development and humanitarian need.
- Cooperation/technical support in education in areas of benefit to Iran:
 - Supporting Iranians to take courses, placements or degrees in areas such as civil engineering, agriculture and environmental studies;
 - Supporting partnerships between higher education institutions, e.g. public health, rural livelihoods, joint scientific projects, public administration, history and philosophy.
- Cooperation in the field of development of effective emergency response capabilities (e.g. seismology, earthquake research, disaster control, etc.).
- Cooperation within the framework of a "dialogue among civilizations".

Implementation mechanism

- Constitution of joint monitoring groups for the implementation of a future agreement.

VOTE ON RESOLUTION 1929(2010):

In favour: Austria, Bosnia and Herzegovina, China, France, Gabon, Japan, Mexico, Nigeria, Russian Federation, Uganda, United Kingdom, United States.

Against: Brazil, Turkey.

Abstaining: Lebanon.

IAEA report (September). In its September report [S/2010/465 & GOV/2010/46], IAEA stated that on 2 August, the Agency carried out a design information verification at the IR-40 reactor at Arak and verified that construction of the facility was ongoing. According to Iran, operation of the IR-40 reactor was planned to commence in 2013. Based on satellite imagery, the HWPP appeared to be in operation, but without access, the Agency was unable to verify Iran's statement that it had not suspended work on heavy water-related projects and could not fully report on the matter. Iran had also announced that construction at one of the venues selected for new enrichment facilities would commence around March 2011, but it had not provided IAEA with the necessary design information and access in accordance with Iran's Safeguards Agreement and Subsidiary Arrangements. The Agency said that Iran had objected to the designation of two inspectors who had recently conducted inspections in the country. IAEA rejected the basis upon which Iran sought to justify its objection, and was concerned that the repeated objection to the designation of experienced inspectors hampered the inspection process and detracted from the Agency's ability to implement safeguards in Iran.

Appointment of experts. On 5 November [S/2010/576], the Secretary-General informed the Security Council that he had appointed eight experts to the Panel of Experts, pursuant to paragraph 29 of resolution 1929(2010).

IAEA report (November). IAEA's report of November [GOV/2010/62] on developments since its September report stated that in a 2 November letter to Iran, the Agency reiterated its request that Iran make the necessary arrangements to provide the Agency with access to the HWPP, the heavy water stored at the UCF for taking samples, and any other location where heavy-water projects were being carried out. Iran replied that the Agency's requests had no legal basis since they did not fall within Iran's Safeguards Agreements and went beyond the relevant Security Council resolutions that requested only verification of suspension. Iran also stated that it had not suspended work on heavy water-related projects. As at 23 November, Iran had not provided the requested access.

On 8 November, the Agency carried out a design information verification at the IR-40 reactor at Arak and observed no significant change since the last report. In a 29 October letter, the Agency provided Iran with a list of matters remaining to be addressed, including: project management structure of the alleged studies related to nuclear explosives; nuclear-related safety arrangements for a number of the alleged projects; details of the manufacture of components for high explosives initiation systems; and experiments concerning the generation and detection of neutrons.

The Agency acknowledged Iran's submission of a revised design information questionnaire for the Fordow FEP and its advance notification to the Agency of the loading of fuel at the Bushehr Nuclear Power Plant. Iran had not implemented the requirements contained in the relevant Board of Governors and Security Council resolutions and had not suspended its enrichment-related activities.

Year-end developments. A later IAEA report [GOV/2011/7] covering developments from 23 November to the end of 2010 affirmed that while the Agency continued to verify the non-diversion of declared nuclear material at the nuclear facilities in Iran, the country had not provided the cooperation necessary to enable IAEA to provide credible assurance about the absence of undeclared nuclear material and activities, and to conclude that all nuclear material in Iran was in peaceful activities.

Sanctions

Sanctions Committee activities

On 31 December, the Chairman of the Sanctions Committee reported [S/2010/682] to the Security Council on its activities in 2010. During the year, the Committee held one informal consultation. By year's end, the Committee had received 92 reports pursuant to resolution 1737(2006), 79 reports pursuant to resolution 1747(2007), 68 reports pursuant to resolution 1803(2008) and 45 reports pursuant to resolution 1929(2010). The list of those reports was appended to the Committee's report.

During the year, the Committee received eight notifications from a Member State of the delivery of items for use in the nuclear power plant in Bushehr, Iran, and received five notifications from a Member State of exemptions to the freeze for transactions made prior to the sanctions. It also received reports of two new violations of paragraph 5 of resolution 1747(2007), which imposed an export ban on arms and related materiel on Iran.

In the first instance, by a letter dated 12 November, a Member State informed the Committee that, at one of its wharfs, its security authority had inspected and seized 13 shipping containers of illegal arms reportedly originating from Iran, and that a report on the results of its investigations would be forthcoming. The Committee recommended that the Member State retain and store the seized containers until the Committee had concluded its consideration of the matter, and encouraged the Member State to invite the Panel of Experts to visit and inspect the seized containers. In the second instance, by a note verbale dated 23 November, a Member State informed the Committee that, at one of its harbours, its customs and border authorities had inspected and seized a

container on board a vessel originating from Iran and destined for the Syrian Arab Republic that contained a high-potential explosive. Further investigations were being carried out by the Member State. The Committee dispatched a response with appropriate guidance to that State.

On 10 December, the Panel informed the Committee of its intention to visit the two reporting States, with the agreement of those States, in the near future. The Committee also noted that the apparent pattern of sanctions violations involving prohibited arms transfers from Iran was continuing.

Communications. On 22 April [A/64/757], Iran transmitted to the Secretary-General the conclusion of the Chairman of the Tehran Conference on Disarmament and Non-Proliferation (Tehran, 17–18 April).

During 2010, Iran sent communications to the Security Council on the non-proliferation and sanctions regime and related matters. In communications dated 26 March [S/2010/172], 13 April [A/64/745-S/2010/188] and 10 December [A/65/622-S/2010/634], Iran reiterated the peaceful character of its nuclear programme. Iran submitted related communications on 20 April [A/64/752-S/2010/203] and 4 August [A/64/893-S/2010/431].

Other issues

India–Pakistan

The United Nations Military Observer Group in India and Pakistan (UNMOGIP) continued in 2010 to monitor the situation in Jammu and Kashmir.

By a 15 December letter [S/2010/662], the Secretary-General informed the Security Council of his intention to appoint Major General Raul Gloodtdofsky Fernandez (Uruguay) as Chief Military Observer and Head of UNMOGIP, replacing Major General Kim Moon Hwa (Republic of Korea), who had completed his assignment on 27 November. The Council took note of his intention in a 21 December reply [S/2010/663].

Kyrgyzstan

In a 19 May letter [A/64/786] to the Secretary-General, the Russian Federation transmitted the statement on the situation in Kyrgyzstan by States members of the Collective Security Treaty Organization (CSTO)—Armenia, Belarus, Kazakhstan, Russian Federation, Tajikistan, Uzbekistan—adopted on 8 May. CSTO expressed concern about events in Kyrgyzstan in April that had led to an unconstitutional change of power, and condolences for the extensive loss of life

and property damage. CSTO also declared its readiness to provide humanitarian and other assistance in order to stabilize the situation.

In a 25 June letter [A/64/857-S/2010/360] to the Secretary-General and the Security Council President, the Russian Federation transmitted the 14 June CSTO statement concerning recent events in southern Kyrgyzstan that had resulted in numerous human casualties and had been accompanied by large-scale rioting, massacres and atrocities. CSTO called on the Kyrgyzstan interim Government to adopt measures to restore order in the country. CSTO had also prepared a proposal for reducing inter-ethnic tensions, containing the activities of criminal elements and gangs; ending extremist acts; and strengthening security along the frontiers.

In a 5 August press statement [SC/10005], the Council welcomed the briefing by Special Representative Miroslav Jenča on the work of the United Nations Regional Centre for Preventive Diplomacy for Central Asia and expressed appreciation for the Centre's assistance to countries in the region, in particular in the context of recent developments in Kyrgyzstan.

Elections. On 1 November [SG/SM/13218], the Secretary-General took note of the announcement of the results of parliamentary elections in Kyrgyzstan held on 10 October, which were assessed by observers as positive, transparent and well organized. He encouraged the timely formation of an inclusive Government that would ensure peace, stability and prosperity.

Pakistan

UN Commission of Inquiry

Following a request by Pakistan and consultations with Pakistani officials and the Security Council, the Secretary-General in February 2009 [YUN 2009, p. 398] established the United Nations Commission of Inquiry into the facts and circumstances of the assassination of former Prime Minister of Pakistan Benazir Bhutto [YUN 2007, p. 63]. The duty of carrying out a criminal investigation, finding the perpetrators and bringing them to justice remained with the Pakistani authorities. In December 2009, the Commission's mandate was extended to 31 March 2010 [YUN 2009, p. 399].

Commission of Inquiry report. The three-member Commission of Inquiry commenced its activities on 1 July 2009 and provided its report [S/2010/191] to the Secretary-General on 30 March 2010. The Commission conducted more than 250 interviews, meeting with Pakistani officials and private citizens, foreign citizens with knowledge of the events in Pakistan and members of the United Kingdom Metropolitan Police (Scotland Yard) team that had investigated aspects of the assassination. It also reviewed hundreds of documents, videos, photographs and other material pro-

vided by Pakistan's federal and provincial authorities and others. The report addressed the political and security context of former Prime Minister Bhutto's return to Pakistan; the security arrangements made for her by the Pakistani authorities as well as by her political party, the Pakistan Peoples Party (PPP); events immediately before and after the assassination; and the criminal investigations and actions of the Pakistani Government and police in the aftermath of the crime.

The main findings of the Commission indicated that Ms. Bhutto returned to Pakistan on 18 October 2007 in the context of a tenuous political agreement with the Pakistani President, General Pervez Musharraf, during an exceptionally violent year marked by sharp increases in violence both by Islamist extremists and by the State. She was murdered when a 15 year-old suicide bomber detonated his explosives near her vehicle as she was leaving a PPP event at Liaquat Bagh. The Government lacked a comprehensive security plan for Ms. Bhutto, and the assassination could have been prevented if the Rawalpindi District Police had taken adequate security measures. The additional PPP security arrangements were inadequate. Rawalpindi district police actions and omissions in the aftermath of the assassination inflicted irreparable damage to the investigation. Although Ms. Bhutto faced serious threats in Pakistan from Al-Qaida, the Taliban and local jihadi groups, the investigation focused on pursuing lower-level operatives. The Commission believed that the failures of the police and other officials to react effectively to the assassination were, in most cases, deliberate.

The Commission recommended that Pakistani authorities consider conducting an independent review to determine responsibilities and hold accountable those individuals who seriously failed in their duties. The Government might also consider a review of its security arrangements for persons requiring the highest level of security and consider measures to assign responsibility to an office at the federal level that would work with local police to implement the standing order and standard operating procedures. As Ms. Bhutto's assassination occurred against the backdrop of a history of political violence carried out with impunity, the Commission recommended that Pakistan establish an independent Truth and Reconciliation Commission to investigate political killings, disappearances and terrorism and to provide victims of political assassinations and terrorism material and moral reparations.

Communication. By a 23 June letter [A/64/845], Pakistan forwarded to the Secretary-General a letter from its Foreign Minister providing comments and observations on the Commission of Inquiry's report, including deficiencies which impaired the credibility of the report.

The Philippines

Children and armed conflict

In April, the Security Council Working Group on Children and Armed Conflict, established by resolution 1612(2005), submitted its conclusions on children and armed conflict in the Philippines [S/AC.51/2010/5], which contained the Group's exchange of views on the Secretary-General's January report [YUN 2009, p. 399], the participation of the Philippines in the discussion and the Group's agreed actions to be taken. The Group agreed to address a message to all parties to armed conflict in the Philippines, through a public statement by the Chairman, urging them to develop and implement action plans in line with Council resolutions 1612(2005) and 1882(2009) [ibid., p. 739] and emphasizing that the Group would continue to monitor progress on eliminating the violations and abuses by all parties to the conflict until there was a complete release and reintegration of children associated with them and full implementation of action plans. The Group emphasized its readiness to adopt further steps against persistent perpetrators if they did not abide by their obligations under international law with respect to children and armed conflicts. The Group also addressed messages to the leadership of the Moro Islamic Liberation Front and of the New People's Army, urging them to take various actions, and made recommendations for action to be taken by the Security Council.

Communication. On 30 December [S/2010/680], the Council President transmitted to the Secretary-General a letter from the Group's Chairman requesting the Secretary-General to enhance the capacity and ability of the task force to monitor and report on violations and abuses committed against children, and to explore strategies to establish monitoring mechanisms in restricted areas, such as in southwestern Mindanao.

Sri Lanka

Children and armed conflict

In June, the Security Council Working Group on Children and Armed Conflict, established by resolution 1612(2005), submitted its conclusions on children and armed conflict in Sri Lanka [S/AC.51/2010/2], which contained the Group's exchange of views on the report of the Special Envoy's mission to Sri Lanka from 5 to 11 December 2009 to assess the situation of children in the aftermath of military operations that led to the defeat of the Liberation Tigers of Tamil Eelam, ending the armed conflict. The document also contained the Group's response to the Secretary-General's 2009 report [YUN 2009, p. 398],

the participation of Sri Lanka in the discussion and the Group's agreed actions to be taken. The Group agreed to address a message to all stakeholders who had responsibility to cease and refrain from violations and abuses committed against children in Sri Lanka, through a statement by the Chairman, urging them to establish the whereabouts of all children who had been recruited and whose fate remained unknown. A message to the leaders of Tamil Makkal Viduthalai Pulikal urged it to track and release any children remaining within it and to refrain from any new recruitments or re-recruitment of children.

Communication. On 16 September [S/2010/487], the Council President transmitted to the Secretary-General a letter from the Group's Chairman requesting the Secretary-General to call upon the international community to continue to allocate funding for capacity-building in Sri Lanka for the protection of children, and to request various UN entities, in cooperation with the Government, to address socioeconomic issues that would contribute to addressing the welfare of children and provide further assistance in the implementation of rehabilitation and reintegration programmes.

Thailand–Cambodia

In 8 August letters [A/64/891-S/2010/426] to the Secretary-General and the Security Council President, Cambodia transmitted a letter from Prime Minister Hun Sen concerning the memorandum of understanding signed on 14 June 2000 between the Government of Cambodia and the Government of Thailand for the demarcation of the border, and the alleged threat of the use of military force against Cambodia to settle the border demarcation problem by the Thai Prime Minister during a public meeting with the People's Alliance for Democracy on 7 August.

In a 10 August response [A/64/892-S/2010/427], Thai Prime Minister Abhisit Vejjajiva informed the Secretary-General and the Security Council President that his remarks had been taken out of context and misunderstood, and said that Thailand remained committed to working closely and in good faith with Cambodia to achieve a peaceful resolution of differences between the two countries.

United Arab Emirates–Iran

The Greater Tunb, Lesser Tunb and Abu Musa

On 4 January [S/2010/18], the United Arab Emirates requested that the Security Council retain on its agenda for 2010 the item entitled "Letter dated 3 December 1971 from the Permanent Representatives of Algeria, Iraq, the Libyan Arab Republic and the People's Democratic Republic of Yemen to the United Nations addressed to the President of the Security Council" [YUN 1971, p. 209] concerning Iran's occupation of "the Greater Tunb, the Lesser Tunb and Abu Musa, three islands belonging to the United Arab Emirates", until such time as the dispute was resolved by peaceful means through direct negotiations or through the International Court of Justice.

The League of Arab States (LAS), in letters transmitted on 12 March [S/2010/144], 19 April [S/2010/204] and 5 October [S/2010/516], informed the Security Council of the adoption of two resolutions denouncing and one resolution rejecting the Iranian Government's continued consolidation of its occupation of the three islands. LAS also informed the Secretary-General and the Council President of the importance of the Council's remaining seized of the issue until Iran ended its occupation of the islands and the United Arab Emirates regained its full sovereignty over them.

Europe and the Mediterranean

In 2010, progress towards the restoration of peace and stability in the post-conflict countries in the European and Mediterranean region was slow and difficult, as efforts to re-establish their institutions and social and economic infrastructure continued. A number of issues remained unresolved.

The international community, led by the European Union (EU), continued to assist Bosnia and Herzegovina to move towards full integration into Europe through the EU Stabilization and Association Process. Visa liberalization for Bosnia and Herzegovina citizens holding biometric passports came into effect on 15 December. General elections, held on 3 October, were assessed as being generally free and fair by the international election observation missions. Nevertheless, no further progress was achieved in addressing key reforms required for further EU integration.

The situation in northern Kosovo remained unstable, and tensions grew in the aftermath of the 22 July International Court of Justice (ICJ) advisory opinion on Kosovo's declaration of independence, which concluded that "the adoption of that declaration did not violate any applicable rule of international law". Following the ICJ decision, the General Assembly on 9 September adopted a resolution welcoming the readiness of the EU to facilitate a process of dialogue between Pristina (Kosovo) and Belgrade (Serbia).

Although the United Nations continued to support the negotiation process to find a solution to the dispute between Greece and the former Yugoslav Republic of Macedonia regarding the name of the latter country, the issue remained unresolved at year's end.

The Georgian-Abkhaz peace process continued to be affected by the August 2008 war in South Ossetia and its aftermath and by Georgian-Russian relations. International discussions under the co-chairmanship of the EU, the United Nations and the Organization for Security and Cooperation in Europe to address security, stability and humanitarian issues in Georgia continued to be held throughout the year. On 7 September, the Assembly adopted a resolution on the status of internally displaced persons and refugees from Abkhazia, Georgia, and the Tskhinvali region/South Ossetia, Georgia, in which it called on all participants in the international discussions to ensure respect for human rights and create favourable security conditions conducive to the voluntary, safe, dignified and unhindered return of all internally displaced persons and refugees to their places of origin.

No progress was made towards the settlement of the conflict between Armenia and Azerbaijan over the occupied Nagorny Karabakh region of Azerbaijan.

The United Nations continued efforts through the Secretary-General's good offices to help resolve the Cyprus problem. Progress was made in the United Nations-sponsored peace talks, in particular the intensive rounds of early 2010, which generated increasing international focus on reaching a lasting solution in Cyprus. The United Nations Peacekeeping Force in Cyprus continued to cooperate with the two communities, to facilitate projects benefiting Greek and Turkish Cypriots in the buffer zone and to advance the goal of restoring normal conditions and humanitarian functions on the island.

During the year, the Assembly adopted a number of resolutions concerning security in the Mediterranean and on cooperation with European intergovernmental organizations.

Bosnia and Herzegovina

In 2010, the international community continued to assist the two entities composing the Republic of Bosnia and Herzegovina—the Federation of Bosnia and Herzegovina (where mainly Bosnian Muslims (Bosniacs) and Bosnian Croats resided) and the Republika Srpska (where mostly Bosnian Serbs resided)—in implementing the 1995 General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (the Peace Agreement) [YUN 1995, p. 544]. Since the conclusion and withdrawal of the United Nations Mission in Bosnia and Herzegovina (UNMIBH) in December 2002 [YUN 2002, p. 359], those efforts had been led by the European Union (EU) and accomplished through the activities of: the Office of the High Representative (OHR) for the Implementation of the Peace Agreement on Bosnia and Herzegovina, responsible for the Agreement's civilian aspects [YUN 1996, p. 293]; the European Union Police Mission in Bosnia and Herzegovina (EUPM), responsible for helping develop sustainable policing arrangements, which was launched on 1 January 2003 [YUN 2003, p. 409] to ensure follow-on to UNMIBH; and the European Union Force (EUFOR) mission, responsible for the Agreement's military aspects, which were transferred to it by the

North Atlantic Treaty Organization (NATO) in 2004 [YUN 2004, p. 401]. The Peace Implementation Council (PIC) and its Steering Board continued to monitor and facilitate the Agreement's implementation.

The High Representative reported on progress made in the Agreement's implementation process and related political developments during the year in the context of his mission implementation plan, which set out a number of core tasks to be accomplished [YUN 2003, p. 401].

On 15 December, a new visa regime came into effect that allowed Bosnia and Herzegovina citizens who were in possession of a valid Bosnia and Herzegovina biometric passport entry into Europe's borderless Schengen area, Bulgaria and Romania without a visa. The 3 October general elections were held peacefully and assessed to be generally in line with international standards. The regional situation continued to develop positively, with Croatia, Montenegro, Serbia and Turkey all playing increasingly constructive roles vis-à-vis Bosnia and Herzegovina. Progress was made on regional judicial cooperation regarding enforcement of court decisions in criminal matters. After a two-year delay, the Bosnia and Herzegovina House of Peoples, on 24 June, adopted a revised strategy aimed at closing the chapter of displacement by the end of 2014.

Despite those achievements, no progress was achieved in addressing key reforms required for further progress towards EU and NATO integration. Nationalistic and divisive rhetoric disputing the sovereignty and constitutional order of Bosnia and Herzegovina increased substantially within both entities in the run-up to the October general elections and continued afterwards. As a result, there was no concrete progress in delivering the reforms required for the closure of OHR.

The Security Council, by **resolution 1948(2010)** of 18 November, extended the mandate of EUFOR for a further twelve-month period (see p. 413).

Implementation of Peace Agreement

Civilian aspects

The civilian aspects of the 1995 Peace Agreement entailed a broad range of activities, including humanitarian aid and resources for infrastructure rehabilitation, establishment of political and constitutional institutions, promotion of respect for human rights and the holding of free and fair elections. The High Representative for the Implementation of the Peace Agreement, who chaired the PIC Steering Board and other key implementation bodies, was the final authority with regard to implementing the civilian aspects of the Peace Agreement [YUN 1996, p. 293].

Office of High Representative

Reports of High Representative. The High Representative, Valentin Inzko (Austria), reported to the Council through the Secretary-General on the peace implementation process for the periods 1 November 2009 to 30 April 2010 [S/2010/235], 1 May to 15 October [S/2010/575] and 16 October to 20 April 2011 [S/2011/283] (see below). The Council considered the reports of the High Representative on 24 May [S/PV.6319] and 11 November [S/PV.6421].

OHR-EUSR transition. While some gains were achieved in 2010 in the remaining objectives and conditions [YUN 2009, p. 402] for a transition from OHR to an EU Special Representative (EUSR) presence, progress was limited. The PIC Steering Board thus determined that OHR should remain in place. In working towards transition, the OHR Mostar bureau was closed on 30 June and the staff in the Brcko District bureau was significantly reduced.

Political situation

In 2010, Bosnia and Herzegovina completed the conditions required for visa liberalization with the EU. The European Parliament voted on 7 October to grant visa-free travel to citizens of Bosnia and Herzegovina. On 8 November, the EU member States decided to abolish short-term visa requirements for Bosnia and Herzegovina citizens holding biometric passports. That decision entered into force on 15 December and was widely welcomed and celebrated in the country.

Bosnia and Herzegovina also continued to benefit from improved and constructive relations with its immediate neighbours—Croatia, Montenegro and Serbia—creating perhaps a better regional political environment than at any time since the signing of the Dayton Peace Agreement, according to the High Representative.

Despite progress on the Euro-Atlantic agenda and improved relations in the region, the overall political climate inside Bosnia and Herzegovina continued to be negative. Before the October general elections, divisive anti-Dayton rhetoric disputing the sovereignty and constitutional order of Bosnia and Herzegovina increased markedly. Also, the Republika Srpska adopted a new law governing the holding of referendums in that entity, and other actions threatened earlier achievements in coping with and overcoming the country's legacy of war crimes.

While Republika Srpska leaders focused attacks on the State of Bosnia and Herzegovina and its institutions, the Federation also experienced a number of negative political developments. They included attempts to roll back the reform of the civil service and to politicize it, and steps to shift responsibilities such as education, culture and public administration from the

Federation down to the cantons. In the run-up to the October general elections, some Croat political leaders openly called for the creation of a third entity within Bosnia and Herzegovina and expressed dissatisfaction with elements of the electoral system. In that context, relations among members of the governing coalition in the Federation remained strained.

The general elections were held on 3 October and were assessed to be generally free and fair by international election observation missions. The election results were continued on 2 November and the new Bosnia and Herzegovina Presidency was sworn in on 10 November. Government formation, however, was prevented by political disputes between two political blocs and by significant delays by some cantons in appointing their delegates to the Federation House of Peoples. As a result, no State-level Government had been established as at the end of the year and a caretaker Government had been in place at the State level since the elections.

Bosnia and Herzegovina made no progress during the year in meeting the remaining objectives and conditions necessary for the OHR transformation to a reinforced EU presence. In fact, backsliding occurred with regard to State and defence property, and there were also difficulties in implementing the objectives related to fiscal sustainability and the rule of law. On 14 September, the Republika Srpska government took unilateral steps to regulate State property by adopting its own State Property Law which, if implemented, would make the completion of five objectives and two conditions [YUN 2008, p. 429] for the closure of OHR more difficult, specifically in relation to the apportionment of State and defence property. Further, no progress was made on constitutional reform, as the working group established by the Council of Ministers in February to implement the ruling of 22 December 2009 of the Grand Chamber of the European Court of Human Rights in the *Sejdic-Finci* case—brought by two Bosnians of Roma and Jewish descent to challenge the Constitution's provision that only ethnic Bosnians, Croats and Serbs could be accepted to the Presidency and the House of Peoples—failed to reach agreement.

With regard to cooperation with the International Tribunal for the Former Yugoslavia (see p. 1290), OHR continued to support international and national elements in their efforts to arrest fugitive Ratko Mladic and degrade his support network inside Bosnia and Herzegovina.

As to the return of refugees and displaced persons, the Bosnia and Herzegovina House of Peoples, on 24 June after a two-year delay, adopted a revised Strategy for the Implementation of Annex 7 of the General Framework Agreement for Peace, which aimed to close the chapter of displacement in the country by the end of 2014. Due to the absence of

a new government, however, no progress had been achieved by the end of the year. The Office of the United Nations High Commissioner for Refugees in Bosnia and Herzegovina remained the lead international agency for displaced persons and refugees in the country.

Concerning Brcko District, Republika Srpska complied with the High Representative's 2009 Decisions on the Brcko District's electricity supply [YUN 2009, p. 405]. However, Republika Srpska continued to send signals that raised questions about its commitment to fundamental provisions of the Brcko Final Award [YUN 1999, p. 324].

Other topics covered in the High Representative's reports included Mostar, defence and intelligence reform and decertified police officers.

Judicial reform

In 2010, progress was made in implementing the 2008 National Strategy for War Crimes Processing [YUN 2008, p. 430]. A database of outstanding war crimes cases was established and the categorization of those cases had started. Notably, the number of indictments in war crimes cases in 2010 increased significantly in comparison to previous years. Also, the transfer of cases from the State to the entity level had begun.

Progress was also made on regional judicial cooperation regarding enforcement of court decisions. In February, Bosnia and Herzegovina signed amended agreements on mutual enforcement of court decisions in criminal matters with Croatia and Serbia, and on legal aid in civil and criminal matters with Serbia. The Bosnia and Herzegovina Ministry of Justice also reached agreements on the mutual enforcement of court decisions in criminal matters and on legal aid with Montenegro in July. The agreements were signed to prevent convicted persons from fleeing to neighbouring countries to avoid punishment. By the end of September, the Bosnia and Herzegovina Ministry of Justice had received four requests for enforcement of criminal sanctions from Serbia and 28 from Croatia, and had forwarded 38 to Serbia and 32 to Croatia. Bosnia and Herzegovina had started addressing those requests and confirmed the eight-year sentence rendered in Croatia in the high-profile case against politician Branimir Glavas for war crimes against civilians.

Economic reform

On 24 March, the International Monetary Fund (IMF) Executive Board completed the first review of Bosnia and Herzegovina's economic performance under the standby arrangement [YUN 2009, p. 403] and approved the immediate disbursement of the second and the third tranches of IMF funding, totalling €138.4 million. In May, an IMF mission visited

Bosnia and Herzegovina for the second review of the country's performance under the standby arrangement. IMF notified the Bosnia and Herzegovina authorities on 20 September of the latter's completion of the prior actions agreed with the mission. That allowed the IMF Executive Board, on 15 October, to complete the second and the third review of economic performance under the standby arrangement, thus freeing up some €133 million.

Public administration reform

Limited progress was made in public administration reform in 2010, and the civil service continued to be a target for attempts by leaders to allow greater political control over appointments. The 2006 Bosnia and Herzegovina Public Administration Reform Strategy and its various action plans [YUN 2006, p. 456] remained only partially implemented; however, a new Public Administration Reform Coordinator was appointed.

Numerous senior service appointments remained long overdue at the State level. During the year, there was a rollback of crucial reforms in the Federation that were sponsored by the international community, including measures by five cantons towards establishing their own civil service legislation, following a May decision by the Federation Constitutional Court declaring certain provisions of the Federation Civil Service Law unconstitutional. In October, the Federation Constitutional Court adopted another decision that weakened Federation institutions and opened the door to further Constitutional Court challenges to Federation and cantonal legislation. In the ruling, the Court determined that certain articles of the Law on Federation Ministries were not in accordance with provisions of the Federation Constitution, and that education and cultural policy were in the domain of the cantons. As a result, the majority of the cantons took steps towards establishing their own civil service administrations.

Media development

The reform of the public broadcasting system in Bosnia and Herzegovina continued to proceed slowly. Owing to the continuing lack of political support for the creation of a unified system, cooperation among the three public broadcasters remained poor. Many elements of the State-level public broadcasting system law, adopted in 2005 [YUN 2005, p. 462], had not been put into effect. The Public Broadcasting System Board had yet to adopt a statute and to register the Public Broadcasting Corporation (responsible for streamlining the activities of the three broadcasters).

The Communications Regulatory Agency, in charge of regulating the telecommunications and electronic media sectors, remained in a dif-

ficult position due to the continuing failure of the authorities to appoint either its Council or its General Director.

In terms of media freedom, 2010 was again characterized by numerous assaults by political parties on that ideal. During the pre-election period, the High Representative once again had to remind political parties that the media should be allowed to report freely, accurately and fairly from all parts of the country. Particularly alarming were efforts by political parties to deny certain media access to information or to try to influence their editorial policies. In the light of direct budgetary funding to public and private media outlets, the Organization for Security and Cooperation in Europe (OSCE) had to call on government institutions to improve their transparency when engaging with the media sector.

Relations with other countries

Bosnia and Herzegovina's relations with other countries in the region continued to develop positively. On 30 March, Serbia's Parliament passed a landmark resolution condemning crimes committed in Srebrenica in July 1995 [YUN 1995, p. 529], which represented an important step towards easing tensions between the two countries. The President of Serbia, Boris Tadic, and the newly elected President of Croatia, Ivo Josipovic, visited Bosnia and Herzegovina in April; they urged moderation, pressed for reconciliation and publicly supported the sovereignty and territorial integrity of Bosnia and Herzegovina. On 11 July, high-level representatives of neighbouring countries, including President Tadic, attended the Srebrenica commemorations. Those visits not only furthered regional cooperation and reconciliation, but also created an opportunity to deliver concrete progress on a wide range of outstanding issues, including increased cooperation in the judicial sector.

Turkey also played an important role by holding trilateral talks with Croatia and Bosnia and Herzegovina, on one hand, and Serbia and Bosnia and Herzegovina, on the other. As a result, Belgrade granted *agrément* to Bosnia and Herzegovina's Ambassador-designate to Serbia, who was accredited in March. Moreover, the Istanbul Declaration, signed in late April by the Presidents of Bosnia and Herzegovina, Serbia and Turkey, committed the three countries to improving their relations and to supporting the territorial integrity and Euro-Atlantic integration prospects of Bosnia and Herzegovina.

Communication. On 28 January [S/2010/51], Turkey transmitted to the Security Council the Conclusions on developments in Bosnia and Herzegovina of the second meeting of the Political Directors of the South-East European Cooperation Process (Antalya, Turkey, 25 January).

SECURITY COUNCIL ACTION

On 18 November [meeting 6426], the Security Council unanimously adopted **resolution 1948(2010)**. The draft [S/2010/582] was submitted by Austria, France, Germany, Italy, the Russian Federation, Turkey, the United Kingdom and the United States.

The Security Council,

Recalling all its previous relevant resolutions concerning the conflicts in the former Yugoslavia and the relevant statements by its President, including resolutions 1031(1995) of 15 December 1995, 1088(1996) of 12 December 1996, 1423(2002) of 12 July 2002, 1491(2003) of 11 July 2003, 1551(2004) of 9 July 2004, 1575(2004) of 22 November 2004, 1639(2005) of 21 November 2005, 1722(2006) of 21 November 2006, 1764(2007) of 29 June 2007, 1785(2007) of 21 November 2007, 1845(2008) of 20 November 2008, 1869(2009) of 25 March 2009 and 1895(2009) of 18 November 2009,

Reaffirming its commitment to the political settlement of the conflicts in the former Yugoslavia, preserving the sovereignty and territorial integrity of all States there within their internationally recognized borders,

Emphasizing its full support for the continued role in Bosnia and Herzegovina of the High Representative for Bosnia and Herzegovina,

Underlining its commitment to support the implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement"), as well as the relevant decisions of the Peace Implementation Council,

Recalling all the agreements concerning the status of forces referred to in appendix B to annex 1-A of the Peace Agreement, and reminding the parties of their obligation to continue to comply therewith,

Recalling also the provisions of its resolution 1551(2004) concerning the provisional application of the status-of-forces agreements contained in appendix B to annex 1-A of the Peace Agreement,

Emphasizing its appreciation to the High Representative, the Commander and personnel of the multinational stabilization force (the European Union Force), the Senior Military Representative and personnel of the North Atlantic Treaty Organization Headquarters Sarajevo, the Organization for Security and Cooperation in Europe, the European Union and the personnel of other international organizations and agencies in Bosnia and Herzegovina for their contributions to the implementation of the Peace Agreement,

Welcoming the adoption by the authorities of Bosnia and Herzegovina of a strategy for the implementation of annex 7 of the Peace Agreement, focused on the strategy for the return of refugees, and emphasizing that a comprehensive and co-ordinated return of refugees and displaced persons throughout the region continues to be crucial to lasting peace,

Recalling the declarations of the ministerial meetings of the Peace Implementation Council,

Recognizing that full implementation of the Peace Agreement is not yet complete, while paying tribute to the achievements of the authorities at State and entity level in Bosnia and Herzegovina and of the international community in the fifteen years since the signing of the Peace Agreement,

Emphasizing the importance of Bosnia and Herzegovina's progress towards Euro-Atlantic integration on the basis of the Peace Agreement, while recognizing the importance of Bosnia and Herzegovina's transition to a functional, reform-oriented, modern and democratic European country,

Taking note of the reports of the High Representative, including his latest report, of 21 October 2010,

Determined to promote the peaceful resolution of the conflicts in accordance with the purposes and principles of the Charter of the United Nations,

Recalling the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel of 9 December 1994 and the statement by its President of 9 February 2000,

Welcoming and encouraging efforts by the United Nations to sensitize peacekeeping personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its peacekeeping operations,

Welcoming the decision taken by the Ministers for Foreign Affairs of the European Union on 25 January 2010 to start providing non-executive capacity-building and training support, within the framework of Operation Althea,

Welcoming also the conclusions of the Ministers for Foreign Affairs of the European Union on 25 October 2010, which confirmed the commitment of the European Union to a continuing executive mandate for the European Union Force to support Bosnia and Herzegovina's efforts to maintain the safe and secure environment, under a renewed United Nations mandate, as well as to the continuing provision of non-executive capacity-building and training support in order to contribute to strengthening local ownership and capacity,

Recalling the letters between the European Union and the North Atlantic Treaty Organization sent to the Security Council on 19 November 2004 on how those organizations will cooperate together in Bosnia and Herzegovina, in which both organizations recognize that the European Union Force will have the main peace stabilization role under the military aspects of the Peace Agreement,

Recalling also the confirmation by the Presidency of Bosnia and Herzegovina, on behalf of Bosnia and Herzegovina, including its constituent entities, of the arrangements for the European Union Force and the North Atlantic Treaty Organization Headquarters presence,

Welcoming the increased engagement of the European Union in Bosnia and Herzegovina and the continued engagement of the North Atlantic Treaty Organization,

Reiterating once again its calls upon the authorities in Bosnia and Herzegovina to implement in full their undertakings, as also confirmed in the declaration by the Steering Board of the Peace Implementation Council of 30 June 2010, and recognizing, in particular, the need to find a solution on State and defence property,

Welcoming the increased turnout and orderly conduct of the elections on 3 October 2010, which have been generally in line with international standards, and calling upon the political leaders elected now to engage constructively in a political dialogue and form new governments that will address with urgency important policies and priorities,

Welcoming also the decision of the European Union on 8 November 2010 to grant visa-free entry to citizens of Bosnia and Herzegovina as a concrete step forward in the country's path towards the European Union,

Calling upon all Bosnia and Herzegovina's political leaders to refrain from divisive rhetoric and to make further concrete and tangible progress towards European Union integration,

Determining that the situation in the region continues to constitute a threat to international peace and security,

Acting under Chapter VII of the Charter,

1. *Reaffirms once again its support* for the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement"), as well as for the Dayton Agreement on Implementing the Federation of Bosnia and Herzegovina of 10 November 1995, and calls upon the parties to comply strictly with their obligations under those Agreements;

2. *Reiterates* that the primary responsibility for the further successful implementation of the Peace Agreement lies with the authorities in Bosnia and Herzegovina themselves and that the continued willingness of the international community and major donors to assume the political, military and economic burden of implementation and reconstruction efforts will be determined by the compliance and active participation by all the authorities in Bosnia and Herzegovina in implementing the Peace Agreement and rebuilding a civil society, in particular in full cooperation with the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, in strengthening joint institutions, which foster the building of a fully functioning self-sustaining State able to integrate itself into the European structures, and in facilitating returns of refugees and displaced persons;

3. *Reminds* the parties once again that, in accordance with the Peace Agreement, they have committed themselves to cooperate fully with all entities involved in the implementation of this peace settlement, as described in the Peace Agreement, or which are otherwise authorized by the Security Council, including the International Tribunal for the Former Yugoslavia, as it carries out its responsibilities for dispensing justice impartially, and underlines that full cooperation by States and entities with the Tribunal includes, inter alia, the surrender for trial or apprehension of all persons indicted by the Tribunal and the provision of information to assist in Tribunal investigations;

4. *Emphasizes its full support* for the continued role of the High Representative for Bosnia and Herzegovina in monitoring the implementation of the Peace Agreement and giving guidance to and coordinating the activities of the civilian organizations and agencies involved in assisting the parties to implement the Peace Agreement, and reaffirms that, under annex 10 of the Peace Agreement, the High Representative is the final authority in theatre regarding the interpretation of civilian implementation of the Peace Agreement and that, in case of dispute, he may give his interpretation and make recommendations, and make binding decisions as he judges necessary on issues as elaborated by the Peace Implementation Council in Bonn, Germany, on 9 and 10 December 1997;

5. *Expresses its support* for the declarations of the ministerial meetings of the Peace Implementation Council;

6. *Reaffirms* its intention to keep implementation of the Peace Agreement and the situation in Bosnia and Herzegovina under close review, taking into account the re-

ports submitted pursuant to paragraphs 18 and 21 below, and any recommendations those reports might include, and its readiness to consider the imposition of measures if any party fails significantly to meet its obligations under the Peace Agreement;

7. *Recalls* the support of the authorities of Bosnia and Herzegovina for the European Union Force and the continued North Atlantic Treaty Organization presence and their confirmation that both are the legal successors to the Stabilization Force for the fulfilment of their missions for the purposes of the Peace Agreement, its annexes and appendices and relevant Security Council resolutions and can take such actions as are required, including the use of force, to ensure compliance with annexes 1-A and 2 of the Peace Agreement and relevant Council resolutions;

8. *Pays tribute* to those Member States which participated in the multinational stabilization force (the European Union Force), and in the continued North Atlantic Treaty Organization presence, established in accordance with its resolution 1575(2004) and extended by its resolutions 1639(2005), 1722(2006), 1785(2007), 1845(2008) and 1895(2009), and welcomes their willingness to assist the parties to the Peace Agreement by continuing to deploy a multinational stabilization force (the European Union Force) and by maintaining a continued North Atlantic Treaty Organization presence;

9. *Welcomes* the intention of the European Union to maintain a European Union military operation to Bosnia and Herzegovina from November 2010;

10. *Authorizes* the Member States acting through or in cooperation with the European Union to establish for a further period of twelve months, starting from the date of the adoption of the present resolution, a multinational stabilization force (the European Union Force) as a legal successor to the Stabilization Force under unified command and control, which will fulfil its missions in relation to the implementation of annexes 1-A and 2 of the Peace Agreement in cooperation with the North Atlantic Treaty Organization Headquarters presence in accordance with the arrangements agreed between the North Atlantic Treaty Organization and the European Union as communicated to the Security Council in their letters of 19 November 2004, which recognize that the European Union Force will have the main peace stabilization role under the military aspects of the Peace Agreement;

11. *Welcomes* the decision of the North Atlantic Treaty Organization to continue to maintain a presence in Bosnia and Herzegovina in the form of a North Atlantic Treaty Organization Headquarters in order to continue to assist in implementing the Peace Agreement in conjunction with the European Union Force, and authorizes the Member States acting through or in cooperation with the North Atlantic Treaty Organization to continue to maintain a North Atlantic Treaty Organization Headquarters as a legal successor to the Stabilization Force under unified command and control, which will fulfil its missions in relation to the implementation of annexes 1-A and 2 of the Peace Agreement in cooperation with the European Union Force in accordance with the arrangements agreed between the North Atlantic Treaty Organization and the European Union as communicated to the Security Council in their letters of

19 November 2004, which recognize that the European Union Force will have the main peace stabilization role under the military aspects of the Peace Agreement;

12. *Reaffirms* that the Peace Agreement and the provisions of its previous relevant resolutions shall apply to and in respect of both the European Union Force and the North Atlantic Treaty Organization presence as they have applied to and in respect of the Stabilization Force and that, therefore, references in the Peace Agreement, in particular in annex 1-A and the appendices thereto, and in relevant resolutions to the Implementation Force and/or the Stabilization Force, the North Atlantic Treaty Organization and the North Atlantic Council shall be read as applying, as appropriate, to the North Atlantic Treaty Organization presence, the European Union Force, the European Union and the Political and Security Committee and Council of the European Union respectively;

13. *Expresses its intention* to consider the terms of further authorization as necessary in the light of developments in the implementation of the Peace Agreement and the situation in Bosnia and Herzegovina;

14. *Authorizes* the Member States acting under paragraphs 10 and 11 above to take all necessary measures to effect the implementation of and to ensure compliance with annexes 1-A and 2 of the Peace Agreement, and stresses that the parties shall continue to be held equally responsible for the compliance with those annexes and shall be equally subject to such enforcement action by the European Union Force and the North Atlantic Treaty Organization presence as may be necessary to ensure the implementation of those annexes and the protection of the European Union Force and the North Atlantic Treaty Organization presence;

15. *Authorizes* Member States to take all necessary measures, at the request of either the European Union Force or the North Atlantic Treaty Organization Headquarters, in defence of the European Union Force or the North Atlantic Treaty Organization presence respectively, and to assist both organizations in carrying out their missions, and recognizes the right of both the European Union Force and the North Atlantic Treaty Organization presence to take all necessary measures to defend themselves from attack or threat of attack;

16. *Authorizes* the Member States acting under paragraphs 10 and 11 above, in accordance with annex 1-A of the Peace Agreement, to take all necessary measures to ensure compliance with the rules and procedures governing command and control of airspace over Bosnia and Herzegovina with respect to all civilian and military air traffic;

17. *Demands* that the parties respect the security and freedom of movement of the European Union Force, the North Atlantic Treaty Organization presence and other international personnel;

18. *Requests* the Member States acting through or in cooperation with the European Union and the Member States acting through or in cooperation with the North Atlantic Treaty Organization to report to the Security Council on the activity of the European Union Force and the North Atlantic Treaty Organization Headquarters presence respectively, through the appropriate channels and at least at three-monthly intervals;

19. *Invites* all States, in particular those in the region, to continue to provide appropriate support and facilities, including transit facilities, for the Member States acting under paragraphs 10 and 11 above;

20. *Reiterates its appreciation* for the deployment by the European Union of its Police Mission to Bosnia and Herzegovina since 1 January 2003;

21. *Requests* the Secretary-General to continue to submit to the Security Council reports of the High Representative, in accordance with annex 10 of the Peace Agreement and the conclusions of the Peace Implementation Conference held in London on 4 and 5 December 1996, and later Peace Implementation Conferences, on the implementation of the Peace Agreement and, in particular, on compliance by the parties with their commitments under that Agreement;

22. *Decides* to remain seized of the matter.

Military and police aspects

EUFOR

The European Union Force (EUFOR) mission in Bosnia and Herzegovina executed the military aspects of the Peace Agreement as specified in annexes 1-A and 2, which were transferred to it by NATO in 2004 [YUN 2004, p. 401]. Its 2010 activities were described in four reports, covering the periods from 1 December 2009 to 28 February 2010 and 1 March to 31 May 2010 [S/2010/510], 1 June to 31 August [S/2010/656] and 1 September 2010 to 28 February 2011 [S/2012/138], submitted by the EU High Representative for Foreign Affairs and Security Policy in accordance with various Security Council resolutions.

At year's end, the force of some 1,300 EUFOR troops was concentrated in Sarajevo, with liaison and observation teams deployed throughout Bosnia and Herzegovina. EUFOR continued to implement its key military tasks of supporting the country's efforts to maintain a safe and secure environment and providing capacity-building and training support to the armed forces of Bosnia and Herzegovina. It also continued to support the national law enforcement agencies in fighting organized crime, in close cooperation with the European Union Police Mission and the International Tribunal for the Former Yugoslavia in the search for persons indicted for war crimes. On 25 January, the EU Council decided to start providing the armed forces of Bosnia and Herzegovina with non-executive capacity-building and training support; full operational capability was achieved on 1 July.

EUPM

The European Union Police Mission (EUPM), which was established as part of a broader rule-of-law approach and welcomed by the Security Council in presidential statement S/PRST/2002/33 [YUN 2002, p. 363], became operational on 1 January 2003. In 2010, EUPM

continued to support the development of Bosnia and Herzegovina's law enforcement agencies in the fight against organized crime and corruption. It also aided cooperation between police and prosecutors and between police and the prison structure, and promoted accountability within police bodies. The Mission also continued its work on the harmonization of the legal framework for police officers and police bodies and supported implementation of the police reform laws of April 2008 [YUN 2008, p. 434] through its mentoring of the Directorate for Police Coordination. All bodies and agencies foreseen by the 2008 police reform laws were formally established and possessed the necessary conditions to begin to function.

Kosovo

In 2010, the United Nations Interim Administration Mission in Kosovo (UNMIK) continued to fulfil its mandate based on Security Council resolution 1244(1999) [YUN 1999, p. 353] and in line with the reconfigured functions outlined in the Secretary-General's November 2008 report [YUN 2008, p. 441] and with presidential statement S/PRST/2008/44 [ibid., p. 442]. The Mission's reconfiguration [YUN 2009, p. 409] followed Kosovo's declaration of independence in February 2008 [YUN 2008, p. 437], the entry into force of the Kosovo Constitution on 15 June [ibid., p. 439], and the deployment of the European Union Rule of Law Mission in Kosovo (EULEX) throughout Kosovo in December [ibid., p. 442]. UNMIK activities focused primarily on the promotion of security, stability and respect for human rights. OSCE, the Kosovo Force (KFOR) and EULEX maintained their roles that complemented UNMIK within the framework of resolution 1244(1999). Serbia condemned Kosovo's declaration of independence and maintained that action by Kosovo's Provisional Institutions of Self-Government violated resolution 1244(1999), which reaffirmed Serbia's sovereignty and territorial integrity, including Kosovo and Metohija.

The International Court of Justice (ICJ), in a 22 July advisory opinion, concluded that Kosovo's declaration of independence did not violate any applicable rule of international law. Serbia stated that the main issues arising from Kosovo's unilateral declaration of independence remained unanswered. In September, the General Assembly acknowledged the ICJ advisory opinion and welcomed EU readiness to facilitate dialogue between Belgrade and Pristina.

By the end of 2010, Kosovo had been recognized by 72 States. The United Nations position on Kosovo was of status neutrality.

Political and security developments

Reports of Secretary-General. The Secretary-General reported on the implementation of the mandate of UNMIK, covering the periods from 16 December 2009 to 15 March 2010 [S/2010/169], 16 March to 15 July [S/2010/401], 16 July to 18 October [S/2010/562], and 19 October to 15 January 2011 [S/2011/43].

In 2010, UNMIK continued to engage proactively with all communities, as well as with Belgrade and Pristina and international actors, in furthering peace and stability in Kosovo and the region. The Special Representative continued to cultivate good faith relations with all sides to encourage dialogue and bridge differences. He maintained close cooperation with EULEX, which had been established within the status-neutral framework of the United Nations. UNMIK efforts were complemented by the humanitarian and development activities of the UN agencies, funds and programmes.

Following the 22 July issuance of the ICJ advisory opinion on Kosovo's declaration of independence (see p. 1286), political tensions in northern Kosovo increased. On 7 September, the Assembly of the Union of Serbian Municipalities and Settlements in Kosovo and Metohija declared that the Kosovo Serbs were citizens of Serbia, and that no illegal and violent acts could change that state of affairs. On 15 September, the Assembly met to protest General Assembly **resolution 64/298** of 9 September (see p. 1287) on Kosovo and denounced the Serbian President, calling on him to resign. The Secretary-General encouraged the parties to engage in constructive dialogue and urged all sides to avoid any steps that could be seen as provocative and derail the dialogue.

The Secretary-General reaffirmed the readiness of the United Nations to contribute to the dialogue between Belgrade and Pristina, as envisaged in resolution 64/298, in close coordination with the EU. However, the collapse of the governing coalition in Kosovo and the calling of extraordinary elections delayed the start of the dialogue. The political developments in Kosovo, particularly the 12 December elections and their aftermath, slowed the momentum generated by resolution 64/298. By the end of the year, the representatives of Belgrade and Pristina had not met. EU representatives appointed to facilitate the talks, however, had held several preparatory meetings with all sides, including the United Nations.

On 27 September, President Fatmir Sejdiu resigned after the "Constitutional Court" of Kosovo ruled that he had acted in violation of the constitution by simultaneously holding the posts of President of Kosovo and head of a political party. Following Mr. Sejdiu's resignation and the withdrawal of his party from the governing coalition, early elections were held on

12 December—the first Assembly elections organized by the Kosovo authorities since the declaration of independence in February 2008. Although organizations and groups that monitored the elections gave initial positive assessments, they were soon overshadowed by an increasing number of allegations of irregularities and vote manipulation.

The situation in northern Kosovo remained volatile, with simmering interethnic tensions and a wave of attacks against members of the international community and against Kosovo Serbs associated with the Kosovo authorities. Tensions grew in the aftermath of the ICJ advisory opinion. The Secretary-General urged the sides to exercise restraint and adopt a measured, constructive approach in order to avoid further escalations. He stated that sensitive issues related to northern Kosovo could only be addressed peacefully and through continuing consultation and coordination between all relevant actors, taking into account the specific circumstances and concerns of all communities. The continued misrepresentation of UNMIK activities in northern Kosovo by some Pristina-based media, which risked placing UN staff in danger, remained a cause for concern. Other events that triggered tensions included the building by Kosovo Albanians, without UNMIK approval, of a strategically placed house on public land. A variety of unresolved property disputes, plus efforts by institutions in Pristina to exercise their authority north of the Ibër/Ibar River, including through the deployment of Kosovo police regional operations special units without EULEX agreement, continued to generate interethnic tensions. In that difficult environment, UNMIK strove to provide good offices for all the communities in northern Kosovo.

During the year, the overall security situation in Kosovo remained relatively calm despite a number of incidents. On 30 May, Belgrade-organized local elections in northern Mitrovica led to confrontations between Kosovo Serbs and Kosovo Albanians. Prompt reaction by security forces, including the Kosovo police, EULEX and Kosovo Force (KFOR), prevented clashes between the two groups. The number of murders, cases of unauthorized possession of weapons, and shooting incidents remained significant. Organized crime continued to be of concern throughout Kosovo, mainly involving smuggling and narcotics trafficking. Crime affecting minority communities continued to include low-level harassment, intimidation, simple assaults, and property-related crime, mainly committed in the minority-populated areas south of the Ibër/Ibar River. KFOR introduced enhanced security operations on both sides of the river in close cooperation with Kosovo police forces and EULEX. Members of the international community were subject to intimidation, threats, harassment, theft and armed robbery.

The Security Council considered the Secretary-General's reports on 17 May [S/PV.6314], 3 August [S/PV.6367] and 12 November [S/PV.6422], respectively.

Communications. In a 25 January letter [S/2010/43], Croatia commented on the statement made by the President of Serbia at the 22 January Security Council [S/PV.6264] meeting that considered the Secretary-General's report [S/2010/5] on UNMIK activities from 16 September to 15 December 2009 [YUN 2009, p. 411].

In a 2 July letter [S/2010/355], Serbia requested an urgent Security Council meeting to discuss the serious deterioration of the security situation in the northern part of Kosovo, which had resulted in the loss of human life and threatened to provoke further violence. The Council President was asked to allow President Boris Tadic of Serbia to participate in that meeting and to make a statement.

Security Council consideration. In response to that request, the Council met on 6 July [S/PV.6353]. President Tadic stated that, on 2 July, bombs had been thrown into a crowd of Serbs in North Mitrovica. The Secretary-General's Special Representative for Kosovo called on all parties to refrain from provocative statements.

ICJ advisory opinion on declaration of independence of Kosovo

In response to General Assembly resolution 63/3 [YUN 2008, p. 1404], ICJ, on 22 July, rendered its advisory opinion on the question "Is the unilateral declaration of independence by the Provisional Institutions of Self-Government of Kosovo in accordance with international law?". The Court concluded that "the adoption of that declaration did not violate any applicable rule of international law" (see p. 1286).

EULEX

The European Union Rule of Law Mission in Kosovo (EULEX), established to undertake an enhanced operational role in the rule-of-law area, with a focus on policing, justice and customs, became fully operational in April 2009 [YUN 2009, p. 412]. It operated under the overall authority and within the status-neutral framework of the United Nations, and submitted reports to it on a regular basis. The reports of the EU High Representative for Foreign Affairs and Security Policy on EULEX activities in 2010 were annexed to the Secretary-General's reports to the Security Council on UNMIK [S/2010/169, S/2010/401, S/2010/562, S/2011/43].

In 2010, EULEX continued to work with the Kosovo rule of law authorities on planning and implementing

targeted monitoring, mentoring and advising activities. Progress was made with trials and the processing of cases, including those handed over by UNMIK. In January, EULEX judges completed the cases received from UNMIK at the Supreme Court level and the number of verdicts issued by EULEX judges or by EULEX-led court panels significantly increased. The EULEX Human Rights Review Panel held its first regular session (9–11 June). The activities and results of monitoring, mentoring and advising actions from mid-2009 to 2010 were made public in the Programme Report 2010.

EULEX also tackled organized crime and corruption throughout Kosovo, and set up a task force to coordinate actions for fighting criminality in the north. On 8 June, the EU Council extended EULEX until 14 June 2012. At the end of the year, EULEX comprised over 2,800 international and local staff.

UNMIK

The United Nations Interim Administration Mission in Kosovo (UNMIK), established in 1999 [YUN 1999, p. 357] to facilitate a political process to determine Kosovo's political future, comprised five components: interim administration; institution-building; economic reconstruction; humanitarian affairs; and police and justice. Following Kosovo's declaration of independence in February 2008 [YUN 2008, p. 437] and the deployment of EULEX throughout Kosovo in 2009 [YUN 2009, p. 412], the profile and size of UNMIK was reconfigured. The Mission's strategic goal remained the promotion of security, stability and respect for human rights in Kosovo and in the region through engagement with all communities in Kosovo, with the leadership in Belgrade and Pristina, and with regional and international actors.

UNMIK was headed by the Special Representative of the Secretary-General, Lamberto Zannier (Italy).

Financing

In June, the General Assembly considered the performance report on the UNMIK budget for the period from 1 July 2008 to 30 June 2009 [A/64/604], the proposed UNMIK budget for 1 July 2010 to 30 June 2011 [A/64/661] and the related report of the Advisory Committee on Administrative and Budgetary Questions (ACABQ) [A/64/660/Add.6].

GENERAL ASSEMBLY ACTION

On 24 June [meeting 101], the General Assembly, on the recommendation of the Fifth (Administrative and Budgetary) Committee [A/64/827], adopted **resolution 64/279** without vote [agenda item 156].

Financing of the United Nations Interim Administration Mission in Kosovo

The General Assembly,

Having considered the reports of the Secretary-General on the financing of the United Nations Interim Administration Mission in Kosovo and the related report of the Advisory Committee on Administrative and Budgetary Questions,

Recalling Security Council resolution 1244(1999) of 10 June 1999 regarding the establishment of the United Nations Interim Administration Mission in Kosovo,

Recalling also its resolution 53/241 of 28 July 1999 on the financing of the Mission and its subsequent resolutions thereon, the latest of which was resolution 63/295 of 30 June 2009,

Acknowledging the complexity of the Mission,

Reaffirming the general principles underlying the financing of United Nations peacekeeping operations, as stated in General Assembly resolutions 1874(S-IV) of 27 June 1963, 3101(XXVIII) of 11 December 1973 and 55/235 of 23 December 2000,

Mindful of the fact that it is essential to provide the Mission with the financial resources necessary to enable it to fulfil its responsibilities under the relevant resolution of the Security Council,

Mindful also of the need to ensure coordination and co-operation with the European Union Rule of Law Mission in Kosovo,

1. *Requests* the Secretary-General to entrust the Head of Mission with the task of formulating future budget proposals in full accordance with the provisions of General Assembly resolutions 59/296 of 22 June 2005, 60/266 of 30 June 2006, 61/276 of 29 June 2007 and 64/269 of 24 June 2010, as well as other relevant resolutions;

2. *Takes note* of the status of contributions to the United Nations Interim Administration Mission in Kosovo as at 30 April 2010, including the contributions outstanding in the amount of 57 million United States dollars, representing some 2 per cent of the total assessed contributions, notes with concern that only forty-nine Member States have paid their assessed contributions in full, and urges all other Member States, in particular those in arrears, to ensure payment of their outstanding assessed contributions;

3. *Expresses its appreciation* to those Member States which have paid their assessed contributions in full, and urges all other Member States to make every possible effort to ensure payment of their assessed contributions to the Mission in full;

4. *Expresses concern* at the financial situation with regard to peacekeeping activities, in particular as regards the reimbursements to troop contributors that bear additional burdens owing to overdue payments by Member States of their assessments;

5. *Also expresses concern* at the delay experienced by the Secretary-General in deploying and providing adequate resources to some recent peacekeeping missions, in particular those in Africa;

6. *Emphasizes* that all future and existing peacekeeping missions shall be given equal and non-discriminatory treatment in respect of financial and administrative arrangements;

7. *Also emphasizes* that all peacekeeping missions shall be provided with adequate resources for the effective and efficient discharge of their respective mandates;

8. *Reiterates its request* to the Secretary-General to make the fullest possible use of facilities and equipment at the United Nations Logistics Base at Brindisi, Italy, in order to minimize the costs of procurement for the Mission;

9. *Requests* the Secretary-General to ensure that proposed peacekeeping budgets are based on the relevant legislative mandates;

10. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions, subject to the provisions of the present resolution, and requests the Secretary-General to ensure their full implementation;

11. *Requests* the Secretary-General to ensure the full implementation of the relevant provisions of resolutions 59/296, 60/266, 61/276 and 64/269;

12. *Also requests* the Secretary-General to take all action necessary to ensure that the Mission is administered with a maximum of efficiency and economy;

13. *Further requests* the Secretary-General, in order to reduce the cost of employing General Service staff, to continue efforts to recruit local staff for the Mission against General Service posts, commensurate with the requirements of the Mission;

Financial performance report for the period from 1 July 2008 to 30 June 2009

14. *Takes note* of the report of the Secretary-General on the financial performance of the Mission for the period from 1 July 2008 to 30 June 2009;

Budget estimates for the period from 1 July 2010 to 30 June 2011

15. *Decides* to appropriate to the Special Account for the United Nations Interim Administration Mission in Kosovo the amount of 50,770,100 dollars for the period from 1 July 2010 to 30 June 2011, inclusive of 47,874,400 dollars for the maintenance of the Mission, 2,452,400 dollars for the support account for peacekeeping operations and 443,300 dollars for the United Nations Logistics Base;

Financing of the appropriation

16. *Also decides* to apportion among Member States the amount of 50,770,100 dollars, in accordance with the levels updated in General Assembly resolution 64/249 of 24 December 2009, and taking into account the scale of assessments for 2010 and 2011, as set out in Assembly resolution 64/248 of 24 December 2009;

17. *Further decides* that, in accordance with the provisions of its resolution 973(X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 16 above, their respective share in the Tax Equalization Fund in the amount of 4,796,600 dollars, comprising the estimated staff assessment income of 4,558,100 dollars approved for the Mission, the prorated share of 203,000 dollars of the estimated staff assessment income approved for the support account and the prorated share of 35,500 dollars of the estimated staff assessment income approved for the United Nations Logistics Base;

18. *Decides* that, for Member States that have fulfilled their financial obligations to the Mission, there shall be set off against their apportionment, as provided for in paragraph 16 above, their respective share of the unencumbered balance and other income in the total amount of 38,622,800 dollars in respect of the financial period ended 30 June 2009, in accordance with the levels updated in General Assembly resolution 61/243 of 22 December 2006, and taking into account the scale of assessments for 2009, as set out in Assembly resolution 61/237 of 22 December 2006;

19. *Also decides* that, for Member States that have not fulfilled their financial obligations to the Mission, there shall be set off against their outstanding obligations their respective share of the unencumbered balance and other income in the total amount of 38,622,800 dollars in respect of the financial period ended 30 June 2009, in accordance with the scheme set out in paragraph 18 above;

20. *Further decides* that the increase of 16,900 dollars in the estimated staff assessment income in respect of the financial period ended 30 June 2009 shall be added to the credits from the amount of 38,622,800 dollars referred to in paragraphs 18 and 19 above;

21. *Emphasizes* that no peacekeeping mission shall be financed by borrowing funds from other active peacekeeping missions;

22. *Encourages* the Secretary-General to continue to take additional measures to ensure the safety and security of all personnel participating in the Mission under the auspices of the United Nations, bearing in mind paragraphs 5 and 6 of Security Council resolution 1502(2003) of 26 August 2003;

23. *Invites* voluntary contributions to the Mission in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure and practices established by the General Assembly;

24. *Decides* to include in the provisional agenda of its sixty-fifth session the item entitled "Financing of the United Nations Interim Administration Mission in Kosovo".

In December, the Secretary-General submitted the performance report for UNMIK for the period 1 July 2009 to 30 June 2010 [A/65/621].

On 24 December, the Assembly decided that the agenda item on UNMIK financing would remain for consideration at its resumed sixty-fifth (2011) session (**decision 65/544**).

Kosovo Force

In accordance with resolution 1244(1999) [YUN 1999, p. 353], the Secretary-General transmitted to the Security Council reports on the activities during 2010 of the Kosovo Force (KFOR) covering the periods from 1 January to 31 March [S/2010/381], 1 April to 30 June and 1 July to 30 September [S/2011/21], and 1 October to 31 December [S/2011/105]. As at 31 December, KFOR, which operated under NATO leadership, comprised 8,181 troops, including 1,528 troops from non-NATO countries.

During the year, KFOR transformed its military posture towards the deterrent presence stance, releasing troops from static tasks, while retaining the capability to maintain a safe and secure environment and freedom of movement to support the Kosovo police and EULEX.

Given the positive security situation, KFOR planned to reduce its troops to some 5,000 by early 2011.

The former Yugoslav Republic of Macedonia

Relations with Greece

In 2010, the United Nations continued to support the negotiation process to find a solution to the name dispute between Greece and the former Yugoslav Republic of Macedonia (FYROM). The 1995 Interim Accord on the normalization of relations between FYROM and Greece [YUN 1995, p. 599] detailed the difference between the two countries on the name issue. The countries exchanged views in the context of article 5 of the Accord, which provided for the continuation of negotiations with a view to reaching agreement on their differences, as described in Security Council resolutions 817(1993) [YUN 1993, p. 208] and 845(1993) [ibid., p. 209]. In February, the Personal Envoy of the Secretary-General for the Greece-FYROM talks, Matthew Nimetz, visited both countries. The Secretary-General also held talks with the Foreign Minister of FYROM in September. The issue remained unresolved at year's end.

Communication. Greece, in a 21 December letter [A/65/667-S/2010/672] to the Secretary-General, stated that FYROM had not reciprocated Greece's positive stance.

Georgia

In 2010, international efforts continued to advance the Georgian-Abkhaz peace process, based on the 2001 Basic Principles for the Distribution of Competences between Tbilisi (Georgia's Government) and Sukhumi (the Abkhaz leadership) [YUN 2001, p. 386]. That document was intended to serve as a framework for negotiations on the status of Abkhazia as a sovereign entity within the State of Georgia.

Discussions also continued on the situation in Georgia following the 2008 hostilities in South Ossetia [YUN 2008, p. 454]. The Russian Federation recognized Abkhazia and South Ossetia as independent States, while Georgia declared them territories occupied by the Russian Federation.

Geneva talks. In accordance with the 12 August 2008 six-point ceasefire plan between Georgia and the

Russian Federation [YUN 2008, p. 456] and the 8 September 2008 provisions for implementing the ceasefire plan [ibid., p. 457], international discussions under the co-chairmanship of the EU, the United Nations and OSCE to address security and stability and humanitarian issues in Georgia continued to be held throughout 2010. At the ninth (28 January), tenth (29–30 March), eleventh (7–8 June), twelfth (26–27 July), thirteenth (14 October) and fourteenth (16 December) sessions, participants met in two working groups.

Working Group I discussed the security situation and concerns regarding detentions, procedures for crossings and other developments on the ground, including reports of military-related activities. They also continued discussions on the key issues of non-use of force and international security arrangements. Working Group II addressed humanitarian issues, including the establishment of conditions conducive to the safe and sustainable return of refugees and internally displaced persons (IDPs), and related matters, such as property rights, access for humanitarian activities and proposals related to possible practical measures, including the technical aspects of registration, profiling and "go-and-see" visits. It also discussed possible humanitarian measures to meet the needs of IDPs, including access to gas supply and to potable and irrigation water.

IDPs and refugees. Pursuant to General Assembly resolution 63/307 [YUN 2009, p. 779], the Secretary-General reported in June [A/64/819] on the status of internally displaced persons (IDPs) and refugees from Abkhazia, Georgia, and the Tskhinvali region/South Ossetia, Georgia, covering the period from 16 July 2009 to 30 May 2010. The Secretary-General recalled that significant displacement of civilians followed the armed hostilities between the Georgian and Abkhaz sides in 1992 [YUN 1992, p. 391] and the hostilities which started in 2008 in the Tskhinvali region/South Ossetia [YUN 2008, p. 414].

No major developments took place during the reporting period with regard to the exercise by the refugees and IDPs of their right to return. Minor return movements were observed in the areas adjacent to the Tskhinvali region/South Ossetia, bringing the number of displaced persons returning to those areas to more than 30,000. According to the Ministry for Refugees and Accommodation of Georgia, as at 31 December 2009, there were 249,365 IDPs in Georgia, of whom 233,453 (93.6 per cent) were persons displaced during and following the Georgian-Abkhaz conflict in the 1990s.

According to the Federal Migration Service of the Russian Federation, 4,234 persons from Georgia applied for recognition as refugees in the Russian Federation from 2004 to October 2009, 200 persons were recognized as refugees and 2,160 persons were granted temporary asylum. The actual number of

refugees from Georgia to the Russian Federation was considered to be significantly higher, many having acquired Russian citizenship and therefore not reflected in the official statistics. Moreover, it was estimated that some 10,000 persons remained displaced within the Tskhinvali region/South Ossetia.

The international discussions held in Geneva under the co-chairmanship of the EU, the OSCE and the United Nations remained the only forum in which the issues related not only to regional security but also to the problems concerning refugees and IDPs were being addressed. The Secretary-General urged all participants in the discussions to engage constructively, with a genuine will to improve the situation of the local population. The lack of agreement on political issues should not be used as a pretext for not addressing the needs of refugees and IDPs.

GENERAL ASSEMBLY ACTION

On 7 September [meeting 115], the General Assembly adopted **resolution 64/296** [draft: A/64/L.62] by recorded vote (50-17-86) [agenda item 14].

Status of internally displaced persons and refugees from Abkhazia, Georgia, and the Tskhinvali region/South Ossetia, Georgia

The General Assembly,

Recalling all its relevant resolutions on the protection of and assistance to internally displaced persons, including its resolutions 62/153 of 18 December 2007, 62/249 of 15 May 2008, 63/307 of 9 September 2009 and 64/162 of 18 December 2009,

Recalling also all relevant Security Council resolutions on Georgia relating to the need for all parties to work towards a comprehensive peace and the return of internally displaced persons and refugees to their places of origin, and stressing the importance of their full and timely implementation,

Recognizing the Guiding Principles on Internal Displacement as the key international framework for the protection of internally displaced persons,

Concerned by forced demographic changes resulting from the conflicts in Georgia,

Concerned also by the humanitarian situation caused by armed conflict in August 2008, which resulted in the further forced displacement of civilians,

Mindful of the urgent need to find a solution to the problems related to forced displacement in Georgia,

Underlining the importance of the discussions that commenced in Geneva on 15 October 2008 and of continuing to address the issue of the voluntary, safe, dignified and unhindered return of internally displaced persons and refugees on the basis of internationally recognized principles and conflict-settlement practices,

Taking note of the report of the Secretary-General concerning the implementation of resolution 63/307,

1. *Recognizes* the right of return of all internally displaced persons and refugees and their descendants, regardless of ethnicity, to their homes throughout Georgia, including in Abkhazia and South Ossetia;

2. *Stresses* the need to respect the property rights of all internally displaced persons and refugees affected by the conflicts in Georgia and to refrain from obtaining property in violation of those rights;

3. *Reaffirms* the unacceptability of forced demographic changes;

4. *Underlines* the urgent need for unimpeded access for humanitarian activities to all internally displaced persons, refugees and other persons residing in all conflict-affected areas throughout Georgia;

5. *Calls upon* all participants in the Geneva discussions to intensify their efforts to establish a durable peace, to commit to enhanced confidence-building measures and to take immediate steps to ensure respect for human rights and create favourable security conditions conducive to the voluntary, safe, dignified and unhindered return of all internally displaced persons and refugees to their places of origin;

6. *Underlines* the need for the development of a timetable to ensure the voluntary, safe, dignified and unhindered return of all internally displaced persons and refugees affected by the conflicts in Georgia to their homes;

7. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fifth session a comprehensive report on the implementation of the present resolution;

8. *Decides* to include in the draft agenda of its sixty-fifth session the item entitled "Protracted conflicts in the GUAM area and their implications for international peace, security and development".

RECORDED VOTE ON RESOLUTION 64/296:

In favour: Albania, Andorra, Australia, Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malawi, Malta, Marshall Islands, Micronesia, Monaco, Montenegro, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Moldova, Romania, Saint Lucia, San Marino, Slovakia, Slovenia, Spain, Sweden, Tuvalu, United Kingdom, United States.

Against: Armenia, Cuba, Democratic People's Republic of Korea, Lao People's Democratic Republic, Myanmar, Nauru, Nicaragua, Papua New Guinea, Russian Federation, Serbia, Solomon Islands, Sri Lanka, Sudan, Syrian Arab Republic, Venezuela, Viet Nam, Zimbabwe.

Abstaining: Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Benin, Bhutan, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cyprus, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guyana, Haiti, India, Indonesia, Israel, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lebanon, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritius, Mexico, Mongolia, Morocco, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Republic of Korea, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Singapore, South Africa, Suriname, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, Zambia.

Appointment of Special Representative. On 25 February [S/2010/103], the Secretary-General informed the Security Council of his intention to appoint Antti Turunen (Finland) to succeed Johan Verbeke (Belgium) as the UN representative in support of the Joint Incident Prevention and Response Mechanism and the international discussions in Geneva on security and stability and the return of IDPs and refugees.

Communications. On 29 January [A/64/648-S/2010/66], Georgia transmitted to the Secretary-General and the Security Council President a document on violations by the Russian Federation of the 2008 ceasefire plan and the statement of the Ministry of Foreign Affairs of Georgia on the ninth round of the Geneva discussions (28 January 2010). On 19 February [A/64/681-S/2010/108], Georgia transmitted an 18 February statement of its Ministry of Foreign Affairs on the treaty on the creation of a joint military base in Gudauta, signed between Russia and the so-called republic of Abkhazia. On 7 April [A/64/740-S/2010/176], 9 June [A/64/812-S/2010/309], 29 July [A/64/882-S/2010/412] and 15 October [A/65/521-S/2010/541], Georgia transmitted its Foreign Ministry's statements on the tenth to thirteenth rounds of the Geneva discussions. On 27 April [A/64/759-S/2010/219], Georgia transmitted the document "State Strategy on Occupied Territories: Engagement through Cooperation", adopted by its Government. On 26 July [A/64/875-S/2010/400], Georgia requested the circulation of the "Action Plan of Engagement" (initiatives to promote the welfare of those residing in Abkhazia and the Tskhinvali region/South Ossetia) to the General Assembly. On 13 August [A/64/895-S/2010/432], Georgia transmitted a 12 August statement by its Foreign Ministry on Russia's non-compliance with the ceasefire agreement. A 3 December letter [A/65/600-S/2010/613] addressed acts of vandalism towards Georgian cultural and religious monuments in Abkhazia. On 14 December [A/65/629-S/2010/639], a letter from the President of Georgia, Mikheil Saakashvili, was transmitted regarding Georgia's pledge not to use force either against Russian occupying forces or against their proxies in the Georgian territories occupied by Russia.

Russia, on 12 January [A/64/624-S/2010/33], transmitted a statement by the State Duma of the Federal Assembly of the Russian Federation on the destruction by the Georgian authorities of the Great Patriotic War memorial in Kutaisi. On 4 August [S/2010/421], Russia transmitted a 29 July press release by its Foreign Affairs Ministry on the twelfth round of the Geneva discussions. On 21 October [S/2010/554], Russia submitted an 18 October release on the thirteenth round of the Geneva discussions and a 19 October statement of its Foreign Affairs Ministry on the withdrawal of the Russian border post from Perevi village on the border between Georgia and the Republic of South Ossetia.

UNOMIG

The United Nations Observer Mission in Georgia (UNOMIG) was established by Security Council resolution 858(1993) [YUN 1993, p. 509]. It monitored compliance with the 1994 Moscow Agreement [YUN 1994, p. 583] and fulfilled other tasks as mandated by Council resolution 937(1994) [ibid., p. 584] and subsequent resolutions. It later also carried out functions under the 12 August 2008 six-point ceasefire agreement [YUN 2008, p. 456] and 8 September implementing measures [ibid., p. 457]. In June 2009, Council members were unable to agree on the future activities of a UN stabilization mission, and the UNOMIG mandate ended effective 16 June 2009 [YUN 2009, p. 418].

Financing of UNOMIG. On 24 December, the Assembly decided that the agenda item on the financing of UNOMIG would remain for consideration at its resumed sixty-fifth (2011) session (**decision 65/544**).

Armenia and Azerbaijan

In 2010, Armenia and Azerbaijan maintained their positions with regard to the Nagorny Karabakh region of Azerbaijan. The conflict, which began in 1992 [YUN 1992, p. 388], was followed by a ceasefire agreement in May 1994 [YUN 1994, p. 577]. Both sides addressed communications regarding the conflict to the Secretary-General. The OSCE Minsk Group (France, Russian Federation, United States) continued to mediate the dispute between the two countries.

Communications. In letters dated 4 January [A/64/623-S/2010/19], 3 February [A/64/655-S/2010/71], 1 April [A/64/737-S/2010/171], 30 April [A/64/771-S/2010/228], 1 June [A/64/816-S/2010/312], 2 July [A/64/858-S/2010/362], 3 August [A/64/885-S/2010/420], 13 October [A/65/516-S/2010/532] and 3 December [A/65/601-S/2010/615], Azerbaijan drew the Secretary-General's attention to violations of the ceasefire by the military forces of Armenia between December 2009 and November 2010. A later letter [A/65/723-S/2011/62] detailed ceasefire violations in December.

On 8 February [A/64/658-S/2010/78] and 10 March [A/64/707-S/2010/134], Azerbaijan submitted letters regarding the eighteenth anniversary of the massacre of the Azerbaijani population in the town of Khojaly. In a 24 February response [A/64/680-S/2010/102], Armenia said that Azerbaijan intended to discredit Armenia and Nagorny Karabakh by misleading the international community.

On 27 April [A/64/760-S/2010/211], Azerbaijan stated that Armenia was undertaking measures aimed at consolidation of the occupation of Azerbaijani territories. In letters of 10 May [A/64/782-S/2010/239], 14 May

[A/64/784-S/2010/249], 25 May [A/64/795-S/2010/258] and 12 June [A/64/851-S/2010/345], Azerbaijan drew the Secretary-General's attention to the so-called "parliamentary elections" held in May in occupied Nagorny Karabakh. On 21 May [A/64/794-S/2010/257], Azerbaijan transmitted a press release from its Ministry of Foreign Affairs regarding the European Parliament's 20 May adoption of a resolution entitled "The need for an EU Strategy for the South Caucasus".

In letters of 18 May [A/64/785-S/2010/246], 27 May [A/64/798-S/2010/273] and 18 June [A/64/838-S/2010/326], Armenia said that the parliamentary elections were positively assessed by independent observers and that the European Parliament's resolution was at odds with the spirit of the Nagorny Karabakh peace process. On 25 June [A/64/849-S/2010/339], Armenia transmitted a statement by the Ministry of Foreign Affairs of the Nagorny Karabakh Republic regarding a 19 June ceasefire violation on the line of contact carried out by the Azerbaijani armed forces.

In other letters of 6 August [A/64/889-S/2010/425], 28 September [A/65/398-S/2010/500], 13 October [A/65/515-S/2010/531] and 20 October [A/65/534-S/2010/547], Azerbaijan drew the Secretary-General's attention to military aggression and provocative actions and remarks by Armenia.

In a 9 November letter [A/65/572-S/2010/585], Armenia responded to Azerbaijan's letters of 13 October and 20 October.

Armenia reported on violations of the ceasefire by the armed forces of Azerbaijan from November 2009 to December 2010 in a number of letters [A/64/700-S/2010/123, A/64/738-S/2010/174, A/64/801-S/2010/279, A/64/863-S/2010/373, A/64/898-S/2010/436, A/64/910-S/2010/469, A/65/524-S/2010/544, A/65/677-S/2010/676, A/65/749-S/2011/87].

Communications. On 28 October [A/65/545-S/2010/558], Tajikistan transmitted to the General Assembly and the Security Council the Dushanbe Declaration, adopted at the thirty-seventh session of the Organization of the Islamic Conference Council of Foreign Ministers (Dushanbe, Tajikistan, 18–20 May), in which it called for the resolution of the conflict on the basis of Azerbaijan's internationally recognized boundaries. That same date [A/65/546-S/2010/559], it also transmitted the Final Communiqué of its Annual Coordination Meeting of Ministers for Foreign Affairs (New York, 24 September), in which it condemned Armenia's aggression against Azerbaijan.

By **decision 64/562** of 9 September, the General Assembly deferred consideration of the item on the situation in the occupied territories of Azerbaijan and to include it in the draft agenda of its sixty-fifth (2010) session. On 24 December, the Assembly decided that the item would remain for consideration at its resumed sixty-fifth (2011) session (**decision 65/544**).

Organization for Democracy and Economic Development-GUAM

The Organization for Democracy and Economic Development-GUAM (Azerbaijan, Georgia, Moldova, Ukraine), a regional cooperation organization established by the 2006 Kyiv Declaration [YUN 2006, p. 486], was headquartered in Kyiv, Ukraine. On the issue of conflict settlement, GUAM emphasized respect for sovereignty, territorial integrity and the inviolability of the internationally recognized borders of its member States.

On 24 December, the General Assembly decided that the agenda item on the protracted conflicts in the GUAM area and their implications for international peace, security and development would remain for consideration at its resumed sixty-fifth (2011) session (**decision 65/544**).

Cyprus

During 2010, the United Nations continued its sponsorship of the peace talks in Cyprus. The Secretary-General's Special Adviser on Cyprus, with support from the Special Representative, assisted the Greek Cypriot and Turkish Cypriot leaders in implementing the 8 July 2006 Set of Principles and Decision [YUN 2006, p. 487], which included commitment to the unification of Cyprus based on a bizonal, bi-communal federation and political equality, and an agreement to meet regularly on issues affecting the day-to-day life of the Cypriot people. Under UN auspices, the leaders of the two sides participated in the second phase of the negotiations initiated following the 21 March 2008 agreement [YUN 2008, p. 464] to find a mutually acceptable solution to the Cypriot problem. Discussions centred on three issues: governance and power-sharing; EU-related matters; and economic matters. The leaders made steady progress on those three areas and reached further convergence on a number of issues. On 14 October, the Limnitis/Yeşilirmak crossing point was officially opened. By the end of the year, the Mine Action Centre completed clearance of all mined areas that had been released to the United Nations Peacekeeping Force in Cyprus (UNFICYP); however, the sides continued to withhold access to the four remaining mined areas in the buffer zone.

UNFICYP continued to assist in the restoration of normal conditions and in humanitarian functions. The Security Council extended the mandate of UNFICYP twice, the second time until 15 June 2011.

Political and security developments

Good offices mission

During the year, the Secretary-General's Special Adviser on Cyprus continued to facilitate the negotiations aimed at reaching a comprehensive settlement that would safeguard the fundamental and legitimate rights and interests of Greek Cypriots and Turkish Cypriots. He was supported by the Secretary-General's Special Representative and Head of UNFICYP, who served as his deputy on issues relating to the good offices of the Secretary-General. The Secretary-General described UN mediation efforts during 2010 in reports to the Security Council of 11 May [S/2010/238] and 24 November [S/2010/603], as well as in a later report [S/2011/112].

The Secretary-General stated that progress was made during the two rounds of intensive negotiations that took place from 11 to 13 and 25 to 27 January. In a visit to Cyprus (31 January–2 February), the Secretary-General showed his support for the talks and stressed the need to strive for their successful conclusion. On 1 February, the Greek and Turkish Cypriot leaders issued a joint statement renewing their commitment to achieve a solution in the shortest possible time.

Between January and March, the Secretary-General also held several meetings with key leaders and senior officials from Greece, Turkey and the European Commission.

Following the completion of the first phase of the discussions in August 2009 [YUN 2009, p. 423], the second phase focused on three topics: governance and power-sharing; EU-related matters; and economic matters. Discussions on governance and power-sharing concerned the executive branch, the legislature, federal competences and external relations. Discussions on EU matters focused mainly on how the positions of a united Cyprus in EU bodies would be determined, the implementation of the *acquis* (body of EU law), derogations (partial revocation of laws), and how to accommodate a comprehensive settlement within the EU legal framework. Discussions on economic matters addressed federal competences and functions and the federal budget. The leaders made progress on those issues. Earlier negotiations on property resulted in a joint paper on categories of affected property—the first joint paper on the subject. No meetings were specifically devoted to substantive discussions related to the issues of territory and security and guarantees. Before a mutually agreed pause in the negotiations in light of the elections in the north of Cyprus, the leaders issued a joint statement on 30 March [S/2010/238, annex II] reaffirming their commitment to the process.

Following the election of Derviş Eroğlu as the new Turkish Cypriot leader on 18 April, reunification talks resumed on 26 May with an agreement to focus discussions on property.

In early September, both sides offered comprehensive proposals on property and then worked on “marrying” the two proposals. Discussions focused on the establishment of a property commission, mechanisms for exchange, the extent of restitution and types of compensation. On 21 October, the Secretary-General expressed his concern about the lack of progress in phone calls with the Greek and Turkish Cypriot leaders. On 18 November, he met with the two leaders in New York, reviewed progress on all the areas of the negotiations, identified several core issues and asked the leaders to work on them and report back to him on progress at the end of January 2011. Both leaders agreed to intensify contacts with one another in order to establish a practical plan for overcoming their differences.

Since their establishment in 2008 [YUN 2008, p. 464], three technical committees had made progress in implementing confidence-building measures. The technical committee on crime and criminal matters had launched the distribution of road safety leaflets at crossing points and conducted a seminar on children at risk. The joint contact room for the timely exchange and provision of information on crime and criminal matters had been functioning on a daily basis since its establishment in May 2009, and work was ongoing to provide it with longer-term premises. The technical committee on cultural heritage was implementing measures related to a pilot project on the restoration of two places of worship, the compilation of an inventory of immovable cultural heritage and the development of an educational computer programme, as well as other outreach activities. Moreover, the committee's advisory board for the preservation, physical protection and restoration of the immovable cultural heritage of Cyprus had been carrying out on-site assessment visits throughout the island. The technical committee on the environment had focused on cooperation for the elimination of illegal dumping sites and the rehabilitation of the affected areas within the buffer zone. The passage of ambulances through crossing points in cases of emergency, established by the technical committee on health matters, was functioning. The United Nations Development Programme and UNFICYP continued to support the implementation of some of the key confidence-building measures arising from the activities of the technical committees. On 29 March, work was launched on the seventh crossing point linking the villages of Limnitis/Yeşilirmak in the north and Kato Pyrgos in the south. The Limnitis/Yeşilirmak crossing point was officially opened on 14 October.

The Secretary-General made a number of proposals for consideration by both the leaders and the communities: both leaders were urged to consider carefully interactions with the press and focus messages on convergences and the way ahead; the leaders should step forward individually and jointly to deliver more constructive and harmonized messages; parliamentarians and political actors on both sides should demonstrate more consistently their support for the negotiation process by allowing the two leaders adequate space to negotiate a potential settlement; and the participation and engagement of civil society in the effort to reach a solution and in its implementation should be encouraged. The Secretary-General also expressed his intention to conduct a broader assessment of the United Nations presence in Cyprus, with a view to recommending ways to adjust to ongoing developments.

Communications. Throughout 2010, the Secretary-General received letters from the Government of Cyprus and from Turkish Cypriot authorities containing charges and counter-charges, protests and accusations, and explanations of positions regarding the question of Cyprus. Letters from the “Turkish Republic of Northern Cyprus” were transmitted by Turkey. In communications dated between 17 February and 5 December, Cyprus reported violations of international air traffic regulations and the national airspace of Cyprus by Turkish military aircraft [A/64/671-S/2010/92, A/64/746-S/2010/196, A/64/859-S/2010/363, A/65/480-S/2010/502, A/65/609-S/2010/622]. The “Turkish Republic of Northern Cyprus” refuted the allegations, stating that the flights mentioned took place within the sovereign airspace of the “Turkish Republic of Northern Cyprus” [A/64/689-S/2010/114, A/64/772-S/2010/227, A/65/522-S/2010/540].

On 2 November [A/65/555-S/2010/570], Turkey transmitted a letter from the “Turkish Republic of Northern Cyprus” enclosing a 1 November letter from President Eroğlu, which referred to the speech made by President Demetris Christofias of Cyprus on 24 September during the sixty-fifth session of the General Assembly. On 23 December [A/65/674-S/2010/674], Turkey transmitted a 21 December press release issued by its Ministry of Foreign Affairs regarding the bilateral agreements concluded by the Greek Cypriot Administration with Eastern Mediterranean coastal States related to maritime jurisdiction, stating that such agreements were in disregard of the Turkish Cypriots’ existing and inherent equal rights and interests, and had an adverse effect on the ongoing settlement negotiations.

On 24 December, the General Assembly decided that the agenda item on the question of Cyprus would remain for consideration at its resumed sixty-fifth (2011) session (**decision 65/544**).

UNFICYP

The United Nations Peacekeeping Force in Cyprus (UNFICYP), established by Security Council resolution 186(1964) in 1964 [YUN 1964, p. 165], continued in 2010 to monitor the ceasefire lines between the Turkish and Turkish Cypriot forces on the northern side and the Cypriot National Guard on the southern side of the island; maintain the military status quo and prevent recurrence of fighting; and undertake humanitarian and economic activities.

On 27 May [S/2010/260], the Secretary-General informed the Council President of his intention to appoint Lisa Bittenheim (United States) as his new Special Representative for Cyprus and head of UNFICYP to replace Tayé-Brook Zerihoun (Ethiopia), who completed his assignment on 30 April. The Council took note of the intention on 28 May [S/2010/261]. During 2010, Alexander Downer (Australia) continued as the Secretary-General’s Special Adviser on Cyprus.

As at 31 October, UNFICYP, under the command of Rear Admiral Mario César Sánchez Debernardi (Peru), comprised 859 troops and 68 civilian police.

The Secretary-General submitted two reports covering UNFICYP activities for the periods from 21 November 2009 to 20 May 2010 [S/2010/264] and from 21 May to 20 November [S/2010/605].

Activities

Report of Secretary-General (May). In his May report [S/2010/264], the Secretary-General stated that the situation in the buffer zone remained stable. The opposing forces continued sporadically to employ low-level tactical measures, which provoked reactions from the other side, mostly in the centre of Nicosia. The Cyprus National Guard had worked with UNFICYP on assessing the military confidence-building measures UNFICYP had proposed, such as the un-manning and/or closing of observation posts in areas where the opposing troops were particularly close to each other. No concrete steps had been taken by the Turkish Forces/Turkish Cypriot Security Forces in that regard.

Demining operations continued to make good progress: by the end of May, 59 of 72 minefields had been cleared, more than 20,000 mines destroyed and more than 9 square kilometres of land cleared of mines. The introduction of mechanical clearance equipment in April had greatly improved overall clearance rates. Early in May, the Turkish Forces committed themselves in writing to releasing 9 of the 10 remaining minefields attributable to them. In addition, the Turkish Forces undertook to release four more minefields located outside the buffer zone.

Cypriots from both sides continued to seek assistance from UNFICYP in addressing day-to-day issues arising from the division of the island, including in relation to economic, social and educational matters, the transfer of the deceased, and commemorative, religious and socio-cultural gatherings. The Force facilitated the implementation of a UNDP-supported joint project for the stabilization of buildings at the Ledra Street/Lokmaçi crossing in the buffer zone. Work on the planned opening of a crossing at Limnitis/Yeşilirmak through the buffer zone was under way. UNFICYP facilitated 118 bicommunal events with the participation of 5,648 people from both communities. It also conducted 59 humanitarian convoys and visits to 361 Greek Cypriots, most of whom were elderly and in need of medical attention, and to 128 Maronites in the north. The technical committee on cultural heritage, supported by UNFICYP and its advisory board, continued to discuss and plan for the preservation, protection and restoration of immovable cultural heritage throughout the island.

As UNFICYP continued to play an essential role on the island, including in support of the good offices mission, the Secretary-General recommended that the Security Council extend the Force's mandate until 15 December 2010.

SECURITY COUNCIL ACTION

On 15 June [meeting 6339], the Security Council adopted **resolution 1930(2010)** by vote (14-1-0). The draft [S/2010/311] was submitted by China, France, the Russian Federation, the United Kingdom and the United States.

The Security Council,

Welcoming the report of the Secretary-General of 28 May 2010 on the United Nations operation in Cyprus and his report of 11 May 2010 on his mission of good offices in Cyprus,

Noting that the Government of Cyprus has agreed that, in view of the prevailing conditions on the island, it is necessary to keep the United Nations Peacekeeping Force in Cyprus beyond 15 June 2010,

Echoing the Secretary-General's firm belief that the responsibility for finding a solution lies first and foremost with the Cypriots themselves, stressing that there now exists a unique opportunity to make decisive progress in a timely fashion, and reaffirming the primary role of the United Nations in assisting the parties to bring the Cyprus conflict and division of the island to a comprehensive and durable settlement,

Commending the political leadership shown by the Greek Cypriot and Turkish Cypriot leaders, and warmly welcoming the progress made so far in the fully fledged negotiations, and the leaders' joint statements, including those of 23 May and 1 July 2008,

Strongly urging the leaders to increase the momentum of the negotiations to ensure the full exploitation of this opportunity to reach a comprehensive settlement based on

a bicommunal, bizonal federation with political equality, as set out in the relevant resolutions,

Emphasizing the importance that the international community attaches to all parties engaging fully, flexibly and constructively in the negotiations, echoing the view of the Secretary-General that a solution is well within reach, and looking forward to decisive progress in the near future, building on the progress made to date, consistent with the hope expressed by the two sides on 21 December 2009 that, if possible, 2010 would be the year of solution,

Welcoming the intention of the Secretary-General to keep the Security Council informed of further developments and progress, and noting the intention of the Secretary-General to submit a report in November 2010 on the state of the process,

Welcoming also the implementation of some of the confidence-building measures announced by the leaders, and calling for a renewed effort to implement the remaining measures and for agreement on and implementation of further steps to build trust between the communities,

Reaffirming the importance of continued crossings of the Green Line by Cypriots, encouraging the opening by mutual agreement of other crossing points, welcoming the continuing construction work towards the opening of the Limnitis/Yeşilirmak crossing point, and urging implementation of the second phase of the restoration of the Ledra Street crossing,

Convinced of the many important benefits for all Cypriots that would flow from a comprehensive and durable Cyprus settlement, and encouraging both sides clearly to explain these benefits, as well as the need for increased flexibility and compromise in order to secure them, to both communities well in advance of any eventual referendums,

Highlighting the supportive role that the international community will continue to play in helping the Greek Cypriot and Turkish Cypriot leaders to exploit fully the current opportunity,

Taking note of the assessment of the Secretary-General that the security situation on the island and along the Green Line remains stable, and urging all sides to avoid any action which could lead to an increase in tension, undermine the good progress achieved so far or damage the goodwill on the island,

Recalling the Secretary-General's firm belief that the situation in the buffer zone would be improved if both sides accepted the 1989 aide-memoire used by the United Nations,

Welcoming the progress made in proceeding with demining activities, and looking forward to the clearance of the remaining minefields,

Welcoming also the progress and continuation of the important activities of the Committee on Missing Persons in Cyprus, and trusting that this process will promote reconciliation between the communities,

Agreeing that the active participation of civil society groups is essential to the political process and can contribute to making any future settlement sustainable, welcoming all efforts to promote bicommunal contacts and events, including on the part of all United Nations bodies on the island, and urging the two sides to promote the active engagement of civil society and the encouragement of cooperation between economic and commercial bodies and to remove all obstacles to such contacts,

Stressing the need for the Council to pursue a rigorous, strategic approach to peacekeeping deployments,

Welcoming the intention of the Secretary-General to keep all peacekeeping operations, including those of the Force, under close review, and noting the importance of contingency planning in relation to the settlement, including recommendations, as appropriate, for further adjustments to the mandate, force levels and concept of operations of the Force, taking into account developments on the ground and the views of the parties,

Welcoming also the continued efforts of Mr. Alexander Downer as the Special Adviser to the Secretary-General on Cyprus, with a mandate to assist the parties in the conduct of fully fledged negotiations aimed at reaching a comprehensive settlement, expressing its appreciation for the work of Mr. Tayé-Brook Zerihoun as the Special Representative of the Secretary-General in Cyprus, and welcoming the appointment of Ms. Lisa Buitenheim as the new Special Representative of the Secretary-General,

Echoing the Secretary-General's gratitude to the Government of Cyprus and the Government of Greece for their voluntary contributions to the funding of the Force, and his request for further voluntary contributions from other countries and organizations,

Welcoming and encouraging efforts by the United Nations to sensitize peacekeeping personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its peacekeeping operations,

1. *Welcomes* the analysis of developments on the ground over the last six months in the reports of the Secretary-General, in accordance with his mandate;

2. *Welcomes also* the progress made so far in the fully fledged negotiations, and the prospect of further progress in the near future towards a comprehensive and durable settlement that this has created;

3. *Urges* full exploitation of this opportunity, including by intensifying the momentum of the negotiations, preserving the current atmosphere of trust and goodwill and engaging in the process in a constructive and open manner;

4. *Urges also* the implementation of confidence-building measures, and looks forward to agreement on and implementation of further such steps, including the opening of other crossing points;

5. *Reaffirms* all its relevant resolutions on Cyprus, in particular resolution 1251(1999) of 29 June 1999 and subsequent resolutions;

6. *Expresses its full support* for the United Nations Peacekeeping Force in Cyprus, and decides to extend its mandate for a further period ending 15 December 2010;

7. *Calls upon* both sides to continue to engage, as a matter of urgency and while respecting the mandate of the Force, in consultations with the Force on the demarcation of the buffer zone, and on the United Nations 1989 aide-memoire, with a view to reaching early agreement on outstanding issues;

8. *Calls upon* the Turkish Cypriot side and Turkish forces to restore in Strovilia the military status quo which existed there prior to 30 June 2000;

9. *Requests* the Secretary-General to submit a report on the implementation of the present resolution, including on contingency planning in relation to the settlement, by 1 December 2010 and to keep the Security Council updated on events as necessary;

10. *Welcomes* the efforts being undertaken by the Force to implement the Secretary-General's zero-tolerance policy on sexual exploitation and abuse and to ensure full compliance of its personnel with the United Nations code of conduct, requests the Secretary-General to continue to take all necessary action in this regard and to keep the Council informed, and urges troop-contributing countries to take appropriate preventive action, including conducting pre-deployment awareness training, and to take disciplinary action and other action to ensure full accountability in cases of such conduct involving their personnel;

11. *Decides* to remain seized of the matter.

VOTE ON RESOLUTION 1930(2010):

In favour: Austria, Bosnia and Herzegovina, Brazil, China, France, Gabon, Japan, Lebanon, Mexico, Nigeria, Russian Federation, Uganda, United Kingdom, United States.

Against: Turkey.

Abstaining: None.

Report of Secretary-General (November). In his November report [S/2010/605], the Secretary-General said that the situation in the buffer zone remained stable and the overall number of military violations committed by the opposing forces had fallen to the lowest level in some years. The relationship between UNFICYP and the opposing forces continued to be good. For the third successive year, both the Cyprus National Guard and the Turkish Forces announced the cancellation of their major annual exercises, which was a welcome development in line with efforts to create a climate conducive to the ongoing negotiation process. Discussions on military confidence-building measures had been initiated by UNFICYP and would need the support and cooperation of both opposing forces. Also, restrictions on the movement of locally employed UN civilian personnel continued. Positions established, in violation of the status quo, by the opposing forces in the Dherinia area had remained unchanged and civilians routinely continued to challenge UNFICYP authority within the buffer zone.

Demining in the buffer zone continued to make good progress: 70 of 73 minefields released to UNFICYP had been cleared, with more than 25,500 mines removed and 9.5 square kilometres cleared of mines. Of the 13 mined areas released to UNFICYP by the Turkish Forces, 10 had been cleared. Clearance of the remaining fields was scheduled to be completed by the end of December. Access to the last four mined areas in the buffer zone had not yet been granted by the Cyprus National Guard or the Turkish Forces. The Secretary-General called on the parties to release those areas so that a mine-free buffer zone could be delivered for all Cypriots within the time frame of the project.

In a major development, the seventh crossing point across the Green Line, which marked the separation of the island, was opened at Limnitis/Yeşilirmak on 14 October. On 1 November, the leaders agreed to establish an ad hoc joint committee to facilitate the

opening of other crossing points—a welcome sign of political will to bring the communities closer together. UNFICYP continued to conduct humanitarian convoys and visits to 357 Greek Cypriots and 127 Maronites in the north, many of whom were in need of constant medical or in-home care. Turkish Cypriots living in the south were also assisted in obtaining welfare services, including essential services, medical care and education. In addition, the Force facilitated more than 100 bicomunal events, with the participation of more than 5,000 people. UNFICYP continued to enable access to sites and icons of religious and cultural significance to both communities. The humanitarian work of the Committee on Missing Persons continued and, by November, the remains of nearly 700 individuals had been exhumed on both sides of the buffer zone by the Committee's bicomunal teams of archaeologists. The remains of 263 persons, including those of 36 individuals during the reporting period alone, had been returned to their families. The Secretary-General urged all parties to prevent the work of the Committee from being politicized. Complete access to military areas in the north for the purposes of exhumation remained crucial; the Turkish Forces were urged to adopt a more forthcoming approach, given the humanitarian dimension of the issue.

The Secretary-General recommended that the Council extend the UNFICYP mandate until 15 June 2011.

SECURITY COUNCIL ACTION

On 14 December [meeting 6445], the Security Council adopted **resolution 1953(2010)** by vote (14-1-0). The draft [S/2010/631] was submitted by China, France, the Russian Federation, the United Kingdom and the United States.

The Security Council,

Welcoming the report of the Secretary-General of 26 November 2010 on the United Nations operation in Cyprus and his report of 24 November 2010 on his mission of good offices in Cyprus,

Noting that the Government of Cyprus has agreed that, in view of the prevailing conditions on the island, it is necessary to keep the United Nations Peacekeeping Force in Cyprus beyond 15 December 2010,

Echoing the Secretary-General's firm belief that the responsibility for finding a solution lies first and foremost with the Cypriots themselves, and reaffirming the primary role of the United Nations in assisting the parties to bring the Cyprus conflict and division of the island to a comprehensive and durable settlement,

Welcoming the progress made so far in the fully fledged negotiations, and the leaders' joint statements, including those of 23 May and 1 July 2008,

Expressing concern at the slow pace of progress in recent months, stressing that the status quo is unsustainable and that there now exists a unique opportunity to make decisive progress in a timely fashion, and strongly urging the leaders to increase the momentum of the negotiations to ensure the

full exploitation of this opportunity to reach an enduring, comprehensive and just settlement based on a bicomunal, bizonal federation with political equality, as set out in the relevant Security Council resolutions,

Emphasizing the importance that the international community attaches to all parties engaging fully, flexibly and constructively in the negotiations, echoing the view of the Secretary-General that a solution is well within reach, and looking forward to decisive progress in the near future building on the progress made to date,

Welcoming the efforts of the Secretary-General to stimulate progress during his meeting with the two leaders on 18 November 2010 and his intention to meet with the two leaders in January 2011, and noting his intention to submit to the Council in February 2011 an updated assessment on the state of the process,

Welcoming also the implementation of some of the confidence-building measures announced by the leaders, and calling for a renewed effort to implement the remaining measures and for agreement on and implementation of further steps to build trust between the communities,

Reaffirming the importance of continued crossings of the Green Line by Cypriots, welcoming the opening of the Limnitis/Yeşilirmak crossing point in October 2010, and encouraging the opening by mutual agreement of other crossing points,

Convinced of the many important benefits for all Cypriots that would flow from a comprehensive and durable Cyprus settlement, urging the two sides and their leaders to foster positive public rhetoric, and encouraging them clearly to explain the benefits of the settlement, as well as the need for increased flexibility and compromise in order to secure it, to both communities well in advance of any eventual referendums,

Considering that undermining the credibility of the United Nations undermines the peace process itself,

Highlighting the supportive role that the international community will continue to play in helping the Greek Cypriot and Turkish Cypriot leaders to exploit fully the current opportunity,

Taking note of the assessment of the Secretary-General that the security situation on the island and along the Green Line remains stable, and urging all sides to avoid any action which could lead to an increase in tension, undermine the progress achieved so far or damage the goodwill on the island,

Recalling the Secretary-General's firm belief that the situation in the buffer zone would be improved if both sides accepted the 1989 aide-memoire used by the United Nations,

Welcoming the progress made in proceeding with demining activities, looking forward to the clearance of the remaining minefields, and urging agreement on the extension of demining operations to other remaining areas,

Welcoming also the progress and continuation of the important activities of the Committee on Missing Persons in Cyprus, and trusting that this process will promote reconciliation between the communities,

Agreeing that active participation of civil society groups is essential to the political process and can contribute to making any future settlement sustainable, welcoming all efforts to promote bicomunal contacts and events, including on the part of all United Nations bodies on the island, and urging the two sides to promote the active engagement of civil society and the encouragement of

cooperation between economic and commercial bodies and to remove all obstacles to such contacts,

Stressing the need for the Council to pursue a rigorous, strategic approach to peacekeeping deployments,

Welcoming the intention of the Secretary-General to keep all peacekeeping operations, including those of the Force, under close review, and noting the importance of contingency planning in relation to the settlement, including recommendations, as appropriate, for further adjustments to the mandate, force levels and concept of operations of the Force, taking into account developments on the ground and the views of the parties,

Welcoming also the continued efforts of Mr. Alexander Downer as the Special Adviser to the Secretary-General on Cyprus with a mandate to assist the parties in the conduct of fully fledged negotiations aimed at reaching a comprehensive settlement, and the efforts of Ms. Lisa Buttenheim as the Special Representative of the Secretary-General in Cyprus,

Echoing the Secretary-General's gratitude to the Government of Cyprus and the Government of Greece for their voluntary contributions to the funding of the Force and his request for further voluntary contributions from other countries and organizations, and expressing its appreciation to Member States that contribute personnel to the Force,

Welcoming and encouraging efforts by the United Nations to sensitize peacekeeping personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its peacekeeping operations,

1. *Welcomes* the progress made so far in the fully fledged negotiations and the prospect of further progress in the near future towards a comprehensive and durable settlement that this has created;

2. *Takes note* of the recommendations contained in the report of the Secretary-General, and calls upon the two leaders:

(a) To intensify the momentum of negotiations and engage in the process in a constructive and open manner, including by developing a practical plan for overcoming the major remaining points of disagreement in preparation for their meeting with the Secretary-General in January 2011;

(b) To improve the public atmosphere in which the negotiations are proceeding, including by focusing public messages on convergences and the way ahead and delivering more constructive and harmonized messages;

(c) To increase the participation of civil society in the process, as appropriate;

3. *Urges* the implementation of confidence-building measures, and looks forward to agreement on and implementation of further such steps, including the opening of other crossing points;

4. *Reaffirms* all its relevant resolutions on Cyprus, in particular resolution 1251(1999) of 29 June 1999 and subsequent resolutions;

5. *Expresses its full support* for the United Nations Peacekeeping Force in Cyprus, and decides to extend its mandate for a further period ending 15 June 2011;

6. *Calls upon* both sides to continue to engage, as a matter of urgency and while respecting the mandate of the Force, in consultations with the Force on the demarcation of the buffer zone and on the United Nations 1989 aide-memoire, with a view to reaching early agreement on outstanding issues;

7. *Calls upon* the Turkish Cypriot side and Turkish forces to restore in Strovilia the military status quo which existed there prior to 30 June 2000;

8. *Requests* the Secretary-General to submit a report on the implementation of the present resolution, including on contingency planning in relation to the settlement, by 1 June 2011 and to keep the Security Council updated on events as necessary;

9. *Welcomes* the efforts being undertaken by the Force to implement the Secretary-General's zero-tolerance policy on sexual exploitation and abuse and to ensure full compliance of its personnel with the United Nations code of conduct, requests the Secretary-General to continue to take all necessary action in this regard and to keep the Council informed, and urges troop-contributing countries to take appropriate preventive action, including conducting pre-deployment awareness training, and to take disciplinary action and other action to ensure full accountability in cases of such conduct involving their personnel;

10. *Decides* to remain seized of the matter.

VOTE ON RESOLUTION 1953(2010):

In favour: Austria, Bosnia and Herzegovina, Brazil, China, France, Gabon, Japan, Lebanon, Mexico, Nigeria, Russian Federation, Uganda, United Kingdom, United States.

Against: Turkey.

Abstaining: None.

Financing

In June, the General Assembly considered the Secretary-General's report on UNFICYP financial performance for the period from 1 July 2008 to 30 June 2009 [A/64/533], the proposed UNFICYP budget for the period from 1 July 2010 to 30 June 2011 [A/64/629] and the related ACABQ report [A/64/660/Add.5].

GENERAL ASSEMBLY ACTION

On 24 June [meeting 101], the General Assembly, on the recommendation of the Fifth Committee [A/64/823], adopted **resolution 64/274** without vote [agenda item 149].

Financing of the United Nations Peacekeeping Force in Cyprus

The General Assembly,

Having considered the reports of the Secretary-General on the financing of the United Nations Peacekeeping Force in Cyprus and the related report of the Advisory Committee on Administrative and Budgetary Questions,

Recalling Security Council resolution 186(1964) of 4 March 1964, regarding the establishment of the United Nations Peacekeeping Force in Cyprus, and the subsequent resolutions by which the Council extended the mandate of the Force, the latest of which was resolution 1930(2010) of 15 June 2010, by which the Council extended the mandate of the Force until 15 December 2010,

Recalling also its resolution 47/236 of 14 September 1993 on the financing of the Force and its subsequent resolutions and decisions thereon, the latest of which was resolution 63/290 of 30 June 2009,

Reaffirming the general principles underlying the financing of United Nations peacekeeping operations, as stated in General Assembly resolutions 1874(S-IV) of 27 June 1963, 3101(XXVIII) of 11 December 1973 and 55/235 of 23 December 2000,

Noting with appreciation that voluntary contributions have been made to the Force by certain Governments,

Noting that voluntary contributions were insufficient to cover all the costs of the Force, including those incurred by troop-contributing Governments prior to 16 June 1993, and regretting the absence of an adequate response to appeals for voluntary contributions, including that contained in the letter dated 17 May 1994 from the Secretary-General to all Member States,

Mindful of the fact that it is essential to provide the Force with the financial resources necessary to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

1. *Requests* the Secretary-General to entrust the Head of Mission with the task of formulating future budget proposals in full accordance with the provisions of General Assembly resolutions 59/296 of 22 June 2005, 60/266 of 30 June 2006, 61/276 of 29 June 2007 and 64/269 of 24 June 2010, as well as other relevant resolutions;

2. *Takes note* of the status of contributions to the United Nations Peacekeeping Force in Cyprus as at 30 April 2010, including the contributions outstanding in the amount of 13.4 million United States dollars, representing some 3 per cent of the total assessed contributions, notes with concern that only fifty-five Member States have paid their assessed contributions in full, and urges all other Member States, in particular those in arrears, to ensure payment of their outstanding assessed contributions;

3. *Expresses its appreciation* to those Member States which have paid their assessed contributions in full, and urges all other Member States to make every possible effort to ensure payment of their assessed contributions to the Force in full;

4. *Expresses concern* at the financial situation with regard to peacekeeping activities, in particular as regards the reimbursements to troop contributors that bear additional burdens owing to overdue payments by Member States of their assessments;

5. *Also expresses concern* at the delay experienced by the Secretary-General in deploying and providing adequate resources to some recent peacekeeping missions, in particular those in Africa;

6. *Emphasizes* that all future and existing peacekeeping missions shall be given equal and non-discriminatory treatment in respect of financial and administrative arrangements;

7. *Also emphasizes* that all peacekeeping missions shall be provided with adequate resources for the effective and efficient discharge of their respective mandates;

8. *Reiterates its request* to the Secretary-General to make the fullest possible use of the facilities and equipment at the United Nations Logistics Base at Brindisi, Italy, in order to minimize the costs of procurement for the Force;

9. *Requests* the Secretary-General to ensure that proposed peacekeeping budgets are based on the relevant legislative mandates;

10. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions, subject to the

provisions of the present resolution, and requests the Secretary-General to ensure their full implementation;

11. *Decides* to apply a vacancy factor of 5 per cent for international staff and 2 per cent for national staff;

12. *Requests* the Secretary-General to ensure the full implementation of the relevant provisions of its resolutions 59/296, 60/266, 61/276 and 64/269;

13. *Also requests* the Secretary-General to take all action necessary to ensure that the Force is administered with a maximum of efficiency and economy;

14. *Further requests* the Secretary-General, in order to reduce the cost of employing General Service staff, to continue efforts to recruit local staff for the Force against General Service posts, commensurate with the requirements of the Force;

Financial performance report for the period from 1 July 2008 to 30 June 2009

15. *Takes note* of the report of the Secretary-General on the financial performance of the Force for the period from 1 July 2008 to 30 June 2009;

Budget estimates for the period from 1 July 2010 to 30 June 2011

16. *Decides* to appropriate to the Special Account for the United Nations Peacekeeping Force in Cyprus the amount of 59,759,200 dollars for the period from 1 July 2010 to 30 June 2011, inclusive of 56,325,700 dollars for the maintenance of the Force, 2,907,900 dollars for the support account for peacekeeping operations and 525,600 dollars for the United Nations Logistics Base;

Financing of the appropriation

17. *Notes with appreciation* that a one-third share of the net appropriation, equivalent to 18,954,592 dollars, will be funded through voluntary contributions from the Government of Cyprus and the amount of 6.5 million dollars from the Government of Greece;

18. *Decides* to apportion among Member States the amount of 34,304,608 dollars at a monthly rate of 2,858,717 dollars, in accordance with the levels updated in General Assembly resolution 64/249 of 24 December 2009, and taking into account the scale of assessments for 2010 and 2011, as set out in resolution 64/248 of 24 December 2009, subject to a decision of the Security Council to extend the mandate of the Force;

19. *Also decides* that, in accordance with the provisions of its resolution 973(X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 18 above, their respective share in the Tax Equalization Fund of 2,838,500 dollars, comprising the estimated staff assessment income of 2,555,700 dollars approved for the Force, the prorated share of 240,800 dollars of the estimated staff assessment income approved for the support account and the prorated share of 42,000 dollars of the estimated staff assessment income approved for the United Nations Logistics Base;

20. *Further decides* that, for Member States that have fulfilled their financial obligations to the Force, there shall be set off against their apportionment, as provided for in paragraph 18 above, their respective share of the unencumbered balance and other income in the amount of 517,502 dollars for the financial period ended 30 June 2009, in accordance with the levels updated in its resolution 61/243 of 22 December 2006, and taking into account the scale

of assessments for 2009, as set out in its resolution 61/237 of 22 December 2006;

21. *Decides* that, for Member States that have not fulfilled their financial obligations to the Force, there shall be set off against their outstanding obligations their respective share of the unencumbered balance and other income in the amount of 517,502 dollars in respect of the financial period ended 30 June 2009, in accordance with the scheme set out in paragraph 20 above;

22. *Also decides* that the increase of 76,100 dollars in the estimated staff assessment income in respect of the financial period ended 30 June 2009 shall be added to the credits from the amount of 517,502 dollars referred to in paragraphs 20 and 21 above;

23. *Further decides*, taking into account its voluntary contribution for the financial period ended 30 June 2009, that one third of the unencumbered balance and other income in the amount of 314,186 dollars in respect of the financial period ended 30 June 2009 shall be returned to the Government of Cyprus;

24. *Decides*, taking into account its voluntary contribution for the financial period ended 30 June 2009, that the prorated share of other income in the amount of 111,812 dollars in respect of the financial period ended 30 June 2009 shall be returned to the Government of Greece;

25. *Also decides* to continue to maintain as separate the account established for the Force for the period prior to 16 June 1993, invites Member States to make voluntary contributions to that account, and requests the Secretary-General to continue his efforts in appealing for voluntary contributions to the account;

26. *Emphasizes* that no peacekeeping mission shall be financed by borrowing funds from other active peacekeeping missions;

27. *Encourages* the Secretary-General to continue to take additional measures to ensure the safety and security of all personnel participating in the Force under the auspices of the United Nations, bearing in mind paragraphs 5 and 6 of Security Council resolution 1502(2003) of 26 August 2003;

28. *Invites* voluntary contributions to the Force in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure and practices established by the General Assembly;

29. *Decides* to include in the provisional agenda of its sixty-fifth session the item entitled "Financing of the United Nations Peacekeeping Force in Cyprus".

On 24 December, the Assembly decided that the agenda item on UNFICYP financing would remain for consideration at its resumed sixty-fifth (2011) session (**decision 65/544**).

Other issues

Strengthening of security and cooperation in the Mediterranean

In response to General Assembly resolution 64/68 [YUN 2009, p. 431], the Secretary-General submitted a July report with a later addendum [A/65/126 & Add.1]

containing replies received from Algeria, Belgium, Morocco and Serbia to his 17 March note verbale requesting the views of States on ways to strengthen security and cooperation in the Mediterranean region.

GENERAL ASSEMBLY ACTION

On 8 December [meeting 60], the General Assembly, on the recommendation of the First (Disarmament and International Security) Committee [A/65/415], adopted **resolution 65/90** without vote [agenda item 102].

Strengthening of security and cooperation in the Mediterranean region

The General Assembly,

Recalling its previous resolutions on the subject, including resolution 64/68 of 2 December 2009,

Reaffirming the primary role of the Mediterranean countries in strengthening and promoting peace, security and cooperation in the Mediterranean region,

Welcoming the efforts deployed by the Euro-Mediterranean countries to strengthen their cooperation in combating terrorism, in particular through the adoption of the Euro-Mediterranean Code of Conduct on Countering Terrorism by the Euro-Mediterranean Summit, held in Barcelona, Spain, on 27 and 28 November 2005,

Bearing in mind all the previous declarations and commitments, as well as all the initiatives taken by the riparian countries at the recent summits, ministerial meetings and various forums concerning the question of the Mediterranean region,

Recalling, in this regard, the adoption on 13 July 2008 of the Joint Declaration of the Paris Summit, which launched a reinforced partnership, "the Barcelona Process: Union for the Mediterranean", and the common political will to revive efforts to transform the Mediterranean into an area of peace, democracy, cooperation and prosperity,

Welcoming the entry into force of the African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba) as a contribution to the strengthening of peace and security both regionally and internationally,

Recognizing the indivisible character of security in the Mediterranean and that the enhancement of cooperation among Mediterranean countries with a view to promoting the economic and social development of all peoples of the region will contribute significantly to stability, peace and security in the region,

Recognizing also the efforts made so far and the determination of the Mediterranean countries to intensify the process of dialogue and consultations with a view to resolving the problems existing in the Mediterranean region and to eliminating the causes of tension and the consequent threat to peace and security, as well as their growing awareness of the need for further joint efforts to strengthen economic, social, cultural and environmental cooperation in the region,

Recognizing further that prospects for closer Euro-Mediterranean cooperation in all spheres can be enhanced by positive developments worldwide, in particular in Europe, in the Maghreb and in the Middle East,

Reaffirming the responsibility of all States to contribute to the stability and prosperity of the Mediterranean region and their commitment to respecting the purposes and prin-

ciples of the Charter of the United Nations as well as the provisions of the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,

Noting the peace negotiations in the Middle East, which should be of a comprehensive nature and represent an appropriate framework for the peaceful settlement of contentious issues in the region,

Expressing its concern at the persistent tension and continuing military activities in parts of the Mediterranean that hinder efforts to strengthen security and cooperation in the region,

Taking note of the report of the Secretary-General,

1. *Reaffirms* that security in the Mediterranean is closely linked to European security as well as to international peace and security;

2. *Expresses its satisfaction* at the continuing efforts by Mediterranean countries to contribute actively to the elimination of all causes of tension in the region and to the promotion of just and lasting solutions to the persistent problems of the region through peaceful means, thus ensuring the withdrawal of foreign forces of occupation and respecting the sovereignty, independence and territorial integrity of all countries of the Mediterranean and the right of peoples to self-determination, and therefore calls for full adherence to the principles of non-interference, non-intervention, non-use of force or threat of use of force and the inadmissibility of the acquisition of territory by force, in accordance with the Charter and the relevant resolutions of the United Nations;

3. *Commends* the Mediterranean countries for their efforts in meeting common challenges through coordinated overall responses, based on a spirit of multilateral partnership, towards the general objective of turning the Mediterranean basin into an area of dialogue, exchanges and cooperation, guaranteeing peace, stability and prosperity, encourages them to strengthen such efforts through, inter alia, a lasting multilateral and action-oriented cooperative dialogue among States of the region, and recognizes the role of the United Nations in promoting regional and international peace and security;

4. *Recognizes* that the elimination of the economic and social disparities in levels of development and other obstacles as well as respect and greater understanding among cultures in the Mediterranean area will contribute to enhancing peace, security and cooperation among Mediterranean countries through the existing forums;

5. *Calls upon* all States of the Mediterranean region that have not yet done so to adhere to all the multilaterally negotiated legal instruments related to the field of disarmament and non-proliferation, thus creating the conditions necessary for strengthening peace and cooperation in the region;

6. *Encourages* all States of the region to favour the conditions necessary for strengthening the confidence-building measures among them by promoting genuine openness and transparency on all military matters, by participating, inter alia, in the United Nations system for the standardized reporting of military expenditures and by providing accurate data and information to the United Nations Register of Conventional Arms;

7. *Encourages* the Mediterranean countries to strengthen further their cooperation in combating terrorism in all its forms and manifestations, including the pos-

sible resort by terrorists to weapons of mass destruction, taking into account the relevant resolutions of the United Nations, and in combating international crime and illicit arms transfers and illicit drug production, consumption and trafficking, which pose a serious threat to peace, security and stability in the region and therefore to the improvement of the current political, economic and social situation and which jeopardize friendly relations among States, hinder the development of international cooperation and result in the destruction of human rights, fundamental freedoms and the democratic basis of pluralistic society;

8. *Requests* the Secretary-General to submit a report on means to strengthen security and cooperation in the Mediterranean region;

9. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "Strengthening of security and cooperation in the Mediterranean region".

Cooperation with the Collective Security Treaty Organization

In March, the General Assembly considered the agenda item on cooperation between the United Nations and the Collective Security Treaty Organization (CSTO). CSTO, which was granted observer status in the Assembly in 2004 [YUN 2004, p. 1459], sought to strengthen peace and international and regional security and stability, and protect collectively the independence, territorial integrity and sovereignty of its member States.

GENERAL ASSEMBLY ACTION

On 2 March [meeting 74], the General Assembly adopted **resolution 64/256** [draft: A/64/L.45 & Add.1] without vote [agenda item 125].

Cooperation between the United Nations and the Collective Security Treaty Organization

The General Assembly,

Referring to its resolution 59/50 of 2 December 2004, in which it granted the Collective Security Treaty Organization observer status in the General Assembly,

Referring also to the Articles of the Charter of the United Nations which encourage measures for regional cooperation to advance the purposes and principles of the United Nations,

Welcoming the efforts of the Secretary-General of the Collective Security Treaty Organization to strengthen the role of that organization in the attainment of objectives consistent with the purposes of the United Nations,

Referring to Security Council resolution 1631(2005) of 17 October 2005, in which the Council recalls its invitation to regional organizations to improve coordination with the United Nations, and to the declarations of the General Assembly of 9 December 1994 related to the strengthening and the improvement of cooperation between the United Nations and regional organizations in maintaining international peace and security,

Emphasizing that the growing contribution by regional organizations to cooperation with the United Nations can

usefully supplement the activity of the latter for the maintenance of international peace and security,

1. *Notes* the activity of the Collective Security Treaty Organization for the development of regional cooperation in such areas as strengthening regional security and stability, peacemaking, counter-terrorism, combating illegal trafficking in narcotics and arms, countering organized transnational crime and human trafficking, and combating natural and man-made disasters, which contributes to the attainment of the purposes and principles of the United Nations;

2. *Also notes* the importance of strengthening dialogue, cooperation and coordination between the United Nations system and the Collective Security Treaty Organization, and to this end invites the Secretary-General of the United Nations to engage in regular consultations with the Secretary-General of the Collective Security Treaty Organization, utilizing for this purpose the appropriate inter-institutional forums and formats, including the annual consultations between the Secretary-General of the United Nations and the heads of regional organizations;

3. *Invites* the specialized components of the United Nations system, such as the Department of Political Affairs of the Secretariat, the United Nations Office on Drugs and Crime and the Counter-Terrorism Committee and its Executive Directorate, to cooperate and develop direct contacts with the Collective Security Treaty Organization for the joint implementation of programmes aimed at the attainment of their objectives;

4. *Requests* the Secretary-General of the United Nations to submit to the General Assembly at its sixty-fifth session a report on the implementation of the present resolution;

5. *Decides* to include in the provisional agenda of its sixty-fifth session a sub-item entitled "Cooperation between the United Nations and the Collective Security Treaty Organization".

On 13 December [meeting 64], the Assembly adopted **resolution 65/122** [draft: A/65/L.6] without vote [agenda item 122 (j)].

Cooperation between the United Nations and the Collective Security Treaty Organization

The General Assembly,

Referring to its resolution 59/50 of 2 December 2004, in which it granted the Collective Security Treaty Organization observer status in the General Assembly,

Referring also to its resolution 64/256 of 2 March 2010 on cooperation between the United Nations and the Collective Security Treaty Organization,

Referring further to the Articles of the Charter of the United Nations which encourage measures for regional cooperation to advance the purposes and principles of the United Nations,

Calling upon the Secretary-General of the United Nations and the Secretary-General of the Collective Security Treaty Organization to strengthen the working contacts and coordination between the two organizations at different levels in keeping with the provisions of the Joint Declaration on Cooperation between the Secretariats of the United Nations and of the Collective Security Treaty Organization of 18 March 2010,

Welcoming the efforts of the Secretary-General of the Collective Security Treaty Organization to strengthen the

role of that organization in the attainment of objectives consistent with the purposes of the United Nations,

Referring to Security Council resolution 1631(2005) of 17 October 2005, in which the Council recalls its invitation to regional organizations to improve coordination with the United Nations, and to the declarations of the General Assembly of 9 December 1994 related to the strengthening and the improvement of cooperation between the United Nations and regional organizations in maintaining international peace and security,

Emphasizing that the growing contribution by regional organizations to cooperation with the United Nations can usefully supplement the activity of the latter for the maintenance of international peace and security,

Welcoming efforts by the States members of the Collective Security Treaty Organization to attain objectives consistent with the purposes and principles of the United Nations,

1. *Notes* the activity of the Collective Security Treaty Organization for the development of regional cooperation in such areas as strengthening regional security and stability, peacekeeping, counter-terrorism, combating illegal trafficking in narcotics and arms, countering organized transnational crime and human trafficking, and combating natural and man-made disasters, which contributes to the attainment of the purposes and principles of the United Nations;

2. *Also notes* the importance of strengthening dialogue, cooperation and coordination between the United Nations system and the Collective Security Treaty Organization, and to this end invites the Secretary-General of the United Nations to continue regular consultations with the Secretary-General of the Collective Security Treaty Organization, utilizing for this purpose the appropriate inter-institutional forums and formats, including the annual consultations between the Secretary-General of the United Nations and the heads of regional organizations;

3. *Invites* the specialized components of the United Nations system, such as the Department of Political Affairs and the Department of Peacekeeping Operations of the Secretariat, the United Nations Office on Drugs and Crime and the Counter-Terrorism Committee and its Executive Directorate, to cooperate and develop direct contacts with the Collective Security Treaty Organization for the joint implementation of programmes aimed at the attainment of their objectives;

4. *Requests* the Secretary-General of the United Nations to submit to the General Assembly at its sixty-seventh session a report on the implementation of the present resolution;

5. *Decides* to include in the provisional agenda of its sixty-seventh session the sub-item entitled "Cooperation between the United Nations and the Collective Security Treaty Organization".

Cooperation with the Council of Europe

GENERAL ASSEMBLY ACTION

On 13 December [meeting 64], the General Assembly adopted **resolution 65/130** [draft: A/65/L.41 & Add.1] without vote [agenda item 122 (h)].

Cooperation between the United Nations and the Council of Europe

The General Assembly,

Recalling the Agreement between the Council of Europe and the Secretariat of the United Nations signed on 15 December 1951 and the Arrangement on Cooperation and Liaison between the Secretariats of the United Nations and the Council of Europe of 19 November 1971,

Recalling also its resolution 44/6 of 17 October 1989, in which it granted the Council of Europe a standing invitation to participate as an observer in its sessions and work, as well as its previous resolutions on cooperation between the United Nations and the Council of Europe,

Noting the sixtieth anniversary of the European Convention for the Protection of Human Rights and Fundamental Freedoms, in 2010, and the entry into force of Protocol No. 14 thereto, on 1 June 2010,

Acknowledging the contribution of the Council of Europe, at the European level, to the protection and strengthening of human rights and fundamental freedoms, democracy and the rule of law through its standards, principles and monitoring mechanisms, as well as to the effective implementation of relevant international legal instruments of the United Nations,

Acknowledging also the contribution of the Council of Europe to the development of international law, and noting the openness of the Council of Europe to the participation of States of other regions in its legal instruments,

Noting the contribution of the Council of Europe to the report submitted by the Secretary-General to the General Assembly at its sixty-fourth session on the support by the United Nations system of the efforts of Governments to promote and consolidate new or restored democracies,

Noting also the contribution of the Council of Europe to the universal periodic review by the Human Rights Council of the situation of human rights in States members of the Council of Europe,

Noting further the continued attention of the Parliamentary Assembly of the Council of Europe to the ongoing reform process of the United Nations, and following with interest the reform process within the Council of Europe initiated by its present Secretary-General,

Welcoming the increasingly close relations between the United Nations and the Council of Europe and the opening of the Council of Europe Office in Geneva, which acts as the Permanent Delegation of the Council of Europe to the United Nations Office at Geneva and other international organizations in Geneva, as well as the decision of the Council of Europe to open an Office in Vienna,

Taking note with appreciation of the report of the Secretary-General on cooperation between the United Nations and the Council of Europe,

1. *Reiterates its call* for the reinforcement of cooperation between the United Nations and the Council of Europe regarding the protection of human rights and fundamental freedoms, inter alia, the promotion of democracy and the rule of law, the prevention of torture, the fight against trafficking in human beings, the fight against racism, discrimination, xenophobia and intolerance, the fight against impunity for human rights violations, the promotion of gender equality and the protection of the rights of persons belonging to minorities;

2. *Confirms its recognition* of the important role of the European Court of Human Rights in ensuring effective human rights protection under the European Convention for the Protection of Human Rights and Fundamental Freedoms for the eight hundred million individuals in the forty-seven States members of the Council of Europe, and notes with interest the February 2010 Council of Europe Interlaken Declaration and Action Plan to reform the European Court of Human Rights aimed at ensuring the longer-term effectiveness of this judicial mechanism and the ongoing work aiming at accession of the European Union to the Convention;

3. *Encourages* further cooperation between the United Nations, including the Human Rights Council and the Office of the United Nations High Commissioner for Human Rights, as well as the Special Rapporteur on the situation of human rights defenders, and the Council of Europe, including its Commissioner for Human Rights, regarding promoting respect for human rights, and in this context, welcomes the holding of the regional consultation organized in Strasbourg, France, on 16 and 17 December 2009 by the United Nations High Commissioner for Human Rights in cooperation with the Council of Europe on enhancing cooperation between the international human rights system and the European human rights mechanisms;

4. *Also encourages* further cooperation, where appropriate, between the United Nations and the Council of Europe through their mechanisms regarding the prevention of torture and inhuman or degrading treatment or punishment;

5. *Follows* the monitoring activities of the Group of Experts on Action against Trafficking in Human Beings, established under the Council of Europe Convention on Action against Trafficking in Human Beings, and recalls that the Convention is open for accession by all States;

6. *Encourages* the Council of Europe to continue cooperation with the United Nations in the fight against trafficking in persons, and in this context welcomes the adoption of the United Nations Global Plan of Action to Combat Trafficking in Persons, stressing the need for its full and effective implementation, and expressing the view that it will, inter alia, enhance cooperation and improve coordination of efforts in fighting trafficking in persons and promote increased ratification and full implementation of the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime;

7. *Welcomes* the joint Council of Europe/United Nations study entitled *Trafficking in organs, tissues and cells and trafficking in human beings for the purpose of the removal of organs*, launched at the sixty-fourth session of the General Assembly, and encourages further joint endeavours on following up the study;

8. *Welcomes and encourages* the close collaboration between the United Nations Children's Fund, the Special Representative of the Secretary-General on violence against children, the Office of the United Nations High Commissioner for Human Rights and the Council of Europe to protect and promote the rights of the child, takes note of the Council of Europe Policy Guidelines on National Integrated Strategies for the Protection of Children from Violence, which

constitute a practical follow-up to the study of the Secretary-General on violence against children, and notes the intention of the Council of Europe to launch a pan-European campaign to stop sexual violence against children;

9. *Welcomes* the establishment of the new United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), and looks forward to the development of cooperation between the Council of Europe and the new entity;

10. *Recognizes* that 2010 marks the tenth anniversary of the International Day for the Elimination of Violence against Women, welcomes the increased commitment of the Council of Europe to gender equality, the empowerment of women and the elimination of violence against women, including domestic violence, and its effective contribution within the framework of the global campaign of the Secretary-General to end violence against women, as well as its commitment to the implementation of Security Council resolution 1325(2000) of 31 October 2000, and also welcomes the drafting of a Council of Europe convention on preventing and combating violence against women and domestic violence;

11. *Encourages* continuing cooperation between the Office of the United Nations High Commissioner for Refugees and the Council of Europe, in particular in the protection and promotion of the rights of refugees, asylum-seekers and internally displaced persons, and in the prevention and reduction of statelessness, and recognizes the importance of the interface offered by the presence at the Council of Europe of the United Nations High Commissioner for Refugees Representation to the European Institutions in Strasbourg;

12. *Recognizes* the continuing close liaison and fruitful cooperation between United Nations missions and the field offices of the Council of Europe;

13. *Encourages* further cooperation between the United Nations and the Council of Europe in the area of democracy and good governance, including through their engagement with civil society, as appropriate, and the strengthening of the links between the United Nations Decade of Education for Sustainable Development and the Council of Europe Project on Education for Democratic Citizenship and Human Rights;

14. *Notes* the important role of the United Nations Development Programme and the Council of Europe in supporting good local democratic governance, and encourages a deepening of the cooperation following the signature in February 2010 of the memorandum of understanding between the United Nations Development Programme Regional Bureau for Europe and the Commonwealth of Independent States and the Council of Europe in this field;

15. *Acknowledges* the importance of fostering the development of the information society and the Internet in line with the Tunis Commitment and Tunis Agenda for the Information Society, encourages continued cooperation between the United Nations and the Council of Europe in this area, and notes that the information society and the Internet can, inter alia, promote awareness and understanding of the exercise and enjoyment of human rights and fundamental freedoms;

16. *Welcomes and encourages* the close cooperation between the two organizations in the fight against transnational organized crime, cybercrime, corruption and money-laundering, as well as regarding the protection of the rights

of victims of such crimes, and recalls that the Council of Europe Convention on Cybercrime and the Additional Protocol thereto are open for accession by all States;

17. *Welcomes* the collaboration between the respective mechanisms of the United Nations and the Council of Europe regarding the fight against terrorism in full respect of human rights and the rule of law, encourages the further contribution of the Council of Europe to the implementation of Security Council resolutions 1373(2001) of 28 September 2001 and 1624(2005) of 14 September 2005, and welcomes the commitment of the Council of Europe to the promotion of the implementation of the United Nations Global Counter-Terrorism Strategy;

18. *Supports* the development of cooperation, where appropriate, between the United Nations Peacebuilding Commission and the Council of Europe, with a view to promoting post-conflict reconstruction and development, as well as the consolidation of peace, with full respect for human rights and the rule of law;

19. *Welcomes* the contribution of the Council of Europe to the Sixth Committee of the General Assembly and the International Law Commission;

20. *Recognizes* the role of the revised European Social Charter and of the European Committee of Social Rights in protecting economic and social rights, notes the complementarities of the United Nations Convention on the Rights of Persons with Disabilities and the Council of Europe Disability Action Plan 2006–2015, and confirms its support for cooperation between the two organizations in the social and cultural fields, in particular with respect to the eradication of poverty, the protection and promotion of the rights and dignity of persons with disabilities, encouraging the integration of migrants and refugees, strengthening social cohesion, the fight against maternal and child mortality, and ensuring protection of economic, social and cultural rights for all;

21. *Notes* the cooperation established between the Alliance of Civilizations and the Council of Europe following their signature of a memorandum of understanding on 29 September 2008 and the accession of the Alliance of Civilizations to the Faro Platform, and encourages the United Nations Educational, Scientific and Cultural Organization and the Alliance of Civilizations on the one hand, and the Council of Europe and its North-South Centre on the other, to pursue their developing and fruitful collaboration in the field of intercultural dialogue;

22. *Also notes* the cooperation between the Council of Europe and the United Nations Educational, Scientific and Cultural Organization in the field of education, and encourages the extension of this cooperation, which should continue to focus on the role of education in developing just and humane societies characterized by the participation of individuals and the ability of individuals and societies to conduct intercultural dialogue, as well as on the encouragement of the diversity of cultural expressions;

23. *Requests* the Secretaries-General of the United Nations and the Council of Europe to combine their efforts in seeking answers to global challenges, within their respective mandates, and calls upon all relevant United Nations bodies to support the enhancement of cooperation with the Council of Europe, as appropriate, in the areas mentioned above as well as in other fields such as youth, sport, bio-

diversity, health and disaster risk reduction, with regard to which fruitful cooperation is already taking place;

24. *Decides* to include in the provisional agenda of its sixty-seventh session the sub-item entitled “Cooperation between the United Nations and the Council of Europe”, and requests the Secretary-General to submit to the General Assembly at its sixty-seventh session a report on cooperation between the United Nations and the Council of Europe in implementation of the present resolution.

Cooperation with the Organization for Security and Cooperation in Europe

At a 5 February Security Council meeting [S/PV.6268], the Chairman-in-Office of the Organization for Security and Cooperation in Europe (OSCE), Kanat Saudabayev, described the work of OSCE. He stated that OSCE was determined to promote a balance among its three priority areas—political and military, economic and environmental, and human. He emphasized the importance of close coordination among OSCE, the United Nations and the EU in efforts to promote stability in the conflicts in the southern Caucasus. Another top priority was further OSCE involvement in the stabilization of Afghanistan. In the economic and environmental area, he emphasized the development of the Eurasian region’s transit-transport potential and conti-

mental transport corridors, which would contribute to efforts by participating States to overcome the global crisis. Also, the importance of close cooperation with the United Nations Economic Commission for Europe and the Regional Centre for Preventive Diplomacy for Central Asia in dealing with the environmental situation of the Aral Sea was stressed. In the area of human rights, OSCE expected close cooperation with the UN system on issues pertaining to gender equality and the rule of law. The focus of his chairmanship-in-office was to improve interaction and complementarity between OSCE and the United Nations to meet new global challenges.

By **decision 65/544** of 24 December, the General Assembly decided that the agenda item on cooperation between the United Nations and OSCE would remain for consideration at its resumed sixty-fifth (2011) session.

Stability and development in South-Eastern Europe

On 8 December (**decision 65/515**), the General Assembly decided to include in the provisional agenda of its sixty-sixth (2011) session the item entitled “Maintenance of international security—good-neighbourliness, stability and development in South-Eastern Europe”.

Middle East

In 2010, the Israelis and Palestinians held seven rounds of indirect proximity talks, jumpstarted in May by international diplomatic activity mediated by the United States. The proximity talks led to a bilateral meeting on 2 September in Washington, D.C., between Palestinian President Mahmoud Abbas and Israeli Prime Minister Benjamin Netanyahu. These talks were considered an important step towards the resumption of direct bilateral negotiations, which had not been held since 2008. In late September, however, the Palestinians disengaged from further talks following renewed settlement building by Israel.

The Quartet—a coordinating mechanism for international peace efforts—comprising the Russian Federation, the United States, the European Union and the United Nations, urged a durable resolution to outstanding issues while addressing Israel's legitimate security concerns. The Quartet did not achieve a breakthrough on securing the release of abducted Israeli Staff Sergeant Gilad Shalit, in custody of Hamas for more than four years.

The Security Council held 17 meetings throughout the year on the situation in the Middle East, including the Palestinian question, and on the use of force during the Israeli military operation in international waters against a humanitarian flotilla sailing to Gaza in May. The Council condemned the operation, which had reportedly resulted in the death of 10 civilians and many more wounded, including Israel Defence Forces officers. In presidential statement S/PRST/2010/9, the Council requested the immediate release of the ships and their civilian passengers held by Israel.

In August, the Secretary-General established a Panel of Inquiry on the flotilla incident following intensive consultations with, and the concurrence of, Israel and Turkey. The panel submitted its first progress report in September.

The Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories was concerned about policies of collective punishment of the occupied Palestinian population, whether by means of the blockade on Gaza's 1.5 million inhabitants or by the restrictions on movement, including those resulting from the wall being built by Israel and its gate and permit regime. The Special Committee urged Member States and the Secu-

rity Council to ensure implementation of the 2004 advisory opinion of the International Court of Justice on the legal consequences of the construction of the barrier in the Occupied Palestinian Territory.

The blockade of Gaza detrimentally affected reconstruction and economic recovery, in addition to worsening humanitarian conditions in Gaza. Per capita gross domestic product in the Occupied Palestinian Territory remained more than 30 per cent lower than its level 10 years earlier, and the long-term prospects for establishing a viable, contiguous Palestinian State appeared bleak given the diminishing access to natural and economic resources, as well as the separation and fragmentation of the Gaza Strip, West Bank and East Jerusalem. The United Nations Relief and Works Agency for Palestine Refugees in the Near East stated that very high unemployment and poverty rates persisted in Gaza and there was little hope of a significant improvement while the blockade remained in force. The situation in the West Bank and East Jerusalem was similar.

In Lebanon, the Prosecutor with the Special Tribunal set up to investigate and prosecute the perpetrators of the 2005 assassination of former Lebanese Prime Minister Rafiq Hariri intensified investigations. The mandate of the United Nations Interim Force in Lebanon (UNIFIL) was extended for 12 more months. UNIFIL continued to work with the Lebanese Armed Forces to consolidate security in southern Lebanon, mediate between the Lebanese and Israeli forces and prevent non-state militias from attacking Israel.

Also during the year, the mandate of the United Nations Disengagement Observer Force (UNDOF) in the Golan Heights was extended twice. The United Nations Truce Supervision Organization continued to assist UNIFIL and UNDOF by providing unarmed military observers to supervise armistice agreements, ceasefires and related tasks.

Peace process

Diplomatic efforts

In 2010, the United Nations worked to create conditions conducive to a resumption of political negotiations between Israelis and Palestinians and consist-

ently advocated a full reopening of the Gaza crossings closed by Israel. The United Nations participated in the meetings of the Quartet (Russian Federation, United States, European Union (EU), United Nations) in March, May, June and August, supporting a broader Middle East settlement and responding to unfolding developments in the region.

In the aftermath of the Israeli attack on and diversion of a humanitarian flotilla bound for Gaza, the Secretary-General engaged in formulating proposals, consistent with Security Council presidential statement S/PRST/2010/9 (see p. 440) on the issue, for a credible, transparent and independent international inquiry into the events.

The Security Council discussed the situation in the Middle East, including the Palestine question, at meetings held on 27 January [S/PV.6265], 18 February [S/PV.6273], 24 March [S/PV.6292], 14 April [S/PV.6298], 18 May [S/PV.6315], 31 May [S/PV.6325], 1 June [S/PV.6326], 15 June [S/PV.6340], 30 June [S/PV.6352], 21 July [S/PV.6363], 17 August [S/PV.6372], 30 August [S/PV.6375], 17 September [S/PV.6388], 18 October [S/PV.6404], 23 November [S/PV.6430], 14 December [S/PV.6448] and 22 December [S/PV.6462]. During the meetings, the Council was briefed by Secretariat officials on the peace process and developments in the Occupied Palestinian Territory, the Gaza humanitarian flotilla, and the precarious situation in the Gaza Strip.

Five communications dealing with Council meeting participation were issued during the year [S/2010/44; S/2010/75; S/2010/182; S/2010/391; S/2010/533].

Occupied Palestinian Territory

Political and security developments

Security Council consideration. On 27 January [S/PV.6265], the Assistant Secretary-General for Political Affairs, Oscar Fernandez-Taranco, briefed the Council on the situation in the Middle East. He warned that if a decisive move towards a final status agreement was not made, there was a risk of reversing progress, with potentially profound and negative implications. He said that a worrying impasse persisted in the efforts to bring about Israeli-Palestinian negotiations amid lack of confidence between the parties, disputes over terms of reference for negotiations, continued developments on the ground, tensions in Jerusalem, uneven developments in the remainder of the West Bank, and unsustainable conditions in Gaza. Intense diplomatic activity continued in an effort to jumpstart negotiations between the two sides, including a visit to the region by the Special Envoy of the United States to the Middle East, George Mitchell. While the parties had indicated that they were re-

viewing developments, a breakthrough had not been achieved. Turning to Gaza, he said that the failure to address the issues that led to Israel's 2009 military operation there [YUN 2009, p. 434] and its aftermath had created an unsustainable situation and a sense of hopelessness for the population, over half of which was under the age of 18.

On 18 February [S/PV.6273], the Council was briefed by the Under-Secretary-General for Political Affairs, B. Lynn Pascoe, who said that Israel had indicated its readiness to accept indirect talks proposed by the United States Special Envoy, while Palestinian Authority President Mahmoud Abbas had been engaged in intensive consultations and had sought clarifications. The Under-Secretary-General urged Israel to extend its 10-month freeze on the building of settlements in the West Bank to a comprehensive freeze there and in East Jerusalem. He noted that, since the last briefing on 27 January, the Israeli authorities had identified violations of restraint orders on settlement construction in at least 29 settlements, while the Israeli defence ministry had stated that it was issuing demolition and stop-work orders against violators.

Quartet meetings. On 12 March [SG/2157], the Quartet condemned Israel's decision to advance planning for new housing units in East Jerusalem. It agreed to closely monitor developments in Jerusalem and to keep under consideration additional steps that might be required to address the situation on the ground. The Quartet reaffirmed that unilateral actions taken by either party could not prejudice the outcome of negotiations and would not be recognized by the international community. It reiterated that Arab-Israeli peace and the establishment of an independent, contiguous and viable State of Palestine was in the fundamental interests of the parties, of all States in the region, and of the international community. In that regard, the Quartet called on all concerned to support the resumption of dialogue between the parties and to promote an atmosphere that was conducive to successful negotiations to resolve all outstanding issues of the conflict, including the status of Jerusalem.

The Quartet, meeting in Moscow on 19 March [SG/2158], welcomed the readiness to launch proximity talks between the Israelis and the Palestinians and emphasized that the circumstances that made the agreement to launch the talks be respected. The proximity talks were an important step towards the resumption, without preconditions, of direct bilateral negotiations to resolve all final status issues as previously agreed by the parties. The Quartet believed that the negotiations should lead, within 24 months, to a settlement that ended the occupation, which began in 1967, and resulted in the emergence of an independent, democratic and viable Palestinian State existing side-by-side in peace and security with Israel and its other neighbours.

The Quartet urged the Government of Israel to freeze all settlement activity, including natural growth; dismantle outposts erected since March 2001; and refrain from demolitions and evictions in East Jerusalem. The Quartet underscored that the status of Jerusalem was a permanent status issue that must be resolved through negotiations between the parties. It condemned Israel's decision to advance planning for new housing units in East Jerusalem. The Quartet was concerned by the continuing deterioration of conditions in Gaza, including in the humanitarian and human rights situation of the civilian population, and stressed the urgency of finding a durable resolution to the Gaza crisis. It called for a solution that addressed Israel's legitimate security concerns, including an end to weapons smuggling into Gaza; promoted Palestinian unity based on the commitments made by the Palestine Liberation Organization (PLO) and the reunification of Gaza and the West Bank under the legitimate Palestinian Authority (PA); and ensured the opening of the crossings into Gaza to allow for the unimpeded flow of humanitarian aid, commercial goods and persons, consistent with Security Council resolution 1860(2009) [YUN 2009, p. 434].

Security Council consideration. On 14 April [S/PV.6298], the Council was briefed by the Under-Secretary-General for Political Affairs, who said that the situation on the ground remained fragile. He called for all parties to take steps to advance the peace process, as there was no alternative to the resumption of negotiations on all core issues for a two-State solution. The Under-Secretary-General noted that while Israel had begun to ease its blockade of the Gaza Strip, allowing in some goods it had banned, including clothes and shoes, wood, and aluminium, that move fell short of what was required to address Gaza's immense reconstruction and development needs following the crisis caused by Israel's Operation Cast Lead in 2008 [YUN 2008, p. 492] and 2009 [YUN 2009, p. 434]. Beyond the entry of materials into Gaza, other key elements of Council resolution 1860(2009) remained unfulfilled and continued to contribute to instability in the territory.

Communication. On 19 April [S/2010/204], the Syrian Arab Republic transmitted to the Security Council the document issued by the twenty-second ordinary session of the Council of the League of Arab States at the summit level (Sert, Libyan Arab Jamahiriya, 27–28 March), along with the Sert Declaration and resolutions adopted by the session.

Quartet meeting. On 11 May [SG/2159], the Quartet welcomed the first round of proximity talks between the Israelis and the Palestinians, which began on 9 May. The talks were a significant step towards direct, bilateral negotiations and

comprehensive peace in the Middle East based on the establishment of an independent and viable Palestinian State. The Quartet called on the parties to pursue the talks in good faith and offered its support for their efforts. It also called on all concerned to promote an atmosphere conducive to the talks and to act on the basis of previous agreements and obligations.

Security Council consideration. On 18 May [S/PV.6315], the Council was briefed by the UN Special Coordinator for the Middle East Peace Process and Personal Representative to the Secretary-General, Robert Serry. He said that the Israeli-Palestinian proximity talks, which had officially commenced under United States mediation, faced powerful elements that sought to derail progress. Progress on core issues could not be allowed to stagnate, as leaders on both sides had displayed political courage in entering negotiations.

Since the Council's April meeting, Palestinian militants had fired 12 rockets towards Israel, causing no injuries, while the Israel Defence Forces conducted 19 incursions and eight air strikes, killing three and injuring nine Palestinians. Seven Palestinians were also killed and 13 injured in incidents that took place in tunnels under the border with Egypt.

Flotilla incident

Communications. On 31 May, Turkey [S/2010/266], Lebanon [S/2010/267] and Palestine [S/2010/268] requested the Security Council President to convene an emergency meeting to discuss the military interception on that day by Israel, in international waters, of a multinational convoy of ships carrying humanitarian assistance to the people of Gaza.

Security Council consideration. The Assistant Secretary-General for Political Affairs, briefing the Council on 31 May [S/PV.6325], said that Israeli naval forces boarded a six-ship convoy that was heading towards Gaza that morning. The stated purpose of the convoy was to deliver humanitarian aid to Gaza and to break the Israeli blockade on Gaza. The convoy was reportedly carrying a range of educational, medical and construction materials and approximately 700 activists, including members of parliament from several countries. In the lead-up to those events, the Israeli authorities had conveyed their intention, both publicly and through diplomatic channels, not to allow the convoy to reach Gaza. They had stated that if the convoy proceeded contrary to those warnings, they would divert it to an Israeli port, inspect the cargo, facilitate the entry of only those goods that were allowed into Gaza in

accordance with Israel's blockade, and deport those on board. The organizers of the convoy had indicated their intention to proceed with their convoy, and to attempt to deliver their full consignment of cargo to Gaza and break the blockade; a committee organized by Hamas in Gaza had been formed to receive the convoy.

The Israeli navy reportedly intercepted the convoy 14 nautical miles off the coast of Gaza in international waters. Israeli military personnel boarded the vessels, supported by ships and helicopters, and took control of all six vessels. It was reported that at least 10 people were killed and 30 were injured, and at least six Israeli military personnel were wounded. According to Israeli statements, the seriously injured were evacuated by helicopter to hospitals in Israel. All of the ships arrived under escort at the Israeli port of Ashdod. An Israeli Ministry of Foreign Affairs spokesman stated that all international persons from the vessels would be deported.

Israeli authorities expressed regret about the casualties but blamed the activists for the violence. President Abbas condemned Israel's actions and the killing of the activists. The Secretary-General called for a full investigation and stressed that Israel had to provide a full explanation.

SECURITY COUNCIL ACTION

On 1 June [meeting 6326], following consultations among Security Council members, the President made statement **S/PRST/2010/9** on behalf of the Council:

The Security Council deeply regrets the loss of life and injuries resulting from the use of force during the Israeli military operation in international waters against the convoy sailing to Gaza. The Council, in this context, condemns those acts which resulted in the loss of at least ten civilian lives and left many wounded, and expresses its condolences to the families.

The Council requests the immediate release of the ships as well as the civilians held by Israel. The Council urges Israel to permit full consular access, to allow the countries concerned to retrieve their deceased and wounded immediately and to ensure the delivery of humanitarian assistance from the convoy to its destination.

The Council takes note of the statement of the Secretary-General on the need to have a full investigation into the matter and it calls for a prompt, impartial, credible and transparent investigation conforming to international standards.

The Council stresses that the situation in Gaza is not sustainable. The Council re-emphasizes the importance of the full implementation of resolutions 1850(2008) and 1860(2009). In that context, it reiterates its grave concern at the humanitarian situation in Gaza and stresses the need for a sustained and regular flow of goods and people to Gaza as well as the unimpeded

provision and distribution of humanitarian assistance throughout Gaza.

The Council underscores that the only viable solution to the Israeli-Palestinian conflict is an agreement negotiated between the parties and re-emphasizes that only a two-State solution, with an independent and viable Palestinian State living side by side in peace and security with Israel and its other neighbours, could bring peace to the region.

The Council expresses support for the proximity talks and voices concern that this incident took place while the proximity talks are under way and urges the parties to act with restraint, avoiding any unilateral and provocative actions, and all international partners to promote an atmosphere of cooperation between the parties and throughout the region.

Communications. In separate letters to the Secretary-General and/or the Presidents of the General Assembly and Security Council, dated 31 May, 2 June and 17 June, Palestine [A/64/799-S/2010/274] as well as Indonesia [A/64/800-S/2010/269], Cuba [A/64/802-S/2010/280] and Malaysia [S/2010/323; A/64/846-S/2010/340; A/ES-10/494] condemned the 31 May Israeli raid on the vessel *Mavi Marmara*, part of the humanitarian aid flotilla to Gaza. In letters of 4 and 18 June, Syria, in its capacity as Chair of the Organization of the Islamic Conference (oic) Group, transmitted to the Secretary-General the oic 3 June statement [A/64/804-S/2010/287] and the final communiqué adopted by its Expanded Extraordinary Executive Committee Meeting (Jeddah, Saudi Arabia, 6 June) [A/64/840-S/2010/329], both condemning Israel's 31 May actions against the flotilla.

Security Council consideration. Briefing the Council on 15 June [S/PV.6340], the Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General reported that by 2 June, 682 detained civilians had been repatriated. Five Israeli citizens were questioned in Israeli custody and conditionally released between 1 and 3 June. The vessels remained in Israeli ports.

Fact-finding mission

On 2 June, the Human Rights Council established an international fact-finding mission to investigate violations of international law, including international humanitarian law and human rights law, resulting from the interception by Israeli forces of the humanitarian aid flotilla bound for Gaza on 31 May. In its September report [A/HRC/15/21], the mission concluded that a series of violations were committed by Israeli forces during the incident and the detention of passengers in Israel prior to deportation.

(For information on the human rights aspects of the flotilla incident, see PART TWO, Chapter III).

Panel of Inquiry

In letter dated 2 August [S/2010/414], the Secretary-General informed the Security Council President that, in the light of presidential statement S/PRST/2010/9 of 1 June (see p. 440), he had decided to establish a Panel of Inquiry on the 31 May flotilla incident. The Panel would be led by the former Prime Minister of New Zealand, Geoffrey Palmer, as Chair, and the President of Colombia, Álvaro Uribe, as Vice-Chair. They would be joined by two additional members, one each from Israel and Turkey. The Secretary-General anticipated that the Panel would begin its work on 10 August.

On 15 September, the Secretary-General received the initial progress report of the Panel of Inquiry, which had held two meetings (10–11 August and 2–3 September). The report explained the Panel's understanding of the tasks at hand and the working methods it had adopted. The Panel agreed that it would receive and review reports of national investigations into the incident from Israel and Turkey. Should it require further information, clarifications or meetings from Israel or Turkey, the Panel would make such request to the points of contact designated by those States. It might also request information from other affected States through diplomatic channels. The Panel agreed that it would examine and identify the facts, circumstances and context of the incident and make findings and recommendations for the prevention of similar incidents in the future.

Further developments

On 15 June [S/PV.6340], the Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General, briefing the Council, said that the Secretary-General was determined to transform the Gaza crisis into an opportunity for real change on the ground. Special Envoy George Mitchell held a further round of talks with President Abbas on 19 May and with Prime Minister Netanyahu on 20 May, and both sides reaffirmed their commitment to continue the talks in the aftermath of the flotilla incident (see p. 439). The Special Envoy visited the region again on 2 June for a further three days of talks. The Special Coordinator was informed that Israel was conducting a review of its Gaza policy. The basic principle that should guide that policy was that everything should be allowed into Gaza unless there was a specific and legitimate security concern. Israel's partial moratorium settlement would expire in three months, and the Arab League's support to President Abbas for continuing negotiations had a similar time frame. Within that period, sufficient progress had to be made to enable a move to meaningful direct negotiations.

Quartet meeting. On 21 June [SG/2160], the Quartet reaffirmed that the situation in Gaza, including the humanitarian and human rights situation of the civilian population, was unsustainable, unacceptable, and not in the interests of any of those concerned. It reiterated its call for a solution that addressed Israel's legitimate security concerns, including an end to weapons smuggling into Gaza; promoted Palestinian unity based on the PLO commitments and the reunification of Gaza and the West Bank under the legitimate PA; and ensured the unimpeded flow of humanitarian aid, commercial goods and persons to and from Gaza, consistent with Security Council resolution 1860(2009) [YUN 2009, p. 434]. The Quartet declared its readiness to work closely with Israel, the Palestinian Government and international donors to achieve sustainable economic development on the basis of the full implementation of the 2005 Agreement on Movement and Access [YUN 2005, p. 519] and in the broader perspective of the two-State solution.

Consistent with those objectives, the Quartet and the Quartet Representative had worked with Israel and consulted with the PA, Egypt and other concerned parties to effect a fundamental change in policy in Gaza. The new policy towards Gaza announced by Israel was a welcome development. The Quartet recognized that Israel had legitimate security concerns that had to continue to be safeguarded, and believed efforts to maintain security while enabling movement and access for Palestinian people and goods were critical. The Quartet also called for an end to the deplorable detention of Israeli Staff Sergeant Gilad Shalit, who had been taken prisoner in 2006 [YUN 2006, p. 510]. It condemned the violation of Hamas' international obligation to provide Staff Sergeant Shalit access by the International Committee of the Red Cross and demanded that Hamas remedy the situation. The Quartet also reiterated its support for proximity talks.

Communications. On 18 June [S/2010/321], Israel, in identical letters addressed to the Secretary-General and the Council President, drew attention to a small number of ships that were planned to depart from Lebanon and sail to the Gaza Strip. The letter noted that while those who organized the action claimed that they wished to break the blockade of Gaza and to bring humanitarian assistance to the people of Gaza, the true nature of their actions remained dubious. Israel called on Lebanon to demonstrate responsibility and to prevent the boats from departing to the Gaza Strip.

On 22 June [A/64/839-S/2010/334], Lebanon responded with identical letters addressed to the Secretary-General and the Council President explaining that Lebanese law did not permit maritime vessels or craft to sail directly to ports under the control of the Israeli authorities, including the port of Gaza.

On the same date, in joint identical letters addressed to the Secretary-General and the Council President [A/ES-10/492; A/64/842-S/2010/331], Egypt, Libya and Syria, acting in their capacities as Chairs of the Coordinating Bureau of the Non-Aligned Movement, the Arab Group in New York and OIC, respectively, requested the immediate, unconditional and complete lifting of the illegal Israeli blockade imposed on the Gaza Strip; and that a full, impartial, credible, transparent and independent international investigation of the 31 May Israeli attack against the humanitarian convoy sailing to Gaza be conducted without delay under the auspices of the Secretary-General, in accordance with international standards.

On 25 June [A/ES-10/496], Libya, on behalf of the League of Arab States, requested the General Assembly President to resume the tenth emergency special session of the Assembly to consider the agenda item concerning the illegal Israeli actions in East Jerusalem and the rest of the Occupied Palestinian Territory and the situation in the Gaza Strip.

On 9 July [S/2010/370], Israel, in identical letters addressed to the Secretary-General and the Council President, stated that a Moldovan ship, hired and sponsored by a Libyan organization, planned to depart from Greece with the claimed purpose of bringing aid to Gaza. Despite the stated intention of the mission, Israel was concerned that the true nature of its actions were dubious. Israel had repeatedly guaranteed that humanitarian aid would be delivered securely through its established channels. Thus, the mission was completely unwarranted.

On 21 July, Israel [S/2010/395], in identical letters addressed to the Secretary-General and the Council President, stated that two ships, *Junia* and *Julia*, planned to depart from Lebanon and sail to the Gaza Strip. The stated intention of the vessels was to violate the naval blockade of Gaza. Israel highlighted that all goods that were not weapons or materiel for war-like purposes were now entering the Gaza Strip through appropriate mechanisms that ensured their delivery as well as their civilian nature.

Security Council consideration. On 21 July [S/PV.6363], the Council was briefed by the Under-Secretary-General for Political Affairs on the proximity talks for Middle East peace. He reported that the United States Special Envoy had facilitated six rounds of proximity talks, and that both President Mahmoud Abbas and Prime Minister Benjamin Netanyahu had visited Washington, D.C. All three had met with President Hosni Mubarak of Egypt in Cairo on 18 July. The Secretary-General met with Prime Minister Netanyahu on 7 July, and UN Special Coordinator Robert Serry met with President Abbas in Ramallah on 21 July. In order to move the talks forward at a critical juncture, the Special

Coordinator called for the extension and expansion of Israel's 10-month moratorium on settlement activity throughout the Occupied Palestinian Territory. He noted an increased flow of goods into Gaza and described the need for further progress towards a full opening of land crossings under the framework of the 2005 Agreement on Movement and Access [YUN 2005, p. 519].

On 17 August [S/PV.6372], the Council was briefed by the Assistant Secretary-General for Political Affairs, who reported that, since May, Israel and the Palestinians had engaged in seven rounds of proximity talks, and were holding internal discussions with a view to deciding whether to enter into direct talks.

On 15 August, the PA issued a report taking stock of the two-year State-building agenda, observing substantial progress in building sound institutions and a stable society. Without significant additional external financing, however, the PA would face a serious liquidity crisis in September, with difficulties paying August salaries. Financing to date of \$507 million fell almost \$200 million short of the budget. Imports into Gaza were far below the weekly average of truckloads before the closures imposed in 2007 [YUN 2007, p. 462] and could not meet the longer-term rehabilitation needs of the people. The Assistant Secretary-General reported a lack of progress in intra-Palestinian reconciliation within the framework of the proposal mediated by Egypt, despite mediation visits to Gaza by prominent independent Palestinian figures. In Jerusalem, the comparative restraint of previous months was eroding, as announcements of construction, demolitions and evictions had resumed, including the forcible takeover by Israeli settlers on 29 July of a building housing nine Palestinian families. Although the situation in the occupied Syrian Golan remained stable amid ongoing settlement activity, several serious incidents occurred. On 2 August, five rockets were fired towards Eilat, Israel, and Aqaba, Jordan, killing one Jordanian civilian and injuring three others.

Quartet meeting. On 20 August [SG/2161], the Quartet reaffirmed its support for direct negotiations between the Israelis and the Palestinians to resolve all final status issues and reaffirmed its commitment to its previous statements, including those of 26 June 2009 [YUN 2009, p. 437], 24 September 2009 [YUN 2009, p. 438], and 19 March 2010 (see p. 438), which provided that direct, bilateral negotiations should lead to a settlement that ended the occupation which began in 1967 and result in the emergence of an independent, democratic and viable Palestinian State living side-by-side in peace and security with Israel and its other neighbours. The Quartet expressed its determination to support the parties throughout the negotiations, which could be completed within one year, and the implementation of an agreement. The Quartet again

called on both sides to observe calm and restraint, and to refrain from provocative actions and inflammatory rhetoric. Welcoming the result of the Arab Peace Initiative Committee meeting (Cairo, 29 July) the Quartet noted that success would require sustained regional and international support for the negotiations, as well as the parallel process of Palestinian state-building and the pursuit of a just, lasting and comprehensive regional peace as envisaged in the Madrid terms of reference [YUN 1991, p. 221], Security Council resolutions and the Arab Peace Initiative [YUN 2002, p. 419]. The Quartet principals intended to meet with their colleagues from the Arab League in September in New York to review the situation. Accordingly, the Quartet called on the Israelis and the Palestinians to join in launching direct negotiations on 2 September in Washington, D.C., to resolve all final status issues and fulfil the aspirations of both parties.

Communications. On 20 August, Israel [S/2010/440], in identical letters addressed to the Secretary-General and the Security Council President, stated that a group of individuals with suspected ties to the Hizbullah terrorist organization had announced that on 22 August, the vessel *Miriam* would depart from Tripoli, Lebanon, en route to the Gaza Strip via a port in Cyprus. There was also the possibility that the organizers would attempt to sail to the Gaza Strip via Northern Cyprus. The stated intention of the vessel was to violate the naval blockade of Gaza, and some of the organizers had stated that Lebanese authorities offered their approval of that act. Other information indicated that an additional ship, the *Naji al-Ali*, would also depart from a Lebanese port with the intention of violating the blockade.

On 23 August [A/64/904-S/2010/448], Lebanon responded with identical letters addressed to the Secretary-General and the Council President, explaining that Lebanese law did not permit maritime vessels or craft to sail directly to ports under the control of Israeli authorities, including the port of Gaza.

Security Council consideration. On 17 September [S/PV.6388], the Security Council was briefed by the Special Coordinator for the Middle East Peace Process. He reported that, after months of proximity talks, Prime Minister Netanyahu and President Abbas met on 1 and 2 September in Washington, D.C., under the auspices of United States President Barack Obama and Secretary of State Hillary Clinton to launch direct negotiations. They conducted a second round of talks in Sharm el-Sheikh, Egypt (14 September), and in Jerusalem (15 September). At the opening of the talks, the leaders agreed to seek a solution based on two States for two peoples, and to complete negotiations within one year, with the aim of resolving all core issues, including borders, security, refugees and Jerusalem. They

decided to meet every two weeks and to work on a framework agreement on permanent status.

The Special Coordinator reaffirmed the United Nations position that settlements were illegal under international law and the Quartet's call on Israel to freeze all settlement activity, including natural growth. The Secretary-General joined President Obama, Secretary Clinton and the EU foreign ministers in calling for an extension of the moratorium on settlements beyond its scheduled expiry at the end of September.

The Special Coordinator urged a reduction in incursions and the further easing of obstacles to movement, which remained at around 500—70 fewer than at the beginning of the year. In 279 incursions in the West Bank, 22 Palestinians were injured and 162 were arrested; six Israeli soldiers were also injured. On 17 September, a Hamas militant was killed in an operation in the West Bank city of Tulkarem. The Special Coordinator urged Israeli authorities not to implement existing orders for housing demolitions and evictions, and not to issue new ones.

The situation in East Jerusalem was largely quiet during Ramadan. An exception occurred on 26 August, when a reported attempt by Israeli settlers to forcefully enter a mosque in the East Jerusalem neighbourhood of Silwan triggered clashes between Palestinian demonstrators and Israeli police. The Special Coordinator stated that a recent upsurge in violence in Gaza could set back efforts to make progress there. Palestinian militant groups had fired 10 rockets and 22 mortars from Gaza into Israel, injuring two Israelis, while Israeli forces had conducted 10 air strikes and 18 incursions into Gaza, killing seven Palestinians and injuring four. On 12 September, Israeli tank fire killed three Palestinian civilians.

Quartet meeting. On 21 September [SG/2162], the Quartet called on both sides to fulfil their obligations under the road map [YUN 2003, p. 464] to a permanent two-State solution to the Israeli-Palestinian conflict, and underscored its commitment to a just, lasting and comprehensive Middle East peace, including Israeli-Syrian and Israeli-Lebanese agreements. In the spirit of the Arab Peace Initiative, the Quartet called on Arab States to support Israeli-Palestinian negotiations and progress on the other tracks by taking bolder steps to foster positive relations throughout the region and to combat violence and extremism. Recalling that change on the ground was integral to peace, the Quartet reaffirmed its support for the PA's August 2009 plan for building the institutions of a Palestinian State within two years and called for Israel to take further steps to facilitate Palestinian state-building and economic growth. The Quartet reaffirmed that the situation in Gaza was not in the interests of Palestinians nor Israelis and restated its desire to see progress on the implementation of all aspects of Council resolution 1860(2009).

Communications. In identical letters of 12 January [S/2010/21], 18 March [S/2010/137], 30 July [S/2010/411], 14 September [S/2010/477], 16 September [S/2010/483], 19 November [S/2010/590], 9 December [S/2010/623] and 21 December [S/2010/652], Israel informed the Secretary-General and the Security Council President of a number of rocket and mortar attacks on Israel emanating from Gaza during 2010. On 1 September [S/2010/459], Israel informed the Secretary-General and Council President of a 31 August terrorist attack that killed four Israelis near the community of Kiryat Arba.

Security Council consideration. On 18 October [S/PV.6404], the Security Council was briefed by the Assistant Secretary-General for Political Affairs, who reported that the Israelis and Palestinians had not met since 15 September, following the 26 September expiration of Israel's partial settlement moratorium in the West Bank. President Abbas indicated that he would not continue negotiations unless Israel froze settlement activity. The Secretary-General stressed the illegality of settlement activity and was in direct and frequent contact with regional leaders, including President Abbas and Prime Minister Netanyahu, urging them to find a way forward. The Quartet, led by the United States, was also active in that regard. Such efforts, however, were made more difficult by the Israeli approval during the previous week of construction tenders for 238 units in East Jerusalem.

On 23 November [S/PV.6430], the Council was briefed by the Under-Secretary-General for Political Affairs, who stated that there had been significant construction in a number of settlements since the expiry of the moratorium, as well as announcements of plans to construct more than 1,300 settlement units in East Jerusalem and 800 units in the Ariel settlement in the West Bank. Palestinian security forces continued to maintain law and order and to fight extremism, in accordance with road map obligations, and the number of violent incidents in the West Bank had declined. During the reporting period, Israeli security forces conducted 371 operations in the West Bank, in which 87 Palestinians were injured and 211 arrested; four Israelis were injured. Fifteen attacks by Palestinians on Israeli settlers had resulted in injuries to four Israelis. Fourteen Palestinians were injured in 29 attacks by Israeli settlers.

Palestinian militant groups had fired 8 rockets and 41 mortars into Israel from Gaza. Militant groups also fired four phosphorous mortar shells into Israel on 19 November. Israeli security forces conducted 10 air strikes and 23 incursions into the Strip, during which four Palestinian militants were killed, including 3 who died in targeted killings; 20 civilians were injured. Representatives of Fatah and Hamas met in Damascus on 9 November to discuss Palestinian reconciliation,

but reports indicated that the meeting was inconclusive. Israel encouraged further settlement activity in the Syrian Golan, announcing, on 2 November, an initiative to give 140 one-dunum plots (1,000 square metres) of land free to Israeli settlers. On 22 November, the Knesset (the Israeli Parliament) passed legislation that required a two-thirds majority or, failing that, a national referendum, to approve return of any occupied territory in East Jerusalem or the Syrian Golan in the context of any political settlement.

On 14 December [S/PV.6448], the Council was briefed by the Special Coordinator for the Middle East Peace Process. He said that although Prime Minister Netanyahu and President Abbas had pledged in September to seek a framework agreement on permanent status within a year, the process had suffered a serious setback. On 8 December, efforts by the United States to create an environment conducive to the resumption of direct talks through a renewed settlement freeze were ended, and President Abbas reaffirmed that he would not return to direct negotiations unless Israel again froze settlement activity. In East Jerusalem, Israeli authorities approved 130 new homes in the settlement of Gilo and the construction of 625 new units was announced in the Pisgat Ze'ev settlement. The Special Coordinator reiterated the stance of the United Nations and the wider international community that Israel should meet its obligations to freeze all settlement activity and dismantle outposts erected since March 2001.

During the reporting period, Israeli security forces conducted 193 incursions into area A in the West Bank, resulting in injuries to 21 Palestinians and 98 arrests, including that of a member of the Palestinian Legislative Council from the Hamas-affiliated Change and Reform bloc. The Special Coordinator noted reports that the number of arrests and interrogations of children had increased significantly. Although the de facto authorities in Gaza repeated their desire to maintain calm, militant groups fired 5 rockets and 20 mortar shells from Gaza into Israel; a mortar wounded an Israeli on 8 December. Israeli security forces conducted 4 air strikes and 12 incursions into Gaza; as a result, four Palestinian militants were killed and one militant and 23 Palestinian civilians were injured.

Follow-up to Board of Inquiry report and Fact-Finding Mission on Gaza Conflict

On 22 January [S/2010/39], the Secretary-General reported that—subsequent to the Board of Inquiry report [YUN 2009, p. 438] on the conflict in Gaza that began in December 2008 [YUN 2008, p. 492] and ended in January 2009 [YUN 2009, p. 434]—Israel agreed to continue a dialogue on ways to improve cooperation on the ground.

In accordance with General Assembly resolution 64/10 [YUN 2009, p. 785] and **resolution 64/254** of 26 February (see p. 786), the Secretary-General submitted reports in February [A/64/651] and August [A/64/890], respectively, on the follow-up to the report of the United Nations Fact-Finding Mission on the Gaza Conflict. The Fact-Finding Mission was established by the Human Rights Council in 2009 [YUN 2009, p. 783] to investigate possible violations of international human rights law during the conflict. The Secretary-General's reports contained replies to his notes of 3 December 2009 and 27 May 2010 addressed to Israel, Palestine and Switzerland concerning steps taken or being taken to implement relevant provisions of resolutions 64/10 and 64/254.

(For information on the human rights aspects of the conflict in Gaza, see PART TWO, Chapter III).

Peaceful settlement of the question of Palestine

In a September report and a later addendum [A/65/380-S/2010/484 & Add.1], submitted in accordance with General Assembly resolution 64/19 [YUN 2009, p. 440] and covering the period from September 2009 to August 2010, the Secretary-General provided his observations on the state of the Israeli-Palestinian conflict and on international efforts to move the peace process forward, as well as the views of the Security Council and the concerned parties on the question of Palestine. The Council considered the situation in Palestine every month under the agenda item "The situation in the Middle East, including the question of Palestine".

In a 3 May note, the Secretary-General sought the positions of Egypt, Israel, Jordan, Lebanon and the Syrian Arab Republic, as well as the Palestine Liberation Organization (PLO), regarding any steps they had taken to implement resolution 64/19. Replies were received from Israel and the PLO.

In a 20 July note, Israel stated that it had voted against the resolution, as it had in the past on similar resolutions that it considered one-sided. Despite significant efforts made on the part of Israel in the previous year to renew negotiations with the PA and to foster conditions for economic growth and development, Palestinian terrorism continued. The first half of 2010 witnessed an escalation in terrorist activity against Israeli targets in the West Bank and the Jerusalem area. In the first two months of 2010, 87 attacks were carried out in the West Bank. In February, an Israeli citizen was stabbed to death. In March, 89 attacks were recorded in the West Bank and Jerusalem.

In a 24 June note, Palestine said that despite serious international efforts, the question of Palestine remained unresolved and the situation on the ground remained critical. Since the adoption of resolution

64/19, all international and regional initiatives for peace continued to be undermined by Israel's ongoing violations and grave breaches of international law, including humanitarian and human rights law, as well as its disrespect for UN resolutions and the will of the international community. The situation was most dire in the occupied Gaza Strip, where 1.5 million Palestinians—approximately 70 per cent of whom were refugees and over 50 per cent of whom were children—remained imprisoned by Israel's illegal air, sea and land blockade, which was in its fourth year. In March, Israel announced approval for the construction of another 1,600 settlement units in occupied East Jerusalem, within just days of the confirmation of Palestinian agreement, despite strong reservations, to proceed with United States-mediated proximity talks.

According to the Secretary-General, unilateral actions and human rights violations continued to undermine diplomatic efforts. The situation in Gaza remained unsustainable and the divide between Gaza and the West Bank continued to deepen. In February, Special Envoy George Mitchell, proposed facilitating proximity talks between the parties. Israel accepted the proposal. Affected by internal political challenges, the Palestinian side turned to the League of Arab States for backing, and subsequently agreed to the talks. On 9 March, however, the announcement of additional settlement construction in East Jerusalem, made during a visit to Israel by United States Vice-President Joseph R. Biden, caused a major setback and highlighted the problems created by Israel's continued policy of illegal settlement construction. The Secretary-General expressed his concern at house demolitions and continued settlement construction in East Jerusalem. The period between September 2009 and August 2010 witnessed disturbances in and around the Haram al-Sharif/Temple Mount compound, as well as access restrictions for Muslim and Christian worshippers to holy sites. In June, expulsion orders were issued against four Palestinian legislators who were residents of Jerusalem, but had been members of the Hamas-affiliated Change and Reform bloc and imprisoned in 2006 for failing to meet the minimum loyalty criteria in Israel.

In the West Bank, the PA continued to implement a state-building agenda. Institutional reforms, improved security conditions and the resulting increased private sector confidence contributed to a solid economic recovery, evidenced by real gross domestic product growth of 11.3 per cent in the West Bank in the first quarter of 2010; nevertheless, growth remained constrained by the occupation and settlement activity, which stifled opportunities of the Palestinian people. Contrary to the 9 July 2004 International Court of Justice (ICJ) advisory opinion on the legal consequences of the construction of a wall in the Occupied Palestinian Territory [YUN 2004, p. 452], the barrier continued

to deviate significantly from the 1967 Green Line into the Occupied Palestinian Territory in the West Bank and restrict Palestinian access to East Jerusalem, key social services and agricultural land.

The Gaza Strip remained subject to a regime of closures and under the de facto control of Hamas. The Secretary-General consistently urged Israel to lift the blockade of Gaza and welcomed measures announced in June and July to ease it. As efforts were made to relaunch a meaningful political process, the situation in Gaza could not be left to deteriorate further. Israel's legitimate security concerns should also be addressed. During the reporting period, two attempts were made to break the Gaza blockade. The "Viva Palestina–Lifeline 3" convoy entered the Gaza Strip through Egypt in January, amid confrontations between Egyptian authorities, convoy activists, Gaza residents and Hamas militants, in which an Egyptian border guard was killed and dozens of protesters and Egyptian police injured.

The Secretary-General called for humanitarian access to and the immediate and unconditional release of Israeli Staff Sergeant Gilad Shalit, who remained in Hamas captivity. He also noted the deteriorating living conditions of the approximately 9,000 Palestinian prisoners in Israeli jails, down from 11,000 in the previous year.

GENERAL ASSEMBLY ACTION

On 30 November [meeting 55], the General Assembly adopted **resolution 65/16** [draft: A/65/L.17 & Add.1] by recorded vote (165-7-4) [agenda item 37].

Peaceful settlement of the question of Palestine

The General Assembly,

Recalling its relevant resolutions, including those adopted at its tenth emergency special session,

Recalling also its resolution 58/292 of 6 May 2004,

Recalling further relevant Security Council resolutions, including resolutions 242(1967) of 22 November 1967, 338(1973) of 22 October 1973, 1397(2002) of 12 March 2002, 1515(2003) of 19 November 2003, 1544(2004) of 19 May 2004 and 1850(2008) of 16 December 2008,

Recalling the affirmation by the Security Council of the vision of a region where two States, Israel and Palestine, live side by side within secure and recognized borders,

Noting with concern that it has been more than sixty years since the adoption of its resolution 181(II) of 29 November 1947 and forty-three years since the occupation of Palestinian territory, including East Jerusalem, in 1967,

Having considered the report of the Secretary-General submitted pursuant to the request made in its resolution 64/19 of 2 December 2009,

Reaffirming the permanent responsibility of the United Nations with regard to the question of Palestine until the question is resolved in all its aspects in accordance with international law and relevant resolutions,

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, and recalling also its resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

Convinced that achieving a just, lasting and comprehensive settlement of the question of Palestine, the core of the Arab-Israeli conflict, is imperative for the attainment of comprehensive and lasting peace and stability in the Middle East,

Stressing that the principle of equal rights and self-determination of peoples is among the purposes and principles enshrined in the Charter of the United Nations,

Reaffirming the principle of the inadmissibility of the acquisition of territory by war,

Recalling its resolution 2625(XXV) of 24 October 1970,

Reaffirming the illegality of the Israeli settlements in the Palestinian territory occupied since 1967, including East Jerusalem,

Stressing the extremely detrimental impact of Israeli settlement policies, decisions and activities in the Occupied Palestinian Territory, including East Jerusalem, on efforts to resume and advance the peace process and to achieve peace in the Middle East,

Reaffirming the illegality of Israeli actions aimed at changing the status of Jerusalem, including measures such as the so-called E-1 plan, home demolitions, evictions of Palestinian residents, excavations in and around religious and historic sites, and all other unilateral measures aimed at altering the character, status and demographic composition of the city and of the Territory as a whole,

Reaffirming also that the construction by Israel, the occupying Power, of a wall in the Occupied Palestinian Territory, including in and around East Jerusalem, and its associated regime are contrary to international law,

Expressing deep concern about the continuing Israeli policy of closures and severe restrictions on the movement of persons and goods, including medical and humanitarian, via the imposition of prolonged closures and severe economic and movement restrictions that in effect amount to a blockade, as well as of checkpoints and a permit regime throughout the Occupied Palestinian Territory, including East Jerusalem, and the consequent negative impact on the socio-economic situation of the Palestinian people, which remains that of a humanitarian crisis, and on the efforts aimed at rehabilitating and developing the damaged Palestinian economy and on the contiguity of the Territory, while taking note of recent developments regarding the situation of access to the Gaza Strip,

Recalling the mutual recognition between the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people, and the need for full compliance with the agreements concluded between the two sides,

Recalling also the endorsement by the Security Council, in resolution 1515(2003), of the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict and the call in Council resolution 1850(2008) for the parties to fulfil their obligations under the road map, as affirmed in the Israeli-Palestinian Joint Understanding reached at the international conference held in Annapolis, United States of America, on 27 November 2007, and to refrain from any steps that could undermine confidence or prejudice the outcome of negotiations,

Noting the Israeli withdrawal in 2005 from the Gaza Strip and parts of the northern West Bank and the dismantlement of the settlements therein as a step towards the implementation of the road map, and recalling in this regard the road map obligation upon Israel to freeze settlement activity, including so-called “natural growth”, and to dismantle all settlement outposts erected since March 2001,

Recalling the Arab Peace Initiative adopted by the Council of the League of Arab States at its fourteenth session, held in Beirut on 27 and 28 March 2002,

Expressing support for the agreed principles for bilateral negotiations, as affirmed by the parties at the Annapolis conference, aimed at concluding a peace treaty resolving all outstanding issues, including all core issues, without exception, for the achievement of a just, lasting and peaceful settlement of the Israeli-Palestinian conflict and ultimately of the Arab-Israeli conflict as a whole for the realization of a comprehensive peace in the Middle East,

Reiterating support for the convening of an international conference in Moscow, as envisioned by the Security Council in resolution 1850(2008), for the advancement and acceleration of a resumed peace process,

Noting the important contribution to the peace process of the United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority, including within the framework of the activities of the Quartet,

Welcoming the reconvening of the Ad Hoc Liaison Committee for the Coordination of the International Assistance to Palestinians, under the chairmanship of Norway, at United Nations Headquarters on 21 September 2010, affirming the importance of continued follow-up and fulfilment of pledges made at the International Conference in Support of the Palestinian Economy for the Reconstruction of Gaza, held in Sharm el-Sheikh, Egypt, on 2 March 2009, for the provision of emergency assistance and support for reconstruction and economic recovery in the Gaza Strip and alleviation of the socio-economic and humanitarian crisis being faced by the Palestinian people, and acknowledging the contribution of the Palestinian-European Mechanism for the Management of Socio-Economic Aid of the European Commission in this regard,

Recognizing the efforts being undertaken by the Palestinian Authority, with international support, to rebuild, reform and strengthen its damaged institutions, emphasizing the need to preserve and develop the Palestinian institutions and infrastructure and affirming, in this regard, its support for the Palestinian Authority's August 2009 plan for constructing the institutions of an independent Palestinian State within a twenty-four-month period, and commending the significant progress towards that goal, as confirmed by international institutions, including the World Bank in its Economic Monitoring Report of 13 April 2010 to the Ad Hoc Liaison Committee,

Welcoming the continued efforts and tangible progress made in the security sector by the Palestinian Authority, calling upon the parties to continue cooperation that benefits both Palestinians and Israelis, in particular by promoting security and building confidence, and expressing the hope that such progress will be extended to all major population centres,

Reiterating its concern over the negative developments that have continued to occur in the Occupied Palestinian Territory, including East Jerusalem, including the large number of deaths and injuries, mostly among Palestinian civilians, the construction and expansion of settlements and the wall, acts of violence, vandalism and brutality committed against Palestinian civilians by Israeli settlers in the West Bank, the widespread destruction of public and private Palestinian property and infrastructure, the internal displacement of civilians and the serious deterioration of the socio-economic and humanitarian conditions of the Palestinian people,

Expressing grave concern, in particular, over the crisis in the Gaza Strip as a result of the continuing prolonged Israeli closures and severe economic and movement restrictions that in effect amount to a blockade and the military operations in the Gaza Strip between December 2008 and January 2009, which caused extensive loss of life and injury, particularly among Palestinian civilians, including children and women, widespread damage and destruction to Palestinian homes, properties, vital infrastructure, public institutions, including hospitals and schools, and United Nations facilities, and internal displacement of civilians,

Stressing the need for the full implementation by all parties of Security Council resolution 1860(2009) of 8 January 2009 and General Assembly resolution ES-10/18 of 16 January 2009,

Expressing concern over continuing military actions in the Occupied Palestinian Territory, including raids and arrest campaigns, and over the continued imposition of hundreds of checkpoints and obstacles to movement in and around Palestinian population centres by the Israeli occupying forces, and emphasizing in this regard the need for the implementation by both sides of the Sharm el-Sheikh understandings,

Emphasizing the importance of the safety, protection and well-being of all civilians in the whole Middle East region, and condemning all acts of violence and terror against civilians on both sides,

Expressing concern over the unlawful takeover of Palestinian Authority institutions in the Gaza Strip in June 2007, and calling for the restoration of the situation to that which existed prior to June 2007 and for the continuation of the serious efforts being exerted by Egypt, the League of Arab States and other concerned parties for the promotion of dialogue for the achievement of reconciliation and the restoration of Palestinian national unity,

Stressing the urgent need for sustained and active international involvement, including by the Quartet, to support both parties in resuming, advancing and accelerating the peace process negotiations for the achievement of a just, lasting and comprehensive peace settlement, on the basis of United Nations resolutions, the road map and the Arab Peace Initiative,

Noting the Quartet's determination in the recent period to support the parties throughout the negotiations, which can be completed and resolve all final status issues within one year, and in the implementation of an agreement between the two sides that ends the occupation which began in 1967 and results in the emergence of an independent, democratic and viable Palestinian State living side by side in peace and security with Israel and its other neighbours,

Acknowledging the efforts being undertaken by civil society to promote a peaceful settlement of the question of Palestine,

Recalling the findings by the International Court of Justice, in its advisory opinion, including on the urgent necessity for the United Nations as a whole to redouble its efforts to bring the Israeli-Palestinian conflict, which continues to pose a threat to international peace and security, to a speedy conclusion, thereby establishing a just and lasting peace in the region,

Affirming once again the right of all States in the region to live in peace within secure and internationally recognized borders,

1. *Reaffirms* the necessity of achieving a peaceful settlement of the question of Palestine, the core of the Arab-Israeli conflict, in all its aspects, and of intensifying all efforts towards that end;

2. *Also reaffirms* its full support for the Middle East peace process, based on the relevant United Nations resolutions, the terms of reference of the Madrid Conference, including the principle of land for peace, the Arab Peace Initiative adopted by the Council of the League of Arab States at its fourteenth session, and the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict, and for the existing agreements between the Israeli and Palestinian sides, stresses the necessity for the establishment of a comprehensive, just and lasting peace in the Middle East, and welcomes in this regard the ongoing efforts of the Quartet and of the League of Arab States;

3. *Encourages* continued serious regional and international efforts to follow up and promote the Arab Peace Initiative, including by the Ministerial Committee formed at the Riyadh summit in March 2007;

4. *Urges* the parties to undertake, with the support of the Quartet and the international community, immediate and concrete steps in follow-up to the Israeli-Palestinian Joint Understanding reached at the international conference held in Annapolis, including through the resumption of active and serious bilateral negotiations;

5. *Encourages*, in this regard, the convening of an international conference in Moscow, as envisioned by the Security Council in resolution 1850(2008), for the advancement and acceleration of a resumed peace process;

6. *Calls upon* both parties to act on the basis of international law and their previous agreements and obligations, in particular adherence to the road map, irrespective of reciprocity, in order to create the conditions necessary for the resumption and accelerated advancement of negotiations in the near term;

7. *Calls upon* the parties themselves, with the support of the Quartet and other interested parties, to exert all efforts necessary to halt the deterioration of the situation and to reverse all unilateral and unlawful measures taken on the ground since 28 September 2000;

8. *Calls upon* the parties to observe calm and restraint and to refrain from provocative actions and inflammatory rhetoric, especially in areas of religious and cultural sensitivity;

9. *Underscores* the need for the parties to take confidence-building measures aimed at improving the situation on the ground, promoting stability and fostering the peace process, including the need for the further release of prisoners;

10. *Stresses* the need for the removal of checkpoints and other obstructions to the movement of persons and goods throughout the Occupied Palestinian Territory, including East Jerusalem, and the need for respect and preservation of the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory, including East Jerusalem;

11. *Also stresses* the need for an immediate and complete cessation of all acts of violence, including military attacks, destruction and acts of terror;

12. *Reiterates its demand* for the full implementation of Security Council resolution 1860(2009);

13. *Reiterates* the need for the full implementation by both parties of the Agreement on Movement and Access and of the Agreed Principles for the Rafah Crossing, of 15 November 2005, and the need, specifically, to allow for the sustained opening of all crossings into and out of the Gaza Strip for humanitarian supplies, movement and access, as well as for commercial flows and all necessary construction materials, which are essential for alleviating the humanitarian crisis, improving the living conditions of the Palestinian people and promoting the recovery of the Palestinian economy;

14. *Stresses*, in this regard, the urgent necessity for the advancement of reconstruction in the Gaza Strip, including through the completion of numerous suspended projects managed by the United Nations and the commencement of United Nations-led civilian reconstruction activities;

15. *Calls upon* Israel, the occupying Power, to comply strictly with its obligations under international law, including international humanitarian law, and to cease all of its measures that are contrary to international law and unilateral actions in the Occupied Palestinian Territory, including East Jerusalem, that are aimed at altering the character, status and demographic composition of the Territory, including via the de facto annexation of land, and thus at prejudging the final outcome of peace negotiations;

16. *Reiterates its demand* for the complete cessation of all Israeli settlement activities in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and calls for the full implementation of the relevant Security Council resolutions;

17. *Stresses*, in this regard, the need for Israel forthwith to abide by its road map obligation to freeze all settlement activity, including so-called "natural growth", and to dismantle settlement outposts erected since March 2001;

18. *Calls for* the cessation of all provocations, including by Israeli settlers, in East Jerusalem, including in and around religious sites;

19. *Demands*, accordingly, that Israel, the occupying Power, comply with its legal obligations under international law, as mentioned in the advisory opinion rendered on 9 July 2004 by the International Court of Justice and as demanded in General Assembly resolutions ES-10/13 of 21 October 2003 and ES-10/15, and, inter alia, that it immediately cease its construction of the wall in the Occupied Palestinian Territory, including East Jerusalem, and calls upon all States Members of the United Nations to comply with their legal obligations, as mentioned in the advisory opinion;

20. *Reaffirms its commitment*, in accordance with international law, to the two-State solution of Israel and Palestine, living side by side in peace and security within recognized borders, based on the pre-1967 borders;

21. *Stresses* the need for:

(a) The withdrawal of Israel from the Palestinian territory occupied since 1967, including East Jerusalem;

(b) The realization of the inalienable rights of the Palestinian people, primarily the right to self-determination and the right to their independent State;

22. *Also stresses* the need for a just resolution of the problem of Palestine refugees in conformity with its resolution 194(III) of 11 December 1948;

23. *Calls upon* the parties to resume and accelerate direct peace negotiations towards the conclusion of a final peaceful settlement on the basis of relevant United Nations resolutions, especially of the Security Council, the terms of reference of the Madrid Conference, the road map and the Arab Peace Initiative;

24. *Urges* Member States to expedite the provision of economic, humanitarian and technical assistance to the Palestinian people and the Palestinian Authority during this critical period in order to help to alleviate the humanitarian crisis being faced by the Palestinian people, particularly in the Gaza Strip, to rehabilitate the Palestinian economy and infrastructure and to support the rebuilding, restructuring and reform of Palestinian institutions and Palestinian State-building efforts;

25. *Encourages*, in this regard, the continuing efforts of the Quarter's Special Representative, Mr. Tony Blair, to strengthen Palestinian institutions, promote Palestinian economic development and mobilize international donor support;

26. *Requests* the Secretary-General to continue his efforts with the parties concerned, and in consultation with the Security Council, towards the attainment of a peaceful settlement of the question of Palestine and the promotion of peace in the region and to submit to the General Assembly at its sixty-sixth session a report on these efforts and on developments on this matter.

RECORDED VOTE ON RESOLUTION 65/16:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Cambodia, Chile, China, Colombia, Comoros, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Le-

one, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Australia, Israel, Marshall Islands, Micronesia, Nauru, Palau, United States.

Abstaining: Cameroon, Canada, Côte d'Ivoire, Tonga.

In **resolution 65/202** of 21 December (see p. 689), the General Assembly reaffirmed the right of the Palestinian people to self-determination, including the right to their independent State of Palestine. By **decision 65/544** of 24 December, the Assembly decided that the agenda items on the situation in the Middle East and on the question of Palestine would remain for consideration during its resumed sixty-fifth (2011) session.

Israeli settlements

The issue of Israeli settlements in the West Bank, including in East Jerusalem, remained central to the question of the Occupied Palestinian Territory and the peace negotiations. The road map [YUN 2003, p. 464] and the Joint Understanding [YUN 2007, p. 446] reached at the 2007 Annapolis Conference [ibid., p. 445] committed Israel to dismantle all settlement outposts erected since 2001 and to freeze, consistent with the 2001 report of the Sharm el-Sheikh Fact-Finding Committee (Mitchell Report) [YUN 2001, p. 409], all settlement activity, including "natural growth".

Communications. Throughout the year, Palestine, in a series of letters [A/ES-10/473-S/2010/1; A/ES-10/474-S/2010/13; A/ES-10/475-S/2010/22; A/ES-10/476-S/2010/80; A/ES-10/477-S/2010/97; A/ES-10/478-S/2010/119; A/ES-10/479-S/2010/122; A/ES-10/480-S/2010/128; A/ES-10/481-S/2010/142; A/ES-10/482-S/2010/148; A/ES-10/483-S/2010/155; A/ES-10/484-S/2010/158; A/ES-10/485-S/2010/163; A/ES-10/486-S/2010/184; A/ES-10/487-S/2010/185; A/ES-10/488-S/2010/190; A/ES-10/489-S/2010/230; A/ES-10/490-S/2010/290; A/ES-10/491-S/2010/317; A/ES-10/493-S/2010/332; A/ES-10/495-S/2010/356; A/ES-10/497-S/2010/379; A/ES-10/499-S/2010/441; A/ES-10/501-S/2010/489; A/ES-10/502-S/2010/505; A/ES-10/503-S/2010/515; A/ES-10/504-S/2010/535; A/ES-10/505-S/2010/578; A/ES-10/506-S/2010/612; A/ES-10/507-S/2010/673; A/64/902-S/2010/445] brought to the attention of the Secretary-General and the Security Council the ongoing construction and expansion of Israeli settlements in the Occupied Palestinian

Territory, especially in and around East Jerusalem, as well as other Israeli activities that adversely affected Palestinian civilians living in the Occupied Palestinian Territory. Kuwait, on behalf of the Group of Arab States [A/64/751-S/2010/202; A/64/761-S/2010/218], also brought to the attention of the Secretary-General the Israeli settlement activity in the Territory, especially in and around East Jerusalem; the continued blockade of Gaza; arbitrary detention and deportation of Palestinian civilians; and the desecration of the Ma'man Allah (Mamilla) Cemetery, a Muslim cemetery in Jerusalem. Tajikistan, acting as Chair of the oic Group in New York [A/64/905-S/2010/455], also alerted the Secretary-General to the desecration of the Cemetery.

The Special Rapporteur on the situation of human rights in the Palestinian territory [A/65/331] (see p. 785) also addressed the issue of Israeli settlements and their impact on the enjoyment of human rights by the Palestinians.

Report of Secretary-General. In response to General Assembly resolution 64/93 [YUN 2009, p. 444], the Secretary-General submitted a September report [A/65/365], prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR), on the implementation of that resolution, covering the period from September 2009 to August 2010 and focusing on the continuation of Israeli settlement activity in the occupied Arab territories and its impact on the human rights of the residents. Under phase I of the road map, Israel had committed to freezing all settlement activity from March 2001. The commitment was consistent with the recommendation contained in the Mitchell Report, which stated that Israel should freeze all settlement activity, including the natural growth of existing settlements, and that the kind of security cooperation desired by Israel could not coexist with settlement activity.

Israel approved a 10-month moratorium on the construction of new settlements in the West Bank on 25 November 2009. The moratorium did not, however, include those settlements for which permits had already been issued and whose foundations had been laid, as well as certain public buildings. Approximately 301,200 settlers lived in 121 official Israeli settlements in the West Bank by the end of 2009. Contrary to its obligations under international law, Israel had constructed 12 settlements in East Jerusalem since its annexation following the 1967 war, and the settler population stood at approximately 195,000. Israel implemented a number of other policies, the purpose of which appeared to be an effort to maintain a certain Jewish-Arab demographic balance in Jerusalem. In particular, policies related to urban planning, the dispensing of building permits and the demolition of homes without permits continued to

have discriminatory impacts on the Palestinian residents of East Jerusalem. Since 2008, 56 people had been evicted from their homes in the Sheikh Jarrah neighbourhood of East Jerusalem; the Office for the Coordination of Humanitarian Affairs (OCHA) estimated that 475 Palestinians were at risk of forced eviction, dispossession and displacement due to plans for settlement construction in Sheikh Jarrah.

The revocation of residency and social benefits of Palestinian residents who remained abroad for a continuous period of seven years or were unable to prove that they resided in East Jerusalem appeared to be aimed at ensuring that Palestinians left the city. According to information released at the end of 2009 by the Israeli Ministry of Interior and as reported by OCHA, during 2008 the Ministry revoked the residency status of 4,577 Palestinian residents of East Jerusalem, denying them their right to reside or even enter East Jerusalem. That figure constituted more than half the number of revocations recorded between 1967 and 2007.

OCHA reported that settler-related incidents, including violence committed against Palestinians and their property, had increased significantly over recent years. During the reporting period, 283 such incidents were documented. In the first eight months of 2010, 168 incidents of settler violence were recorded.

The separation wall continued to be the greatest obstacle to Palestinian movement within the West Bank, including to and from Jerusalem. As at July, approximately 60 per cent of the wall was complete, and 85 per cent of its route ran inside the West Bank. The total area located between the wall and the 1967 Green Line constituted 9.5 per cent of the West Bank. This area included the "seam zone" located east of the barrier and west of the Green Line, in which Palestinians had to request permits from the Israeli authorities to access their agricultural land and water resources, and where access to health care and education was limited.

The Secretary-General recommended that Israel should abide by its international legal obligations and its pre-existing commitments as stated in the road map, as well as the repeated calls of the international community to cease transferring its civilian population into settlements; freeze all settlement activity, including in occupied East Jerusalem; and dismantle outposts erected since March 2001. Israel should cease demolitions in area C, which comprised 60 per cent of the West Bank, and cease to plan and implement policies that altered the character, status and demographic composition of the Occupied Palestinian Territory, including East Jerusalem. It should adopt measures to prevent attacks by Israeli settlers against Palestinian civilians and their property and ensure that Israeli security forces were instructed to protect Palestinian civilians from settler violence; there was no impunity for crimes committed by Israeli settlers

against Palestinian civilians, nor redress provided to the victims of such crimes. Israel should fully comply with the ICJ advisory opinion on the legal consequences of the construction of a wall in the Occupied Palestinian Territory [YUN 2004, p. 1273], namely, by ceasing construction of the wall.

GENERAL ASSEMBLY ACTION

On 10 December [meeting 62], the General Assembly, on the recommendation of the Fourth (Special Political and Decolonization) Committee [A/65/423], adopted **resolution 65/104**, by recorded vote (169-6-3) [agenda item 52].

Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan

The General Assembly,

Guided by the principles of the Charter of the United Nations, and affirming the inadmissibility of the acquisition of territory by force,

Recalling its relevant resolutions, including resolution 64/93 of 10 December 2009 as well as those resolutions adopted at its tenth emergency special session,

Recalling also the relevant resolutions of the Security Council, including resolutions 242(1967) of 22 November 1967, 446(1979) of 22 March 1979, 465(1980) of 1 March 1980, 476(1980) of 30 June 1980, 478(1980) of 20 August 1980, 497(1981) of 17 December 1981 and 904(1994) of 18 March 1994,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem, and to the occupied Syrian Golan,

Affirming that the transfer by the occupying Power of parts of its own civilian population into the territory it occupies constitutes a breach of the Fourth Geneva Convention and relevant provisions of customary law, including those codified in Additional Protocol I to the four Geneva Conventions,

*Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, and recalling also General Assembly resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,*

Noting that the International Court of Justice concluded that “the Israeli settlements in the Occupied Palestinian Territory (including East Jerusalem) have been established in breach of international law”,

Taking note of the recent report of the Special Rapporteur of the Human Rights Council on the situation of human rights in the Palestinian territories occupied since 1967,

Recalling the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993 and the subsequent implementation agreements between the Palestinian and Israeli sides,

Recalling also the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict, and emphasizing specifically its call for a freeze on all settlement activity, including so-called “natural growth”, and the dismantlement of all settlement outposts erected since March 2001, and the need for Israel to uphold its obligations and commitments in this regard,

Aware that Israeli settlement activities involve, inter alia, the transfer of nationals of the occupying Power into the occupied territories, the confiscation of land, the exploitation of natural resources and other actions against the Palestinian civilian population and the civilian population in the occupied Syrian Golan that are contrary to international law,

Bearing in mind the extremely detrimental impact of Israeli settlement policies, decisions and activities on the efforts to resume and advance the peace process, on the credibility of the peace process, and on the prospects for the achievement of peace in the Middle East,

Expressing grave concern about the continuation by Israel, the occupying Power, of settlement activities in the Occupied Palestinian Territory, including East Jerusalem, in violation of international humanitarian law, relevant United Nations resolutions, the agreements reached between the parties and obligations under the Quartet road map, and in defiance of the calls by the international community to cease all settlement activities,

Expressing grave concern in particular about Israel’s construction and expansion of settlements in and around occupied East Jerusalem, including its so called E-1 plan that aims to connect its illegal settlements around and further isolate occupied East Jerusalem, the continuing demolition of Palestinian homes and eviction of Palestinian families from the city, the revocation of Palestinian residency rights in the city, and ongoing settlement activities in the Jordan Valley,

Expressing grave concern about the continuing unlawful construction by Israel of the wall inside the Occupied Palestinian Territory, including in and around East Jerusalem, and expressing its concern in particular about the route of the wall in departure from the Armistice Line of 1949, which is causing humanitarian hardship and a serious decline of socio-economic conditions for the Palestinian people, is fragmenting the territorial contiguity of the Territory and undermining its viability, and could prejudice future negotiations and make the two-State solution physically impossible to implement,

Deeply concerned that the wall’s route has been traced in such a way as to include the great majority of the Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem,

Deploping settlement activities in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan and any activities involving the confiscation of land, the disruption of the livelihood of protected persons and the de facto annexation of land,

Recalling the need to end all acts of violence, including acts of terror, provocation, incitement and destruction,

Gravely concerned about the rising incidents of violence, harassment, provocation and incitement by illegal armed Israeli settlers in the Occupied Palestinian Territory, including East Jerusalem, against Palestinian civilians, including children, and their properties, including historic and religious sites, and agricultural lands,

Noting the Israeli withdrawal from within the Gaza Strip and parts of the northern West Bank and the importance of the dismantlement of the settlements therein as a step towards the implementation of the road map, and stressing, in this regard, the road map obligation upon Israel to freeze settlement activity, including so-called "natural growth", and to dismantle all settlement outposts erected since March 2001,

Taking note of the relevant reports of the Secretary-General,

Taking note also of the special meeting of the Security Council convened on 26 September 2008,

1. *Reaffirms* that the Israeli settlements in the Palestinian territory, including East Jerusalem, and in the occupied Syrian Golan are illegal and an obstacle to peace and economic and social development;

2. *Calls upon* Israel to accept the *de jure* applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem, and to the occupied Syrian Golan and to abide scrupulously by the provisions of the Convention, in particular article 49;

3. *Also calls upon* Israel, the occupying Power, to comply strictly with its obligations under international law, including international humanitarian law, with respect to the alteration of the character, status and demographic composition of the Occupied Palestinian Territory, including East Jerusalem;

4. *Reiterates its demand* for the immediate and complete cessation of all Israeli settlement activities in all of the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and calls, in this regard, for the full implementation of all the relevant resolutions of the Security Council, including, *inter alia*, resolutions 446(1979) of 22 March 1979, 452(1979) of 20 July 1979, 465(1980) of 1 March 1980, 476(1980) of 30 June 1980 and 1515(2003) of 19 November 2003;

5. *Demands* that Israel, the occupying Power, comply with its legal obligations, as mentioned in the advisory opinion rendered on 9 July 2004 by the International Court of Justice;

6. *Reiterates its call* for the prevention of all acts of violence and harassment by Israeli settlers, especially against Palestinian civilians and their properties, including historic and religious sites, and agricultural lands, and stresses the need for the implementation of Security Council resolution 904(1994), in which the Council called upon Israel, the occupying Power, to continue to take and implement measures, including confiscation of arms, aimed at preventing illegal acts of violence by Israeli settlers, and called for measures to be taken to guarantee the safety and protection of the Palestinian civilians in the occupied territory;

7. *Requests* the Secretary-General to report to the General Assembly at its sixty-sixth session on the implementation of the present resolution.

RECORDED VOTE ON RESOLUTION 65/104:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia,

Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, Marshall Islands, Micronesia, Nauru, Palau, United States.

Abstaining: Cameroon, Côte d'Ivoire, Panama.

Jerusalem

On 17 September [A/65/379], the Secretary-General reported that seven Member States (Argentina, Cuba, Guinea, Jordan, Lebanon, Mexico and the Syrian Arab Republic) had replied to his request for information on steps taken or envisaged to implement General Assembly resolution 64/20 [YUN 2009, p. 446] on Jerusalem. The resolution stressed that a comprehensive, just and lasting solution to the question of Jerusalem should take into account the legitimate concerns of both the Palestinian and Israeli sides and should include internationally guaranteed provisions to ensure the freedom of religion and of conscience of its inhabitants, as well as free and unhindered access to the holy places by the people of all religions and nationalities.

GENERAL ASSEMBLY ACTION

On 30 November [meeting 55], the General Assembly adopted **resolution 65/17** [draft: A/65/L.18] by recorded vote (166-6-4) [agenda item 36].

Jerusalem

The General Assembly,

Recalling its resolution 181(II) of 29 November 1947, in particular its provisions regarding the City of Jerusalem,

Recalling also its resolution 36/120 E of 10 December 1981 and all its subsequent relevant resolutions, including resolution 56/31 of 3 December 2001, in which it, inter alia, determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called “Basic Law” on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling further the Security Council resolutions relevant to Jerusalem, including resolution 478(1980) of 20 August 1980, in which the Council, inter alia, decided not to recognize the “Basic Law” on Jerusalem,

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, and recalling its resolution ES-10/15 of 20 July 2004,

Expressing its grave concern about any action taken by any body, governmental or non-governmental, in violation of the above-mentioned resolutions,

Expressing its grave concern also, in particular, about the continuation by Israel, the occupying Power, of illegal settlement activities, including the so-called E-1 plan, its construction of the wall in and around East Jerusalem, its restrictions on access to and residence in East Jerusalem and the further isolation of the city from the rest of the Occupied Palestinian Territory, which are having a detrimental effect on the lives of Palestinians and could prejudice a final status agreement on Jerusalem,

Expressing its grave concern further about the continuing Israeli demolition of Palestinian homes and the eviction of numerous Palestinian families from East Jerusalem neighbourhoods, as well as other acts of provocation and incitement, including by Israeli settlers, in the city,

Expressing its concern about the Israeli excavations undertaken in the Old City of Jerusalem, including in and around religious sites,

Reaffirming that the international community, through the United Nations, has a legitimate interest in the question of the City of Jerusalem and in the protection of the unique spiritual, religious and cultural dimensions of the city, as foreseen in relevant United Nations resolutions on this matter,

Having considered the report of the Secretary-General on the situation in the Middle East,

1. *Reiterates its determination* that any actions taken by Israel, the occupying Power, to impose its laws, jurisdiction and administration on the Holy City of Jerusalem are illegal and therefore null and void and have no validity whatsoever, and calls upon Israel to immediately cease all such illegal and unilateral measures;

2. *Stresses* that a comprehensive, just and lasting solution to the question of the City of Jerusalem should take into account the legitimate concerns of both the Palestinian and Israeli sides and should include internationally guaranteed provisions to ensure the freedom of religion and of conscience of its inhabitants, as well as permanent, free and unhindered access to the holy places by the people of all religions and nationalities;

3. *Requests* the Secretary-General to report to the General Assembly at its sixty-sixth session on the implementation of the present resolution.

RECORDED VOTE ON RESOLUTION 65/17:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Cambodia, Canada, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, Marshall Islands, Micronesia, Nauru, Palau, United States.

Abstaining: Australia, Cameroon, Panama, Tonga.

Other matters

Special Committee to Investigate Israeli Practices Affecting Human Rights

By a 27 August note [A/65/327], the Secretary-General transmitted to the General Assembly the forty-second report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (Special Committee on Israeli Practices), established by Assembly resolution 2443(XXIII) [YUN 1968, p. 555]. The report, submitted in response to Assembly resolution 64/91 [YUN 2009, p. 451], described the events and human rights situation in the territories considered by the Special Committee to be occupied by Israel: the Syrian Arab Golan and the Occupied Palestinian Territory of the West Bank, East Jerusalem and the Gaza Strip. The report was based on information gathered during the Special

Committee's mission to Egypt (8–11 June), Jordan (11–16 June) and the Syrian Arab Republic (16–19 June), where it heard the testimony of 43 witnesses. As in previous years, the Committee was unable to visit the occupied territories, having again received no response from Israel to its request to do so.

The Special Committee found a long-standing pattern of violations of human rights by Israel, which continued to fail to protect the occupied population and to meet its obligations under international human rights and humanitarian law. The Committee concluded that a culture of impunity reigned, allowing the repetition of the violations.

The Special Committee was concerned about efforts by Israel to transfer the occupied population from strategic areas of the Occupied Palestinian Territory in contravention of its obligations under international humanitarian law. Forced evictions, home demolitions, the construction of the wall and revocation of residency rights resulted in forced displacement. Moreover, new legislation opened the door to wide-scale forced transfer or deportation. Women continued to be particularly affected by the occupation and its associated regime. Fear of deportation and subsequent family separation, harassment and violence dominated the lives of many women and their families.

The Special Committee was also concerned about policies of collective punishment of the occupied Palestinian population, whether by means of the blockade on Gaza's 1.5 million inhabitants or by the restrictions on movement, including those resulting from the wall and its gate and permit regime. The overall closure policy, coupled with policies of separation of the West Bank from the Gaza Strip, resulted in a broad range of violations, not only of the right of freedom of movement but also of the rights to health, education and an adequate standard of living. The Committee noted ongoing practices and policies that discriminated against the Palestinian and Syrian populations, in contravention of Israel's international obligations.

Despite the partial and temporary moratorium on settlement in the West Bank brokered by the United States, evidence showing Israel's determination to continue its settlement enterprise in the Occupied Palestinian Territory and the occupied Syrian Golan was of great concern to the Special Committee. Such actions violated international humanitarian law, UN resolutions and political agreements, including the road map [YUN 2003, p. 464]. The Special Committee called on Israel to end the closure and collective punishment of the people of Gaza, and take urgent steps to end the crisis.

The Special Committee urged the Security Council and Member States to ensure implementation of the 2004 ICJ advisory opinion on the legal consequences of the construction of a wall in the Occupied Palestinian Territory [YUN 2004, p. 1273] and Assembly

resolution ES-10/15, adopted at the tenth emergency special session on Palestine [ibid., p. 465], which requested Israel to comply with its legal obligation to cease construction of the wall, dismantle the segments already built, and make reparations for the damage arising from its construction.

The Special Committee requested the High Contracting Parties to the Fourth Geneva Convention to take concrete measures in respect of their obligations to ensure Israel's respect for the Convention. It also recommended that the PA should abide by the relevant provisions of human rights law and international humanitarian law.

Report of Secretary-General. On 14 September [A/65/366], the Secretary-General submitted a report on the implementation of General Assembly resolution 64/94 [YUN 2009, p. 449] on Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, covering the period from 1 September 2009 to 19 August 2010, on the basis of material submitted by OHCHR and drawing largely on information made available by OCHA. The report addressed the humanitarian and human rights situation in the Occupied Palestinian Territory.

Reports of the use of excessive force by Israeli authorities against the Palestinian civilian population continued to be received with frequency. Incidents of excessive use of force, including the killing and injury of civilians, typically occurred while Israeli authorities were operating checkpoints, detaining and interrogating Palestinians, and responding to public demonstrations.

Although a range of restrictions on the freedom of movement of Palestinians remained in place throughout the Occupied Palestinian Territory, an improvement in freedom of movement in the West Bank was documented. OCHA reported that the improvement was attributable to measures implemented by Israel that had resulted in the removal of physical obstacles, conversion of permanent checkpoints into "partial" checkpoints, easing of controls at selected checkpoints, lifting of vehicle permit requirements to enter and exit Nablus City, and the opening of three sections of roads to Palestinians. On 20 June, Israel announced a new civilian policy towards the Gaza Strip, which led to a significant increase in the quantity and types of goods allowed entry into Gaza.

The Secretary-General recommended that Israel should take immediate actions to prevent further incidents of excessive use of force against Palestinian civilians, including comprehensive training in international human rights standards relevant to law enforcement for Israeli authorities involved in security operations in the Occupied Palestinian Territory. They should also include efforts to eliminate impunity for violations that resulted from excessive use of force,

in particular by carrying out independent and impartial investigations into credible allegations of excessive use of force. Where such allegations were substantiated, perpetrators should be prosecuted.

The Secretary-General stated that the firing of indiscriminate rockets and mortars into southern Israel had to stop. The launching of such weapons was in flagrant violation of international humanitarian law and had resulted in death, injury, damage to infrastructure and general terror among the civilian population. All relevant parties on the Palestinian side should make urgent, vigorous efforts to end the firing of such weapons.

The Secretary-General said that much remained to be done to fulfil the right of Palestinians to freedom of movement. Israel should implement further measures to remove physical restrictions on freedom of movement throughout the West Bank, including East Jerusalem, and ensure that all relevant administrative rules and requirements were consistent with international human rights and humanitarian laws. It should cease construction of the wall and dismantle portions already built in the Occupied Palestinian Territory, in accordance with the 2004 ICJ advisory opinion concerning the wall [YUN 2004, p. 1273]. Israel had to clarify the restrictions it intended to enforce on freedom of movement within Gaza and issue relevant guidelines. Such restrictions should not be enforced by opening live fire, and their parameters should give due consideration to the Gazan agricultural and fishing industries. Israeli authorities should place priority on the full implementation of Security Council resolution 1860(2009) [YUN 2009, p. 434] and on reopening the crossing points in line with the 2005 Agreement on Movement and Access between the PA and Israel [YUN 2005, p. 519].

Report of Special Rapporteur. By a 30 August note [A/65/331], the Secretary-General transmitted the report of the Special Rapporteur, Richard Falk, on the situation of human rights in the Palestinian territories occupied since 1967 (see p. 785).

(For information on the right of the Palestinian people to self-determination, see p. 688, and on the human rights situation in the Territories occupied by Israel, see p. 784).

UN Register of Damage. On 19 April [A/ES-10/498], in accordance with General Assembly resolution ES-10/17 [YUN 2006, p. 529], the Secretary-General transmitted to the Assembly a progress report from the Board of the United Nations Register of Damage Caused by the Construction of the Wall in the Occupied Palestinian Territory, covering the period from 10 April 2009 to 18 June 2010. During that period, the Board held five meetings in Vienna to review 1,284 claim forms that had been translated, processed and reviewed by the office staff, and in-

cluded in the Register most or all of the losses set out in those forms. As at 18 June, the Board had reviewed 1,554 claim forms; it included most or all of the losses in 1,551 of claim forms in the Registrar.

Israel maintained its position of not cooperating with the Office of the Register and considered that any claims in relation to damage caused by the construction of the wall should be addressed through the existing Israeli mechanism. At the same time, on a practical level, the Office of the Register had not experienced any difficulties in carrying out its activities as outlined in resolution ES-10/17.

GENERAL ASSEMBLY ACTION

On 10 December [meeting 62], the General Assembly, on the recommendation of the Fourth Committee [A/65/423], adopted **resolution 65/105** by recorded vote (165-9-2) [agenda item 52].

Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem

The General Assembly,

Recalling the Universal Declaration of Human Rights,

Recalling also the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the Convention on the Rights of the Child, and affirming that these human rights instruments must be respected in the Occupied Palestinian Territory, including East Jerusalem,

Reaffirming its relevant resolutions, including resolution 64/94 of 10 December 2009 as well as those adopted at its tenth emergency special session,

Recalling the relevant resolutions of the Human Rights Council,

Recalling also the relevant resolutions of the Security Council, and stressing the need for their implementation,

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories and the report of the Secretary-General,

Taking note of the recent reports of the Special Rapporteur of the Human Rights Council on the situation of human rights in the Palestinian territories occupied since 1967, as well as of other relevant recent reports of the Human Rights Council,

Aware of the responsibility of the international community to promote human rights and ensure respect for international law, and recalling, in this regard, its resolution 2625(XXV) of 24 October 1970,

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice, and recalling also General Assembly resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

Noting in particular the Court's reply, including that the construction of the wall being built by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem, and its associated regime are contrary to international law,

Reaffirming the principle of the inadmissibility of the acquisition of territory by force,

Reaffirming also the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Reaffirming further the obligation of the States parties to the Fourth Geneva Convention under articles 146, 147 and 148 with regard to penal sanctions, grave breaches and responsibilities of the High Contracting Parties,

Reaffirming that all States have the right and the duty to take actions in conformity with international law and international humanitarian law to counter deadly acts of violence against their civilian population in order to protect the lives of their citizens,

Stressing the need for full compliance with the Israeli-Palestinian agreements reached within the context of the Middle East peace process, including the Sharm el-Sheikh understandings, and the implementation of the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,

Stressing also the need for the full implementation of the Agreement on Movement and Access and the Agreed Principles for the Rafah Crossing, both of 15 November 2005, to allow for the freedom of movement of the Palestinian civilian population within and into and out of the Gaza Strip,

Expressing grave concern about the continuing systematic violation of the human rights of the Palestinian people by Israel, the occupying Power, including that arising from the excessive use of force and military operations causing death and injury to Palestinian civilians, including children, women and nonviolent and peaceful demonstrators; the use of collective punishment; the closure of areas; the confiscation of land; the establishment and expansion of settlements; the construction of a wall in the Occupied Palestinian Territory in departure from the Armistice Line of 1949; the destruction of property and infrastructure; and all other actions by it designed to change the legal status, geographical nature and demographic composition of the Occupied Palestinian Territory, including East Jerusalem,

Gravely concerned in particular about the critical humanitarian and security situation in the Gaza Strip, including that resulting from the prolonged closures and severe economic and movement restrictions that in effect amount to a blockade and the military operations between December 2008 and January 2009, which caused extensive loss of life and injury, particularly among Palestinian civilians, including children and women; widespread destruction and damage to Palestinian homes, properties, vital infrastructure and public institutions, including hospitals, schools and United Nations facilities; and the internal displacement of civilians, as well as from the firing of rockets into Israel,

Stressing the need for the full implementation by all parties of Security Council resolution 1860(2009) of 8 January 2009 and General Assembly resolution ES-10/18 of 16 January 2009,

Gravely concerned by reports regarding serious human rights violations and grave breaches of international humanitarian law committed during the military operations in the Gaza Strip between December 2008 and Janu-

ary 2009, including the findings in the summary by the Secretary-General of the report of the Board of Inquiry and in the report of the United Nations Fact-finding Mission on the Gaza Conflict, and reiterating the necessity for serious follow-up by all parties of the recommendations addressed to them towards ensuring accountability and justice,

Expressing deep concern about the short- and long-term detrimental impact of such widespread destruction and the continued impeding of the reconstruction process by Israel, the occupying Power, on the human rights situation and on the socio-economic and humanitarian conditions of the Palestinian civilian population,

Expressing deep concern also about the Israeli policy of closures and the imposition of severe restrictions, checkpoints, several of which have been transformed into structures akin to permanent border crossings, and a permit regime, all of which obstruct the freedom of movement of persons and goods, including medical and humanitarian goods, throughout the Occupied Palestinian Territory, including East Jerusalem, and about the consequent violation of the human rights of the Palestinian people and the negative impact on their socio-economic situation, which remains that of a humanitarian crisis in the Gaza Strip, while taking note of recent developments with regard to the situation of access there,

Concerned in particular about the continued establishment of Israeli checkpoints in the Occupied Palestinian Territory, including East Jerusalem, and the transformation of several of these checkpoints into structures akin to permanent border crossings inside the Occupied Palestinian Territory, which are severely impairing the territorial contiguity of the Territory and undermining efforts and aid aimed at rehabilitating and developing the Palestinian economy, adversely affecting other aspects of the socio-economic conditions of the Palestinian people,

Expressing deep concern that thousands of Palestinians, including hundreds of children and women, continue to be held in Israeli prisons or detention centres under harsh conditions, including, inter alia, unhygienic conditions, lack of proper medical care, denial of family visits and denial of due process, that impair their well-being, and expressing deep concern also about the ill-treatment and harassment of any Palestinian prisoners and all reports of torture,

Expressing concern about the possible consequences of the enactment by Israel, the occupying Power, of military orders regarding the detention, imprisonment and deportation of Palestinian civilians from the Occupied Palestinian Territory, including East Jerusalem, and recalling, in this regard, the prohibition under international humanitarian law of the deportation of civilians from occupied territories,

Convinced of the need for an international presence to monitor the situation, to contribute to ending the violence and protecting the Palestinian civilian population and to help the parties implement the agreements reached, and, in this regard, recalling the positive contribution of the Temporary International Presence in Hebron,

Taking note of the continued efforts and tangible progress made in the security sector by the Palestinian Authority, calling upon the parties to continue cooperation that benefits both Palestinians and Israelis, in particular by promoting security and building confidence, and expressing the hope that such progress will be extended to all major population centres,

Emphasizing the right of all people in the region to the enjoyment of human rights as enshrined in the international human rights covenants,

1. *Reiterates* that all measures and actions taken by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, in violation of the relevant provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and contrary to the relevant resolutions of the Security Council, are illegal and have no validity;

2. *Demands* that Israel, the occupying Power, cease all practices and actions that violate the human rights of the Palestinian people, including the killing and injury of civilians, the arbitrary detention and imprisonment of civilians and the destruction and confiscation of civilian property, and that it fully respect human rights law and comply with its legal obligations in this regard;

3. *Also demands* that Israel, the occupying Power, comply fully with the provisions of the Fourth Geneva Convention of 1949 and cease immediately all measures and actions taken in violation and in breach of the Convention;

4. *Further demands* that Israel, the occupying Power, cease all of its settlement activities, the construction of the wall and any other measures aimed at altering the character, status and demographic composition of the Occupied Palestinian Territory, including in and around East Jerusalem, all of which, inter alia, gravely and detrimentally impact the human rights of the Palestinian people and the prospects for a peaceful settlement;

5. *Condemns* all acts of violence, including all acts of terror, provocation, incitement and destruction, especially the excessive use of force by the Israeli occupying forces against Palestinian civilians, particularly in the Gaza Strip, which have caused extensive loss of life and vast numbers of injuries, including among children, massive damage and destruction to homes, properties, vital infrastructure and public institutions, including hospitals, schools and United Nations facilities, and agricultural lands, and internal displacement of civilians;

6. *Expresses grave concern* at the firing of rockets against Israeli civilian areas resulting in loss of life and injury;

7. *Reiterates its demand* for the full implementation of Security Council resolution 1860(2009);

8. *Demands* that Israel, the occupying Power, comply with its legal obligations under international law, as mentioned in the advisory opinion rendered on 9 July 2004 by the International Court of Justice and as demanded in General Assembly resolutions ES-10/15 of 20 July 2004 and ES-10/13 of 21 October 2003, and that it immediately cease the construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem, dismantle forthwith the structure situated therein, repeal or render ineffective all legislative and regulatory acts relating thereto, and make reparation for all damage caused by the construction of the wall, which has gravely impacted the human rights and the socio-economic living conditions of the Palestinian people;

9. *Reiterates* the need for respect for the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory and for guarantees of the freedom of movement of persons and goods within the Palestinian territory,

including movement into and from East Jerusalem, into and from the Gaza Strip, between the West Bank and Gaza Strip, and to and from the outside world;

10. *Calls upon* Israel, the occupying Power, to cease its imposition of prolonged closures and economic and movement restrictions, including those amounting to a blockade on the Gaza Strip, and, in this regard, to fully implement the Agreement on Movement and Access and the Agreed Principles for the Rafah Crossing, both of 15 November 2005, in order to allow for the sustained and regular movement of persons and goods and for the acceleration of long overdue reconstruction in the Gaza Strip;

11. *Urges* Member States to continue to provide emergency assistance to the Palestinian people to alleviate the financial crisis and the dire socio-economic and humanitarian situation, particularly in the Gaza Strip;

12. *Emphasizes* the need to preserve and develop the Palestinian institutions and infrastructure for the provision of vital public services to the Palestinian civilian population and the promotion of human rights, including civil, political, economic, social and cultural rights;

13. *Requests* the Secretary-General to report to the General Assembly at its sixty-sixth session on the implementation of the present resolution.

RECORDED VOTE ON RESOLUTION 65/105:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Cambodia, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Australia, Canada, Israel, Marshall Islands, Micronesia, Nauru, Palau, Panama, United States.

Abstaining: Cameroon, Côte d'Ivoire.

Work of Special Committee

In response to General Assembly resolution 64/91 [YUN 2009, p. 451], the Secretary-General submitted an August report [A/65/326] on the work of the Special Committee. The Special Committee was supported by various UN agencies in the implementation of its mandate, specifically OHCHR and the United Nations Resident Coordinators in Egypt, Jordan and the Syrian Arab Republic in the organization of its field mission and by offering on-site support.

The UN Department of Public Information (DPI) continued to ensure the widest circulation of the Special Committee's reports, and that information on its work was made available to global audiences in the six official UN languages. The Department's News Services Section posted 12 stories on the Special Committee's activities and findings on the UN News Centre website and e-mailed them to tens of thousands of interested subscribers, including hundreds of journalists. UN Television and Video (UNTV) covered public meetings of the Special Committee and related press briefings in New York. Around 40 news reports were sent to over 500 broadcasters worldwide through UNifeed, the UNTV transmission service. UN Radio produced news and features on a broad range of related subjects, including developments on the ground, humanitarian needs and relief efforts, and political and diplomatic activities. DPI held its annual training programme for 10 young Palestinian journalists (New York, 2 November–11 December 2009).

GENERAL ASSEMBLY ACTION

On 10 December [meeting 62], the General Assembly, on the recommendation of the Fourth Committee [A/65/423], adopted **resolution 65/102** by recorded vote (94-9-72) [agenda item 52].

Work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations,

Guided also by international humanitarian law, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949, as well as international standards of human rights, in particular the Universal Declaration of Human Rights and the International Covenants on Human Rights,

Recalling its relevant resolutions, including resolutions 2443(XXIII) of 19 December 1968 and 64/91 of 10 December 2009, and the relevant resolutions of the Commission on Human Rights and the Human Rights Council, including resolution S-12/1, adopted by the Council at its twelfth special session on 16 October 2009,

Recalling also the relevant resolutions of the Security Council,

Taking into account the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, and recalling, in this regard, General Assembly resolution ES-10/15 of 20 July 2004,

Recalling its resolution 58/292 of 6 May 2004,

Convinced that occupation itself represents a gross and grave violation of human rights,

Gravely concerned about the continuing detrimental impact of ongoing unlawful Israeli practices and measures in the Occupied Palestinian Territory, including East Jerusalem, including the excessive use of force by the Israeli occupying forces against Palestinian civilians, resulting in thousands of deaths and injuries, the widespread destruction of property and vital infrastructure, ongoing settlement activities and construction of the wall, the internal displacement of civilians, the imposition of collective punishment measures, particularly against the civilian population in the Gaza Strip, and the detention and imprisonment of thousands of Palestinians,

Gravely concerned in particular by reports regarding serious human rights violations and grave breaches of international humanitarian law committed during the military operations in the Gaza Strip between December 2008 and January 2009, including the findings in the summary by the Secretary-General of the report of the Board of Inquiry and in the report of the United Nations Fact-Finding Mission on the Gaza Conflict, and stressing the necessity for serious follow-up by all parties to the recommendations addressed to them towards ensuring accountability and justice,

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories and the relevant reports of the Secretary-General,

Recalling the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993 and the subsequent implementation agreements between the Palestinian and Israeli sides,

Stressing the urgency of bringing a complete end to the Israeli occupation that began in 1967 and thus an end to the violation of the human rights of the Palestinian people, and of allowing for the realization of their inalienable human rights, including their right to self-determination,

1. *Commends* the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories for its efforts in performing the tasks assigned to it by the General Assembly and for its impartiality;

2. *Reiterates its demand* that Israel, the occupying Power, cooperate, in accordance with its obligations as a State Member of the United Nations, with the Special Committee in implementing its mandate;

3. *Deplores* those policies and practices of Israel that violate the human rights of the Palestinian people and other Arabs of the occupied territories, as reflected in the report of the Special Committee covering the reporting period;

4. *Expresses grave concern* about the critical situation in the Occupied Palestinian Territory, including East Jerusalem, particularly in the Gaza Strip, as a result of unlawful Israeli practices and measures, and especially

condemns and calls for the immediate cessation of all illegal Israeli settlement activities and the construction of the wall, as well as the excessive and indiscriminate use of force against the civilian population, the destruction and confiscation of properties, measures of collective punishment, and the detention and imprisonment of thousands of civilians;

5. *Requests* the Special Committee, pending complete termination of the Israeli occupation, to continue to investigate Israeli policies and practices in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967, especially Israeli violations of the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949, and to consult, as appropriate, with the International Committee of the Red Cross according to its regulations in order to ensure that the welfare and human rights of the peoples of the occupied territories are safeguarded and to report to the Secretary-General as soon as possible and whenever the need arises thereafter;

6. *Also requests* the Special Committee to submit regularly to the Secretary-General periodic reports on the current situation in the Occupied Palestinian Territory, including East Jerusalem;

7. *Further requests* the Special Committee to continue to investigate the treatment and status of the thousands of prisoners and detainees, including children and women, in Israeli prisons and detention centres in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;

8. *Requests* the Secretary-General:

(a) To provide the Special Committee with all necessary facilities, including those required for its visits to the occupied territories, so that it may investigate the Israeli policies and practices referred to in the present resolution;

(b) To continue to make available such staff as may be necessary to assist the Special Committee in the performance of its tasks;

(c) To circulate regularly to Member States the periodic reports mentioned in paragraph 6 above;

(d) To ensure the widest circulation of the reports of the Special Committee and of information regarding its activities and findings, by all means available, through the Department of Public Information of the Secretariat and, where necessary, to reprint those reports of the Special Committee that are no longer available;

(e) To report to the General Assembly at its sixty-sixth session on the tasks entrusted to him in the present resolution;

9. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories".

RECORDED VOTE ON RESOLUTION 65/102:

In favour: Afghanistan, Algeria, Angola, Armenia, Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bhutan, Bolivia, Brazil, Brunei Darussalam, Cambodia, Cape Verde, Chile, China, Comoros, Congo, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, Eritrea, Gabon, Gambia, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran, Iraq,

Jamaica, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Qatar, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Tajikistan, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Australia, Canada, Israel, Marshall Islands, Micronesia, Nauru, Palau, Panama, United States.

Abstaining: Albania, Andorra, Argentina, Austria, Bahamas, Belgium, Benin, Bosnia and Herzegovina, Botswana, Bulgaria, Cameroon, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, El Salvador, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Monaco, Mongolia, Montenegro, Netherlands, New Zealand, Norway, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, Ukraine, United Kingdom, Uruguay.

Economic and social situation

An April report [A/65/72-E/2010/13] on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan was prepared by the Economic and Social Commission for Western Asia, in accordance with Economic and Social Council resolution 2009/34 [YUN 2009, p. 453] and General Assembly resolution 64/185 [ibid., p. 455].

The report noted that the Israeli occupation of Palestinian territory, including East Jerusalem, the use of arbitrary detention, disproportionate use of force, property destruction, home demolitions, mobility restrictions, lack of building permits and closure policies continued to intensify the economic and social hardships of the Palestinian residents in the Occupied Palestinian Territory. Despite the constraints posed by the occupation, the Palestinian Authority (PA) continued to make progress in implementing its reform agenda and security plan and in building its institution. Between February 2009 and February 2010, 67 Palestinians were killed and 145 injured by Israeli military operations. At the same time, attacks by Palestinian militants and the launching of rockets into Israel from the Gaza Strip continued, although at a diminished rate over that of previous years. Between February 2009 and February 2010, Israeli authorities

demolished 220 Palestinian-owned structures in the West Bank (excluding East Jerusalem), resulting in the displacement of over 400 Palestinians. In occupied East Jerusalem, Israeli authorities demolished approximately 80 Palestinian-owned structures between February 2009 and March 2010, displacing approximately 260 Palestinians. The blockade imposed by Israel on the Gaza Strip following the forceful takeover of Gaza by Hamas in June 2007 [YUN 2007, p. 441] entered its third year as at August 2009. The blockade detrimentally affected reconstruction and economic recovery in Gaza and exacerbated humanitarian conditions. In the West Bank, there had been a general relaxation of the crossing procedures at most checkpoints to the east of the barrier. Since November 2009, however, there had been a steady increase in the number of ad hoc checkpoints erected for short periods. Contrary to its obligations under the road map, Israel continued illegal settlement activity in the West Bank, including East Jerusalem. On 26 November 2009, Israel announced a 10-month settlement freeze order in the West Bank, but it did not apply to the East Jerusalem area. Israel's occupation of the Syrian Golan continued to affect the lives and human rights of the Syrian citizens living there.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 23 July [meeting 46], the Economic and Social Council adopted **resolution 2010/31** [draft: E/2010/L.31] by recorded vote (45-3-3) [agenda item 11].

Economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan

The Economic and Social Council,

Recalling General Assembly resolution 64/185 of 21 December 2009,

Recalling also its resolution 2009/34 of 31 July 2009,

Guided by the principles of the Charter of the United Nations affirming the inadmissibility of the acquisition of territory by force, and recalling relevant Security Council resolutions, including resolutions 242(1967) of 22 November 1967, 252(1968) of 21 May 1968, 338(1973) of 22 October 1973, 465(1980) of 1 March 1980 and 497(1981) of 17 December 1981,

Recalling the resolutions of the tenth emergency special session of the General Assembly, including resolutions ES-10/13 of 21 October 2003, ES-10/14 of 8 December 2003, ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Recalling the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the Convention on the Rights of the Child, and affirming that these human rights instruments must be respected in the Occupied Palestinian Territory, including East Jerusalem, as well as in the occupied Syrian Golan,

Stressing the importance of the revival of the Middle East peace process on the basis of Security Council resolutions 242(1967), 338(1973), 425(1978) of 19 March 1978, 1397(2002) of 12 March 2002, 1515(2003) of 19 November 2003, 1544(2004) of 19 May 2004 and 1850(2008) of 16 December 2008, the principle of land for peace, and the Arab Peace Initiative, as affirmed at the League of Arab States summit held in Sirte, Libyan Arab Jamahiriya, on 27 and 28 March 2010, and the Quartet road map, as well as compliance with the agreements reached between the Government of Israel and the Palestine Liberation Organization, the representative of the Palestinian people,

Reaffirming the principle of the permanent sovereignty of peoples under foreign occupation over their natural resources, and expressing concern in this regard about the exploitation of natural resources by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan,

Convinced that the Israeli occupation has gravely impeded the efforts to achieve sustainable development and a sound economic environment in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and expressing grave concern about the consequent deterioration of economic and living conditions,

Commending, in this regard, the efforts of the Palestinian Authority to improve the economic and social situation in the Occupied Palestinian Territory,

Gravely concerned, in this regard, about Israel's continuation of settlement activities and other related measures in the Occupied Palestinian Territory, particularly in and around occupied East Jerusalem, as well as in the occupied Syrian Golan, in violation of international humanitarian law and relevant United Nations resolutions,

Gravely concerned also by the serious repercussions on the economic and social conditions of the Palestinian people caused by Israel's construction of the wall and its associated regime inside the Occupied Palestinian Territory, including in and around East Jerusalem, and the resulting violation of their economic and social rights, including the right to work, to health, to education, to property and to an adequate standard of living,

Recalling, in this regard, the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory* and General Assembly resolution ES-10/15, and stressing the need to comply with the obligations mentioned therein,

Expressing grave concern at the extensive destruction by Israel, the occupying Power, of properties, including homes, economic institutions, agricultural lands and orchards, in the Occupied Palestinian Territory, including East Jerusalem, and, in particular, in connection with its construction of the wall, contrary to international law, in the Occupied Palestinian Territory, including in and around East Jerusalem,

Expressing grave concern also over the continued policy of home demolitions, evictions, revocation of residency rights and displacement of the population in and around occupied East Jerusalem, as well as measures to further isolate the city from its natural Palestinian environs, including through the accelerated construction of settlements, construction of the wall and imposition of checkpoints, which have seriously exacerbated the already dire socio-economic situation being faced by the Palestinian population,

Expressing grave concern further about Israeli military operations and the continuing Israeli policy of closures and severe restrictions on the movement of persons and goods, including humanitarian personnel as well as food, medical supplies, fuel, construction materials and other essential supplies, via the imposition of crossing closures, checkpoints and a permit regime throughout the Occupied Palestinian Territory, including East Jerusalem, and the consequent negative impact on the socio-economic situation of the Palestinian people, which remains that of a dire humanitarian crisis,

Taking note of recent developments regarding the situation of access to the Gaza Strip, although grave hardships continue to prevail as a result of the prolonged Israeli closures and severe economic and movement restrictions that in effect amount to a blockade, and calling in this regard for the full implementation of Security Council resolution 1860(2009) of 8 January 2009 with a view to ensuring the full opening of the border crossings for the sustained and regular movement of persons and goods, including humanitarian aid, commercial flows and construction materials,

Deploing the heavy casualties among civilians, including hundreds of children and women, the internal displacement of thousands of civilians and widespread damage to homes, vital civilian infrastructure, hospitals, schools, food supply installations, economic, industrial and agricultural properties and several United Nations facilities in the Gaza Strip, which gravely impact the provision of vital health and social services to Palestinian women and their families and their socio-economic living conditions and were all caused by the military operations carried out between December 2008 and January 2009,

Recalling, in this regard, the relevant United Nations reports, including those of the Economic and Social Council, the Economic and Social Commission for Western Asia and the Human Rights Council,

Expressing deep concern about the short- and long-term detrimental impact of such widespread destruction and the hampering of the reconstruction process by Israel, the occupying Power, on the socio-economic and humanitarian conditions of the Palestinian civilian population in the Gaza Strip, and calling in this regard for the expeditious commencement of the reconstruction process in the Gaza Strip with the assistance of the donor countries, including the disbursement of funds pledged in the International Conference in Support of the Palestinian Economy for the Reconstruction of Gaza, held in Sharm el-Sheikh, Egypt, on 2 March 2009,

Gravely concerned by various reports of the United Nations and specialized agencies regarding the almost total aid dependency caused by prolonged border closures, inordinate rates of unemployment, widespread poverty and severe humanitarian hardships, including food insecurity

and rising health-related problems, including high levels of malnutrition, among the Palestinian people, especially children, in the Occupied Palestinian Territory, including East Jerusalem,

Expressing grave concern at the increasing number of deaths and injuries among civilians, including children and women, and emphasizing that the Palestinian civilian population must be protected in accordance with international humanitarian law,

Emphasizing the importance of the safety and well-being of all civilians, and calling for the cessation of all acts of violence, including all acts of terror, provocation, incitement and destruction, and all firing of rockets,

Conscious of the urgent need for the reconstruction and development of the economic and social infrastructure of the Occupied Palestinian Territory, including East Jerusalem, as well as the urgent need to address the dire humanitarian crisis facing the Palestinian people, including by ensuring the unimpeded provision of humanitarian assistance and the sustained and regular flow of persons and goods into and out of the Gaza Strip,

Commending the important work being done by the United Nations, the specialized agencies and the donor community in support of the economic and social development of the Palestinian people in line with their national development and State-building plan, as well as the assistance being provided in the humanitarian field,

Recognizing the efforts being undertaken by the Palestinian Authority, with international support, to rebuild, reform and strengthen its damaged institutions and promote good governance, and emphasizing the need to preserve the Palestinian national institutions and infrastructure and to ameliorate economic and social conditions,

Welcoming in this regard and expressing strong support for the plan of the Palestinian Authority entitled "Palestine: Ending the Occupation, Establishing the State", for constructing the institutions of a Palestinian State within a twenty-four month period,

Stressing the importance of national unity among the Palestinian people, and emphasizing the need for the respect and preservation of the territorial integrity and unity of the Occupied Palestinian Territory, including East Jerusalem,

Calling upon both parties to fulfil their obligations under the road map in cooperation with the Quartet,

1. *Calls for* the full opening of the border crossings of the Gaza Strip, in line with Security Council resolution 1860(2009), to ensure humanitarian access as well as the sustained and regular flow of persons and goods and the lifting of all movement restrictions imposed on the Palestinian people, including those restrictions arising from ongoing Israeli military operations and the multilayered closures system, and for other urgent measures to alleviate the desperate humanitarian situation in the Occupied Palestinian Territory, especially in the Gaza Strip, and calls for compliance by Israel, the occupying Power, with all of its legal obligations under international humanitarian law and United Nations resolutions in this regard;

2. *Stresses* the need to preserve the territorial contiguity, unity and integrity of the Occupied Palestinian Territory, including East Jerusalem, and to guarantee the freedom of movement of persons and goods throughout the Occupied Palestinian Territory, including East Jerusalem, as well as to and from the outside world;

3. *Also stresses* the need to preserve and develop Palestinian national institutions and infrastructure for the provision of vital public services to the Palestinian civilian population and to contribute to the promotion and protection of human rights, including economic and social rights;

4. *Demands* that Israel comply with the Protocol on Economic Relations between the Government of Israel and the Palestine Liberation Organization signed in Paris on 29 April 1994;

5. *Calls upon* Israel to restore and replace civilian properties, vital infrastructure, agricultural lands and governmental institutions that have been damaged or destroyed as a result of its military operations in the Occupied Palestinian Territory;

6. *Reiterates* the call for the full implementation of the Agreement on Movement and Access of 15 November 2005, particularly the urgent and uninterrupted reopening of all crossings into the Gaza Strip, including the Rafah and Karni crossings, which is crucial to ensuring the passage of foodstuffs and essential supplies, including construction materials and adequate fuel supplies, as well as the unhindered access of the United Nations and related agencies and regular commercial flows necessary for economic recovery to and within the Occupied Palestinian Territory;

7. *Calls upon* all parties to respect the rules of international humanitarian law and to refrain from violence against the civilian population in accordance with the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

8. *Reaffirms* the inalienable right of the Palestinian people and the Arab population of the occupied Syrian Golan to all their natural and economic resources, and calls upon Israel, the occupying Power, not to exploit, endanger or cause loss or depletion of these resources;

9. *Calls upon* Israel, the occupying Power, to cease its destruction of homes and properties, economic institutions and agricultural lands and orchards in the Occupied Palestinian Territory, including East Jerusalem, as well as in the occupied Syrian Golan;

10. *Also calls upon* Israel, the occupying Power, to end immediately its exploitation of natural resources, including water and mining resources, and to cease the dumping of all kinds of waste materials in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, activities which gravely threaten their natural resources, namely, their water and land resources, and present a serious environmental hazard and health threat to the civilian populations, and also calls upon Israel, the occupying Power, to remove all obstacles that obstruct the implementation of critical environmental projects, including the sewage treatment plants in the Gaza Strip;

11. *Reaffirms* that the construction and expansion of Israeli settlements and related infrastructure in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan, are illegal and constitute a major obstacle to economic and social development and to the achievement of peace, and calls for the full cessation of all settlement and settlement-related activity, including full cessation of all measures aimed at altering the demographic composition, legal status and character of the occupied territories, including, in particular, in and around Occupied East Jerusalem, in compliance with relevant Security Council resolutions and international law, including the

Geneva Convention relative to the Protection of Civilian Persons in Time of War;

12. *Also reaffirms* that Israel's ongoing construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem, is contrary to international law and is isolating East Jerusalem, fragmenting the West Bank and seriously debilitating the economic and social development of the Palestinian people, and calls in this regard for full compliance with the legal obligations mentioned in the advisory opinion rendered on 9 July 2004 by the International Court of Justice, in General Assembly resolution ES-10/15 and in subsequent relevant resolutions;

13. *Calls upon* Israel to comply with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War and to facilitate visits of the Syrian citizens of the occupied Syrian Golan whose family members reside in their mother homeland, the Syrian Arab Republic, via the Qunaitra entrance;

14. *Emphasizes* the importance of the work of United Nations organizations and agencies and of the United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority;

15. *Reiterates* the importance of the revival of the peace process on the basis of relevant United Nations resolutions, including Security Council resolutions 242(1967), 338(1973), 425(1978), 1397(2002), 1515(2003), 1544(2004) and 1850(2008), the Madrid Conference, the principle of land for peace, the Arab Peace Initiative and the Quartet road map, as well as compliance with the agreements reached between the Government of Israel and the Palestine Liberation Organization, the representative of the Palestinian people, in order to pave the way for the establishment of the independent Palestinian State and the achievement of a just, lasting and comprehensive peace settlement;

16. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fifth session, through the Economic and Social Council, a report on the implementation of the present resolution and to continue to include in the report of the United Nations Special Coordinator an update on the living conditions of the Palestinian people, in collaboration with relevant United Nations agencies;

17. *Decides* to include the item entitled "Economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and the Arab population in the occupied Syrian Golan" in the agenda of its substantive session of 2011.

RECORDED VOTE ON RESOLUTION 2010/31:

In favour: Argentina, Bahamas, Bangladesh, Belgium, Brazil, Chile, China, Comoros, Egypt, Estonia, Finland, France, Germany, Ghana, Guatemala, India, Iraq, Italy, Japan, Liechtenstein, Malaysia, Malta, Mauritius, Morocco, Mozambique, Namibia, Niger, Norway, Pakistan, Peru, Philippines, Poland, Republic of Korea, Republic of Moldova, Russian Federation, Rwanda, Saint Lucia, Saudi Arabia, Slovakia, Turkey, Ukraine, United Kingdom, Uruguay, Venezuela, Zambia.

Against: Australia, Canada, United States.

Abstaining: Cameroon, Côte d'Ivoire, Mongolia.

GENERAL ASSEMBLY ACTION

On 20 December [meeting 69], the General Assembly, on the recommendation of the Second (Economic and Financial) Committee [A/65/443], adopted **resolution 65/179** by recorded vote (167-8-5) [agenda item 60].

Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources

The General Assembly,

Recalling its resolution 64/185 of 21 December 2009, and taking note of Economic and Social Council resolution 2010/31 of 23 July 2010,

Recalling also its resolutions 58/292 of 6 May 2004 and 59/251 of 22 December 2004,

Reaffirming the principle of the permanent sovereignty of peoples under foreign occupation over their natural resources,

Guided by the principles of the Charter of the United Nations, affirming the inadmissibility of the acquisition of territory by force, and recalling relevant Security Council resolutions, including resolutions 242(1967) of 22 November 1967, 465(1980) of 1 March 1980 and 497(1981) of 17 December 1981,

Recalling its resolution 2625(XXV) of 24 October 1970,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Recalling, in this regard, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, and affirming that these human rights instruments must be respected in the Occupied Palestinian Territory, including East Jerusalem, as well as in the occupied Syrian Golan,

Recalling also the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, and recalling further its resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

Expressing its concern about the exploitation by Israel, the occupying Power, of the natural resources of the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Expressing its grave concern about the extensive destruction by Israel, the occupying Power, of agricultural land and orchards in the Occupied Palestinian Territory, including the uprooting of a vast number of fruit-bearing trees and the destruction of farms and greenhouses,

Expressing its concern about the widespread destruction caused by Israel, the occupying Power, to vital infrastructure, including water pipelines and sewage networks, in the Occupied Palestinian Territory, in particular in the Gaza Strip in the recent period, which, inter alia, pollutes the environment and negatively affects the water supply and other natural resources of the Palestinian people,

Taking note, in this regard, of the 2009 report by the United Nations Environment Programme regarding the grave environmental situation in the Gaza Strip, and stressing the need for follow-up to the recommendations contained therein,

Aware of the detrimental impact of the Israeli settlements on Palestinian and other Arab natural resources, especially as a result of the confiscation of land and the forced diversion of water resources, and of the dire socio-economic consequences in this regard,

Aware also of the detrimental impact on Palestinian natural resources being caused by the unlawful construction of the wall by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem, and of its grave effect as well on the economic and social conditions of the Palestinian people,

Reaffirming the need for the resumption and accelerated advancement of negotiations within the Middle East peace process, on the basis of Security Council resolutions 242(1967), 338(1973) of 22 October 1973, 425(1978) of 19 March 1978 and 1397(2002) of 12 March 2002, the principle of land for peace, the Arab Peace Initiative and the Quartet performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict, as endorsed by the Security Council in its resolution 1515(2003) of 19 November 2003 and supported by the Council in its resolution 1850(2008) of 16 December 2008, for the achievement of a final settlement on all tracks,

Noting the Israeli withdrawal from within the Gaza Strip and parts of the northern West Bank and the importance of the dismantlement of settlements therein in the context of the road map, and stressing in this regard the road map obligation upon Israel to freeze settlement activity, including so-called "natural growth", and to dismantle all settlement outposts erected since March 2001,

Stressing the need for respect and preservation of the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory, including East Jerusalem,

Recalling the need to end all acts of violence, including acts of terror, provocation, incitement and destruction,

Taking note of the note by the Secretary-General transmitting the report prepared by the Economic and Social Commission for Western Asia on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan,

1. *Reaffirms* the inalienable rights of the Palestinian people and of the population of the occupied Syrian Golan over their natural resources, including land and water;

2. *Demands* that Israel, the occupying Power, cease the exploitation, damage, cause of loss or depletion, and endangerment of the natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan;

3. *Recognizes* the right of the Palestinian people to claim restitution as a result of any exploitation, damage, loss or depletion, or endangerment of their natural resources resulting from illegal measures taken by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, and expresses the hope that this issue will be dealt with within the framework of the final status negotiations between the Palestinian and Israeli sides;

4. *Stresses* that the wall and settlements being constructed by Israel in the Occupied Palestinian Territory, including in and around East Jerusalem, are contrary to international law and are seriously depriving the Palestinian people of their natural resources, and calls in this regard for full compliance with the legal obligations affirmed in the 9 July 2004 advisory opinion of the International Court of Justice and in relevant United Nations resolutions, including General Assembly resolution ES-10/15;

5. *Calls upon* Israel, the occupying Power, to comply strictly with its obligations under international law, including international humanitarian law, with respect to the alteration of the character and status of the Occupied Palestinian Territory, including East Jerusalem;

6. *Also calls upon* Israel, the occupying Power, to cease all actions harming the environment, including the dumping of all kinds of waste materials in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, which gravely threaten their natural resources, namely water and land resources, and which pose an environmental, sanitation and health threat to the civilian populations;

7. *Further calls upon* Israel to cease its destruction of vital infrastructure, including water pipelines and sewage networks, which, inter alia, has a negative impact on the natural resources of the Palestinian people;

8. *Requests* the Secretary-General to report to the General Assembly at its sixty-sixth session on the implementation of the present resolution, including with regard to the cumulative impact of the exploitation, damage and depletion by Israel of natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and decides to include in the provisional agenda of its sixty-sixth session the item entitled "Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources".

RECORDED VOTE ON RESOLUTION 65/179:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cape Verde, Chile, China, Colombia, Comoros, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Ro-

mania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Australia, Canada, Israel, Marshall Islands, Micronesia, Nauru, Palau, United States.

Abstaining: Cameroon, Côte d'Ivoire, Gabon, Papua New Guinea, Tonga.

Fourth Geneva Convention

The applicability of the 1949 Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention) to the Israeli-occupied territories was reaffirmed during the year by the General Assembly and other United Nations bodies, including the Special Committee on Israeli Practices.

Report of Secretary-General. In a September report [A/65/355], the Secretary-General informed the General Assembly that Israel had not replied to his request for information on steps taken or envisaged to implement resolution 64/92 [YUN 2009, p. 457], which demanded that Israel accept the de jure applicability of the Fourth Geneva Convention to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied since 1967, and that it comply scrupulously with its provisions. The Secretary-General had also drawn the attention of all High Contracting Parties to the Convention to paragraph 3 of resolution 64/92, calling on them to ensure Israel's respect for the Convention's provisions. Five Member States (Cyprus, Mexico, Oman, Sudan, Syrian Arab Republic) had replied to his request for information on steps taken to implement the resolution.

GENERAL ASSEMBLY ACTION

On 10 December [meeting 62], the General Assembly, on the recommendation of the Fourth Committee [A/65/423], adopted **resolution 65/103** by recorded vote (169-6-2) [agenda item 52].

Applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem, and the other occupied Arab territories

The General Assembly,

Recalling its relevant resolutions, including resolution 64/92 of 10 December 2009,

Bearing in mind the relevant resolutions of the Security Council,

Recalling the Regulations annexed to The Hague Convention IV of 1907, the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and relevant provisions of customary law, including those codified in Additional Protocol I to the four Geneva Conventions,

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories and the relevant reports of the Secretary-General,

Considering that the promotion of respect for the obligations arising from the Charter of the United Nations and other instruments and rules of international law is among the basic purposes and principles of the United Nations,

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice, and also recalling General Assembly resolution ES-10/15 of 20 July 2004,

Noting in particular the Court's reply, including that the Fourth Geneva Convention is applicable in the Occupied Palestinian Territory, including East Jerusalem, and that Israel is in breach of several of the provisions of the Convention,

Recalling the Conference of High Contracting Parties to the Fourth Geneva Convention on measures to enforce the Convention in the Occupied Palestinian Territory, including East Jerusalem, held on 15 July 1999, as well as the Declaration adopted by the reconvened Conference on 5 December 2001 and the need for the parties to follow up the implementation of the Declaration,

Welcoming and encouraging the initiatives by States parties to the Convention, both individually and collectively, according to article 1 common to the four Geneva Conventions, aimed at ensuring respect for the Convention, as well as the continuing efforts of the depositary State of the Geneva Conventions in this regard,

Stressing that Israel, the occupying Power, should comply strictly with its obligations under international law, including international humanitarian law,

1. *Reaffirms* that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;

2. *Demands* that Israel accept the de jure applicability of the Convention in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967, and that it comply scrupulously with the provisions of the Convention;

3. *Calls upon* all High Contracting Parties to the Convention, in accordance with article 1 common to the four Geneva Conventions and as mentioned in the advisory opinion of the International Court of Justice of 9 July 2004, to continue to exert all efforts to ensure respect for its provisions by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;

4. *Reiterates* the need for speedy implementation of the relevant recommendations contained in the resolutions adopted by the General Assembly, including at its tenth emergency special session and including resolution

ES-10/15, with regard to ensuring respect by Israel, the occupying Power, for the provisions of the Convention;

5. *Requests* the Secretary-General to report to the General Assembly at its sixty-sixth session on the implementation of the present resolution.

RECORDED VOTE ON RESOLUTION 65/103:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, Marshall Islands, Micronesia, Nauru, Palau, United States.

Abstaining: Cameroon, Côte d'Ivoire.

Issues related to Palestine

General aspects

In 2010, the General Assembly, the Committee on the Exercise of the Inalienable Rights of the Palestinian People and other bodies addressed issues related to Palestine, and several UN programmes and agencies provided assistance to the Palestinian people. The International Day of Solidarity with the Palestinian People, celebrated annually on 29 November in accordance with Assembly resolution 32/40 B [YUN 1977, p. 304], was observed at Headquarters and at the United Nations Offices at Geneva and Vienna.

Committee on Palestinian Rights

As mandated by General Assembly resolution 64/16 [YUN 2009, p. 459], the Committee on the Exercise of the Inalienable Rights of the Palestinian People (Committee on Palestinian Rights) reviewed and reported on the Palestine question and made suggestions to the Assembly, the Security Council and the Secretary-General. It continued to mobilize the international community in support of the Palestinian people, in cooperation with UN bodies, Governments, intergovernmental and civil society organizations and others. The Committee's report [A/65/35] to the Assembly covered the period from 7 October 2009 to 6 October 2010.

The Committee repeatedly expressed its concern about the volatile situation in the Occupied Palestinian Territory, including in East Jerusalem, and the stagnation of the political process. It remained firmly opposed to the continued illegal construction of settlements in the West Bank, including in East Jerusalem, accompanied by escalating settler violence. In addition, the construction of the separation wall continued, leaving thousands of Palestinians cut off from access to their lands, families, schools and hospitals, and isolating several communities in walled enclaves. The Committee was particularly alarmed by the situation in occupied East Jerusalem, including the acceleration of settlement construction and expansion, the demolition of houses, the revocation of residency rights, the eviction of Palestinian citizens, settler extremism, and threats to Jerusalem's holy sites and historical heritage. The Committee condemned the Israeli blockade of the Gaza Strip, which constituted a severe form of collective punishment of the entire population of the Gaza Strip. It also denounced the firing of rockets and mortar rounds by Palestinian militants from Gaza and reiterated its call for the release of Israeli Staff Sergeant Gilad Shalit. The Committee urged Israel to open all of the Gaza Strip's border crossings for the flow of humanitarian aid, import and export of commercial goods, and movement of persons, in accordance with international humanitarian law, the 2005 Agreement on Movement and Access [YUN 2005, p. 519] and Security Council resolution 1860(2009) [YUN 2009, p. 434].

The Committee continued to monitor the international investigations and their follow-up of the Israeli military offensive against Gaza of December 2008 [YUN 2008, p. 492] to January 2009 [YUN 2009, p. 434] and the Gaza flotilla incident of May 2010 (see p. 439). The report of the United Nations Fact-Finding Mission on the Gaza Conflict, established by the Human Rights Council in 2009 [YUN 2009, p. 783], represented a comprehensive, balanced and authoritative account of the Israeli incursion into Gaza. Although the Committee recognized the value of

Israel's recent examination of some of the report's specific allegations, it called for a comprehensive, credible and independent investigation into the violations of international law committed and demanded follow-up action.

The Committee remained concerned that the divisions among the Palestinian factions profoundly affected the legitimate Palestinian national aspirations for statehood and peace. It called for invigorated efforts by all to help reconcile their positions on the basis of the prevailing consensus on the need to achieve the two-State solution.

Throughout the year, the Committee continued to raise awareness of the question of Palestine and support for the rights of the Palestinian people and the peaceful settlement of the question of Palestine through the following international meetings and conferences: International Meeting in Support of Israeli-Palestinian Peace, co-organized with the Parliamentary Assembly of the Mediterranean (Qawra, Malta, 12–13 February); United Nations Seminar on Assistance to the Palestinian People (Vienna, 24–25 March); United Nations Meeting of Civil Society in Support of the Palestinian People (Vienna, 26 March); United Nations International Meeting in Support of the Israeli-Palestinian Peace Process (Istanbul, Turkey, 25–26 May); United Nations Public Forum in Support of the Palestinian People (Istanbul, 27 May); and the United Nations African Meeting on the Question of Palestine (Rabat, Morocco, 1–2 July).

Communications. In a 23 August letter [A/64/906], the Chair of the Committee on the Exercise of the Inalienable Rights of the Palestinian People informed the General Assembly President that the Committee had approved Venezuela's request for membership on the Committee on 20 August. A 31 August letter from the Chair to the Secretary-General [A/64/909-S/2010/467] contained the statement adopted by the Committee's Bureau on the resumption of permanent status negotiations between Israel and the Palestinians.

GENERAL ASSEMBLY ACTION

On 30 November [meeting 55], the General Assembly adopted **resolution 65/13** [draft: A/65/L.14 & Add.1] by recorded vote (112-9-54) [agenda item 37].

Committee on the Exercise of the Inalienable Rights of the Palestinian People

The General Assembly,

Recalling its resolutions 181(II) of 29 November 1947, 194(III) of 11 December 1948, 3236(XXIX) of 22 November 1974, 3375(XXX) and 3376(XXX) of 10 November 1975, 31/20 of 24 November 1976 and all its subsequent

relevant resolutions, including those adopted at its emergency special sessions and its resolution 64/16 of 2 December 2009,

Recalling also its resolution 58/292 of 6 May 2004,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,

Recalling the mutual recognition between the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people, as well as the existing agreements between the two sides and the need for full compliance with those agreements,

Affirming its support for the Middle East peace process on the basis of the relevant United Nations resolutions, the terms of reference of the Madrid Conference, including the principle of land for peace, the Arab Peace Initiative adopted by the Council of the League of Arab States at its fourteenth session and the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict, endorsed by the Security Council in resolution 1515(2003) of 19 November 2003,

*Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, and recalling also its resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,*

Reaffirming that the United Nations has a permanent responsibility towards the question of Palestine until the question is resolved in all its aspects in a satisfactory manner in accordance with international legitimacy,

1. *Expresses its appreciation* to the Committee on the Exercise of the Inalienable Rights of the Palestinian People for its efforts in performing the tasks assigned to it by the General Assembly, and takes note of its annual report, including the conclusions and valuable recommendations contained in chapter VII thereof;

2. *Requests* the Committee to continue to exert all efforts to promote the realization of the inalienable rights of the Palestinian people, including their right to self-determination, to support the Middle East peace process and to mobilize international support for and assistance to the Palestinian people, and authorizes the Committee to make such adjustments in its approved programme of work as it may consider appropriate and necessary in the light of developments and to report thereon to the General Assembly at its sixty-sixth session and thereafter;

3. *Also requests* the Committee to continue to keep under review the situation relating to the question of Palestine and to report and make suggestions to the General Assembly, the Security Council or the Secretary-General, as appropriate;

4. *Further requests* the Committee to continue to extend its cooperation and support to Palestinian and other civil society organizations and to continue to involve additional civil society organizations and parliamentarians in its work in order to mobilize international solidarity and support for the Palestinian people, particularly during this critical period of political instability, humanitarian hardship and financial crisis, with the overall aim of promoting the achievement by the Palestinian people of its inalien-

able rights and a just, lasting and peaceful settlement of the question of Palestine, the core of the Arab-Israeli conflict, on the basis of the relevant United Nations resolutions, the terms of reference of the Madrid Conference, including the principle of land for peace, the Arab Peace Initiative and the Quartet road map;

5. *Requests* the United Nations Conciliation Commission for Palestine, established under General Assembly resolution 194(III), and other United Nations bodies associated with the question of Palestine to continue to cooperate fully with the Committee and to make available to it, at its request, the relevant information and documentation which they have at their disposal;

6. *Invites* all Governments and organizations to extend their cooperation to the Committee in the performance of its tasks;

7. *Requests* the Secretary-General to circulate the report of the Committee to all the competent bodies of the United Nations, and urges them to take the necessary action, as appropriate;

8. *Also requests* the Secretary-General to continue to provide the Committee with all the necessary facilities for the performance of its tasks.

RECORDED VOTE ON RESOLUTION 65/13:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Chile, China, Comoros, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Paraguay, Philippines, Qatar, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Australia, Canada, Israel, Japan, Marshall Islands, Micronesia, Nauru, Palau, United States.

Abstaining: Albania, Andorra, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Cameroon, Colombia, Croatia, Czech Republic, Denmark, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Monaco, Montenegro, Netherlands, New Zealand, Norway, Panama, Papua New Guinea, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Tonga, Ukraine, United Kingdom, Uruguay.

Division for Palestinian Rights

The UN Secretariat's Division for Palestinian Rights continued its research and monitoring activities and responded to requests for information and briefings on the Palestine question. Under the guidance of the Committee on Palestinian Rights, it also prepared publications for dissemination, including reports of international meetings and conferences organized under the Committee's auspices. The Division continued to administer, maintain, expand and develop the United Nations Information System on the Question of Palestine (UNISPAL) and the "Question of Palestine" website on the UN home page. It launched the redesigned "Question of Palestine" portal. The Division conducted the annual training programme for PA staff and organized the observance of the International Day of Solidarity with the Palestinian People (29 November). The Committee, in its annual report [A/65/35], requested the Division to continue its substantive and secretariat support; the programme of research, monitoring and publications; and other informational activities.

GENERAL ASSEMBLY ACTION

On 30 November [meeting 55], the General Assembly adopted **resolution 65/14** [draft: A/65/L.15 & Add.1] by recorded vote (110-9-56) [agenda item 37].

Division for Palestinian Rights of the Secretariat

The General Assembly,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,

Taking note, in particular, of the action taken by the Committee on the Exercise of the Inalienable Rights of the Palestinian People and the Division for Palestinian Rights of the Secretariat in accordance with their mandates,

Recalling its resolution 32/40 B of 2 December 1977 and all its subsequent relevant resolutions, including its resolution 64/17 of 2 December 2009,

1. *Notes with appreciation* the action taken by the Secretary-General in compliance with its resolution 64/17;

2. *Considers* that, by providing substantive support to the Committee on the Exercise of the Inalienable Rights of the Palestinian People in the implementation of its mandate, the Division for Palestinian Rights of the Secretariat continues to make a most useful and constructive contribution to raising international awareness of the question of Palestine and to generating international support for the rights of the Palestinian people and a peaceful settlement of the question of Palestine;

3. *Requests* the Secretary-General to continue to provide the Division with the necessary resources and to ensure that it continues to carry out its programme of work as detailed in relevant earlier resolutions, in consultation with the Committee on the Exercise of the Inalienable Rights of the Palestinian People and under its guidance;

4. *Requests* the Division, in particular, to continue to monitor developments relevant to the question of Palestine, organize international meetings and conferences in various regions with the participation of all sectors of the international community, liaise and cooperate with civil society and parliamentarians, develop and expand the "Question of Palestine" website and the documents collection of the United Nations Information System on the Question of Palestine, prepare and widely disseminate publications and information materials on various aspects of the question of Palestine and develop and enhance the annual training programme for staff of the Palestinian Authority in contribution to Palestinian capacity-building efforts;

5. *Also requests* the Division, as part of the observance of the International Day of Solidarity with the Palestinian People on 29 November, to continue to organize, under the guidance of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, an annual exhibit on Palestinian rights or a cultural event in cooperation with the Permanent Observer Mission of Palestine to the United Nations, and encourages Member States to continue to give the widest support and publicity to the observance of the Day of Solidarity;

6. *Requests* the Secretary-General to ensure the continued cooperation with the Division of the United Nations system entities with programme components addressing various aspects of the question of Palestine and the situation in the Occupied Palestinian Territory, including East Jerusalem;

7. *Invites* all Governments and organizations to extend their cooperation to the Division in the performance of its tasks.

RECORDED VOTE ON RESOLUTION 65/14:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Chile, China, Comoros, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Paraguay, Philippines, Qatar, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Australia, Canada, Israel, Marshall Islands, Micronesia, Nauru, New Zealand, Palau, United States.

Abstaining: Albania, Andorra, Armenia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Cameroon, Colombia, Croatia, Czech Republic, Denmark, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Latvia,

Liechtenstein, Lithuania, Luxembourg, Monaco, Montenegro, Netherlands, Norway, Panama, Papua New Guinea, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Tonga, Ukraine, United Kingdom.

Special information programme

As requested by the General Assembly in resolution 64/18 [YUN 2009, p. 461], the UN Department of Public Information in 2010 continued its special information programme on the Palestine question, which included the organization of its annual training programme for Palestinian journalists and an international media seminar on peace in the Middle East (Lisbon, 22–23 July). UN Radio and the UN News Centre regularly covered the question of Palestine in the six official languages, as well as in Portuguese and Kiswahili. The UN Dag Hammarskjöld Library continued to digitize documents for the UNISPAL document collection, and the network of United Nations Information Centres and offices organized outreach activities, including in connection with the International Day of Solidarity with the Palestinian People.

GENERAL ASSEMBLY ACTION

On 30 November [meeting 55], the General Assembly adopted **resolution 65/15** [draft: A/65/L.16 & Add.1] by recorded vote (167-8-2) [agenda item 37].

Special information programme on the question of Palestine of the Department of Public Information of the Secretariat

The General Assembly,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,

Taking note, in particular, of the information contained in chapter VI of that report,

Recalling its resolution 64/18 of 2 December 2009,

Convinced that the worldwide dissemination of accurate and comprehensive information and the role of civil society organizations and institutions remain of vital importance in heightening awareness of and support for the inalienable rights of the Palestinian people and the efforts to achieve a just, lasting and peaceful settlement of the question of Palestine,

Recalling the mutual recognition between the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people, as well as the existing agreements between the two sides,

Affirming its support for the Middle East peace process on the basis of the relevant United Nations resolutions, the terms of reference of the Madrid Conference, including the principle of land for peace, the Arab Peace Initiative adopted by the Council of the League of Arab States at its fourteenth session, and the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,

endorsed by the Security Council in resolution 1515(2003) of 19 November 2003,

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*,

Reaffirming that the United Nations has a permanent responsibility towards the question of Palestine until the question is resolved in all its aspects in a satisfactory manner in accordance with international legitimacy,

1. *Notes with appreciation* the action taken by the Department of Public Information of the Secretariat in compliance with resolution 64/18;

2. *Considers* that the special information programme on the question of Palestine of the Department is very useful in raising the awareness of the international community concerning the question of Palestine and the situation in the Middle East and that the programme is contributing effectively to an atmosphere conducive to dialogue and supportive of the peace process and should receive the necessary support for the fulfilment of its tasks;

3. *Requests* the Department, in full cooperation and coordination with the Committee on the Exercise of the Inalienable Rights of the Palestinian People, to continue, with the necessary flexibility as may be required by developments affecting the question of Palestine, its special information programme for 2010–2011, in particular:

(a) To disseminate information on all the activities of the United Nations system relating to the question of Palestine and the peace process, including reports on the work carried out by the relevant United Nations organizations, as well as on the efforts of the Secretary-General and his Special Envoy vis-à-vis the peace process;

(b) To continue to issue, update and modernize publications and audio-visual materials on the various aspects of the question of Palestine in all fields, including materials concerning the relevant recent developments in that regard, in particular the efforts to achieve a peaceful settlement of the question of Palestine;

(c) To expand its collection of audio-visual material on the question of Palestine, to continue the production and preservation of such material and to update, on a periodic basis, the public exhibit on the question of Palestine displayed in the General Assembly building as well as at United Nations headquarters in Geneva and Vienna;

(d) To organize and promote fact-finding news missions for journalists to the Occupied Palestinian Territory, including East Jerusalem, and Israel;

(e) To organize international, regional and national seminars or encounters for journalists aimed in particular at sensitizing public opinion to the question of Palestine and the peace process and at enhancing dialogue and understanding between Palestinians and Israelis for the promotion of a peaceful settlement to the Israeli-Palestinian conflict, including by fostering and encouraging the contribution of the media in support of peace between the two sides;

(f) To continue to provide assistance to the Palestinian people in the field of media development, in particular to strengthen the annual training programme for Palestinian broadcasters and journalists;

4. *Encourages* the Department to formulate ways for the media and representatives of civil society to engage in open and positive discussions to explore means for encouraging people-to-people dialogue and promoting peace and mutual understanding in the region.

RECORDED VOTE ON RESOLUTION 65/15:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Australia, Canada, Israel, Marshall Islands, Micronesia, Nauru, Palau, United States.

Abstaining: Cameroon, Tonga.

Assistance to Palestinians

UN activities

In response to General Assembly resolution 64/125 [YUN 2009, p. 464], the Secretary-General, in May [A/65/77-E/2010/56], reported on United Nations and other assistance to the Palestinian people from May 2009 to April 2010. The report reviewed the work of UN agencies, in cooperation with the PA and donors, to assist the Palestinian people and institutions.

The overall socio-economic and political situation remained challenging, despite notable economic growth in the West Bank prompted by Palestinian efforts and Israel's easing of closure. High levels of unemployment, food insecurity and aid dependency persisted. The 2009 unemployment rate in the West

Bank and Gaza was 25 per cent. The West Bank's unemployment rate declined from around 20 per cent to 18 per cent in the second half of 2009. In Gaza, the unemployment rate remained virtually unchanged at around 39 per cent.

In Gaza, key elements of Security Council resolution 1860(2009) [YUN 2009, p. 434] remained unfulfilled, in particular a durable and sustainable ceasefire, intra-Palestinian reconciliation, opening of the crossings on the basis of the 2005 Agreement on Movement and Access between the PA and Israel [YUN 2005, p. 519] and the prevention of illicit trafficking in arms and ammunition. Hamas increased its control over the population and the majority of institutions. An uneasy calm had been maintained between Gaza and Israel since the end of Israel's Operation Cast Lead in January 2009 [YUN 2009, p. 434], but incidents of rocket fire and violence continued. There had been little reconstruction of the destroyed civilian infrastructure and damage caused by the Israeli military owing to the continued Israeli stoppage of a wide range of goods entering Gaza, especially construction materials.

The Israeli authorities continued to adopt measures to ease the movement of Palestinians between most Palestinian urban centres in the West Bank, excluding East Jerusalem. There were approximately 550 closure obstacles inside the West Bank, 80 fewer than at the beginning of the reporting period.

Access and operational space for staff of humanitarian agencies remained restricted. From May 2009 to the end of January 2010, 526 reported incidents of delayed or denied access of UN staff at Israeli checkpoints resulted in the loss of 4,687 staff hours, or 625 days. The majority of those incidents occurred as UN staff crossed the barrier on the Jerusalem periphery. Medical referrals for Gaza's residents for external treatment continued to require permits issued by the Israeli authorities. In 2009, 30 per cent of applications were delayed and 2 per cent were rejected. The Erez crossing point, the only passage for movement of people between Gaza and the West Bank via Israel, remained open to the majority of requests for the transit of humanitarian staff, with approximately 1,300 crossings every month.

Except for bulk items through the Karni crossing conveyor belt, all goods destined for Gaza were transferred through the Kerem Shalom crossing. Problems resulting from the lack of capacity to transfer cooking gas resulted in shortages during the winter months, while a range of operational challenges, including reduced amounts of fuel entering Gaza, resulted in increasing blackouts periods in Gaza City. Persistent closure led to a proliferation of tunnels, 1,000 of which were estimated to be in operation at the end of the reporting period. The increased capacity of

the tunnels led to greater amounts of benzene and reconstruction items to be transferred to Gaza. Nahal Oz was closed for the transfer of fuel as at 1 January, except for one shipment in mid-January; all fuel transfers had since occurred at Kerem Shalom.

The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) continued to provide free education to over 260,000 pupils in 325 elementary and preparatory schools in the West Bank and Gaza. The United Nations Educational, Scientific and Cultural Organization contributed to the establishment of the Commission for Developing the Teaching Profession, which played a key role in implementing the teacher education strategy. The United Nations Development Fund for Women and the Palestinian Ministry of Education and Higher Education continued their strategic partnership through the second phase of the women-run school canteen project launched in October 2009.

The United Nations Children's Fund (UNICEF) worked with the Ministry of Education and Higher Education on legislation related to eliminating violence in schools. A draft policy and guidelines were piloted in 93 schools run by the PA, private entities and UNRWA in Gaza and Jerusalem in 2009, with the goal of extending it to all schools in 2010. UNRWA operated 56 health facilities in Gaza and the West Bank, employing over 2,000 staff. The total number of patient consultations in Gaza reached 4,070,360—a 5.4 per cent increase compared with 2008. In the West Bank, consultations rose 5 per cent, to 2,020,442. The United Nations Population Fund (UNFPA) continued to provide technical and financial support to four women's health centres in Hebron, and Jabalia and Al Buraj refugee camps in Gaza. The World Health Organization (WHO) provided a range of capacity-building and training programmes, including in updating of the 2008–2010 National Strategic Health Plan. The United Nations Development Programme (UNDP) started construction projects to enlarge two government hospitals in the West Bank cities of Jenin and Tulkarem and procured three ambulances to service rural communities. In addition, UNDP built three community mental-health centres in Jenin, Nablus and Halhoul, and a documentation centre in El Bireh. UNDP, WHO, the United Nations Office on Drugs and Crime, UNFPA, UNRWA and UNICEF continued to implement programmes under the Global Fund to Fight AIDS, Tuberculosis and Malaria. The United Nations Human Settlements Programme began construction of buildings and infrastructure for the first phase of King Abdullah bin Abdulaziz City for Charity Housing in Hebron.

The Humanitarian Response Fund, administered by OCHA, was used to fill urgent funding gaps and respond to unforeseen humanitarian needs in Gaza and the West Bank, especially in area C and the seam zone (the area east of the barrier and west of the 1967 Green Line). The 2010 consolidated appeals process called for \$664.4 million for 236 humanitarian and early recovery projects. As at 20 April, funding stood at 19.4 per cent.

UNCTAD assistance to Palestinians

At its fifty-seventh session (Geneva, 15–28 September) [TD/B/57/8 & Corr.1,2], the Trade and Development Board of the United Nations Conference on Trade and Development (UNCTAD) considered an UNCTAD secretariat report [TD/B/57/4] on assistance to the Palestinian people: developments in the economy of the Occupied Palestinian Territory. The report stated that the economy of the Occupied Palestinian Territory continued to perform well below potential in 2009, and the economic and humanitarian situation in Gaza continued to worsen. Despite funds allocated for economic reconstruction, the blockade and closures imposed on the Territory ensured that those funds did not have a tangible economic impact. At the heart of the Palestinian economic development bottleneck was a weakened tradable goods sector suffocated by the use of inappropriate currency, closure, and atrophy of the productive base. Per capita gross domestic product (GDP) remained more than 30 per cent lower than its level 10 years earlier, and the long-term prospects for establishing a viable, contiguous Palestinian State appeared bleak in light of the diminishing access to natural and economic resources, as well as the separation and fragmentation of the Gaza Strip, West Bank and East Jerusalem.

With Gaza under an almost complete blockade, growth in the West Bank was driven mainly by unprecedented aid inflows. The performance of the economy also reflected a very modest relaxation in the Israeli mobility restrictions within, to and from the West Bank. The aid-dependent public sector largely drove up growth, but there were no signs of private-sector recovery. The revival of the private sector was unlikely to occur unless mobility restrictions on labour and goods were lifted and the productivity base was rebuilt.

The prohibitive transaction costs resulting from restrictions on Palestinian access to domestic and global markets—combined with settlement activities and confiscation of lands—had undermined the viability of businesses and forced many investment activities away from agriculture and manufacturing in favour of the non-tradable goods sector. The World Bank estimated that 80 per cent of Gaza's households lived below the poverty line in 2007, with the situation worsening since then. In the West Bank, the

poverty rate was estimated at 45 per cent. Food insecurity also remained widespread. With a drop of more than 60 per cent in agricultural output over the previous 10 years and the depletion of households' coping strategies, food insecurity affected 61 per cent of the population in Gaza and 25 per cent in the West Bank.

The Israeli military operation in Gaza, which began in 2008 [YUN 2008, p. 492], and the continuation of the siege led to a serious decline in tax and customs revenues. In 2009, total revenue declined by 1.5 per cent to 24.2 per cent of GDP. Budget and aid resources were also drained by the need to respond to the deteriorating health and humanitarian situation. PA spending in Gaza in 2009, at more than \$1.4 billion, was higher than the entire budget support it received from donors. Gaza was expected to consume half of the \$3.9 billion budget expenditure planned for 2010. Lifting the siege on Gaza, so that reconstruction could move forward and normal economic activities could resume, was essential for narrowing the high and unsustainable fiscal deficit.

The construction of the separation wall had deprived the Palestinians of more of their land and natural resources. It compounded the problem of agricultural decline by limiting the access of farmers who lived in the seam zone. The Gaza Strip also continued to suffer from the Israeli blockade imposed in June 2007 following the Hamas takeover [YUN 2007, p. 441], which isolated 40 per cent of the population of the Occupied Palestinian Territory from the rest of the world. During the first four months of 2010, imports were much lower than the minimum required to have a tangible impact on reducing poverty. The informal "tunnel economy", which grew in response to the blockade, featured a network of hundreds of tunnels along the borders between Gaza and Egypt. Around two thirds of economic activity was devoted to informally importing goods into Gaza, with the consequence of crowding out the formal economy.

In the context of the "Delivering as one" reform process of the UN system, and in close collaboration with the UN agencies in the Occupied Palestinian Territory, UNCTAD designed a multi-faceted proposal for a work programme to support renewed PA development efforts.

Communication. In a 7 January letter [A/64/622-S/2010/20], Egypt apprised the Secretary-General of developments surrounding the *Lifeline 3* convoy carrying humanitarian assistance for the Palestinian people in Gaza, which Egypt allowed to enter Gaza via the Rafah border crossing on 6 January. The letter contained a list of medical and other humanitarian equipment Egypt had permitted to enter Gaza.

GENERAL ASSEMBLY ACTION

On 15 December [meeting 67], the General Assembly adopted **resolution 65/134** [draft: A/65/L.46 & Add.1] without vote [agenda item 69 (b)].

Assistance to the Palestinian people

The General Assembly,

Recalling its resolution 64/125 of 16 December 2009, as well as its previous resolutions on the question,

Recalling also the signing of the Declaration of Principles on Interim Self-Government Arrangements in Washington, D.C., on 13 September 1993, by the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people, and the subsequent implementation agreements concluded by the two sides,

Recalling further all relevant international law, including humanitarian and human rights law, and, in particular, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women,

Gravely concerned at the difficult living conditions and the humanitarian situation affecting the Palestinian people, in particular women and children, throughout the occupied Palestinian territory,

Conscious of the urgent need for improvement in the economic and social infrastructure of the occupied territory,

Welcoming, in this context, the development of projects, notably on infrastructure, to revive the Palestinian economy and improve the living conditions of the Palestinian people, stressing the need to create the appropriate conditions to facilitate the implementation of these projects, and noting the contribution of partners in the region and of the international community,

Aware that development is difficult under occupation and is best promoted in circumstances of peace and stability,

Noting the great economic and social challenges facing the Palestinian people and their leadership,

Emphasizing the importance of the safety and well-being of all people, in particular women and children, in the whole Middle East region, the promotion of which is facilitated, inter alia, in a stable and secure environment,

Deeply concerned about the negative impact, including the health and psychological consequences, of violence on the present and future well-being of children in the region,

Conscious of the urgent necessity for international assistance to the Palestinian people, taking into account the Palestinian priorities,

Expressing grave concern about the humanitarian situation in Gaza, and underlining the importance of emergency and humanitarian assistance,

Welcoming the results of the Conference to Support Middle East Peace, convened in Washington, D.C., on 1 October 1993, the establishment of the Ad Hoc Liaison Committee for the Coordination of the International Assistance to Palestinians and the work being done by the World Bank as its secretariat and the establishment of the Consultative Group, as well as all follow-up meetings and

international mechanisms established to provide assistance to the Palestinian people,

Underlining the importance of the International Conference in Support of the Palestinian Economy for the Reconstruction of Gaza, held in Sharm el-Sheikh, Egypt, on 2 March 2009, in addressing the immediate humanitarian situation in Gaza and in mobilizing donors to provide financial and political support for the Palestinian Authority in order to alleviate the socio-economic and humanitarian situation being faced by the Palestinian people,

Recalling the International Donors' Conference for the Palestinian State, held in Paris on 17 December 2007, the Berlin Conference in Support of Palestinian Civil Security and the Rule of Law, held on 24 June 2008, and the Palestine Investment Conferences, held in Bethlehem from 21 to 23 May 2008 and on 2 and 3 June 2010,

Welcoming the latest meetings of the Ad Hoc Liaison Committee for the Coordination of the International Assistance to Palestinians, held in New York on 22 September 2009 and on 21 September 2010,

Welcoming also the activities of the Joint Liaison Committee, which provides a forum in which economic policy and practical matters related to donor assistance are discussed with the Palestinian Authority,

Welcoming further the work of the Palestinian Authority to implement the Palestinian Reform and Development Plan 2008–2010, and stressing the need for continued international support for the Palestinian State-building process,

Stressing the need for the full engagement of the United Nations in the process of building Palestinian institutions and in providing broad assistance to the Palestinian people,

Welcoming recent steps to ease the restrictions on movement and access in the West Bank, while stressing the need for further steps to be taken in this regard, and recognizing that such steps would improve living conditions and the situation on the ground and could promote further Palestinian economic development,

Acknowledging the recent measures announced by Israel regarding access to the Gaza Strip, while calling for full implementation and complementary measures that address the need for a fundamental change in policy that allows for the sustained and regular opening of the border crossings for the movement of persons and goods, including for the reconstruction and economic recovery of Gaza,

Welcoming the action of the Special Representative of the Quartet, Mr. Tony Blair, charged with developing, with the Government of the Palestinian Authority, a multi-year agenda to strengthen institutions, promote economic development and mobilize international funds,

Stressing the urgency of reaching a durable solution to the crisis in Gaza through the full implementation of Security Council resolution 1860(2009) of 8 January 2009,

Stressing also the importance of the regular opening of the crossings for the movement of persons and goods, for both humanitarian and commercial flows,

Noting the active participation of the United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority in the activities of the Special Envoys of the Quartet,

Welcoming the endorsement by the Security Council, in resolution 1515(2003) of 19 November 2003, of the performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict, and stressing the need for its implementation and compliance with its provisions,

Commending the efforts of the United States of America in pursuing vigorously a two-State solution, noting the commitment of the Quartet to remain actively involved and the need for strong international support to promote the peace process, and calling for the resumption and acceleration of negotiations between the Israeli and Palestinian sides towards a comprehensive resolution of the Arab-Israeli conflict, on the basis of relevant Security Council resolutions and the terms of reference of the Madrid Conference, in order to ensure a political solution, with two States—Israel and an independent, democratic, contiguous and viable Palestinian State—living side by side in peace and security,

Having considered the report of the Secretary-General,

Expressing grave concern about continuing violence against civilians,

1. *Takes note* of the report of the Secretary-General;
2. *Expresses its appreciation* to the Secretary-General for his rapid response and efforts regarding assistance to the Palestinian people;
3. *Also expresses its appreciation* to the Member States, United Nations bodies and intergovernmental, regional and non-governmental organizations that have provided and continue to provide assistance to the Palestinian people;
4. *Stresses* the importance of the work of the United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority and of the steps taken under the auspices of the Secretary-General to ensure the achievement of a coordinated mechanism for United Nations activities throughout the occupied territories;
5. *Urges* Member States, international financial institutions of the United Nations system, intergovernmental and non-governmental organizations and regional and interregional organizations to extend, as rapidly and as generously as possible, economic and social assistance to the Palestinian people, in close cooperation with the Palestine Liberation Organization and through official Palestinian institutions;
6. *Welcomes*, in this regard, the meetings of the Ad Hoc Liaison Committee for the Coordination of the International Assistance to Palestinians, held in New York on 22 September 2009 and on 21 September 2010, and the outcome of the International Conference in Support of the Palestinian Economy for the Reconstruction of Gaza, held in Sharm el-Sheikh, Egypt, on 2 March 2009, at which donors pledged approximately 4.5 billion United States dollars to support the needs of the Palestinian people;
7. *Recalls* the International Donors' Conference for the Palestinian State, held in Paris on 17 December 2007, the Berlin Conference in Support of Palestinian Civil Security and the Rule of Law, held on 24 June 2008, and the Palestine Investment Conferences, held in Bethlehem from 21 to 23 May 2008 and on 2 and 3 June 2010;

8. *Stresses* the importance of following up on the results of the International Conference in Support of the Palestinian Economy for the Reconstruction of Gaza;

9. *Calls upon* donors that have not yet converted their budget support pledges into disbursements to transfer funds as soon as possible, encourages all donors to increase their direct assistance to the Palestinian Authority in accordance with its government programme in order to enable it to build a viable and prosperous Palestinian State, underlines the need for equitable burden-sharing by donors in this effort, and encourages donors to consider aligning funding cycles with the Palestinian Authority's national budget cycle;

10. *Calls upon* relevant organizations and agencies of the United Nations system to intensify their assistance in response to the urgent needs of the Palestinian people in accordance with priorities set forth by the Palestinian side;

11. *Expresses its appreciation* for the work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, and recognizes the vital role of the Agency in providing humanitarian assistance to the Palestinian people, particularly in the Gaza Strip;

12. *Calls upon* the international community to provide urgently needed assistance and services in an effort to alleviate the difficult humanitarian situation being faced by Palestinian women, children and their families and to help in the reconstruction and development of relevant Palestinian institutions;

13. *Stresses* the role that all funding instruments, including the European Commission's Palestinian-European Mechanism for the Management of Socio-Economic Aid and the World Bank trust fund, have been playing in directly assisting the Palestinian people;

14. *Urges* Member States to open their markets to exports of Palestinian products on the most favourable terms, consistent with appropriate trading rules, and to implement fully existing trade and cooperation agreements;

15. *Calls upon* the international donor community to expedite the delivery of pledged assistance to the Palestinian people to meet their urgent needs;

16. *Stresses*, in this context, the importance of ensuring free humanitarian access to the Palestinian people and the free movement of persons and goods;

17. *Also stresses* the need for the full implementation by both parties of the Agreement on Movement and Access and of the Agreed Principles for the Rafah Crossing, of 15 November 2005, to allow for the freedom of movement of the Palestinian civilian population, as well as for imports and exports, within and into and out of the Gaza Strip;

18. *Further stresses* the need to ensure the safety and security of humanitarian personnel, premises, facilities, equipment, vehicles and supplies, as well as the need to ensure safe and unhindered access by humanitarian personnel and delivery of supplies and equipment, in order to allow such personnel to efficiently perform their task of assisting affected civilian populations;

19. *Urges* the international donor community, United Nations agencies and organizations and non-governmental organizations to extend to the Palestinian people, as rapidly as possible, emergency economic assistance and humanitarian assistance, particularly in the Gaza Strip, to counter the impact of the current crisis;

20. *Stresses* the need for the continued implementation of the Paris Protocol on Economic Relations of 29 April 1994, fifth annex to the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip, signed in Washington, D.C., on 28 September 1995, including with regard to the full, prompt and regular transfer of Palestinian indirect tax revenues;

21. *Requests* the Secretary-General to submit a report to the General Assembly at its sixty-sixth session, through the Economic and Social Council, on the implementation of the present resolution, containing:

(a) An assessment of the assistance actually received by the Palestinian people;

(b) An assessment of the needs still unmet and specific proposals for responding effectively to them;

22. *Decides* to include in the provisional agenda of its sixty-sixth session the sub-item entitled "Assistance to the Palestinian people".

UNRWA

The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) continued to provide vital education, health, relief and social services, and micro-finance to the growing refugee population in the Gaza Strip, the West Bank, Jordan, Lebanon and the Syrian Arab Republic.

Report of Commissioner-General. The UNRWA Commissioner-General, in his annual report on the work of the Agency [A/66/13], said that the situation in the Gaza Strip remained dire. Very high unemployment and poverty rates persisted, and there was little hope of a significant improvement while the blockade remained in force. The situation in the West Bank and East Jerusalem was no less worrisome. Many Palestinians continued to suffer major restrictions on movement, residence and other fundamental freedoms, and Israeli settlements expanded with each passing month.

In 2010, the political, economic and security conditions varied in each of the five UNRWA areas of operation, with distinct impact on the refugees served by the Agency. The relatively stable conditions in Jordan and Syria allowed UNRWA to pursue its core human development activities. Conflict, violence and political uncertainty in the Occupied Palestinian Territory, and to a lesser degree in Lebanon, increased hardship for the refugees, as well as challenges for the Agency. The refugees had to contend with the impact of the global economic downturn and the persistent gap between their basic needs and the Agency's ability to respond.

The year saw some improvements in conditions in parts of the West Bank, including overall estimated GDP growth of 8 per cent, following a contraction that averaged 2.7 per cent per year between 1999 and 2009. The improvements followed the easing of closures between Palestinian communities on the eastern side of the West Bank barrier and large inflows of aid to the PA. Israel, however, announced plans to transfer super-

vision of the main crossing points between Jerusalem and the West Bank to a Crossing Points Administration, accompanied by restrictions that would adversely affect UN operations in the West Bank, including through increased operating costs. In Lebanon, progress was made on the issue of Palestine refugees' right to work, when Parliament, in August, adopted amendments to the Labour Code and Social Security Law.

During the year, the Agency continued its emergency operations in the Occupied Palestinian Territory under an emergency appeal for \$332 million. By the end of the year, donors had funded \$162.6 million, or around 50 per cent, of the appeal.

In the Gaza Strip, around 650,000 refugees received emergency food aid from UNRWA. All of the more than 200,000 pupils in UNRWA's Gaza schools received a meal under the school feeding programme. The Agency also provided temporary job opportunities to 42,685 beneficiaries.

In the West Bank, UNRWA provided emergency food aid to about 27,204 families and supported an estimated 76,634 refugees with temporary employment. Special focus was given to threatened communities in high-risk areas—East Jerusalem, area C, the so-called “seam zone”, and refugee camps—where forced displacement and dispossession remained a concern.

In northern Lebanon, the reconstruction of Nahr el-Bared refugee camp continued, but funding shortfalls and a difficult operating environment posed a challenge to progress in those efforts and prolonged hardship for the 27,000 refugees displaced from the camp since 2007. As at the end of December 2010, pledges amounting to \$11.3 million had been received against an appeal for \$18.5 million to meet basic needs of the displaced refugees awaiting reconstruction of the camp. The Agency's parallel appeal to reconstruct the camp amounted to \$122.5 million received against the \$328.4 million appeal.

The security of UNRWA staff remained a concern. The Agency noted that the local UNRWA employees were the only UN staff members in the area who did not receive hazard pay and reiterated its calls for the issue to be addressed.

UNRWA continued to pursue its reform agenda to modernize management systems and improve the quality of services provided to the refugees. Building on the achievements of the three-year organizational development process, which concluded in 2009 [YUN 2009, p. 467], UNRWA prepared its “Sustaining Change” plan in 2010 with a focus on enhancing programme effectiveness over the 2010–2012 period.

Israeli authorities, raising security concerns, continued to restrict the freedom of movement of UNRWA personnel in the Occupied Palestinian Territory in violation of the UN Charter, the 1946 Convention on

the Privileges and Immunities of the United Nations [YUN 1946–47, p. 100], relevant UN resolutions and the 1967 Comay-Micheltmore Agreement, by which Israel was obligated to “facilitate the task of UNRWA to the best of its ability, subject only to regulations or arrangements which may be necessitated by considerations of military security”. The Israeli authorities maintained that the restrictions were necessary to protect Israel against terrorist threats. Evidence was not available to the Agency, however, to indicate that measures concerning Agency staff and movement were other than matters of police or administrative policy.

In the West Bank, coordination with the Israeli military liaison officers continued, including 67 meetings. Those officers, however, had limited or no influence over Israeli checkpoints staffed by private contractors, and staff movement continued to be restricted and unpredictable at several checkpoints, notably those controlling access to East Jerusalem or through the West Bank barrier.

As at 30 June, Jordan hosted the largest population of Palestine refugees, numbering two million, and the refugee population in Lebanon stood at 427,057. Field offices in both countries continued to implement reform programmes. In Syria, the registered Palestine refugee population amounted to 477,700. UNRWA made its vocational training activities a priority area in order to address youth unemployment and raise the socio-economic status of Palestinian refugees in Syria.

The registered Palestine refugee population in the West Bank, including East Jerusalem, stood at 788,108 as at 30 June. The UNRWA West Bank education programme initiated a comprehensive education recovery plan to ensure a better quality of education for the refugees. The Palestine refugee population amounted to 1.1 million in the Gaza Strip, where education remained the field office's top priority.

Advisory Commission. In its comments on the Agency's 2010 report, transmitted by its Chairman [A/66/13], the UNRWA Advisory Commission stated that it was concerned about the loss of life in the UNRWA fields of operation. The restrictions on access, notably in the Gaza Strip and the West Bank—together with periods of violence—disproportionately affected the refugees, and led to even greater demand for UNRWA services. The Commission urged that access be permitted for all goods necessary for the Agency to carry out its humanitarian and human development activities. The Commission expressed concern regarding attacks and threats against UNRWA facilities and staff by all parties, and that the separation barrier, closures, curfews and other restrictions on movement imposed by the Israeli authorities in the West Bank and the Gaza Strip had led to further hardship. The restrictions, including those with respect to East

Jerusalem, continued to hinder economic development, specifically access to sources of employment and essential goods and services, and the ability of UNRWA to carry out its mandated tasks. The Commission called on all parties to fully respect United Nations resolutions and international law, including international humanitarian law.

The Commission remained concerned about the long-term structural underfunding of the Agency, noting that it had an impact on service delivery. The Agency's emergency appeal for \$323 million for the Occupied Palestinian Territory had received only \$162.5 million or around 50 per cent. The Commission called for full support for the rebuilding of the Nahr El-Bared camp in Lebanon and for relief assistance to those displaced following its destruction in 2007 [YUN 2007, p. 472].

Report of Conciliation Commission. In response to General Assembly resolution 64/87 [YUN 2009, p. 468], the United Nations Conciliation Commission for Palestine, established by General Assembly resolution 194(III) [YUN 1948–49, p. 203] to facilitate the repatriation, resettlement and economic and social rehabilitation of the refugees and the payment of compensation submitted, in August, its sixty-fourth report [A/65/225], covering the period from 1 September 2009 to 31 August 2010. The Commission stated that it had nothing further to report since the submission of its sixty-third report in 2009 [YUN 2009, p. 467].

GENERAL ASSEMBLY ACTION

On 10 December [meeting 62], the General Assembly, on the recommendation of the Fourth Committee [A/65/422], adopted **resolution 65/98** by recorded vote (169-1-6) [agenda item 51].

Assistance to Palestine refugees

The General Assembly,

Recalling its resolution 194(III) of 11 December 1948 and all its subsequent resolutions on the question, including resolution 64/87 of 10 December 2009,

Recalling also its resolution 302(IV) of 8 December 1949, by which, inter alia, it established the United Nations Relief and Works Agency for Palestine Refugees in the Near East,

Recalling further the relevant resolutions of the Security Council,

Aware of the fact that, for more than six decades, the Palestine refugees have suffered from the loss of their homes, lands and means of livelihood,

Affirming the imperative of resolving the problem of the Palestine refugees for the achievement of justice and for the achievement of lasting peace in the region,

Acknowledging the essential role that the United Nations Relief and Works Agency for Palestine Refugees in the Near East has played for over sixty years since its establishment in ameliorating the plight of the Palestine

refugees through the provision of education, health, relief and social services and ongoing work in the areas of camp infrastructure, microfinance, protection and emergency assistance,

Taking note of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 January to 31 December 2009,

Aware of the continuing needs of the Palestine refugees throughout all the fields of operation, namely, Jordan, Lebanon, the Syrian Arab Republic and the Occupied Palestinian Territory,

Expressing grave concern at the especially difficult situation of the Palestine refugees under occupation, including with regard to their safety, well-being and socio-economic living conditions,

Expressing grave concern in particular at the critical humanitarian situation and socio-economic conditions of the Palestine refugees in the Gaza Strip, and underlining the importance of emergency and humanitarian assistance and urgent reconstruction efforts,

Noting the signing of the Declaration of Principles on Interim Self-Government Arrangements on 13 September 1993 by the Government of Israel and the Palestine Liberation Organization and the subsequent implementation agreements,

1. *Notes with regret* that repatriation or compensation of the refugees, as provided for in paragraph 11 of General Assembly resolution 194(III), has not yet been effected, and that, therefore, the situation of the Palestine refugees continues to be a matter of grave concern and the Palestine refugees continue to require assistance to meet basic health, education and living needs;

2. *Also notes with regret* that the United Nations Conciliation Commission for Palestine has been unable to find a means of achieving progress in the implementation of paragraph 11 of General Assembly resolution 194(III), and reiterates its request to the Conciliation Commission to continue exerting efforts towards the implementation of that paragraph and to report to the Assembly on the efforts being exerted in this regard as appropriate, but no later than 1 September 2011;

3. *Affirms* the necessity for the continuation of the work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the importance of its unimpeded operation and its provision of services for the well-being and human development of the Palestine refugees and for the stability of the region, pending the just resolution of the question of the Palestine refugees;

4. *Calls upon* all donors to continue to make the most generous efforts possible to meet the anticipated needs of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, including with regard to increased expenditures arising from the serious socio-economic and humanitarian situation in the region, particularly in the Occupied Palestinian Territory, and those mentioned in recent emergency appeals;

5. *Commends* the United Nations Relief and Works Agency for Palestine Refugees in the Near East for its provision of vital assistance to the Palestine refugees and its role as a stabilizing factor in the region and the tireless efforts of the staff of the Agency in carrying out its mandate;

6. *Decides* to invite Kuwait, in accordance with the criterion set forth in General Assembly decision 60/522 of 8 December 2005, to become a member of the Advisory Commission of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;

7. *Also decides* to extend the mandate of the Agency until 30 June 2014, without prejudice to the provisions of paragraph 11 of General Assembly resolution 194(III).

RECORDED VOTE ON RESOLUTION 65/98:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel.

Abstaining: Cameroon, Marshall Islands, Micronesia, Nauru, Palau, United States.

The Assembly, also on 10 December [meeting 62], and on the recommendation of the Fourth Committee [A/65/422], adopted **resolution 65/100** by recorded vote (169-6-2) [agenda item 51].

Operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East

The General Assembly,

Recalling its resolutions 194(III) of 11 December 1948, 212(III) of 19 November 1948, 302(IV) of 8 December 1949 and all subsequent related resolutions, including its resolution 64/89 of 10 December 2009,

Recalling also the relevant resolutions of the Security Council,

Having considered the report of the Commissioner-General of the United Nations Relief and Works Agency

for Palestine Refugees in the Near East covering the period from 1 January to 31 December 2009,

Taking note of the letter dated 22 June 2010 from the Chairman of the Advisory Commission of the United Nations Relief and Works Agency for Palestine Refugees in the Near East addressed to the Commissioner-General,

Deeply concerned about the critical financial situation of the Agency, caused in part by the structural underfunding of the Agency, as well as its rising expenditures resulting from the deterioration of the socio-economic and humanitarian conditions in the region and their significant negative impact on the provision of necessary Agency services to the Palestine refugees, including its emergency-related and development programmes,

Recalling Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations,

Recalling also the Convention on the Safety of United Nations and Associated Personnel,

Affirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Palestinian territory occupied since 1967, including East Jerusalem,

Aware of the continuing needs of the Palestine refugees in all fields of operation, namely, Jordan, Lebanon, the Syrian Arab Republic and the Occupied Palestinian Territory,

Gravely concerned about the extremely difficult socio-economic conditions being faced by the Palestine refugees in the Occupied Palestinian Territory, including East Jerusalem, particularly in the refugee camps in the Gaza Strip, as a result of the continuing prolonged Israeli closures, the construction of the wall, the severe economic and movement restrictions that in effect amount to a blockade and the continuing negative repercussions of the military operations in the Gaza Strip between December 2008 and January 2009, which caused extensive loss of life and injury, particularly among Palestinian civilians, including children and women; widespread damage and destruction to Palestinian homes, properties, vital infrastructure and public institutions, including hospitals, schools and United Nations facilities; and internal displacement of civilians,

Commending the extraordinary efforts by the Agency to provide emergency relief, medical, food, shelter and other humanitarian assistance to needy and displaced families in the Gaza Strip,

Recalling, in this regard, its resolution ES-10/18 of 16 January 2009 and Security Council resolution 1860(2009) of 8 January 2009,

Expressing regret over the continued restrictions that impede the Agency's efforts to repair and rebuild thousands of damaged or destroyed refugee shelters and Agency facilities, including schools and health centres, and calling upon Israel to ensure the unimpeded import of essential construction materials into the Gaza Strip, while taking note of recent developments regarding the situation of access there,

Expressing concern about the severe classroom shortage in the Gaza Strip and the consequent negative impact on the right to education of refugee children as a result of the inability of the Agency to construct new schools owing to Israel's ongoing restrictions impeding the entry of necessary construction materials into the Gaza Strip,

Stressing the urgent need for reconstruction to begin in the Gaza Strip, including through the completion of numerous suspended projects managed by the Agency, and for the commencement of other urgent United Nations-led civilian reconstruction activities,

Urging the disbursement of pledges made at the International Conference in Support of the Palestinian Economy for the Reconstruction of Gaza, held in Sharm el-Sheikh, Egypt, on 2 March 2009, to accelerate the reconstruction process,

Commending the Agency's continuing efforts to assist those refugees affected and displaced by the crisis in the Nahr el-Bared refugee camp in northern Lebanon, and welcoming the efforts of the Government of Lebanon and the international community to support the rebuilding by the Agency of the Nahr el-Bared camp,

Aware of the valuable work done by the Agency in providing protection to the Palestinian people, in particular Palestine refugees,

Gravely concerned about the endangerment of the safety of the Agency's staff and about the damage and destruction caused to the facilities of the Agency during the reporting period,

Deploing, in particular, the extensive damage and destruction of Agency facilities in the Gaza Strip caused during the military operations between December 2008 and January 2009, including to schools where civilians were sheltered and the Agency's main compound and warehouse, as reported in the summary by the Secretary-General of the report of the Board of Inquiry and in the report of the United Nations Fact-finding Mission on the Gaza Conflict,

Deploing also, in this regard, the breaches of the inviolability of United Nations premises, the failure to accord the property and assets of the Organization immunity from any form of interference and the failure to protect United Nations personnel, premises and property,

Deploing further the killing and injury of Agency staff members by the Israeli occupying forces in the Occupied Palestinian Territory since September 2000,

Deploing the killing and wounding of refugee children in the Agency schools by the Israeli occupying forces during the military operations between December 2008 and January 2009,

Deeply concerned about the continuing imposition of restrictions on the freedom of movement and access of the Agency's staff, vehicles and goods, and the injury, harassment and intimidation of the Agency's staff, which undermine and obstruct the work of the Agency, including its ability to provide essential basic and emergency services,

Aware of the agreement between the Agency and the Government of Israel,

Taking note of the agreement reached on 24 June 1994, embodied in an exchange of letters between the Agency and the Palestine Liberation Organization,

1. *Reaffirms* that the effective functioning of the United Nations Relief and Works Agency for Palestine Refugees in the Near East remains essential in all fields of operation;

2. *Expresses its appreciation* to the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, as well as to all of

the staff of the Agency, for their tireless efforts and valuable work, particularly in the light of the difficult conditions and unstable circumstances faced during the past year;

3. *Expresses special commendation* to the Agency for the essential role that it has played for over sixty years since its establishment in providing vital services for the well-being, human development and protection of the Palestine refugees and the amelioration of their plight;

4. *Expresses its appreciation* for the important support provided by the host Governments to the Agency in the discharge of its duties;

5. *Expresses its appreciation* to the Advisory Commission of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, and requests it to continue its efforts and to keep the General Assembly informed of its activities;

6. *Takes note with appreciation* of the report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the efforts of the Working Group to assist in ensuring the financial security of the Agency, and requests the Secretary-General to provide the necessary services and assistance to the Working Group for the conduct of its work;

7. *Commends* the Agency's six-year Medium-Term Strategy, which commenced in January 2010, and the continuing efforts of the Commissioner-General to increase the budgetary transparency and efficiency of the Agency, as reflected in the Agency's programme budget for the biennium 2010–2011;

8. *Requests* the Secretary-General to continue to support the institutional strengthening of the Agency through the provision of sufficient financial resources from the regular budget of the United Nations;

9. *Commends* the Agency for the successful completion of its three-year reform programme, and urges the Agency to apply maximum efficiency procedures to reduce operational and administrative costs and to maximize the use of resources;

10. *Looks forward* to the transmittal of the report the Secretary-General on the strengthening of the management capacity of the Agency, as requested by the Working Group and as endorsed by the General Assembly in its resolution 64/89;

11. *Endorses* the efforts of the Commissioner-General to continue to provide humanitarian assistance, as far as practicable, on an emergency basis, and as a temporary measure, to persons in the area who are internally displaced and in serious need of continued assistance as a result of recent crises in the Occupied Palestinian Territory and Lebanon;

12. *Welcomes* the progress made so far by the Agency in rebuilding the Nahr el-Bared refugee camp in northern Lebanon, and calls for the expeditious completion of its reconstruction, for the continued provision of relief assistance to those displaced following its destruction in 2007 and for the alleviation of their ongoing suffering through the fulfilment of pledges made at the International Donor Conference for the Recovery and Reconstruction of the Nahr el-Bared Palestine Refugee Camp and Conflict-

affected Areas of Northern Lebanon, held in Vienna on 23 June 2008;

13. *Encourages* the Agency, in close cooperation with other relevant United Nations entities, to continue making progress in addressing the needs and rights of children and women in its operations in accordance with the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women, respectively;

14. *Commends*, in this regard, the Agency's "Summer Games" initiative providing recreational, cultural and educational activities for children in the Gaza Strip and, recognizing its positive contribution, calls for full support of the initiative;

15. *Expresses concern* about the relocation of the international staff of the Agency from its headquarters in Gaza City and the disruption of operations at the headquarters due to the deterioration and instability of the situation on the ground;

16. *Calls upon* Israel, the occupying Power, to comply fully with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

17. *Also calls upon* Israel to abide by Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations in order to ensure the safety of the personnel of the Agency, the protection of its institutions and the safeguarding of the security of its facilities in the Occupied Palestinian Territory, including East Jerusalem;

18. *Urges* the Government of Israel to expeditiously reimburse the Agency for all transit charges incurred and other financial losses sustained as a result of delays and restrictions on movement and access imposed by Israel;

19. *Calls upon* Israel particularly to cease obstructing the movement and access of the staff, vehicles and supplies of the Agency and to cease the levying of taxes, extra fees and charges, which affect the Agency's operations detrimentally;

20. *Also calls upon* Israel to fully lift the restrictions impeding the import of necessary construction materials and supplies for the reconstruction and repair of damaged or destroyed Agency facilities, in particular schools, health centres and thousands of refugee shelters, and for the implementation of suspended civilian infrastructure projects in refugee camps in the Gaza Strip;

21. *Requests* the Commissioner-General to proceed with the issuance of identification cards for Palestine refugees and their descendants in the Occupied Palestinian Territory;

22. *Notes with appreciation* the progress made by the Agency in the modernization of its archives through the Palestine Refugee Records Project, and encourages the Commissioner-General to finalize the remaining components of the Project as rapidly as possible and to report on the progress made to the General Assembly at its sixty-sixth session;

23. *Also notes with appreciation* the success of the Agency's microfinance and microenterprise programmes, and calls upon the Agency, in close cooperation with the relevant agencies, to continue to contribute to the develop-

ment of the economic and social stability of the Palestine refugees in all fields of operation;

24. *Reiterates its appeals* to all States, the specialized agencies and non-governmental organizations to continue and to augment the special allocations for grants and scholarships for higher education to Palestine refugees in addition to their contributions to the regular budget of the Agency and to contribute to the establishment of vocational training centres for Palestine refugees, and requests the Agency to act as the recipient and trustee for the special allocations for grants and scholarships;

25. *Urges* all States, the specialized agencies and non-governmental organizations to continue and to increase their contributions to the Agency in order to address the serious financial constraints and underfunding, especially with respect to the Agency's regular budget deficit, noting that financial shortfalls have been exacerbated by the current humanitarian situation on the ground that has resulted in rising expenditures, in particular with regard to emergency services, and to support the Agency's valuable and necessary work in assisting the Palestine refugees in all fields of operation.

RECORDED VOTE ON RESOLUTION 65/100:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, Marshall Islands, Micronesia, Nauru, Palau, United States.

Abstaining: Cameroon, Canada.

UNRWA financing

In 2010, UNRWA expended \$895.8 million, against a budget of \$1,226.7 million, on its regular budget, projects and emergency appeal activities. The largest component was an expenditure of \$545 million under the unrestricted regular budget, accounting for 60.85 per cent of total expenditure. Emergency activities, projects and restricted fund activities accounted for 22.5 per cent, 10.87 per cent and 5.78 per cent, respectively. Education remained the largest programme, accounting for 61.4 per cent of the total regular budget, followed by health (18 per cent), support services (15 per cent), relief and social services (4 per cent), and infrastructure (2 per cent).

Working Group. The Working Group on the Financing of UNRWA held four meetings in 2010, on 15 March, 13 and 28 September and 6 October. It noted with concern the exceptionally large funding gap anticipated for UNRWA's regular budget in 2010 and reiterated that it was the responsibility of the international community to ensure that UNRWA services were maintained at an acceptable level, in quantitative and qualitative terms, and to ensure that funding kept pace with the changing needs of the refugee population. The Working Group reiterated its concern that if adequate resources from the UN regular budget were not provided, the achievements from the comprehensive overhaul of the Agency's work being undertaken could be put at risk. Recognizing the essential humanitarian role played by UNRWA emergency operations in alleviating the hardship of the refugees and in mitigating further declines in their living conditions, the Working Group urged all potential donors to redouble their efforts to fully fund the Agency's emergency appeals for 2010.

The Working Group reiterated its concern about the continued tight restrictions on the movement of UNRWA staff and humanitarian goods into and out of the Occupied Palestinian Territory, and between its parts. It called on Israel to allow the Agency free and unfettered access. The Working Group stated that the services provided by UNRWA had to be viewed as the minimum required to enable the refugees to lead productive lives. Any reduction in those services would not only unfairly deprive them of the minimum level of support to which they were entitled, but could also have a destabilizing effect on the entire region. The Working Group expressed the hope that the international support for UNRWA embodied in the resolutions adopted each year by the General Assembly would be translated into increased support to ensure the continuation of the Agency's work on a sound financial basis.

Displaced persons

In an August report [A/65/283] submitted in compliance with General Assembly resolution 64/88 [YUN 2009, p. 472], which called for the accelerated return of all persons displaced as a result of the June 1967 and subsequent hostilities to their homes in the territories occupied by Israel, the Secretary-General said that, based on information obtained from the UNRWA Commissioner-General for the period from 1 July 2009 to 30 June 2010, 376 refugees registered with the Agency had returned to the West Bank and 272 to the Gaza Strip from places outside the Occupied Palestinian Territory. The number of displaced registered refugees known by the Agency to have returned since June 1967 was about 33,274. The Agency was unable to estimate the total number of displaced inhabitants who had returned. It kept records only of registered refugees and even those records, particularly with respect to the location of registered refugees, might be incomplete.

On 10 May, the Secretary-General sought information from Member States on action taken or envisaged to implement resolution 64/88. In a 28 June note, Israel reaffirmed its intention to continue facilitating the UNRWA extension of humanitarian services to its beneficiaries but remained concerned about the political motivation of resolution 64/88 and similar resolutions, as they did not reflect the reality on the ground. Israel favoured consolidating UNRWA resolutions and removing extraneous political language. It urged the Secretary-General and the Agency to consider ways in which the United Nations could advance the welfare of the Palestinian people.

GENERAL ASSEMBLY ACTION

On 10 December [meeting 62], the General Assembly, on the recommendation of the Fourth Committee [A/65/422], adopted **resolution 65/99** by recorded vote (167-6-4) [agenda item 51].

Persons displaced as a result of the June 1967 and subsequent hostilities

The General Assembly,

Recalling its resolutions 2252(ES-V) of 4 July 1967, 2341 B(XXII) of 19 December 1967 and all subsequent related resolutions,

Recalling also Security Council resolutions 237(1967) of 14 June 1967 and 259(1968) of 27 September 1968,

Taking note of the report of the Secretary-General submitted in pursuance of its resolution 64/88 of 10 December 2009,

Taking note also of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 January to 31 December 2009,

Concerned about the continuing human suffering resulting from the June 1967 and subsequent hostilities,

Taking note of the relevant provisions of the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993 with regard to the modalities for the admission of persons displaced in 1967, and concerned that the process agreed upon has not yet been effected,

1. *Reaffirms* the right of all persons displaced as a result of the June 1967 and subsequent hostilities to return to their homes or former places of residence in the territories occupied by Israel since 1967;

2. *Stresses* the necessity for an accelerated return of displaced persons, and calls for compliance with the mechanism agreed upon by the parties in article XII of the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993 on the return of displaced persons;

3. *Endorses*, in the meanwhile, the efforts of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to continue to provide humanitarian assistance, as far as practicable, on an emergency basis, and as a temporary measure, to persons in the area who are currently displaced and in serious need of continued assistance as a result of the June 1967 and subsequent hostilities;

4. *Strongly appeals* to all Governments and to organizations and individuals to contribute generously to the Agency and to the other intergovernmental and non-governmental organizations concerned for the above-mentioned purposes;

5. *Requests* the Secretary-General, after consulting with the Commissioner-General, to report to the General Assembly before its sixty-sixth session on the progress made with regard to the implementation of the present resolution.

RECORDED VOTE ON RESOLUTION 65/99:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago,

Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, Marshall Islands, Micronesia, Nauru, Palau, United States.

Abstaining: Cameroon, Canada, Liberia, Panama.

Palestinian women

In a report to the 2010 session of the Commission on the Status of Women [E/CN.6/2010/4], submitted in accordance with Economic and Social Council resolution 2009/14 [YUN 2009, p. 474], the Secretary-General summarized the situation of Palestinian women and reviewed UN assistance to them between October 2008 and September 2009, with particular reference to education and training; health; employment and entrepreneurship; women's human rights; violence against women; and humanitarian assistance.

According to the Office for the Coordination of Humanitarian Affairs, the continuation of the blockade of Gaza that was imposed by Israel following the Hamas takeover in June 2007 [YUN 2007, p. 441] had triggered a protracted crisis with humanitarian consequences. The living conditions of women and men in Gaza deteriorated as a result of the erosion of livelihoods and the gradual decline of infrastructure, including basic services for health, water and sanitation, and education. Although restrictions of movement affected women and men, concerns over possible harassment at checkpoints had curtailed women's movement, reducing their access to education, economic participation and social inclusion. A World Bank study noted that the high transaction and financial costs of transport as a result of unpredictable and often protracted waiting times had a disproportionate impact on women.

House demolitions resulting from the requirement for building permits by Israeli authorities in East Jerusalem, and in some parts of the West Bank, continued. A total of 51,000 people in Gaza were internally displaced and lived in makeshift shelters that provided minimal protection. The negative impacts on displaced families included long-term trauma, family separation, disruption of family life and education, and increased poverty. Women were particularly affected by the displacement and the lack of security.

According to the most recent estimates available, the poverty rate among households headed by women was 61.2 per cent, compared with 56.9 per cent for households headed by men in the Occupied Palestinian Territory in 2007. During the reporting period, the rates of women's participation in the labour force remained low at 15.4 per cent, compared with a participation rate of 66.9 per cent for men. The meagre participation rate for women was attributable to sociocultural restrictions, high fertility

rates and a general low level of employment caused by various constraints on the economy imposed by the occupation. The rise in food insecurity and poverty in Gaza had resulted in an increased burden on women. Older women, women with disabilities, female heads of household and displaced women and girls faced continued hardship as a result of the blockade of Gaza.

In the 2008/2009 academic year, 239,188 girls (49.92 per cent of pupils) were enrolled in UNRWA elementary, preparatory and secondary schools. The dropout rate for girls was 0.97 per cent. Girls constituted 66.8 per cent of the students benefiting from UNRWA administered scholarships. In 2007, women constituted 45.2 per cent of those who had completed two years or more of higher education: 54 per cent of students at local universities; 57 per cent of students at university colleges; and 37 per cent at community colleges. Tertiary students had limited postgraduate study options within Gaza and faced great difficulties in arranging to study abroad at the postgraduate level. The situation had hindered progress in improving girls' and women's education, thus limiting their potential to assume leadership positions. Although women accounted for 58 per cent of graduates from local universities, they represented only 16.6 per cent of academic teaching staff at universities.

According to a study by the United Nations Development Fund for Women, domestic violence was the primary safety problem facing women and girls, while public and political violence was the main safety and security problem facing men and boys. The highest reported rise in domestic violence against women was among households displaced by the conflict and in the southern Gaza Strip, which also had the highest reporting of increased domestic violence against children.

Women were rarely present in decision-making positions in peace negotiations, either at the national or international level. As a result of the quota established in 2004, however, women's political participation increased to 12.7 per cent in the Palestinian Legislative Council and to 18 per cent in the local and municipal councils.

The report recommended that incidents of discrimination and violence against women and girls should be strongly condemned. Perpetrators of all forms of violence against women should be prosecuted, and any climate of impunity surrounding such offences should be eliminated. Governments, academic institutions, international organizations and civil society, including non-governmental organizations should be encouraged to collaborate on qualitative and quantitative action-oriented research on the situation of women and girls.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 20 July [meeting 42], the Economic and Social Council, on the recommendation of the Commission on the Status of Women [E/2010/27], adopted **resolution 2010/6** by recorded vote (24-3-15) [agenda item 14 (a)].

Situation of and assistance to Palestinian women

The Economic and Social Council,

Having considered with appreciation the report of the Secretary-General,

Recalling the Nairobi Forward-looking Strategies for the Advancement of Women, in particular paragraph 260 concerning Palestinian women and children, the Beijing Platform for Action, adopted at the Fourth World Conference on Women, and the outcomes of the twenty-third special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century",

Recalling also its resolution 2009/14 of 28 July 2009 and other relevant United Nations resolutions, including General Assembly resolution 57/337 of 3 July 2003 on the prevention of armed conflict and Security Council resolution 1325(2000) of 31 October 2000 on women and peace and security,

Recalling further the Declaration on the Elimination of Violence against Women as it concerns the protection of civilian populations,

Recalling the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the Convention on the Rights of the Child, and reaffirming that these human rights instruments must be respected in the Occupied Palestinian Territory, including East Jerusalem,

Expressing deep concern about the grave situation of Palestinian women in the Occupied Palestinian Territory, including East Jerusalem, resulting from the severe impact of the ongoing illegal Israeli occupation and all of its manifestations,

Expressing grave concern about the increased difficulties being faced by Palestinian women and girls living under Israeli occupation, including the continuation of home demolitions, the sharp increase in poverty, soaring unemployment, increased food insecurity, incidents of domestic violence, and declining health, education and living standards, including the rising incidence of trauma and the decline in their psychological well-being, and expressing grave concern also about the deepening humanitarian crisis and rising insecurity and instability on the ground in the Occupied Palestinian Territory, in particular in the Gaza Strip,

Deploing the deteriorating economic and social conditions of Palestinian women and girls in the Occupied Palestinian Territory, including East Jerusalem, and the systematic violation of their human rights resulting from the severe impact of ongoing illegal Israeli practices, including the construction and expansion of settlements and the Wall and the continued imposition of closures and restrictions on the movement of persons and goods, which have detrimentally affected their right to health care, including access of pregnant women to health services for antenatal care and safe delivery, education, employment, development and freedom of movement,

Gravely concerned, in particular, about the continuing deterioration of the socio-economic and humanitarian situation in the Gaza Strip, including that resulting from the Israeli military operations and the imposition of a blockade consisting of the prolonged closure of border crossings and severe restrictions on the movement of all persons and goods, which has detrimentally affected every aspect of the lives of the civilian population, especially women and children, in the Gaza Strip,

Stressing the importance of providing assistance, especially emergency assistance, to alleviate the dire socio-economic and humanitarian situation being faced by Palestinian women and their families,

Emphasizing the importance of increasing the role of women in peacebuilding and decision-making with regard to conflict prevention and the peaceful resolution of conflicts as part of efforts to ensure the safety and well-being of all women in the region, and stressing the importance of their equal participation and involvement in all efforts for the achievement, maintenance and promotion of peace and security,

1. *Urges* the international community to continue to give special attention to the promotion and protection of the human rights of Palestinian women and girls and to intensify its measures to improve the difficult conditions being faced by Palestinian women and their families living under Israeli occupation;

2. *Reaffirms* that the Israeli occupation remains the major obstacle for Palestinian women with regard to their advancement, self-reliance and integration into the development of their society, and stresses the importance of efforts to increase their role in decision-making with regard to conflict prevention and resolution and to ensure their equal participation and involvement in all efforts for the achievement, maintenance and promotion of peace and security;

3. *Demands* that Israel, the occupying Power, comply fully with the provisions and principles of the Universal Declaration of Human Rights, the Regulations annexed to the Hague Convention IV of 18 October 1907, the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949 and all other relevant rules, principles and instruments of international law, including the International Covenants on Human Rights, in order to protect the rights of Palestinian women and their families;

4. *Calls upon* Israel to facilitate the return of all refugees and displaced Palestinian women and children to their homes and properties, in compliance with the relevant United Nations resolutions;

5. *Calls upon* the international community to continue to provide urgently needed assistance, especially emergency assistance, and services in an effort to alleviate the dire humanitarian crisis being faced by Palestinian women and their families and to help in the reconstruction of relevant Palestinian institutions, integrating a gender perspective into all international assistance programmes;

6. *Requests* the Commission on the Status of Women to continue to monitor and take action with regard to the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women, in particular paragraph 260 concerning Palestinian women and children, the Beijing Platform for Action and the outcomes of the twenty-third special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century";

7. *Requests* the Secretary-General to continue to review the situation, to assist Palestinian women by all available means, including those set out in his report, and to submit to the Commission on the Status of Women at its fifty-fifth session a report, including information provided by the Economic and Social Commission for Western Asia, on the progress made in the implementation of the present resolution.

RECORDED VOTE ON RESOLUTION 2010/6:

In favour: Argentina, Bangladesh, Brazil, Chile, China, Congo, Egypt, Guatemala, India, Iraq, Malaysia, Mauritius, Mongolia, Morocco, Namibia, Niger, Pakistan, Peru, Philippines, Russian Federation, Saudi Arabia, Turkey, Uruguay, Zambia.

Against: Australia, Canada, United States.

Abstaining: Belgium, Côte d'Ivoire, Estonia, Finland, France, Germany, Italy, Japan, Malta, Norway, Poland, Republic of Korea, Republic of Moldova, Slovakia, United Kingdom.

Property rights

In response to General Assembly resolution 64/90 [YUN 2009, p. 475], the Secretary-General submitted an August report [A/65/311] on Palestine refugees' properties and their revenues. Two Member States (Denmark and Israel) had replied to his note requesting information from Israel and other Member States on action taken or envisaged in relation to the implementation of resolutions 64/87, 64/88, 64/89 and 64/90 [YUN 2009, pp. 468, 472, 469 & 475], respectively.

In an 8 July note, Denmark stated that, with regard to resolutions 64/87, 64/88 and 64/89, it supported UNRWA with a core contribution of 70 million Danish kroner (DKr). The confirmation of an additional DKr 10 million contribution for the implementation of education activities in Gaza represented a concrete investment in the future of Palestine refugees. Regarding resolution 64/90, which urged States to provide the Secretary-General with any pertinent information in their possession concerning Arab property, assets and property rights in Israel, Denmark contributed through the continuous reporting on the overall political and developmental situation in the Occupied Palestinian Territory. Through support to human rights organizations engaged in the field, Denmark also contributed to information and monitoring of the issue.

In a 28 June note, Israel reiterated its support for the humanitarian activities of UNRWA; it would continue to facilitate the Agency's extension of vital humanitarian services to Palestinians, but remained concerned about the political motivation of those resolutions, as they did not reflect the reality on the ground. Israel supported consolidating UNRWA resolutions and removing extraneous political language. Specifically, the UNRWA mandate should be such that entitlement to its services would be defined in a manner consistent with the standard UN policy on refugees. Furthermore, the mandate should include

the promotion in the Palestinian context of the UN goals of resettlement and local integration of refugees. Israel urged the Secretary-General and the Agency to consider ways in which the United Nations could enhance the manner in which it advanced the welfare of the Palestinian people.

GENERAL ASSEMBLY ACTION

On 10 December [meeting 62], the General Assembly, on the recommendation of the Fourth Committee [A/65/422], adopted **resolution 65/101** by recorded vote (169-6-2) [agenda item 51].

Palestine refugees' properties and their revenues

The General Assembly,

Recalling its resolutions 194(III) of 11 December 1948 and 36/146 C of 16 December 1981 and all its subsequent resolutions on the question,

Taking note of the report of the Secretary-General submitted pursuant to its resolution 64/90 of 10 December 2009, as well as that of the United Nations Conciliation Commission for Palestine for the period from 1 September 2009 to 31 August 2010,

Recalling that the Universal Declaration of Human Rights and the principles of international law uphold the principle that no one shall be arbitrarily deprived of his or her property,

Recalling in particular its resolution 394(V) of 14 December 1950, in which it directed the Conciliation Commission, in consultation with the parties concerned, to prescribe measures for the protection of the rights, property and interests of the Palestine refugees,

Noting the completion of the programme of identification and evaluation of Arab property, as announced by the Conciliation Commission in its twenty-second progress report, and the fact that the Land Office had a schedule of Arab owners and a file of documents defining the location, area and other particulars of Arab property,

Expressing its appreciation for the preservation and modernization of the existing records, including the land records, of the Conciliation Commission and the importance of such records for a just resolution of the plight of the Palestine refugees in conformity with resolution 194(III),

Recalling that, in the framework of the Middle East peace process, the Palestine Liberation Organization and the Government of Israel agreed, in the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993, to commence negotiations on permanent status issues, including the important issue of the refugees,

1. *Reaffirms* that the Palestine refugees are entitled to their property and to the income derived therefrom, in conformity with the principles of equity and justice;

2. *Requests* the Secretary-General to take all appropriate steps, in consultation with the United Nations Conciliation Commission for Palestine, for the protection of Arab property, assets and property rights in Israel;

3. *Calls once again upon* Israel to render all facilities and assistance to the Secretary-General in the implementation of the present resolution;

4. *Calls upon* all the parties concerned to provide the Secretary-General with any pertinent information in their possession concerning Arab property, assets and property rights in Israel that would assist him in the implementation of the present resolution;

5. *Urges* the Palestinian and Israeli sides, as agreed between them, to deal with the important issue of Palestine refugees' properties and their revenues within the framework of the final status negotiations of the Middle East peace process;

6. *Requests* the Secretary-General to report to the General Assembly at its sixty-sixth session on the implementation of the present resolution.

RECORDED VOTE ON RESOLUTION 65/101:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, Marshall Islands, Micronesia, Nauru, Palau, United States.

Abstaining: Cameroon, Liberia.

Lebanon

In 2010, progress made in implementing resolution 1559(2004) [YUN 2004, p. 506] included the reconvening of the Lebanese National Dialogue and the improvement of Lebanese-Syrian relations. The presence of paramilitary, however, continued to con-

stitute a challenge to the ability of the Lebanese Government to exercise its full sovereignty and control over its territory. In addition, the development of a national defence strategy faced significant political obstacles. Regarding the implementation of resolution 1701(2009) [YUN 2006, p. 583], the Secretary-General submitted a comprehensive review of UNIFIL towards adapting its operational capacity. During the year, the Special Tribunal for Lebanon—created in 2007 to investigate and prosecute the perpetrators of the terrorist bombing that killed former Lebanese Prime Minister Rafiq Hariri and 22 others [YUN 2007, p. 505]—moved forward towards completing its preparations for trial proceedings. In August, the Security Council extended the mandate of UNIFIL for a further year.

Political and security developments

The Secretary-General reported in October [S/2010/538] that municipal elections were held in Lebanon throughout the month of May in a generally calm and peaceful atmosphere, despite minor security incidents. On 31 July, the Lebanese President, Michel Sleiman, hosted a joint summit in Beirut with the King of Saudi Arabia and the President of Syria. The Emir of Qatar visited Lebanon from 31 July to 2 August, including the southern part of the country. The visits signalled a strong Arab commitment to the maintenance of stability in Lebanon. On 13 and 14 October, the President of Iran visited Lebanon and toured villages in the south, during which he expressed strong support for Hizbullah.

The Secretary-General remained in contact with all parties in Lebanon, as well as with relevant regional and international leaders. He received the Lebanese Prime Minister, Saad Hariri, during his visit to UN Headquarters on 25 May. The Secretary-General met with President Sleiman in New York on 24 September on the margins of the General Assembly, and expressed the full support of the United Nations for the sovereignty, independence and territorial integrity of Lebanon, without foreign interference.

In a later report [S/2011/258], the Secretary-General stated that political tension increased markedly in the latter part of the year, fuelled, *inter alia*, by speculation and public pronouncements concerning the proceedings of the Special Tribunal for Lebanon (see p. 496). The differences between political camps resulted in the suspension of Cabinet meetings for five weeks, from 10 November until 15 December. On that date, the Cabinet meeting ended in a stalemate, leading to institutional paralysis.

Security Council consideration. The Security Council considered the situation in Lebanon, UNIFIL, and the implementation of Security

Council resolutions 1559(2004) [YUN 2004, p. 506] and 1701(2006) [YUN 2006, p. 583] in meetings held throughout the year. The security arrangements put in place by resolution 1701(2006) were tested by a number of incidents. The absence of a government in Lebanon during parts of the year contributed to an already volatile climate. On 3 August, the Council heard briefings by the Under-Secretary-General for Peacekeeping Operations and the UNIFIL Force Commander on the exchange of fire that occurred on the same day between Lebanon and Israel along the Blue Line—the border demarcation established by the United Nations in 2000.

On 24 August, the Council held consultations on the Secretary-General's request for a year-long extension of the UNIFIL mandate. The Council heard a briefing by the Assistant Secretary-General for Peacekeeping Operations, who underlined the need for the full implementation of resolution 1701(2006) and close cooperation between UNIFIL and the Lebanese Armed Forces (LAF). He stressed that the incident on the Blue Line had to remain isolated and asked the parties to respect the demarcation line. The Council, in resolution 1937(2010) of 30 August (see p. 491), extended the UNIFIL mandate for 12 months.

In an open debate on 18 October [S/PV.6404], Council members expressed their support for the independence of the Special Tribunal for Lebanon and reiterated the obligation of the parties to fully implement resolution 1701(2006). On 28 October, the Special Envoy of the Secretary-General for the implementation of resolution 1559(2004), Terje Rød-Larsen, briefed the Council on the implementation of the resolution as reflected in the twelfth semi-annual report of the Secretary-General [S/2010/538]. On 5 November, the Under-Secretary-General for Legal Affairs, also serving as the UN Legal Counsel, briefed the Council on the attacks of 27 October on members of the investigation team from the Office of the Prosecutor of the Special Tribunal.

On 18 November, the Secretary-General's Special Coordinator for Lebanon, Michael Williams, and the Assistant Secretary-General for Peacekeeping Operations briefed the Council on the implementation of resolution 1701(2006). Council members expressed concern over violations of the resolution and the incidents along the Blue Line, and encouraged cooperation with UNIFIL.

In **resolution 65/147** of 20 December (see p. 1015), the General Assembly requested Israel to assume responsibility for prompt and adequate compensation to Lebanon and other countries directly affected by the oil slick on Lebanese and Syrian shores caused by Israeli military action in 2006 [YUN 2006, p. 1215].

Communications. In communications received throughout the year, Lebanon reported on Israeli acts of aggression by air, land and sea, and violations of the Blue Line, and consequently, of Lebanese sovereignty and territorial integrity [A/64/628-S/2010/26; A/64/656-S/2010/74; A/64/663-S/2010/81; A/64/668-S/2010/82; A/64/677-S/2010/96; A/64/703-S/2010/120; A/64/736-S/2010/170; A/64/767-S/2010/210; A/64/780-S/2010/233; A/64/790-S/2010/284; A/64/877-S/2010/405; A/65/481-S/2010/503; A/65/482-S/2010/504; A/65/559-S/2010/573; A/65/580-S/2010/589; A/65/590-S/2010/594; A/65/686-S/2010/692].

Implementation of resolution 1559(2004)

The Secretary-General submitted his eleventh and twelfth semi-annual reports on the implementation of Security Council resolution 1559(2004) [YUN 2004, p. 506], which called for strict respect of the sovereignty, territorial integrity, unity and political independence of Lebanon under the sole and exclusive authority of the Government; the withdrawal of all remaining foreign forces from Lebanon; and the disbanding and disarmament of all Lebanese and non-Lebanese militias.

Report of Secretary-General (April). In his eleventh semi-annual report on the implementation of resolution 1559(2004), issued in April [S/2010/193], the Secretary-General stated that progress continued to be made in the implementation of the resolution. The parliamentary endorsement, in December 2009, of the Government of national unity formed in November 2009 [YUN 2009, p. 476] was an important achievement. There was a need to take tangible measures to retain momentum and maintain Lebanon's progress towards full reaffirmation of its sovereignty, territorial integrity, unity and political independence, consistent with the 1989 Taif Agreement [YUN 1989, p. 203] and resolution 1559(2004). The presence of Palestinian armed groups outside the refugee camps continued to pose a threat to stability and challenged Lebanese sovereignty. The existence of armed groups outside Government control stood against the democratic aspirations of Lebanon, threatened domestic peace and was an obstacle to the prosperity and welfare the Lebanese people deserved.

The maintenance of Hizbullah's independent paramilitary capacity posed a key challenge to the safety of Lebanese civilians and government authority. In that regard, the Secretary-General welcomed the reconvening of the National Dialogue by President Sleiman as the best forum to address the disarmament of armed groups in the country, and urged the Government and Dialogue participants to finally implement previously agreed decisions. The Secretary-General called on all Member States to extend their

support to the Lebanese Armed Forces, which remained a critical actor in addressing the country's challenges, in particular the effort to extend the Government's reach throughout the country.

Progress in Lebanese-Syrian relations was evident in Lebanese Prime Minister Hariri's visit to Damascus. The Secretary-General welcomed the renewed intention of the Lebanese and Syrian Governments to move forward on the issue of the delineation of the Lebanese-Syrian border, which would allow for enhanced border control. He commended the pledge by Prime Minister Hariri to improve the living conditions of Palestine refugees in Lebanon, without prejudice to an overall resolution of the Palestine refugee question in the framework of a comprehensive peace agreement. The Secretary-General called on the Prime Minister to establish expeditiously the legal and administrative frameworks required to enable Palestine refugees to have access to employment while in Lebanon. Regarding the allegations of major arms transfers to Lebanon through its land borders, the Secretary-General called on all parties and actors to fully abide by resolutions 1559(2004), 1680(2006) [YUN 2006, p. 571] and 1701(2006).

Communication. On 27 April [S/2010/212], Syria, in identical letters to the Secretary-General and the Security Council President, stated that it could not accept that the Secretary-General's reports on the implementation of Council resolution 1559(2004) should continue to refer to Syria because it had fulfilled all obligations incumbent on it under that resolution, as indicated in the Secretary-General's eleventh semi-annual report and the preceding reports. Syria deplored the observations contained in the report regarding the establishment of diplomatic relations between Syria and Lebanon and the delineation of their border, which were strictly bilateral matters that concerned only the two countries. Syria affirmed that it was solicitous of Lebanon's sovereignty, political independence and territorial integrity. It rejected the report's allegations that the arms embargo was being violated, stating that the report itself indicated that the United Nations did not have the means to verify the allegations. The report referred to the fact that the President of Syria had hosted in Damascus the President of Iran and the Secretary-General of Hizbullah. Syria believed that the reference constituted unacceptable interference in Syria's internal affairs and its foreign relations inasmuch as those were sovereign matters that did not concern the United Nations.

Report of Secretary-General (October). In October, the Secretary-General, in his twelfth semi-annual report [S/2010/538] on the implementation of Security Council resolution 1559(2004), stated that over the previous six months, Lebanon had main-

tained the achievements accomplished towards the implementation of the resolution. However, there had been little further tangible progress, as the remaining issues to be addressed were the most difficult. The existence of militias outside the control of the Government constituted a challenge to the ability of the State to exercise its full sovereignty and control over its territory. The maintenance by Hizbullah of an independent paramilitary capacity remained at the centre of the political debate and the ongoing process of post-civil-war reconciliation. The Secretary-General called on the leaders of Hizbullah to complete the group's transformation into a solely Lebanese political party and to disarm, consistent with the requirements set out in the Taif Accord.

The National Dialogue remained an important tool for maintaining calm and stability and for addressing the critical issues of weapons outside the control of the State. The process of developing a national defence strategy, however, faced significant obstacles of a political, rather than a technical, nature. The Secretary-General emphasized that the main goal of the Dialogue should be to bring all arms under the sole control of the Government.

The Secretary-General expressed concern at the continued presence of paramilitary infrastructure outside refugee camps by the Damascus-headquartered Popular Front for the Liberation of Palestine-General Command and Fatah al-Intifada. Mindful that the two militias maintained close regional ties, he renewed his appeal to Syria to assist in the disarmament of the two groups and other Palestinian military outposts outside the refugee camps and address the issue of arms inside the camps.

The Secretary-General deplored the continued Israeli violations of Lebanon's sovereignty and territorial integrity. He called on Israel to adhere to its obligations under relevant Security Council resolutions and withdraw from the northern part of the village of Ghajar and cease its overflights of Lebanese airspace.

Implementation of resolution 1701(2006) and UNIFIL activities

Resolution 1701(2006) [YUN 2006, p. 583], which was approved by both the Lebanese and the Israeli Governments, brought about a ceasefire, effective 14 August 2006, between Israel and Hizbullah after a month-long conflict that caused hundreds of civilian deaths and major infrastructure damage throughout Lebanon. By the same resolution, the Council expanded the mandate of the United Nations Interim Force in Lebanon (UNIFIL) to undertake substantial new tasks, in addition to those mandated under resolutions 425(1978) [YUN 1978, p. 312] and 426(1978)

[*ibid.*], and authorized an increase in the Force strength from 2,000 to a maximum of 15,000 troops. The Secretary-General updated the Security Council on the implementation of resolution 1701(2006) in three periodic reports during the year.

UNIFIL was established by Council resolution 425(1978), following Israel's invasion of Lebanon [YUN 1978, p. 296]. The Force was originally entrusted with confirming the withdrawal of Israeli forces, restoring international peace and security, and assisting Lebanon in regaining authority in southern Lebanon. Following a second invasion in 1982 [YUN 1982, p. 428], the Council, in resolution 511(1982) [*ibid.*, p. 450], authorized the Force to carry out the additional task of providing protection and humanitarian assistance to the local population. Following the withdrawal of Israeli forces from Lebanon in 2000 [YUN 2000, p. 465], UNIFIL was reinforced in order to monitor those territories previously occupied by Israeli forces, to prevent the recurrence of fighting and to create conditions for the restoration of Lebanese authority in the area.

Comprehensive review. In a 12 February letter to the Security Council President [S/2010/86], the Secretary-General provided information on the comprehensive review of UNIFIL. The review was initiated in 2009 by the United Nations Department of Peacekeeping Operations and UNIFIL to assess the operational effectiveness of UNIFIL, including its force structure, assets and requirements, on land and at sea.

The review proposed certain adjustments to the force structure, assets and requirements of UNIFIL that were intended to strengthen its operational capacity and effectiveness. The review's recommendations reflected the increasing significance of UNIFIL activities along the Blue Line, highlighting the importance of accelerating the visible marking of the Blue Line and completing the project for a technical road running parallel to the Blue Line through the establishment of a task force. The task force would enhance the operational effectiveness of UNIFIL and also serve to build confidence. The review concluded that the Maritime Task Force remained an essential element of UNIFIL. It recommended regular assessment of the relation between maritime resources and the tasks to be accomplished through the establishment of benchmarks reflecting the correlation between the capacities and responsibilities of the Task Force and the capacities and responsibilities of the Lebanese navy.

Communications. In identical letters of 7 January [S/2010/11], Israel informed the Secretary-General and the Security Council President that on 26 December 2009, UNIFIL forces noticed suspicious individuals in the area of Mazra'at Sarda, Lebanon, near Al-Khiyam (south of the Litani River, roughly one kilometre from the Israeli-Lebanese border). A UNIFIL search

revealed a number of buried explosive devices totalling roughly 300 kilograms in weight. Israel had reason to believe that the explosives were of an advanced nature and possibly produced industrially in Iran or Syria. Israel further believed that the types of explosives and the manner in which they were deployed demonstrated that Hizbullah operatives had planted them. Israel regarded the Government of Lebanon as fully responsible for all such violations and any resulting implications.

On 1 February [A/64/645-S/2010/61], Lebanon informed the Secretary-General and the Security Council President that on 31 January, an Israeli patrol entered Lebanese territory in the area of Bastra Farms on the outskirts of Kafr Shuba village and kidnapped a Lebanese citizen. The kidnapping constituted not only a blatant breach of resolution 1701(2006), but also a flagrant violation of Lebanon's sovereignty.

On 24 February [A/64/684-S/2010/111], Lebanon, in a position paper prepared in anticipation of the Secretary-General's periodic report on the implementation of resolution 1701(2006), reported that, since the Secretary-General's previous report [YUN 2009, p. 484], Israeli forces had committed 163 air, 22 maritime and 26 land violations of Lebanese sovereignty. Israeli officials continued to threaten Lebanon following the formation of the Lebanese national unity Government and expressed their readiness to destroy Lebanon and impose collective punishment on the Lebanese people. Israel also attempted to undermine resolution 1701(2006) by every means possible.

Lebanon considered the continued Israeli occupation of the Shab'a Farms, the Lebanese Kafr Shuba hills and the Lebanese part of the town of Ghajar to constitute a threat to stability and security along the entire border and a flagrant violation of Security Council resolution 425(1978). Lebanon reminded the international community that Israel had yet to hand over maps showing the locations of unexploded ordnance, including the cluster bombs it indiscriminately dropped on populated civilian areas. The bombs had killed or injured over 357 persons, including 34 children and 70 youths. Lebanon questioned the accuracy of the maps that Israel provided previously, inasmuch as 37 locations known to be contaminated by cluster bombs were not marked. Israel had not yet provided maps marking the location of the mines it laid during its 22-year occupation of Lebanese territory.

The Lebanese army continued to strengthen strategic and tactical cooperation with UNIFIL. Lebanon affirmed that the investigations conducted by its army in cooperation with UNIFIL indicated that the explosives discovered at Mazra'at Sardah, near the town of Khiyam, were buried in an orchard far from any civilian areas. Lebanon affirmed that UNIFIL, in coordination with the Lebanese army, initiated an

investigation to determine the precise nature of the explosives and the circumstances under which they were discovered. That investigation was ongoing.

Report of Secretary-General (February). In February [S/2010/105], the Secretary-General issued his twelfth report on the implementation of resolution 1701(2006). He stated that the parties maintained their commitment to the resolution three and a half years after its adoption. The continued respect of the cessation of hostilities by Israel and Lebanon had provided for the most stable period in the relationship between the two countries in decades. Nevertheless, the situation remained fragile. As stated in previous reports, the opportunity that the UNIFIL presence had created could not be maintained indefinitely. It was the responsibility of the parties to focus on all outstanding issues in order to reach a permanent ceasefire and long-term solution.

The Secretary-General was concerned at the continued occupation by Israeli forces of the northern part of the village of Ghajar and an adjacent area north of the Blue Line. He called on Israel, in accordance with its obligations under resolution 1701(2006), to complete its withdrawal from the area. UNIFIL stood ready to facilitate the withdrawal. The Israel Defence Forces (IDF) continued to violate Lebanon's sovereignty and resolution 1701(2006) on an almost daily basis through overflights of Lebanese territory. The Secretary-General called on Israel to cease all such overflights.

The discovery by UNIFIL of weapons in its area of operations was evidence of a clear violation of resolution 1701(2006). It underlined the fact that establishing a zone free of unauthorized weapons and armed personnel between the Litani River and the Blue Line remained a long-term endeavour. Furthermore, the United Nations regularly received reports to the effect that Hizbullah had re-established its arsenal and military capabilities, within and outside the UNIFIL area of operations—a fact not disavowed by Hizbullah with regard to Lebanon north of the Litani River. Regarding the latter assertion, the United Nations did not have the means to independently verify the information, as the area was situated outside the UNIFIL area of operations. Leaders of Hizbullah, however, had stated publicly that their organization possessed significant military capabilities to be used for defensive purposes.

LAF, in partnership with UNIFIL, played a key role in the implementation of resolution 1701(2006). The Secretary-General believed that the marked improvement of relations between Lebanon and Syria created a propitious environment for progress to be made with regard to the management of their common border, and also its delineation and demarcation. He looked forward to concrete steps in that respect to be taken by the Governments of Lebanon and Syria.

The Secretary-General called on Israel and Syria to submit their responses to the provisional definition of the Shab'a Farms area that he had provided on the basis of the best available information.

The presence of armed groups in Lebanon operating outside the control of the State constituted a challenge to Lebanon's ability to exercise its full sovereignty and control over its territory in accordance with resolution 1701(2006), and remained a matter of concern. The new Government in Lebanon had declared its commitment to implementing decisions taken by the National Dialogue in 2006 and 2009 to disarm Palestinian groups outside refugee camps, and to address the issue of arms inside the official refugee camps.

The situation of Palestinian refugees living in Lebanon remained a subject of concern, including with regard to the implementation of resolution 1701(2006). While the Secretary-General commended the cooperation between Lebanese agencies and Palestinian authorities on security matters inside the refugee camps, further progress should be made to improve the living conditions of Palestinian refugees.

Communications. On 5 March [S/2010/124], Syria transmitted to the Secretary-General and the Security Council President a letter setting out its position on the Secretary-General's twelfth report on implementation of resolution 1701(2006) (see above). Syria stated that it had consistently provided support and assistance to the Lebanese Government in securing Lebanon's authority and sovereignty over all parts of its territory. Syria reiterated its position that the issue of the delineation of the Syrian-Lebanese border referred to in the report was a bilateral matter in which no party had the right to interfere.

Syria stated that the Israeli claims included in the Secretary-General's report concerning arms smuggling across the Syrian-Lebanese border were fabrications that had been disproved by statements from senior Lebanese officials and reports of the Lebanon Independent Border Assessment Team. It reiterated that the Palestinian bases on the Syrian-Lebanese border referred to in the report were fully within Lebanese territory.

On 19 April [S/2010/195], Israel, in identical letters to the Secretary-General and the Security Council President, complained that on 16 April, a group of about 20 Lebanese citizens, led by a Lebanese Member of Parliament, engaged in provocative activities near the area of Aabasiya adjacent to Rajar. According to UNIFIL, the group crossed the Blue Line; removed sign posts of a minefield and concertina wire that had been laid by IDF; and placed two Lebanese flags adjacent to the Israeli technical fence.

Between April and June, Lebanon addressed a series of letters to the Secretary-General and the

Security Council President on various security-related issues. On 12 April [A/64/744-S/2010/180], Lebanon stated that an Israeli army patrol crossed the Blue Line near the Wazzani River, entering Lebanese territory and heading in the direction of the Wazzani Fort tourist resort, which was under construction near the river. The patrol encroached on the construction site and disabled a bulldozer before withdrawing from Lebanese territory. On 20 April [A/64/755-S/2010/209], Lebanon reported another violation of the Blue Line by an Israeli motorized brigade, which assembled near the Lebanese town of Udaysah and fired a flare shell over a civilian residence. On 22 April [A/64/756-S/2010/222], Lebanon stated that Israeli troops unveiled a memorial that Israel had built on occupied Lebanese territory near Birkat Naqqar, southwest of the Lebanese town of Shab'a. On 30 April [A/64/769-S/2010/226], Lebanon responded to Israeli allegations concerning a Lebanese parliamentarian who removed a barbed wire fence installed inside Lebanese territory by Israeli military forces. On 6 May [A/64/779-S/2010/232], Lebanon complained that, on 5 May, Israeli soldiers entered Lebanese territory and seized some 185 goats from the Shahl area in the environs of Shab'a village and drove them well inside occupied territory. On the same day, two Israeli warplanes violated Lebanese airspace over Kafr Killa flying north. On 17 May [A/64/788-S/2010/244], Lebanon stated that on 16 April, two Israeli patrols crossed the technical fence in the area of Naqqar on the outskirts of Shab'a. The first patrol did not cross the line of withdrawal; the second penetrated some 150 metres into Lebanese territory. On 12 June [A/64/843-S/2010/336], Israeli soldiers entered Lebanese territory on the outskirts of Kafr Shuba, near the Hassan gate, leading to an exchange of fire with Lebanese forces, whose warnings were not heeded by the Israeli soldiers. On 29 June [A/64/853-S/2010/351], Lebanon complained about the abduction of one of its citizens from its territory by Israeli forces on 27 June.

On 28 June [A/64/850-S/2010/344], Lebanon, in a position paper concerning the Secretary-General's periodic report on the implementation of resolution 1701(2006), reported that since the Secretary-General's previous report (see p. 488), Israeli forces had committed 347 air, 23 maritime and 75 land violations of Lebanese sovereignty. Senior Israeli officials, including the Prime Minister and the Defence Minister, escalated the level of threats against Lebanon to the point that Israel threatened to destroy Lebanon's infrastructure. Lebanese security forces uncovered a number of spy networks that were under the direct control of Israeli intelligence agencies; Lebanon considered the networks to be a flagrant violation of resolution 1701(2006). Twelve such networks were discovered in Lebanese territory, both within and

outside the UNIFIL area of operations, and 46 persons belonging to the networks were arrested.

Lebanon stated that on 31 January, Israeli forces penetrated Lebanese territory and abducted a Lebanese citizen on the outskirts the town of Kafr Shuba. The Lebanese citizen was taken to an Israeli military post in the occupied Shab'a Farms, where he was interrogated and beaten in violation of international humanitarian law. The citizen was released on 1 February.

Communications. On 29 June [A/64/853-S/2010/351], Lebanon transmitted to the Secretary-General and the Security Council President a letter of complaint concerning the abduction and torture of a Lebanese citizen by Israeli military forces on the outskirts of Saddanah village. The Lebanese citizen was handed over to UNIFIL 24 hours later.

On 7 July [S/2010/364], Syria transmitted a letter presenting its position on the Secretary-General's report and stated that the report continued attempts to interfere in the development of Syrian-Lebanese relations and to make reference to meetings between the leaders and officials of the two countries, as though the countries' bilateral relations fell within the scope of resolution 1701(2006). Syria reiterated that the question of Palestinian positions inside Lebanon was a bilateral issue that concerned the Palestinians and Lebanese alone; Syria had nothing to do with the matter and did not understand why the report called on Syria to help dismantle the positions.

Report of Secretary-General (July). In July [S/2010/352], the Secretary-General submitted his thirteenth report on the implementation of resolution 1701(2006). He noted that the situation in the UNIFIL area of operations remained generally stable during the reporting period. The cessation of hostilities established in August 2006 between Israel and Lebanon [YUN 2006, p. 585] continued to hold, enabling the parties to enjoy the longest period of stability in their recent history. Although the parties remained committed to the full implementation of resolution 1701(2006), a number of violations occurred and no progress was recorded with regard to key obligations under the resolution.

The functioning of the national unity Government in Lebanon over the previous six months had translated into a broadening consensus among the country's leaders regarding the maintenance of domestic stability. Bilateral relations between Lebanon and the Syrian Arab Republic continued to make progress. President Michel Sleiman met with President Bashar Al-Assad in Damascus on 15 June. Prime Minister Saad Hariri also met with President Al-Assad in Damascus on 18 and 30 May.

The Popular Front for the Liberation of Palestine-General Command and Fatah al-Intifada military

bases in Lebanon posed a threat to Lebanon's sovereignty. The bases were beyond the control of the State and, with the exception of the base in Naame, near Beirut, straddled the border between Lebanon and Syria, posing an added challenge to Lebanon's control of the border. The Secretary-General called on Lebanon to dismantle the bases and on Syria to cooperate with those efforts. In that regard, the Secretary-General took note of the statement made on 3 March by the Fatah al-Intifada leader, Abu Musa, that his organization's paramilitary bases could be relocated in coordination with the Lebanese authorities and that Palestinian weapons should be considered part of the discussion on Lebanon's national defence strategy in the National Dialogue.

The Secretary-General expressed his conviction that the disarmament of Hizbullah and other militias should be achieved through a Lebanese-led political process, which had taken the form of the Lebanese National Dialogue. In accordance with the Doha Agreement of May 2008 [YUN 2008, p. 532], the National Dialogue was chaired by the President of Lebanon and had on its agenda the adoption of a national defence strategy, which should, *inter alia*, address the issue of Hizbullah's arms.

Israel had to withdraw its forces from northern Ghajar and an adjacent area north of the Blue Line, in accordance with resolution 1701(2006). The Secretary-General was concerned about the fact that IDF continued to violate resolution 1701(2006) and Lebanese sovereignty on an almost daily basis through overflights of Lebanese territory. Increased support for LAF, which, in partnership with UNIFIL, played a key role in the implementation of resolution 1701(2006), remained critical.

Allegations by Israeli authorities regarding the transfer of Scud missiles from Syria to Hizbullah resulted in increased tension in late April and early May. That tension illustrated the importance of Lebanon's control over its borders and of respect by all Member States for the prohibition against the transfer of arms and related materiel to entities or individuals in Lebanon without the consent of the Lebanese State, which were key elements of resolution 1701(2006). The Secretary-General welcomed the committing of the Presidents of Lebanon and Syria to delineating the common border between their countries and looked forward to concrete steps in that respect.

In a 3 August letter [S/2010/415] to the Secretary-General and the Security Council President, Israel stated that, earlier that day, LAF opened fire on IDF personnel who were conducting routine maintenance work on a road located south of the technical fence, approximately 80 metres south of the Blue Line. An Israeli lieutenant colonel was killed and another soldier critically wounded. Shortly thereafter,

LAF launched a secondary attack with rocket-propelled grenades.

Also on 3 August [S/2010/418], Lebanon stated that Israeli forces, despite being informed by UNIFIL that the Lebanese army would conduct the required maintenance referred to in Israel's letter—amounting to cutting down a tree—the Israeli side persisted in its intention to cross the technical fence. The Lebanese forces fired warning shots in the air; the Israeli side responded with targeted fire, leading to an exchange of fire between the two sides. The situation escalated to the bombing of Lebanese army positions, resulting in the death of two corporals and one civilian.

On 4 August [S/2010/422], Israel brought to the attention of the Secretary-General and the Security Council President the confirmation by a UNIFIL spokesperson issued the same day that the trees being cut by the IDF were located south of the Blue Line on the Israeli side, as stated by Israel in its 3 August communication (see above).

Renewal of mandate. On 11 August [S/2010/430 & Corr.1], the Secretary-General requested the Security Council to consider renewing the UNIFIL mandate for one year, as also requested by the Minister for Foreign Affairs and Emigrants of Lebanon in a 20 July letter.

The Secretary-General also expressed his concern at the exchange of fire between LAF and IDF on 3 August (see above) in the vicinity of El Adeisse, where an IDF patrol was attempting to cut a tree located north of the technical fence and south of the Blue Line. UNIFIL had liaised with both parties before IDF commenced the maintenance work. In the incident—the most serious between IDF and LAF since the adoption of resolution 1701(2006)—two Lebanese soldiers were killed and six were injured; one Lebanese journalist was killed and two other Lebanese civilians were wounded. One Israeli officer was killed and another officer was seriously injured. UNIFIL peacekeepers attempted to contain the situation, albeit unsuccessfully. The exchange of fire lasted approximately three hours. UNIFIL established that the trees being cut by IDF were located south of the Blue Line, and that LAF fired the first shot, although UNIFIL had not determined who initiated direct fire.

On 4 August, IDF completed its maintenance work, with LAF and UNIFIL troops monitoring the activity. The UNIFIL Force Commander convened an extraordinary tripartite meeting with senior representatives of LAF and IDF. The United Nations Special Coordinator for Lebanon also attended and addressed the meeting. Both parties renewed their commitment to the cessation of hostilities and undertook to work with UNIFIL to ensure that such incidents were not repeated. The situation on the ground returned to calm. The Secretary-General noted that IDF continued its occupation of part of the village of Ghajar, and

an adjacent area, north of the Blue Line, in violation of resolution 1701(2006).

The Secretary-General also reported that on 3 July, a UNIFIL patrol operating near the village of Qabrikha was blocked by a group of civilians who threw stones, damaged patrol vehicles, took some UNIFIL weapons and ammunition, and assaulted the patrol leader. LAF later retrieved the weapons that were taken and returned them to UNIFIL.

At sea, incidents along the line of buoys, which Israel installed unilaterally and which Lebanon did not recognize, continued several times per week. While UNIFIL had no mandate to monitor the line of buoys, the issue was raised in the tripartite forum, and the UNIFIL Force Commander expressed his concern that the incidents served to increase tension between the parties.

As at 26 July, the number of UNIFIL military personnel stood at 11,492. The UNIFIL civilian component numbered 332 international and 654 national staff.

SECURITY COUNCIL ACTION

On 30 August [meeting 6375], the Security Council unanimously adopted **resolution 1937(2010)**. The draft [S/2010/454] was submitted by Belgium, France, Italy, Spain and the United States.

The Security Council,

Recalling all its previous resolutions on Lebanon, in particular resolutions 425(1978) and 426(1978) of 19 March 1978, 1559(2004) of 2 September 2004, 1680(2006) of 17 May 2006, 1701(2006) of 11 August 2006, 1773(2007) of 24 August 2007, 1832(2008) of 27 August 2008 and 1884(2009) of 27 August 2009, as well as the statements by its President on the situation in Lebanon,

Responding to the request of the Government of Lebanon to extend the mandate of the United Nations Interim Force in Lebanon for a new period of one year, without amendment, presented in the letter dated 20 July 2010 from the Minister for Foreign Affairs of Lebanon to the Secretary-General, and welcoming the letter dated 11 August 2010 from the Secretary-General to the President of the Security Council recommending this extension,

Reaffirming its commitment to the full implementation of all provisions of resolution 1701(2006), and aware of its responsibilities to help to secure a permanent ceasefire and a long-term solution as envisioned in the resolution,

Calling upon all parties concerned to strengthen their efforts to implement all provisions of resolution 1701(2006),

Expressing deep concern at all violations in connection with resolution 1701(2006), in particular the latest grave violation of 3 August 2010 highlighted in the Secretary-General's letter dated 11 August 2010, and looking forward to the rapid finalization of the investigation by the Force with a view to preventing such incidents in the future,

Emphasizing the importance of full compliance with the prohibition on sales and supply of arms and related materiel established by resolution 1701(2006),

Recalling the utmost importance that all parties concerned respect the Blue Line in its entirety, and encouraging the parties to accelerate their efforts in coordination with the Force to visibly mark the Blue Line,

Recalling also the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel,

Commending the active role and dedication of the personnel of the Force, notably its Commander, expressing its strong appreciation to Member States that contribute to the Force, and underlining the necessity that the Force have at its disposal all means and equipment necessary to carry out its mandate,

Recalling the request of the Government of Lebanon to deploy an international force to assist it to exercise its authority throughout the territory, and reaffirming the authority of the Force to take all necessary action, in areas of operations of its forces and as it deems within its capabilities, to ensure that its area of operations is not utilized for hostile activities of any kind and to resist attempts by forceful means to prevent it from discharging its mandate,

Welcoming the efforts of the Secretary-General to keep all peacekeeping operations, including the Force, under close review, and stressing the need for the Council to pursue a rigorous, strategic approach to peacekeeping deployments,

Calling upon Member States to assist the Lebanese Armed Forces as needed to enable them to perform their duties in line with resolution 1701(2006),

Determining that the situation in Lebanon continues to constitute a threat to international peace and security,

1. *Decides* to extend the present mandate of the United Nations Interim Force in Lebanon until 31 August 2011;

2. *Commends* the positive role of the Force, whose deployment together with the Lebanese Armed Forces has helped to establish a new strategic environment in southern Lebanon, welcomes the expansion of coordinated activities between the Force and the Lebanese Armed Forces, and calls for further enhancement of this cooperation;

3. *Welcomes* the deployment of an additional brigade of the Lebanese Armed Forces on 1 August 2010, and calls upon the Government of Lebanon to further increase the Lebanese Armed Forces deployed in southern Lebanon, consistent with resolution 1701(2006);

4. *Strongly calls upon* all parties concerned to respect the cessation of hostilities, to prevent any violation of the Blue Line and to respect it in its entirety and to cooperate fully with the United Nations and the Force;

5. *Strongly deplores* the recent incidents involving peacekeepers of the Force, emphasizes the importance of not impairing the ability of the Force to fulfil its mandate under resolution 1701(2006), and calls upon all parties to abide scrupulously by their obligation to respect the safety of the Force and other United Nations personnel and to ensure that the freedom of movement of the Force is fully respected, in conformity with its mandate and its rules of engagement;

6. *Urges* all parties to cooperate fully with the Security Council and the Secretary-General to make tangible progress towards a permanent ceasefire and a long-term solution as envisioned in resolution 1701(2006), and empha-

sizes that more work remains to be done by the parties to advance the full implementation of resolution 1701(2006);

7. *Urges* the Government of Israel to expedite the withdrawal of its army from northern Ghajar without further delay in coordination with the Force, which has actively engaged Israel and Lebanon to facilitate such a withdrawal;

8. *Reaffirms its call* for the establishment between the Blue Line and the Litani River of an area free of any armed personnel, assets and weapons other than those of the Government of Lebanon and the Force;

9. *Welcomes* the efforts being undertaken by the Force to implement the Secretary-General's zero-tolerance policy on sexual exploitation and abuse and to ensure full compliance of its personnel with the United Nations code of conduct, requests the Secretary-General to continue to take all necessary action in this regard and to keep the Council informed, and urges troop-contributing countries to take preventive and disciplinary action to ensure that such acts are properly investigated and punished in cases involving their personnel;

10. *Requests* the Secretary-General to continue to report to the Council on the implementation of resolution 1701(2006) every four months, or at any time as he deems appropriate;

11. *Welcomes* the conclusions of the joint technical review conducted by the Department of Peacekeeping Operations of the Secretariat and the Force, presented in the letter dated 12 February 2010 from the Secretary-General to the President of the Security Council, and calls for their rapid implementation;

12. *Stresses* the importance of, and the need to achieve, a comprehensive, just and lasting peace in the Middle East, based on all its relevant resolutions, including resolutions 242(1967) of 22 November 1967, 338(1973) of 22 October 1973, 1515(2003) of 19 November 2003 and 1850(2008) of 16 December 2008;

13. *Decides* to remain actively seized of the matter.

Communications. In identical letters of 1 September [A/64/908-S/2010/460], Lebanon transmitted to the Secretary-General and the Security Council President a complaint regarding spying networks that had been set up in Lebanon by the Israeli intelligence services.

On 7 September [S/2010/468], Israel, in identical letters to the Secretary-General and the Council President, reported that, on 3 September, a series of explosions ripped through a Hizbullah weapons cache in Shehabiyya, a village located 15 kilometres east of the town of Tyre, Lebanon. Five civilians were injured in the explosions. Israel said that Hizbullah operatives sealed off the area and delayed the deployment of UNIFIL, which was to conduct an investigation of the incident. The delay was used by Hizbullah operatives to remove evidence of their illicit activity before UNIFIL was permitted to inspect the area. LAF, although present at the scene, took no action to investigate the incident or prevent the removal of evidence.

On 9 September [A/64/912-S/2010/482], Lebanon transmitted to the Secretary-General and the Secu-

rity Council President two complaints against Israeli forces concerning violations of Lebanese sovereignty and resolution 1701(2006). Lebanon stated that, on 5 July, an Israeli military patrol crossed the withdrawal line at Saddanah, on the outskirts of Shab'a, and penetrated 40 metres into Lebanese territory; and on 4 August, an Israeli military launch violated Lebanese territorial waters some 500 metres off Naqurah and approached a Lebanese fishing boat north of the line of buoys.

On 1 October [A/65/490-S/2010/506], Lebanon issued a complaint, stating that on 20 September, Israeli forces fired over 12 rounds into Lebanese territory in the direction of soldiers who were fortifying the LAF Tall Ghabain position on the outskirts of Duhaira.

On 29 October [A/65/569-S/2010/581], Lebanon, in a position paper prepared in anticipation of the Secretary-General's periodic report on the implementation of resolution 1701(2006), stated that Israeli forces had committed 297 air, 45 maritime and 59 land violations of the Blue Line and Lebanese sovereignty since the Secretary-General's previous report. It affirmed that some 7,346 air, sea and land violations had been committed since the adoption of resolution 1701(2006). Networks of spies recruited by Israel constituted an attack on Lebanon's sovereignty.

UNIFIL continued to exert every possible effort to ensure that Israeli forces withdrew completely from the area known as 14B, which was the Lebanese part of the village of Ghajar and the uninhabited adjacent area, and Lebanon continued to cooperate with UNIFIL towards that aim. Nevertheless, the Israeli army continued to occupy the area. Lebanon believed that the continued occupation by Israel of the Lebanese Shab'a Farms and Kafr Shuba hills constituted a threat to stability and security along the whole border. It requested the international community to bring pressure to bear on Israel to completely and unconditionally withdraw from all Lebanese territory, and urged the Secretary-General to intensify his efforts to ensure such a withdrawal.

Lebanon reminded the international community that the maps received from Israel relating to cluster bombs were incomplete and imprecise. Israeli forces continued to conduct illegal patrols inside Lebanese territorial waters close to the line of buoys that was positioned unilaterally and illicitly inside those waters. They also continued to fire warning shots and launch grenades at Lebanese fishing boats, and regularly detonated explosive charges close to the aforementioned line, inside Lebanese territorial waters.

Report of Secretary-General (November). In November, the Secretary-General submitted his fourteenth report [S/2010/565] on the implementation of resolution 1701(2006). He stated that for

the first time since the cessation of hostilities between Israel and Lebanon in 2006, direct fighting broke out on 3 August 2010 (see p. 490), and the overall situation in Lebanon deteriorated. Political tension in the country increased markedly, fuelled by speculation and public pronouncements concerning potential indictments to be issued by the Special Tribunal for Lebanon (see p. 496). The Secretary-General urged Lebanon and Israel to do their utmost to prevent violations of the Blue Line; to act with maximum restraint; and to refrain from taking any measures close to the Line that could lead to misunderstandings or be perceived by the other side as provocative. He deemed it a priority to resolve the issue of the continued occupation by IDF of the northern part of Ghajar and the adjacent area north of the Blue Line and urged Israel to withdraw its forces in accordance with resolution 1701(2006). IDF continued to violate resolution 1701(2006) and Lebanese sovereignty on an almost daily basis through overflights of Lebanese territory. The Secretary-General called on Israel once again to respect Lebanon's sovereignty.

The presence of armed groups in Lebanon operating outside the control of the State posed a challenge to the ability of the State to exercise its full sovereignty and control over its territory, and violated resolution 1701(2006). While the delineation and demarcation of the border between Lebanon and Syria was a bilateral issue, it was necessary to enable Lebanon to extend its control and to exercise its sovereignty. The situation of Palestinian refugees living in Lebanon remained a subject of concern. Decisive action was required to improve refugee living standards. UNRWA continued to face significant funding shortfalls both for its regular programmes, aimed at delivering basic services to the Palestinian refugees, and for the reconstruction of the Nahr al-Bared camp.

The Secretary-General called on Israel and Lebanon to reach a permanent ceasefire and to achieve what the Council, in resolution 1701(2006), termed a long-term solution governing their relations. The achievement of that solution could not be dissociated from the need to achieve a comprehensive, just and lasting peace in the Middle East, based on all relevant Council resolutions.

Communications. In identical letters dated 11 October [A/65/559-S/2010/573] and 1 November [A/65/590-S/2010/594], Lebanon transmitted to the Secretary-General and the Security Council President statistical summaries of violations of resolution 1701(2006) committed by Israel in July and September, respectively. On 6 December [A/65/614-S/2010/624] and 18 December [A/65/663-S/2010/655], Lebanon complained about electronic devices planted by Israel inside Lebanese territory.

Financing

The General Assembly had before it the Secretary-General's performance report on the UNIFIL budget for the period 1 July 2008 to 30 June 2009 [A/64/542]. Expenditures amounted to \$575,536,200, out of an appropriation of \$650,755,600, leaving an unencumbered balance of \$75,219,400. In February [A/64/641 & Corr.1], the Secretary-General submitted the UNIFIL budget for the period from 1 July 2010 to 30 June 2011, amounting to \$564,536,900. The budget provided for the deployment of 15,000 military personnel, 404 international staff and 741 national staff, including temporary positions.

In April [A/64/660/Add.14 & Corr.1], the Advisory Committee on Administrative and Budgetary Questions (ACABQ) recommended that the unencumbered balance of \$75,219,400, as well as other income and adjustments in the amount of \$26,529,500 for the period ending 30 June 2009, be credited to Member States in a manner to be determined by the Assembly. It recommended that the Assembly appropriate \$534,489,200 for the maintenance of UNIFIL for the period from 1 July 2010 to 30 June 2011.

GENERAL ASSEMBLY ACTION

On 24 June [meeting 101], the General Assembly, on the recommendation of the Fifth (Administrative and Budgetary) Committee [A/64/830], adopted **resolution 64/282** by recorded vote (131-2-1) [agenda item 158 (b)].

Financing of the United Nations

Interim Force in Lebanon

The General Assembly,

Having considered the reports of the Secretary-General on the financing of the United Nations Interim Force in Lebanon, and the related report of the Advisory Committee on Administrative and Budgetary Questions,

Recalling Security Council resolution 425(1978) of 19 March 1978 regarding the establishment of the United Nations Interim Force in Lebanon, and the subsequent resolutions by which the Council extended the mandate of the Force, the latest of which was resolution 1884(2009) of 27 August 2009, by which the Council extended the mandate of the Force until 31 August 2010,

Recalling also its resolution S-8/2 of 21 April 1978 on the financing of the Force and its subsequent resolutions thereon, the latest of which was resolution 63/298 of 30 June 2009,

Reaffirming its resolutions 51/233 of 13 June 1997, 52/237 of 26 June 1998, 53/227 of 8 June 1999, 54/267 of 15 June 2000, 55/180 A of 19 December 2000, 55/180 B of 14 June 2001, 56/214 A of 21 December 2001, 56/214 B of 27 June 2002, 57/325 of 18 June 2003, 58/307 of 18 June 2004, 59/307 of 22 June 2005, 60/278 of 30 June 2006, 61/250 A of 22 December 2006, 61/250 B of 2 April 2007, 61/250 C of 29 June 2007, 62/265 of 20 June 2008 and 63/298,

Reaffirming also the general principles underlying the financing of United Nations peacekeeping operations, as stated in General Assembly resolutions 1874(S-IV) of 27 June 1963, 3101(XXVIII) of 11 December 1973 and 55/235 of 23 December 2000,

Noting with appreciation that voluntary contributions have been made to the Force,

Mindful of the fact that it is essential to provide the Force with the financial resources necessary to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

1. *Requests* the Secretary-General to entrust the Head of the United Nations Interim Force in Lebanon with the task of formulating future budget proposals in full accordance with the provisions of General Assembly resolutions 59/296 of 22 June 2005, 60/266 of 30 June 2006, 61/276 of 29 June 2007 and 64/269 of 24 June 2010, as well as other relevant resolutions;

2. *Takes note* of the status of contributions to the Force as at 30 April 2010, including the contributions outstanding in the amount of 45.6 million United States dollars, representing some 1 per cent of the total assessed contributions, notes with concern that only forty-seven Member States have paid their assessed contributions in full, and urges all other Member States, in particular those in arrears, to ensure payment of their outstanding assessed contributions;

3. *Expresses its appreciation* to those Member States which have paid their assessed contributions in full, and urges all other Member States to make every possible effort to ensure payment of their assessed contributions to the Force in full;

4. *Expresses deep concern* that Israel did not comply with resolutions 51/233, 52/237, 53/227, 54/267, 55/180 A, 55/180 B, 56/214 A, 56/214 B, 57/325, 58/307, 59/307, 60/278, 61/250 A, 61/250 B, 61/250 C, 62/265 and 63/298;

5. *Stresses once again* that Israel should strictly abide by resolutions 51/233, 52/237, 53/227, 54/267, 55/180 A, 55/180 B, 56/214 A, 56/214 B, 57/325, 58/307, 59/307, 60/278, 61/250 A, 61/250 B, 61/250 C, 62/265 and 63/298;

6. *Expresses concern* at the financial situation with regard to peacekeeping activities, in particular as regards the reimbursements to troop contributors that bear additional burdens owing to overdue payments by Member States of their assessments;

7. *Also expresses concern* at the delay experienced by the Secretary-General in deploying and providing adequate resources to some recent peacekeeping missions, in particular those in Africa;

8. *Emphasizes* that all future and existing peacekeeping missions shall be given equal and non-discriminatory treatment in respect of financial and administrative arrangements;

9. *Also emphasizes* that all peacekeeping missions shall be provided with adequate resources for the effective and efficient discharge of their respective mandates;

10. *Reiterates its request* to the Secretary-General to make the fullest possible use of facilities and equipment at the United Nations Logistics Base at Brindisi, Italy, in order to minimize the costs of procurement for the Force;

11. *Requests* the Secretary-General to ensure that proposed peacekeeping budgets are based on the relevant legislative mandates;

12. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions, subject to the provisions of the present resolution, and requests the Secretary-General to ensure their full implementation;

13. *Decides* to apply a delayed deployment factor of 20 per cent for military contingents;

14. *Also decides* to apply a vacancy rate of 22 per cent for international staff and a vacancy rate of 16 per cent for national staff;

15. *Requests* the Secretary-General to ensure the full implementation of the relevant provisions of resolutions 59/296, 60/266, 61/276 and 64/269;

16. *Also requests* the Secretary-General to take all action necessary to ensure that the Force is administered with a maximum of efficiency and economy;

17. *Further requests* the Secretary-General, in order to reduce the cost of employing General Service staff, to continue efforts to recruit local staff for the Force against General Service posts, commensurate with the requirements of the Force;

18. *Reiterates its request* to the Secretary-General to take the measures necessary to ensure the full implementation of paragraph 8 of resolution 51/233, paragraph 5 of resolution 52/237, paragraph 11 of resolution 53/227, paragraph 14 of resolution 54/267, paragraph 14 of resolution 55/180 A, paragraph 15 of resolution 55/180 B, paragraph 13 of resolution 56/214 A, paragraph 13 of resolution 56/214 B, paragraph 14 of resolution 57/325, paragraph 13 of resolution 58/307, paragraph 13 of resolution 59/307, paragraph 17 of resolution 60/278, paragraph 21 of resolution 61/250 A, paragraph 20 of resolution 61/250 B, paragraph 20 of resolution 61/250 C, paragraph 21 of resolution 62/265 and paragraph 19 of resolution 63/298, stresses once again that Israel shall pay the amount of 1,117,005 dollars resulting from the incident at Qana on 18 April 1996, and requests the Secretary-General to report on this matter to the General Assembly at its sixty-fifth session;

Financial performance report for the period from 1 July 2008 to 30 June 2009

19. *Takes note* of the report of the Secretary-General on the financial performance of the Force for the period from 1 July 2008 to 30 June 2009;

Budget estimates for the period from 1 July 2010 to 30 June 2011

20. *Decides* to appropriate to the Special Account for the United Nations Interim Force in Lebanon the amount of 550,149,400 dollars for the period from 1 July 2010 to 30 June 2011, inclusive of 518,710,200 dollars for the maintenance of the Force, 26,626,400 dollars for the support account for peacekeeping operations and 4,812,800 dollars for the United Nations Logistics Base;

Financing of the appropriation

21. *Also decides* to apportion among Member States the amount of 91,691,566 dollars for the period from 1 July to 31 August 2010, in accordance with the levels updated in General Assembly resolution 64/249 of 24 December 2009, and taking into account the scale of assessments for 2010, as set out in Assembly resolution 64/248 of 24 December 2009;

22. *Further decides* that, in accordance with the provisions of its resolution 973(X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 21 above, their respective share in the Tax Equalization Fund in the amount of 2,264,350 dollars, comprising the estimated staff assessment income of 1,832,750 dollars approved for the Force, the prorated share of 367,433 dollars of the estimated staff assessment income approved for the support account and the prorated share of 64,167 dollars of the estimated staff assessment income approved for the United Nations Logistics Base;

23. *Decides* to apportion among Member States the amount of 458,457,834 dollars for the period from 1 September 2010 to 30 June 2011 at a monthly rate of 45,845,783 dollars, in accordance with the levels updated in resolution 64/249, and taking into account the scale of assessments for 2010 and 2011, as set out in resolution 64/248, subject to a decision of the Security Council to extend the mandate of the Force;

24. *Also decides* that, in accordance with the provisions of resolution 973(X), there shall be set off against the apportionment among Member States, as provided for in paragraph 23 above, their respective share in the Tax Equalization Fund in the amount of 11,321,750 dollars, comprising the estimated staff assessment income of 9,163,750 dollars approved for the Force, the prorated share of 1,837,167 dollars of the estimated staff assessment income approved for the support account and the prorated share of 320,833 dollars of the estimated staff assessment income approved for the United Nations Logistics Base;

25. *Further decides* that, for Member States that have fulfilled their financial obligations to the Force, there shall be set off against their apportionment, as provided for in paragraph 21 above, their respective share of the unencumbered balance and other income in the total amount of 101,748,900 dollars in respect of the financial period ended 30 June 2009, in accordance with the levels updated in General Assembly resolution 61/243 of 22 December 2006, and taking into account the scale of assessments for 2009, as set out in Assembly resolution 61/237 of 22 December 2006;

26. *Decides* that, for Member States that have not fulfilled their financial obligations to the Force, there shall be set off against their outstanding obligations their respective share of the unencumbered balance and other income in the total amount of 101,748,900 dollars in respect of the financial period ended 30 June 2009, in accordance with the scheme set out in paragraph 25 above;

27. *Also decides* that the decrease of 336,100 dollars in the estimated staff assessment income in respect of the financial period ended 30 June 2009 shall be set off against the credits from the amount of 101,748,900 dollars referred to in paragraphs 25 and 26 above;

28. *Emphasizes* that no peacekeeping mission shall be financed by borrowing funds from other active peacekeeping missions;

29. *Encourages* the Secretary-General to continue to take additional measures to ensure the safety and security of all personnel participating in the Force under the auspices of the United Nations, bearing in mind paragraphs 5 and 6 of Security Council resolution 1502(2003) of 26 August 2003;

30. *Invites* voluntary contributions to the Force in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure and practices established by the General Assembly;

31. *Decides* to include in the provisional agenda of its sixty-fifth session, under the item entitled "Financing of the United Nations peacekeeping forces in the Middle East", the sub-item entitled "United Nations Interim Force in Lebanon".

RECORDED VOTE ON RESOLUTION 64/282:

In favour: Albania, Algeria, Andorra, Argentina, Armenia, Australia, Austria, Bahrain, Bangladesh, Barbados, Belgium, Bosnia and Herzegovina, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Oman, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Saudi Arabia, Serbia, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia.

Against: Israel, United States.

Abstaining: Côte d'Ivoire.

Special Tribunal for Lebanon

The mandate of the United Nations International Independent Investigation Commission, established by the Security Council in resolution 1595(2005) [YUN 2005, p. 553] to assist the Lebanese authorities in investigating the terrorist bombing in Beirut on 14 February 2005 that killed former Lebanese Prime Minister Rafiq Hariri and 22 others, ended on 28 February 2009 [YUN 2009, p. 487]. Its successor, the Special Tribunal for Lebanon, created in 2007 to investigate and prosecute the perpetrators of the bombing and related cases [YUN 2007, p. 505], started operations on 1 March 2009 [YUN 2009, p. 488]. The Tribunal consisted of the Chambers, Registry, Office of the Prosecutor, and the Defence Office.

Reports of Special Tribunal. By an 11 March letter [S/2010/159], the Secretary-General transmitted to the Security Council the first annual report of the Special Tribunal for Lebanon, covering the

period 1 March 2009 to 28 February 2010. The annual report built on the six-month report issued by the President of the Tribunal in September 2009 [YUN 2009, p. 488].

The report stated that the Tribunal adopted a set of legal provisions carefully tailored to its special features, and which constituted a fully fledged code of criminal procedure exhibiting many novelties compared to other international codes. The Tribunal also adopted the Rules of Detention and the Directive on the Assignment of Counsel; three Practice Directions; and two international agreements, with the International Committee of the Red Cross and INTERPOL.

Lebanon, which had deferred to the Tribunal's competence regarding the case of the attack against Prime Minister Hariri and others, continued to provide unreserved cooperation to the Tribunal. The Tribunal's Office of the Prosecutor sent more than 240 requests for assistance to the Prosecutor General of Lebanon. More than 60 requests for assistance were addressed to 24 other countries, and 62 missions were conducted on their territories. Over 280 witnesses were interviewed.

The Tribunal's Registry prepared for the establishment of the necessary infrastructure, including the setting-up of a courtroom by February 2010, and the opening of the Beirut Field Office and the Liaison Office in New York. The Tribunal had 276 staff representing 59 nationalities. The 2009 budget amounted to \$51.4 million and the approved budget for 2010 amounted to \$55.4 million.

The report stated that the Tribunal was the first international judicial institution to adjudicate responsibility for terrorism as a distinct crime. Terrorism was a difficult notion to address, in part because there were only a few international treaties and limited case law from which to draw. Through reliance on Lebanese law and relevant international standards, however, the Tribunal should be able to apply a sound and generally acceptable notion of terrorism in a well-balanced manner.

The second annual report of the Tribunal, covering the period 1 March 2010 to 28 February 2011, stated that on 7 March 2010, Jamil El Sayed, who had been detained in Lebanon in connection with the Hariri attack but was released on 29 April 2009 along with three other individuals [YUN 2009, p. 488], filed an application that cited a lack of a sufficient evidentiary basis for his continued detention. Mr. El Sayed (the Applicant) requested access to material related to his detention in Lebanon, allegedly in the possession of the Prosecutor, with the stated intention of using the material to sue individuals who had made statements implicating him in the matter before competent national courts.

On 15 April, the Tribunal's President issued a decision assigning the matter to the Pre-Trial Judge who, in turn, issued a Scheduling Order requesting the views of Mr. El Sayed and the Prosecutor on whether the Tribunal had jurisdiction over the issue and on whether the Applicant had standing to request access to documents. A hearing on the matter took place on 13 July. On 17 September, the Pre-Trial Judge issued a decision, ruling that the Tribunal had inherent jurisdiction over that type of application and that Mr. El Sayed had standing to bring his application before the Tribunal. On 29 September, the Prosecutor appealed both findings, and on 1 October, the Tribunal's President issued a Scheduling Order convening the Appeals Chamber for the first time. After dismissing Mr. El Sayed's motions to disqualify the two Lebanese Judges of the Appeals Chamber, the Chamber proceeded to confirm the Pre-Trial Judge's ruling on 10 November, thus dismissing the appeal. On 16 November, the Pre-Trial Judge proceeded to request submissions on the merits, namely, on whether the Applicant had a right to access those specific materials and, if so, under what restrictions.

On 27 October, during the course of an interview in south Beirut, investigators from the Office of the Prosecutor and a Tribunal interpreter were physically attacked. The Office took immediate steps to ensure the safety and security of its staff and to avoid putting potential witnesses at risk, while making it clear publicly that the investigation would not be deterred. An investigation was launched both internally and by the Prosecutor General of Lebanon.

Appointment of judges. In accordance with Security Council resolution 1757(2007) [YUN 2007, p. 506], the Secretary-General, on 15 April [S/2010/198], informed the Council President of his intention to appoint Judge Mohamed Amin El Mahdi (Egypt) and Judge Erik Møse (Norway) as the two judges on the selection panel who would recommend the appointment of the judges of the Tribunal, as well as Patricia O'Brien, United Nations Under-Secretary-General for Legal Affairs, the Legal Counsel, as the Secretary-General's representative on the panel. The Council took note of that intention on 19 April [S/2010/199].

Syrian Arab Republic

The Golan Heights in the Syrian Arab Republic, occupied since 1967, was effectively annexed when Israel extended its laws, jurisdiction and administration to the territory in 1981 [YUN 1981, p. 309]. In 2010, the General Assembly demanded again that Israel withdraw from all the occupied Syrian Golan

to the line of 4 June 1967, in implementation of the relevant Security Council resolutions, and that the two countries resume talks. The United Nations Disengagement Observer Force continued to supervise the ceasefire between Israel and Syria in the Golan Heights and to ensure the separation of militaries. The Mission's mandate was extended twice during the year.

Special Committee on Israeli Practices. The Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories conducted a mission to Syria from 16 to 19 June [A/65/327]. The Committee reported that it visited the Syrian Golan; it was unable to visit the occupied Golan, as it received no response from the Israeli Government to its request for full access to the occupied territories.

The Special Committee heard testimony regarding the planned expansion of Israeli settlements in the Golan, which comprised about 20,000 settlers living in some 40 settlements, among the original Syrian population, now reduced to nearly 20,000 inhabitants of five remaining Syrian villages. Syrian government officials and witnesses raised concerns about the inequitable distribution of water resources among the occupied Syrian population and Israeli settlers. They told the Committee that the daily water needs of Syrian residents for domestic use and for irrigation were not adequately met. Reports further indicated that Israel continued to impose discriminatory water quotas on Syrian farmers and to administer an indirectly discriminatory tariff system, making Syrian citizens pay more than Israeli settlers for water.

The International Labour Organization noted few local employment opportunities, particularly for university graduates and other young people seeking professional posts. It found that agriculture remained the main source of income for most families and cited information received from the Syrian Government on discrimination against Syrian workers and landowners in the occupied Syrian Golan. That included denial of jobs as a result of not having served in the Israeli army and high taxation, as well as restrictions on the use of water, especially for irrigation.

The Special Committee was informed that there were approximately seven prisoners from the Golan detained in Israeli prisons, one of whom had spent some 25 years in detention. Landmines continued to threaten safety, including that of children, and to limit the movement of people and the use of land. In January, the Committee on the Rights of the Child called on Israel to clear all anti-personnel mines in the Occupied Palestinian Territory, southern Lebanon and the occupied Syrian Golan. In February, an 11-year-old Israeli child lost his leg after stepping on a landmine in the occupied Syrian Golan. In May,

the Israeli Knesset introduced a bill establishing a mine action authority to manage the clearance of all non-operational minefields in Israel, including in the occupied Syrian Golan.

Reports of Secretary-General. On 17 September [A/65/379], the Secretary-General reported that as at 31 August, Argentina, Cuba, Guinea, Jordan, Lebanon, Mexico and Syria had replied to his request for information on their implementation of Assembly resolutions 64/21 [YUN 2009, p. 489]. The resolution demanded that Israel withdraw from all the occupied Syrian Golan to the line of 4 June 1967 in implementation of the relevant Security Council resolutions.

In response to Assembly resolution 64/95 [YUN 2009, p. 490], which dealt with Israeli policies in the occupied Syrian territory, the Secretary-General submitted, on 16 September, his report on the occupied Syrian Golan [A/65/372]. He stated that, as in previous years, no reply had been received in response to a note addressed to Israel by the Office of the United Nations High Commissioner for Human Rights (OHCHR) on his behalf requesting information on steps taken or to be taken concerning the implementation of the relevant provisions of the resolution. The Secretary-General noted that Algeria, Argentina, Cuba, El Salvador, Lebanon and Syria had replied to a similar OHCHR note requesting information on implementation of the resolution.

Communications. On 5 January [A/64/619-S/2010/4], Syria transmitted to the Secretary-General and the Security Council President identical letters regarding Israel's actions in the occupied Syrian Golan, which threatened to alter the demographic makeup. An example cited by Syria was the solicitation by Israel of competitive bids in relation to the sale of 11 residential buildings in the village of Ain Qunyah. One of the conditions of the bidding, which was open from 16 November to 16 December 2009, was that preference should be given to army veterans recommended by the Israeli Ministry of Defense. On 3 February [A/65/721], Syria wrote to the Secretary-General regarding the campaign by the Israeli authorities to build new settlement units in the occupied Syrian Golan. On 15 October [A/65/520], Syria transmitted a letter to the Secretary-General and the Security Council President concerning Israel's continuing occupation of the Syrian Golan and the adverse impact on its people and natural resources. In a 25 October letter to the Secretary-General and the Assembly President [A/65/542], Syria stated that Israeli authorities were extracting water from the Mas'adah Lake in the occupied Syrian Golan.

(For information on related action by the Human Rights Council, see PART TWO, Chapter III).

GENERAL ASSEMBLY ACTION

On 30 November [meeting 55], the General Assembly adopted **resolution 65/18** [draft: A/65/L.19 & Add.1] by recorded vote (118-7-52) [agenda item 36].

The Syrian Golan

The General Assembly,

Having considered the item entitled "The situation in the Middle East",

Taking note of the report of the Secretary-General on the situation in the Middle East,

Recalling Security Council resolution 497(1981) of 17 December 1981,

Reaffirming the fundamental principle of the inadmissibility of the acquisition of territory by force, in accordance with international law and the Charter of the United Nations,

Reaffirming once more the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the occupied Syrian Golan,

Deeply concerned that Israel has not withdrawn from the Syrian Golan, which has been under occupation since 1967, contrary to the relevant Security Council and General Assembly resolutions,

Stressing the illegality of the Israeli settlement construction and other activities in the occupied Syrian Golan since 1967,

Noting with satisfaction the convening in Madrid on 30 October 1991 of the Peace Conference on the Middle East, on the basis of Security Council resolutions 242(1967) of 22 November 1967, 338(1973) of 22 October 1973 and 425(1978) of 19 March 1978 and the formula of land for peace,

Expressing grave concern over the halt in the peace process on the Syrian track, and expressing the hope that peace talks will soon resume from the point they had reached,

1. *Declares* that Israel has failed so far to comply with Security Council resolution 497(1981);

2. *Also declares* that the Israeli decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Golan is null and void and has no validity whatsoever, as confirmed by the Security Council in its resolution 497(1981), and calls upon Israel to rescind it;

3. *Reaffirms its determination* that all relevant provisions of the Regulations annexed to the Hague Convention IV of 1907, and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, continue to apply to the Syrian territory occupied by Israel since 1967, and calls upon the parties thereto to respect and ensure respect for their obligations under those instruments in all circumstances;

4. *Determines once more* that the continued occupation of the Syrian Golan and its de facto annexation constitute a stumbling block in the way of achieving a just, comprehensive and lasting peace in the region;

5. *Calls upon* Israel to resume the talks on the Syrian and Lebanese tracks and to respect the commitments and undertakings reached during the previous talks;

6. *Demands once more* that Israel withdraw from all the occupied Syrian Golan to the line of 4 June 1967 in implementation of the relevant Security Council resolutions;

7. *Calls upon* all the parties concerned, the co-sponsors of the peace process and the entire international

community to exert all the necessary efforts to ensure the resumption of the peace process and its success by implementing Security Council resolutions 242(1967) and 338(1973);

8. *Requests* the Secretary-General to report to the General Assembly at its sixty-sixth session on the implementation of the present resolution.

RECORDED VOTE ON RESOLUTION 65/18:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Chile, China, Colombia, Comoros, Costa Rica, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Canada, Israel, Marshall Islands, Micronesia, Naruru, Palau, United States.

Abstaining: Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Cameroon, Côte d'Ivoire, Croatia, Czech Republic, Denmark, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Netherlands, New Zealand, Nigeria, Norway, Panama, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tonga, Ukraine, United Kingdom.

On 10 December [meeting 62], the General Assembly, on the recommendation of the Fourth Committee [A/65/423], adopted **resolution 65/106** by recorded vote (167-1-9) [agenda item 52].

The occupied Syrian Golan

The General Assembly,

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories,

Deeply concerned that the Syrian Golan, occupied since 1967, has been under continued Israeli military occupation,

Recalling Security Council resolution 497(1981) of 17 December 1981,

Recalling also its previous relevant resolutions, the most recent of which was resolution 64/95 of 10 December 2009,

Having considered the report of the Secretary-General submitted in pursuance of resolution 64/95,

Recalling its previous relevant resolutions in which, inter alia, it called upon Israel to put an end to its occupation of the Arab territories,

Reaffirming once more the illegality of the decision of 14 December 1981 taken by Israel to impose its laws, jurisdiction and administration on the occupied Syrian Golan, which has resulted in the effective annexation of that territory,

Reaffirming that the acquisition of territory by force is inadmissible under international law, including the Charter of the United Nations,

Reaffirming also the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the occupied Syrian Golan,

Bearing in mind Security Council resolution 237(1967) of 14 June 1967,

Welcoming the convening at Madrid of the Peace Conference on the Middle East on the basis of Security Council resolutions 242(1967) of 22 November 1967 and 338(1973) of 22 October 1973 aimed at the realization of a just, comprehensive and lasting peace, and expressing grave concern about the stalling of the peace process on all tracks,

1. *Calls upon* Israel, the occupying Power, to comply with the relevant resolutions on the occupied Syrian Golan, in particular Security Council resolution 497(1981), in which the Council, inter alia, decided that the Israeli decision to impose its laws, jurisdiction and administration on the occupied Syrian Golan was null and void and without international legal effect and demanded that Israel, the occupying Power, rescind forthwith its decision;

2. *Also calls upon* Israel to desist from changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Golan and in particular to desist from the establishment of settlements;

3. *Determines* that all legislative and administrative measures and actions taken or to be taken by Israel, the occupying Power, that purport to alter the character and legal status of the occupied Syrian Golan are null and void, constitute a flagrant violation of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and have no legal effect;

4. *Calls upon* Israel to desist from imposing Israeli citizenship and Israeli identity cards on the Syrian citizens in the occupied Syrian Golan, and from its repressive measures against the population of the occupied Syrian Golan;

5. *Deplores* the violations by Israel of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

6. *Calls once again upon* Member States not to recognize any of the legislative or administrative measures and actions referred to above;

7. *Requests* the Secretary-General to report to the General Assembly at its sixty-sixth session on the implementation of the present resolution.

RECORDED VOTE ON RESOLUTION 65/106:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel.

Abstaining: Cameroon, Côte d'Ivoire, Fiji, Marshall Islands, Micronesia, Nauru, Palau, Tonga, United States.

UNDOF

The mandate of the United Nations Disengagement Observer Force (UNDOF), established by Security Council resolution 350(1974) [YUN 1974, p. 205] to supervise the observance of the ceasefire between Israel and the Syrian Arab Republic in the Golan Heights and ensure the separation of their forces, was renewed twice in 2010, in June and December, each time for a six-month period.

UNDOF maintained an area of separation some 75 kilometres long and varying in width between 12.5 kilometres in the centre to less than 200 metres in the extreme south. The area of separation was inhabited and policed by the Syrian authorities, and no military forces other than UNDOF were permitted within it. As at 10 November, UNDOF comprised 1,042 troops from seven Member States assisted by 77 United Nations Truce Supervision Organization military observers.

On 28 January [S/2010/55], the Secretary-General informed the President of the Security Council of his intention to appoint Major General Natalio C. Ecarma (Philippines) as the Head of Mission and Force Commander of UNDOF. The Council took note of that intention on 1 February [S/2010/56].

Reports of Secretary-General. The Secretary-General reported to the Security Council on UNDOF activities between 1 January and 30 June [S/2010/296] and 1 July and 31 December 2010 [S/2010/607]. Both reports noted that the UNDOF area of operations remained generally quiet. The Force supervised the area of separation by means of fixed positions and patrols, and carried out inspections of equipment and force levels in the areas of limitation. Both sides continued to deny inspection teams' access to some of their positions and imposed restrictions on the Force's freedom of movement. UNDOF continued to adapt its operational posture to the ongoing IDF training activities in the area of limitation on the Alpha side and Syrian civilian settlement growth in proximity to the ceasefire line in the area of separation. Both sides maintained defensive positions in the respective areas of limitations. Israeli customs officials continued to operate periodically at the IDF post at the UNDOF crossing gate between the Israeli-occupied Golan and Syria.

The Force assisted the International Committee of the Red Cross with the passage of persons through the area of separation. Mines, especially those in the area of separation, continued to pose a threat to UNDOF personnel and local inhabitants. UNDOF carried out operational mine clearance, and coordinated with other UN agencies in activities to promote mine awareness among the civilian population, particularly children. The Force maintained close contact with the military authorities of both sides, and both parties generally cooperated with UNDOF in the execution of its tasks.

The Secretary-General observed that the situation in the Middle East was tense and likely to remain so, unless and until a comprehensive settlement could be reached. There had been no negotiations between the parties since the discontinuation, in December 2008, of indirect peace talks initiated by Turkey. The Secretary-General encouraged the parties to resume peace negotiations as soon as possible, aimed at a comprehensive peace in accordance with the Madrid Conference terms of reference [YUN 1991, p. 221].

Stating that he considered the continued presence of UNDOF in the area to be essential, the Secretary-General, with the agreement of both Israel and Syria, recommended, in June, that the Force's mandate be extended until 31 December 2010, and in November, until 30 June 2011.

SECURITY COUNCIL ACTION

On 30 June [meeting 6352], the Security Council unanimously adopted **resolution 1934(2010)**. The draft [S/2010/346] was prepared in consultations among Council members.

The Security Council,

Having considered the report of the Secretary-General of 9 June 2010 on the United Nations Disengagement Observer Force, and reaffirming its resolution 1308(2000) of 17 July 2000,

1. *Calls upon* the parties concerned to implement immediately its resolution 338(1973) of 22 October 1973;
2. *Welcomes* the efforts being undertaken by the United Nations Disengagement Observer Force to implement the Secretary-General's zero-tolerance policy on sexual exploitation and abuse and to ensure full compliance of its personnel with the United Nations code of conduct, requests the Secretary-General to continue to take all necessary action in this regard and to keep the Security Council informed, and urges troop-contributing countries to take preventive and disciplinary action to ensure that such acts are properly investigated and punished in cases involving their personnel;
3. *Decides* to renew the mandate of the Force for a period of six months, that is, until 31 December 2010;
4. *Requests* the Secretary-General to submit, at the end of this period, a report on developments in the situation and the measures taken to implement resolution 338(1973).

On 22 December [meeting 6462], the Security Council unanimously adopted **resolution 1965(2010)**. The draft [S/2010/650] was submitted by Austria, Japan and the United States.

The Security Council,

Having considered the report of the Secretary-General of 1 December 2010 on the United Nations Disengagement Observer Force, and reaffirming its resolution 1308(2000) of 17 July 2000,

1. *Calls upon* the parties concerned to implement immediately its resolution 338(1973) of 22 October 1973;
2. *Welcomes* the efforts being undertaken by the United Nations Disengagement Observer Force to implement the Secretary-General's zero-tolerance policy on sexual exploitation and abuse and to ensure full compliance of its personnel with the United Nations code of conduct, requests the Secretary-General to continue to take all necessary action in this regard and to keep the Security Council informed, and urges troop-contributing countries to take preventive and disciplinary action to ensure that such acts are properly investigated and punished in cases involving their personnel;
3. *Decides* to renew the mandate of the Force for a period of six months, that is, until 30 June 2011;
4. *Requests* the Secretary-General to submit, at the end of this period, a report on developments in the situation and the measures taken to implement resolution 338(1973).

After the adoption of each resolution, the President, following consultations among Council members, made identical statements, **S/PRST/2010/12** [meeting 6352] on 30 June, and **S/PRST/2010/30** [meeting 6462] on 22 December, on behalf of the Council:

In connection with the resolution just adopted on the renewal of the mandate of the United Nations Disengagement Observer Force, I have been authorized to make the following complementary statement on behalf of the Security Council:

As is known, the report of the Secretary-General on the United Nations Disengagement Observer Force states in paragraph 13: "... the situation in the Middle East is tense and is likely to remain so, unless and until a comprehensive settlement covering all aspects of the Middle East problem can be reached". That statement of the Secretary-General reflects the view of the Security Council.

Financing

The General Assembly had before it the performance report of the Secretary-General on the UNDOF budget for the period from 1 July 2008 to 30 June 2009 [A/64/536 & Corr.1], which showed expenditures amounting to \$45,711,800 gross (\$44,394,900 net) against an appropriation of \$45,726,000 gross (\$44,478,300 net); and the Secretary-General's report on the UNDOF budget for the period from 1 July 2010 to 30 June 2011 [A/64/630], which amounted to \$47,921,100 and provided for the deployment of 1,047 military contingent personnel, as well as 48 international and 108 national staff.

In a March report [A/64/660/Add.4], ACABQ recommended to the Assembly an appropriation of \$47,921,100 for the maintenance of UNDOF.

GENERAL ASSEMBLY ACTION

On 24 June [meeting 101], the General Assembly, on the recommendation of the Fifth Committee [A/64/829], adopted **resolution 64/281** without vote [agenda item 158 (a)].

Financing of the United Nations Disengagement Observer Force

The General Assembly,

Having considered the reports of the Secretary-General on the financing of the United Nations Disengagement Observer Force and the related report of the Advisory Committee on Administrative and Budgetary Questions,

Recalling Security Council resolution 350(1974) of 31 May 1974 regarding the establishment of the United Nations Disengagement Observer Force and the subsequent resolutions by which the Council extended the mandate of the Force, the latest of which was resolution 1899(2009) of 16 December 2009,

Recalling also its resolution 3211 B (XXIX) of 29 November 1974 on the financing of the United Nations Emergency Force and of the United Nations Disengagement Observer Force and its subsequent resolutions thereon, the latest of which was resolution 63/297 of 30 June 2009,

Reaffirming the general principles underlying the financing of United Nations peacekeeping operations, as stated in General Assembly resolutions 1874(S-IV) of 27 June 1963, 3101(XXVIII) of 11 December 1973 and 55/235 of 23 December 2000,

Mindful of the fact that it is essential to provide the Force with the financial resources necessary to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

1. *Requests* the Secretary-General to entrust the Head of Mission with the task of formulating future budget proposals in full accordance with the provisions of General Assembly resolutions 59/296 of 22 June 2005, 60/266 of 30 June 2006, 61/276 of 29 June 2007 and 64/269 of 24 June 2010, as well as other relevant resolutions;

2. *Takes note* of the status of contributions to the United Nations Disengagement Observer Force as at 30 April 2010, including the contributions outstanding in the amount of 13.5 million United States dollars, representing some 1 per cent of the total assessed contributions, notes with concern that only fifty-three Member States have paid their assessed contributions in full, and urges all other Member States, in particular those in arrears, to ensure payment of their outstanding assessed contributions;

3. *Expresses its appreciation* to those Member States which have paid their assessed contributions in full, and urges all other Member States to make every possible effort to ensure payment of their assessed contributions to the Force in full;

4. *Expresses concern* at the financial situation with regard to peacekeeping activities, in particular as regards the reimbursements to troop contributors that bear additional burdens owing to overdue payments by Member States of their assessments;

5. *Also expresses concern* at the delay experienced by the Secretary-General in deploying and providing adequate resources to some recent peacekeeping missions, in particular those in Africa;

6. *Emphasizes* that all future and existing peacekeeping missions shall be given equal and non-discriminatory treatment in respect of financial and administrative arrangements;

7. *Also emphasizes* that all peacekeeping missions shall be provided with adequate resources for the effective and efficient discharge of their respective mandates;

8. *Reiterates its request* to the Secretary-General to make the fullest possible use of facilities and equipment at the United Nations Logistics Base at Brindisi, Italy, in order to minimize the costs of procurement for the Force;

9. *Requests* the Secretary-General to ensure that proposed peacekeeping budgets are based on the relevant legislative mandates;

10. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions, subject to the provisions of the present resolution, and requests the Secretary-General to ensure their full implementation;

11. *Decides* to apply a vacancy rate of 11 per cent for international staff and a vacancy rate of 4 per cent for national staff;

12. *Requests* the Secretary-General to ensure the full implementation of the relevant provisions of resolutions 59/296, 60/266, 61/276 and 64/269;

13. *Also requests* the Secretary-General to take all action necessary to ensure that the Force is administered with a maximum of efficiency and economy;

14. *Further requests* the Secretary-General, in order to reduce the cost of employing General Service staff, to continue efforts to recruit local staff for the Force against General Service posts, commensurate with the requirements of the Force;

Financial performance report for the period from 1 July 2008 to 30 June 2009

15. *Takes note* of the report of the Secretary-General on the financial performance of the Force for the period from 1 July 2008 to 30 June 2009;

Budget estimates for the period from 1 July 2010 to 30 June 2011

16. *Decides* to appropriate to the Special Account for the United Nations Disengagement Observer Force the amount of 50,702,600 dollars for the period from 1 July 2010 to 30 June 2011, inclusive of 47,806,900 dollars for the maintenance of the Force, 2,452,400 dollars for the support account for peacekeeping operations and 443,300 dollars for the United Nations Logistics Base;

Financing of the appropriation

17. *Also decides* to apportion among Member States the amount of 50,702,600 dollars at a monthly rate of 4,225,217 dollars, in accordance with the levels updated in General Assembly resolution 64/249 of 24 December 2009, taking into account the scale of assessments for 2010 and 2011 as set out in Assembly resolution 64/248 of 24 December 2009, subject to a decision of the Security Council to extend the mandate of the Force;

18. *Further decides* that, in accordance with the provisions of resolution 973(X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 17 above, their respective share in the Tax Equalization Fund in the amount of 1,631,500 dollars, comprising the estimated staff assessment income of 1,393,000 dollars approved for the Force, the prorated share of 203,000 dollars of the estimated staff assessment income approved for the support account and the prorated share of 35,500 dollars of the estimated staff assessment income approved for the United Nations Logistics Base;

19. *Decides* that, for Member States that have fulfilled their financial obligations to the Force, there shall be set off against their apportionment, as provided for in paragraph 17 above, their respective share of the unencumbered balance and other income in the amount of 1,933,400 dollars in respect of the financial period ended 30 June 2009, in accordance with the levels updated in General Assembly resolution 61/243 of 22 December 2006, and taking into account the scale of assessments for 2009, as set out in Assembly resolution 61/237 of 22 December 2006;

20. *Also decides* that, for Member States that have not fulfilled their financial obligations to the Force, there shall be set off against their outstanding obligations their respective share of the unencumbered balance and other income in the amount of 1,933,400 dollars in respect of the financial period ended 30 June 2009, in accordance with the scheme set out in paragraph 19 above;

21. *Further decides* that the increase of 69,200 dollars in the estimated staff assessment income in respect of the financial period ended 30 June 2009 shall be added to the credits from the amount of 1,933,400 dollars referred to in paragraphs 19 and 20 above;

22. *Emphasizes* that no peacekeeping mission shall be financed by borrowing funds from other active peacekeeping missions;

23. *Encourages* the Secretary-General to continue to take additional measures to ensure the safety and security of all personnel participating in the Force under the auspices of the United Nations, bearing in mind paragraphs 5 and 6 of Security Council resolution 1502(2003) of 26 August 2003;

24. *Invites* voluntary contributions to the Force in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure and practices established by the General Assembly;

25. *Decides* to include in the provisional agenda of its sixty-fifth session, under the item entitled “Financing of the United Nations peacekeeping forces in the Middle East”, the sub-item entitled “United Nations Disengagement Observer Force”.

UNTSO

In 2010, the United Nations Truce Supervision Organization (UNTSO), originally set up to monitor the ceasefire called for by Security Council resolution S/801 of 29 May 1948 [YUN 1947–48, p. 427] in the newly partitioned Palestine, continued its work. UNTSO unarmed military observers fulfilled evolving mandates—from supervising the four armistice agreements between Israel and its neighbours (Egypt, Jordan, Lebanon, Syrian Arab Republic) to monitoring other ceasefires, as well as performing additional tasks. During the year, UNTSO personnel worked with two remaining UN peacekeeping forces in the Middle East: the United Nations Disengagement Observer Force in the Golan Heights and the United Nations Interim Force in Lebanon.

UNTSO operated under a UN regular budget appropriation of \$60.7 million for the 2010–2011 period.

Disarmament

In the international community's movement towards a world free of nuclear weapons, the highlight of 2010 was the 64-point action plan on nuclear disarmament, non-proliferation and peaceful uses of nuclear energy and a call for a nuclear-weapon-free zone in the Middle East adopted in May by the eighth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). The Review Conference recognized that Treaty breaches undermined that momentum, and called on the Democratic People's Republic of Korea to return to the Treaty. The Conference recognized the legitimate interests of non-nuclear-weapon States in constraining the development and qualitative improvement of nuclear weapons and ending the development of advanced new types of such weapons.

In April in Prague, Russian President Dmitry Medvedev and United States President Barack Obama signed the New START Treaty—the Treaty on Measures for the Further Reduction and Limitation of Strategic Offensive Arms. Meanwhile, at the Conference on Disarmament—the sole multilateral disarmament negotiating body—negotiations continued to be stalled despite the agreement on an agenda the previous year. At a high-level meeting on revitalizing the work of the Conference on Disarmament, Member States could not agree on whether the UN disarmament machinery should be reassessed or whether the nature, role and purpose of each part of the machinery should be preserved, including the Conference on Disarmament and the Disarmament Commission.

The Disarmament Commission was unable to reach a consensus on the key issues on its agenda—nuclear disarmament and non-proliferation, the adoption of a draft declaration of the 2010s as the fourth disarmament decade, and practical confidence-building measures in the field of conventional weapons.

Although two more countries ratified the Comprehensive Nuclear-Test-Ban Treaty (CTBT), bringing the total parties to 153, the Treaty could not enter into force. At the Treaty's Fifth Ministerial Meeting, countries committed themselves to making CTBT a focus of attention at the highest political level. Meanwhile, the International Atomic Energy Agency continued its efforts to verify the peaceful nature of Iran's nuclear programme, and was unable to make progress towards resolving allegations regarding a destroyed nuclear reactor in the Syrian Arab Republic.

Regarding the scope of the proposed fissile material cut-off treaty, States debated on whether to include reduction in existing stocks among the treaty's provisions. Marked divergences emerged on whether such treaty should be considered a nuclear disarmament or a non-proliferation measure.

At the NPT Review Conference, States decided to call for a conference in 2012 on the establishment of a nuclear-weapon-free zone in the Middle East, while the three regional centres for peace and disarmament continued to fulfil their mandates under budgetary constraints.

Concerning conventional weapons, the General Assembly made preparations to meet in 2012 to begin work on a treaty to reinforce licit and stamp down illicit trade in small arms. The Convention on Cluster Munitions entered into force in August. The number of States parties to the Chemical Weapons Convention remained the same, and countries expressed concern that the final extended deadline of 29 April 2012 for destruction of all categories of chemical weapons in the world might not be met. The Advisory Board on Disarmament Matters discussed conceptual issues leading up to the 2010 NPT Review Conference and follow-up action on the 2002 UN study on disarmament and non-proliferation education.

UN machinery

Disarmament issues before the United Nations were considered mainly through the Security Council, the General Assembly and its First (Disarmament and International Security) Committee, the Disarmament Commission (a deliberative body) and the Conference on Disarmament (a multilateral negotiating forum which met in Geneva). The Organization also maintained efforts to engage civil society organizations concerned with disarmament issues.

The United Nations Office for Disarmament Affairs provided substantive and organizational support to UN bodies, fostered disarmament measures and disseminated impartial and up-to-date information.

Advancing the disarmament agenda

In his annual report on the work of the Organization [A/65/1], the Secretary-General noted that 2010 proved

to be critical for defining the direction that disarmament and non-proliferation efforts would take. Positive developments included the signing, on 8 April, of the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms (the New START Treaty), the declarations by the United States and the United Kingdom of the size of their nuclear-weapon stockpiles and the successful outcome of the 2010 Review Conference of the Parties to NPT (New York, 3–28 May) (see p. 531), where a plan of action was adopted to advance nuclear disarmament, non-proliferation and the peaceful uses of nuclear energy over the next five years. The Secretary-General welcomed the agreement on a process leading to the implementation of the resolution of the 1995 NPT Review Conference on the establishment of a zone free of weapons of mass destruction in the Middle East [YUN 1995, p. 189].

Less positive, however, had been the lack of substantive progress on the part of the Conference on Disarmament; there had been no progress on the denuclearization of the Korean peninsula through the six-party talks (China, Democratic People's Republic of Korea, Japan, Republic of Korea, Russian Federation, United States); and Iran's nuclear programme remained a matter of concern.

There had been some promising developments in conventional arms. The Convention on Cluster Munitions had entered into force in 2010. Negotiations began within the United Nations on an arms trade treaty, to be concluded in 2012. The excessive accumulation and the easy availability of small arms and light weapons in zones of conflict and crime remained an issue of enduring concern. The General Assembly initiative to focus on the broader issue of armed violence, including how it undermined development, was promising. The Secretary-General highlighted the close relationship between disarmament and other global challenges, stressing that "the world is over-armed and development is underfunded".

UN Office for Disarmament Affairs

In its third year of operations [YUN 2007, p. 524], the United Nations Office for Disarmament Affairs (UNODA) continued to provide support for norm-setting in the area of disarmament through the work of the General Assembly and its First Committee, the Disarmament Commission, the Conference on Disarmament and other bodies. It fostered disarmament measures, encouraged regional disarmament efforts and provided information on multilateral disarmament issues and activities. The Office reinforced the advocacy potential of the Organization in the field of disar-

mament and non-proliferation, for example, through the 2010 Review Conference of the Parties to NPT (New York, 3–28 May). It published the statements by civil society representatives delivered at the Conference [Sales No. E.10.IX.6].

Also in 2010, in the area of small arms, 170 representatives from some 35 non-governmental organizations (NGOs), supported by UNODA, participated in the Fourth Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (New York, 14–18 June).

UNODA carried out activities in support of multilateral efforts on disarmament and the non-proliferation of weapons of mass destruction, in particular nuclear weapons, as well as in support of conventional disarmament, especially with regard to major weapons systems, small arms and light weapons, landmines and cluster munitions. Through its regional centres for Africa, Asia and the Pacific, and Latin America and the Caribbean, the Office contributed to a more active involvement of regional and subregional stakeholders in disarmament and non-proliferation issues.

An important area of UNODA activities involved information dissemination, including raising public awareness of disarmament and non-proliferation issues, and maintaining close liaison with the United Nations Institute for Disarmament Research, other research and educational institutions and NGOs. UNODA issued its flagship publication, *The United Nations Disarmament Yearbook* [Sales No. E.11.IX.1&2], in hard copy and on the UNODA website, produced its quarterly e-publication, *Disarmament Update*, and published three Occasional Papers.

Fourth special session devoted to disarmament

As in previous years, no progress was made in 2010 towards the convening of a fourth special session of the General Assembly devoted to disarmament. Previously, the Assembly had held three special sessions devoted to disarmament—in 1978, 1982 and 1988. Only the first special session succeeded in producing a final document. The Assembly had been calling for a fourth special session since 1996 [YUN 1996, p. 447]. In 2002 the Assembly established an Open-ended Working Group [YUN 2002, p. 487] to discuss the agenda and the possibility of establishing a preparatory committee for a fourth session. In 2006 [YUN 2006, p. 611], it established an Open-ended Working Group to consider the session's objectives and agenda, including the possible establishment of a preparatory committee.

By resolution 62/29 [YUN 2007, p. 526], the Assembly mandated the reconvening of the Working Group

and requested it to submit a report, including possible recommendations, to the Assembly's sixty-second session. Since the Working Group did not convene its organizational or substantive sessions during the year, however, the Assembly in 2008 decided [YUN 2008, p. 561] to continue work on convening the Working Group as soon as possible. With no related resolution adopted during its sixty-third session, the Assembly in 2009 [YUN 2009, p. 497] included the item on convening the session in the provisional agenda of its sixty-fifth (2010) session.

By resolution 65/66 (see below), the General Assembly expressed concern that the fourth special session was yet to be convened. It decided to convene an Open-ended Working Group to consider the session's objectives and agenda, including the possible establishment of the preparatory committee; and decided that the Working Group should hold its organizational session as soon as possible to set a date for its substantive sessions in 2011 and 2012, and submit a report on its work, including possible recommendations, before the end of the sixty-seventh session of the Assembly.

GENERAL ASSEMBLY ACTION

On 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/410], adopted **resolution 65/66** by recorded vote (178-0-5) [agenda item 97 (*ee*)].

Convening of the fourth special session of the General Assembly devoted to disarmament

The General Assembly,

Recalling its resolutions 49/75 I of 15 December 1994, 50/70 F of 12 December 1995, 51/45 C of 10 December 1996, 52/38 F of 9 December 1997, 53/77 AA of 4 December 1998, 54/54 U of 1 December 1999, 55/33 M of 20 November 2000, 56/24 D of 29 November 2001, 57/61 of 22 November 2002, 59/71 of 3 December 2004, 61/60 of 6 December 2006 and 62/29 of 5 December 2007, as well as its decisions 58/521 of 8 December 2003, 60/518 of 8 December 2005, 60/559 of 6 June 2006, 63/519 of 2 December 2008 and 64/515 of 2 December 2009,

Recalling also that, there being a consensus to do so in each case, three special sessions of the General Assembly devoted to disarmament were held in 1978, 1982 and 1988, respectively,

Bearing in mind the Final Document of the Tenth Special Session of the General Assembly, adopted by consensus at the first special session devoted to disarmament,

Bearing in mind also the ultimate objective of general and complete disarmament under effective international control,

Taking note of the fact that the Heads of State or Government of the Movement of Non-Aligned Countries supported the convening of the fourth special session of the General Assembly devoted to disarmament, which would offer an opportunity to review, from a perspective more

in tune with the current international situation, the most critical aspects of the disarmament process and to mobilize the international community and public opinion in favour of the elimination of nuclear and other weapons of mass destruction and of the control and reduction of conventional weapons,

Recalling the United Nations Millennium Declaration, adopted by the Heads of State and Government during the Millennium Summit of the United Nations, held in New York from 6 to 8 September 2000, in which the Heads of State and Government resolved "to strive for the elimination of weapons of mass destruction, particularly nuclear weapons, and to keep all options open for achieving this aim, including the possibility of convening an international conference to identify ways of eliminating nuclear dangers",

Reiterating its conviction that a special session of the General Assembly devoted to disarmament can set the future course of action in the fields of disarmament, arms control, non-proliferation and related international security matters,

Emphasizing the importance of multilateralism in the process of disarmament, arms control, non-proliferation and related international security matters,

Taking note of the paper presented by the Chairman of Working Group II during the 1999 substantive session of the Disarmament Commission, and the written proposals and views submitted by Member States as contained in the working papers presented during the three substantive sessions of the Open-ended Working Group in 2003, as well as the reports of the Secretary-General regarding the views of Member States on the objectives, agenda and timing of the fourth special session of the General Assembly devoted to disarmament,

Taking note also of the reports of the Open-ended Working Group to consider the objectives and agenda, including the possible establishment of the preparatory committee, for the fourth special session of the General Assembly devoted to disarmament,

Expressing deep concern that the fourth special session of the General Assembly devoted to disarmament is yet to be convened, despite efforts made in this regard,

1. *Decides* to convene an Open-ended Working Group, working on the basis of consensus, to consider the objectives and agenda, including the possible establishment of the preparatory committee, for the fourth special session of the General Assembly devoted to disarmament;

2. *Also decides* that the Open-ended Working Group shall hold its organizational session as soon as possible for the purpose of setting a date for its substantive sessions in 2011 and 2012, and submit a report on its work, including possible substantive recommendations, before the end of the sixty-seventh session of the General Assembly;

3. *Requests* the Secretary-General, from within available resources, to provide the Open-ended Working Group with the necessary assistance and services as may be required to discharge its tasks;

4. *Decides* to include in the provisional agenda of its sixty-seventh session the item entitled "Convening of the fourth special session of the General Assembly devoted to disarmament".

RECORDED VOTE ON RESOLUTION 65/66:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: None.

Abstaining: France, Israel, Palau, United Kingdom, United States.

Disarmament Commission

The United Nations Disarmament Commission, comprising all UN Member States, in 2010 was unable to reach a consensus on the key issues on its agenda—nuclear disarmament and non-proliferation, the adoption of a draft declaration of the 2010s as the fourth disarmament decade, and practical confidence-building measures in the field of conventional weapons.

The Commission, in its second year of a three-year cycle of deliberations, held six plenary meetings (New York, 29 March–16 April) [A/65/42]. The main agenda items were recommendations for achieving the objectives of nuclear disarmament and non-proliferation of nuclear weapons, addressed by the Commission's Working Group I (see below); elements of a draft declaration of the 2010s as the fourth disarmament decade, addressed by its Working Group II; and practical confidence-building measures in the field of conventional weapons (see p. 563)—to be taken up upon the

conclusion of the work of Working Group II on the elements of the draft declaration. Working Group I held 10 meetings from 31 March to 14 April, engaging in extensive discussions. The Non-Aligned Movement submitted a working paper [A/CN.10/2010/WG.I/WP.1] with recommendations for achieving nuclear disarmament and non-proliferation of nuclear weapons. Working Group II held nine meetings between 31 March and 14 April, exchanging views on a non-paper of the Chairman [A/CN.10/2009/WG.II/CRP.1/Rev.2]. Working Group II decided to continue the consideration of the Chairman's non-paper at the 2011 session of the Commission. At its final meeting on 16 April, the Commission adopted its report to the General Assembly.

GENERAL ASSEMBLY ACTION

On 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/412], adopted **resolution 65/86** without vote [agenda item 99 (b)].

Report of the Disarmament Commission

The General Assembly,

Having considered the report of the Disarmament Commission,

Recalling its resolutions 47/54 A of 9 December 1992, 47/54 G of 8 April 1993, 48/77 A of 16 December 1993, 49/77 A of 15 December 1994, 50/72 D of 12 December 1995, 51/47 B of 10 December 1996, 52/40 B of 9 December 1997, 53/79 A of 4 December 1998, 54/56 A of 1 December 1999, 55/35 C of 20 November 2000, 56/26 A of 29 November 2001, 57/95 of 22 November 2002, 58/67 of 8 December 2003, 59/105 of 3 December 2004, 60/91 of 8 December 2005, 61/98 of 6 December 2006, 62/54 of 5 December 2007, 63/83 of 2 December 2008 and 64/65 of 2 December 2009,

Considering the role that the Disarmament Commission has been called upon to play and the contribution that it should make in examining and submitting recommendations on various problems in the field of disarmament and in promoting the implementation of the relevant decisions adopted by the General Assembly at its tenth special session,

1. *Takes note* of the report of the Disarmament Commission;
2. *Reaffirms* the validity of its decision 52/492 of 8 September 1998 concerning the efficient functioning of the Disarmament Commission;
3. *Recalls* its resolution 61/98, by which it adopted additional measures for improving the effectiveness of the Disarmament Commission's methods of work;
4. *Reaffirms* the mandate of the Disarmament Commission as the specialized, deliberative body within the United Nations multilateral disarmament machinery that allows for in-depth deliberations on specific disarmament issues, leading to the submission of concrete recommendations on those issues;

5. *Also reaffirms* the importance of further enhancing the dialogue and cooperation among the First Committee, the Disarmament Commission and the Conference on Disarmament;

6. *Requests* the Disarmament Commission to continue its work in accordance with its mandate, as set forth in paragraph 118 of the Final Document of the Tenth Special Session of the General Assembly, and with paragraph 3 of Assembly resolution 37/78 H of 9 December 1982, and to that end to make every effort to achieve specific recommendations on the items on its agenda, taking into account the adopted “Ways and means to enhance the functioning of the Disarmament Commission”;

7. *Recommends* that the Disarmament Commission continue the consideration of the following items at its substantive session of 2011:

(a) Recommendations for achieving the objective of nuclear disarmament and non-proliferation of nuclear weapons;

(b) Elements of a draft declaration of the 2010s as the fourth disarmament decade;

(c) Practical confidence-building measures in the field of conventional weapons. This item will be taken up upon the conclusion of the preparation of the elements of a draft declaration of the 2010s as the fourth disarmament decade, preferably in 2010 and in any case no later than 2011;

8. *Requests* the Disarmament Commission to meet for a period not exceeding three weeks during 2011, namely from 4 to 22 April, and to submit a substantive report to the General Assembly at its sixty-sixth session;

9. *Requests* the Secretary-General to transmit to the Disarmament Commission the annual report of the Conference on Disarmament, together with all the official records of the sixty-fifth session of the General Assembly relating to disarmament matters, and to render all assistance that the Commission may require for implementing the present resolution;

10. *Also requests* the Secretary-General to ensure full provision to the Disarmament Commission and its subsidiary bodies of interpretation and translation facilities in the official languages and to assign, as a matter of priority, all the necessary resources and services, including verbatim records, to that end;

11. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled “Report of the Disarmament Commission”.

Conference on Disarmament

The Conference on Disarmament (CD), a multilateral negotiating body, held 35 formal and 34 informal plenary meetings in a three-part session (Geneva, 18 January–26 March, 31 May–16 July, 9 August–24 September) [A/65/27]. As in previous years, the Conference’s agenda included the cessation of the nuclear arms race, and nuclear disarmament; prevention of nuclear war (see p. 517); prevention of an arms race in outer space (see p. 566); effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons (see p. 523); new types of weapons

of mass destruction (WMDs) and new systems of such weapons (see p. 534); a comprehensive programme of disarmament (see p. 511); and transparency in armaments (see p. 565); however, the Conference did not reach a consensus on a programme of work.

The Secretary-General addressed the Conference via video at its meeting of 19 January [CD/PV.1163]. He urged the Conference to recognize the importance of achieving progress in disarmament and non-proliferation in 2010, and expressed the hope that the Conference would agree on a programme of work as soon as possible, hopefully during the first part of its session. Many foreign ministers and heads of delegations, who also addressed the meeting, welcomed the adoption by consensus of the programme of work for the 2009 session, but expressed concerns about the continuing stalemate in the Conference, despite the favourable international environment for multilateral disarmament.

High-level meeting. In an effort to break the stalemate and in response to an invitation from the States participating in the 2010 NPT Review Conference, the Secretary-General convened a high-level meeting on revitalizing the work of the CD and taking forward multilateral disarmament negotiations (New York, 24 September). As the convener and Chair of the meeting, the Secretary-General circulated a summary [A/65/496] of the discussion, which reflected his understanding of the views expressed. A total of 68 delegates spoke, including 37 foreign ministers and representatives of three specialized organizations: the International Atomic Energy Agency (IAEA), the Organization for the Prohibition of Chemical Weapons (OPCW) and the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization.

Many Member States commended the Secretary-General’s engagement in advancing nuclear disarmament and non-proliferation and in particular his five-point proposal [YUN 2008, p. 565]. Many States reaffirmed that multilateralism was the core principle in disarmament and non-proliferation negotiations, and that multilaterally agreed solutions, in accordance with the UN Charter, provided the only sustainable method of addressing disarmament and international security issues. Several Member States noted that promoting disarmament could also help to address other challenges facing the international community, including achieving the Millennium Development Goals. Participants reiterated that the only guarantee of avoiding the use or threat of use of nuclear weapons was their elimination. They recognized that the political will to advance disarmament and non-proliferation had been strengthened in recent years. The Security Council summit held in September 2009

[YUN 2009, p. 525], the Nuclear Security Summit held in Washington, D.C., and the signing of the New START Treaty in April 2010 were noted as encouraging developments. Some Member States pointed out that the disarmament machinery dated back to 1978 and needed a comprehensive assessment, with a view to achieving a more effective functioning. In that connection, some States called for a review of the working methods of the CD and the United Nations Disarmament Commission, including their procedures and operational principles, while other States stressed the importance of preserving the nature, role and purpose of each part of the UN disarmament machinery.

Many Member States expressed support for the convening of the fourth special session of the General Assembly. Others noted the absence of consensus on that proposal and stated that the impasse in multilateral disarmament diplomacy was due to the lack of political will and divergent views on priorities, rather than to the mechanisms of the disarmament machinery. It was also noted that a decision on the fourth special session was the prerogative of the Assembly. Some States were concerned that too much emphasis had been placed on issues related to nuclear weapons and other weapons of mass destruction. In that regard, the international community should not lose sight of conventional weapons issues, including small arms and light weapons. Several Members expressed concern that, should the stalemate continue, the relevance of the CD would be called into question and Member States could resort to an alternative multilateral process. It was also noted that important conventions, such as the Mine Ban Convention and the Convention on Cluster Munitions, were negotiated outside the Conference.

The majority of speakers underscored the necessity of negotiating and bringing to a conclusion a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices. A number of States urged the CD to establish an ad hoc committee on nuclear disarmament and start negotiations on a phased programme for the elimination of nuclear weapons within a specified time frame, including a nuclear weapons convention. Nuclear-weapon States, on their part, reaffirmed their commitment to nuclear disarmament, in particular their determination to implement the follow-on actions of the 2010 NPT Review Conference, and towards that end announced their intention to convene a meeting in Paris in 2011. Pending the achievement of the elimination of nuclear weapons, some States called for negotiation of an instrument to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. A number of States said that the legal framework governing the use of outer space needed to be strengthened so as to prevent an arms race in outer space.

Based on the deliberations, the Secretary-General suggested that the CD, at its first plenary meeting in 2011, adopt its 2009 programme of work or any other similar proposal submitted during the 2010 session; that the General Assembly include in the agenda of its sixty-fifth (2011) session an item entitled "Follow-up to the high-level meeting held on 24 September 2010: revitalizing the work of the CD and taking forward multilateral disarmament negotiations"; and that the Secretary-General ask his Advisory Board on Disarmament Matters to undertake a thorough review of the issues raised at the meeting, including the possible establishment of a high-level panel of eminent persons on the functioning of the CD.

On 5 October [A/65/496], the Secretary-General, as the Chair of the high-level meeting, forwarded the meeting's summary to the General Assembly President.

Communication. On 4 October [A/65/231], the Secretary-General requested the President of the General Assembly to include in the agenda of the Assembly's sixty-fifth session an additional item entitled "Follow-up to the high-level meeting held on 24 September 2010: revitalizing the work of the CD and taking forward multilateral disarmament negotiations".

GENERAL ASSEMBLY ACTION

On 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/412], adopted **resolution 65/85** without vote [agenda item 99 (a)].

Report of the Conference on Disarmament

The General Assembly,

Having considered the report of the Conference on Disarmament,

Convinced that the Conference on Disarmament, as the sole multilateral disarmament negotiating forum of the international community, has the primary role in substantive negotiations on priority questions of disarmament,

Recognizing the video message by the Secretary-General, as well as the addresses by Ministers for Foreign Affairs and other high-level officials in the Conference on Disarmament, as expressions of support for the endeavours of the Conference and its role as the sole multilateral disarmament negotiating forum,

Recognizing also the need to conduct multilateral negotiations with the aim of reaching agreement on concrete issues,

Recalling, in this respect, that the Conference on Disarmament has a number of urgent and important issues for negotiation,

Considering that the present international climate should give additional impetus to multilateral negotiations with the aim of reaching concrete agreements,

Noting with appreciation the initiative of the Secretary-General in convening the high-level meeting on revitalizing the work of the Conference on Disarmament and taking

forward multilateral disarmament negotiations, held on 24 September 2010, and acknowledging the support expressed by high-level officials at the meeting,

Noting with concern that the Conference on Disarmament has been unable to commence its substantive work, including negotiations, as envisaged by the General Assembly in its resolution 64/64 of 2 December 2009, or to agree on a programme of work,

Appreciating the continued cooperation among the States members of the Conference on Disarmament as well as the six successive Presidents of the Conference at its 2010 session,

Recognizing the importance of continuing consultations on the question of the expansion of the membership of the Conference on Disarmament,

Noting the significant contributions made during the 2010 session to promote substantive discussions on issues on the agenda, as well as the discussions held on other issues that could also be relevant to the current international security environment,

Welcoming the enhanced engagement between civil society and the Conference on Disarmament at its 2010 session according to decisions taken by the Conference,

Stressing the urgent need for the Conference on Disarmament to commence its substantive work at the beginning of its 2011 session,

1. *Reaffirms* the role of the Conference on Disarmament as the sole multilateral disarmament negotiating forum of the international community;

2. *Expresses its appreciation* for the strong support expressed for the Conference on Disarmament by Ministers for Foreign Affairs and other high-level officials at the high-level meeting on revitalizing the work of the Conference on Disarmament and taking forward multilateral disarmament negotiations, held on 24 September 2010, and takes into account the overwhelming call for greater flexibility with respect to commencing the substantive work of the Conference without further delay on the basis of a balanced and comprehensive programme of work as reflected in document CD/1864;

3. *Endorses* the call by Member States at the high-level meeting, as reflected in the summary by the Secretary-General, for the Conference on Disarmament to adopt a programme of work at the earliest possible date during its 2011 session;

4. *Welcomes* the decision of the Conference on Disarmament to request the current President and the incoming President to conduct consultations during the inter-session period and, if possible, make recommendations, taking into account all relevant proposals, past, present and future, including those submitted as documents of the Conference on Disarmament, views presented and discussions held, and to endeavour to keep the membership of the Conference informed, as appropriate, of their consultations;

5. *Requests* all States members of the Conference on Disarmament to cooperate with the current President and successive Presidents in their efforts to guide the Conference to the early commencement of its substantive work, including negotiations, in its 2011 session;

6. *Requests* the Secretary-General to continue to ensure and strengthen, if needed, the provision to the Conference on Disarmament of all necessary administrative, substantive and conference support services;

7. *Requests* the Conference on Disarmament to submit a report on its work to the General Assembly at its sixty-sixth session;

8. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "Report of the Conference on Disarmament".

Also on 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/536], adopted **resolution 65/93** without vote [agenda item 162].

Follow-up to the high-level meeting held on 24 September 2010: revitalizing the work of the Conference on Disarmament and taking forward multilateral disarmament negotiations

The General Assembly,

Reaffirming the importance of disarmament in strengthening global security and promoting international stability,

Recognizing that the political will to advance the disarmament agenda has been strengthened in recent years and that the international political climate is conducive to the promotion of multilateral disarmament and moving towards the goal of a world without nuclear weapons,

Expressing grave concern, nevertheless, about the current status of the disarmament machinery, including the lack of progress in the Conference on Disarmament for more than a decade, and stressing the need for greater efforts to advance multilateral disarmament negotiations,

Welcoming the efforts by Member States to secure progress in multilateral disarmament and the support of the Secretary-General for such efforts, and noting the intention to follow up on the high-level meeting on revitalizing the work of the Conference on Disarmament and taking forward multilateral disarmament negotiations, held in New York on 24 September 2010,

Mindful of the Charter of the United Nations, in particular Article 11 of Chapter IV concerning the functions and powers of the General Assembly in respect of disarmament,

1. *Welcomes* the opportunity provided by the high-level meeting on revitalizing the work of the Conference on Disarmament and taking forward multilateral disarmament negotiations, convened at the initiative of the Secretary-General in New York on 24 September 2010, to address the need to advance multilateral disarmament efforts;

2. *Expresses appreciation* for the participation by Ministers for Foreign Affairs and other high-level officials in the high-level meeting, and emphasizes the support voiced for the urgent need to revitalize the work of multilateral disarmament bodies and to advance multilateral disarmament negotiations;

3. *Notes with appreciation* the suggestions made by Member States and the Secretary-General with regard to revitalizing the multilateral disarmament machinery;

4. *Decides* to include in the provisional agenda of its sixty-sixth session an item entitled "Revitalizing the work of the Conference on Disarmament and taking forward multilateral disarmament negotiations".

The Assembly, on 24 December decided that the agenda item would remain for consideration during its resumed sixty-fifth session (**decision 65/544**).

Comprehensive programme of disarmament

The CD held four informal meetings on agenda item 6, "Comprehensive Programme of Disarmament" (15 and 24 June, 6 and 15 July) [CD/1899, annex VI]. Delegations exchanged views on the objectives, principles, definitions, scope, obstacles, follow-up mechanism and time frame of a comprehensive programme on disarmament. The Coordinator did not submit any specific recommendations with regard to any possible way forward on the item, and no delegation proposed any specific recommendations.

Multilateral disarmament agreements

As at 31 December, the following number of States had become parties to the multilateral arms regulation and disarmament agreements listed below (in chronological order, with the years in which they were signed or opened for signature) [*United Nations Disarmament Yearbook*, Vol. 35 (Part II): 2010, Sales No. E.11.IX.2].

- Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare (1925 Geneva Protocol): 137 parties
- Antarctic Treaty (1959): 48 parties
- Treaty Banning Nuclear Weapons Tests in the Atmosphere, in Outer Space and Under Water (Partial Test Ban Treaty) (1963): 125 parties
- Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies (Outer Space Treaty) (1967) [YUN 1966, p. 41, GA res. 2222(XXI), annex]: 106 parties
- Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) (1967): 33 parties
- Treaty on the Non-Proliferation of Nuclear Weapons (NPT) (1968) [YUN 1968, p. 17, GA res. 2373(XXII), annex]: 190 parties
- Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-bed and the Ocean Floor and in the Subsoil Thereof (Sea-Bed Treaty) (1971) [YUN 1970, p. 18, GA res. 2660(XXV), annex]: 96 parties
- Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (BWC) (1972) [YUN 1971, p. 19, GA res. 2826(XXV), annex]: 163 parties
- Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques (1977) [YUN 1976, p. 45, GA res. 31/72, annex]: 74 parties
- Agreement Governing the Activities of States on the Moon and Other Celestial Bodies (1979) [YUN 1979, p. 111, GA res. 34/68, annex]: 13 parties
- Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (CCW) (1981): 114 parties

- South Pacific Nuclear Free Zone Treaty (Rarotonga Treaty) (1985): 13 parties
- Treaty on Conventional Armed Forces in Europe (CFE Treaty) (1990): 30 parties
- Treaty on Open Skies (1992): 34 parties
- Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (CWC) (1993): 188 parties
- Southeast Asia Nuclear-Weapon-Free Zone Treaty (Bangkok Treaty) (1995): 10 parties
- African Nuclear-Weapon-Free Zone Treaty (Pelindaba Treaty) (1996): 30 parties
- Comprehensive Nuclear-Test-Ban Treaty (CTBT) (1996): 153 parties
- Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (1997): 30 parties
- Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction (Mine Ban Convention) (1997): 156 parties
- Inter-American Convention on Transparency in Conventional Weapons Acquisitions (1999): 15 parties
- Agreement on Adaptation of the CFE Treaty (1999): 3 parties
- Treaty on a Nuclear-Weapon-Free Zone in Central Asia (CANWFZ Treaty) (2006): 5 parties
- Convention on Cluster Munitions (2008): 49 parties
- Central African Convention for the Control of Small Arms and Light Weapons, their Ammunition and all Parts and Components that can be used for their Manufacture, Repair and Assembly (Kinshasa Convention) (2010): 8 signatories

UN role in disarmament

Disarmament and development

Pursuant to General Assembly resolution 64/32 [YUN 2009, p. 500], the Secretary-General in July [A/65/132 & Add.1] reported on trends to further strengthen within the United Nations the relationship between disarmament and development. The report contained information received from 10 countries (Bosnia and Herzegovina, Brazil, Cuba, Jordan, Lebanon, Mexico, Nicaragua, Panama, Serbia, Ukraine) on measures and efforts to devote part of the resources made available by the implementation of disarmament and arms limitation agreements to economic and social development. The Secretary-General observed that insofar as the issue was discussed as a trade-off between the level of military expenditures and the level of economic development in a country, no consensus had been reached among Member States. Some States were of the view that those issues were directly interrelated, while others perceived that nexus as being more complex.

The UN focus on disarmament and development was exemplified by the United Nations Fourth Biennial Meeting of States to Consider the Implementa-

tion of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (New York, 14–18 June) [A/CONF.192/BMS/2010/3]. In the meeting's outcome document, an implicit reference was made to the relation between disarmament and development. On the issue of armed violence, 61 States adopted, on 12 May, the Oslo Commitments on Armed Violence. That document committed States to practical measures designed to reduce the incidence and impact of armed violence by 2015. Those included the recognition of the rights of victims; the promotion and integration of armed violence prevention into local, national and international development plans; increased international cooperation and assistance for armed violence prevention; and a call for the General Assembly high-level plenary meeting on the Millennium Development Goals (MDGs) in September 2010 to discuss armed violence in the context of the MDGs.

In the field of mine action, the 2009 Cartagena Summit on a Mine-free World [YUN 2009, p. 554] came to a successful conclusion. Its political declaration underlined the humanitarian accomplishment in the implementation of the Ottawa Anti-Personnel Landmine Convention and its contribution to the achievement of the MDGs, as well as the will to ensure the full participation and inclusion of mine victims in the life of their communities. The Convention on Cluster Munitions (see p. 562) obtained its thirtieth ratification on 16 February 2010 and entered into force on 1 August 2010.

GENERAL ASSEMBLY ACTION

On 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/410], adopted **resolution 65/52** without vote [agenda item 97 (n)].

Relationship between disarmament and development

The General Assembly,

Recalling that the Charter of the United Nations envisages the establishment and maintenance of international peace and security with the least diversion for armaments of the world's human and economic resources,

Recalling also the provisions of the Final Document of the Tenth Special Session of the General Assembly concerning the relationship between disarmament and development, as well as the adoption on 11 September 1987 of the Final Document of the International Conference on the Relationship between Disarmament and Development,

Recalling further its resolutions 49/75 J of 15 December 1994, 50/70 G of 12 December 1995, 51/45 D of 10 December 1996, 52/38 D of 9 December 1997, 53/77 K of 4 December 1998, 54/54 T of 1 December 1999, 55/33 L of 20 November 2000, 56/24 E of 29 November 2001, 57/65 of 22 November 2002, 59/78 of 3 December 2004, 60/61 of 8 December 2005, 61/64 of 6 December 2006, 62/48 of 5 December 2007, 63/52 of 2 December 2008 and 64/32 of

2 December 2009, and its decision 58/520 of 8 December 2003,

Bearing in mind the Final Document of the Twelfth Conference of Heads of State or Government of Non-Aligned Countries, held in Durban, South Africa, from 29 August to 3 September 1998, and the Final Document of the Thirteenth Ministerial Conference of the Movement of Non-Aligned Countries, held in Cartagena, Colombia, on 8 and 9 April 2000,

Mindful of the changes in international relations that have taken place since the adoption on 11 September 1987 of the Final Document of the International Conference on the Relationship between Disarmament and Development, including the development agenda that has emerged over the past decade,

Bearing in mind the new challenges for the international community in the fields of development, poverty eradication and the elimination of the diseases that afflict humanity,

Stressing the importance of the symbiotic relationship between disarmament and development and the important role of security in this connection, and concerned at increasing global military expenditure, which could otherwise be spent on development needs,

Recalling the report of the Group of Governmental Experts on the relationship between disarmament and development and its reappraisal of this significant issue in the current international context,

Bearing in mind the importance of following up on the implementation of the action programme adopted at the 1987 International Conference on the Relationship between Disarmament and Development,

1. *Stresses* the central role of the United Nations in the disarmament-development relationship, and requests the Secretary-General to strengthen further the role of the Organization in this field, in particular the high-level Steering Group on Disarmament and Development, in order to ensure continued and effective coordination and close cooperation between the relevant United Nations departments, agencies and sub-agencies;

2. *Requests* the Secretary-General to continue to take action, through appropriate organs and within available resources, for the implementation of the action programme adopted at the 1987 International Conference on the Relationship between Disarmament and Development;

3. *Urges* the international community to devote part of the resources made available by the implementation of disarmament and arms limitation agreements to economic and social development, with a view to reducing the ever-widening gap between developed and developing countries;

4. *Encourages* the international community to achieve the Millennium Development Goals and to make reference to the contribution that disarmament could provide in meeting them when it reviews its progress towards this purpose in 2011, as well as to make greater efforts to integrate disarmament, humanitarian and development activities;

5. *Encourages* the relevant regional and subregional organizations and institutions, non-governmental organizations and research institutes to incorporate issues related to the relationship between disarmament and development into their agendas and, in this regard, to take into account the report of the Group of Governmental Experts on the relationship between disarmament and development;

6. *Reiterates its invitation* to Member States to provide the Secretary-General with information regarding measures and efforts to devote part of the resources made available by the implementation of disarmament and arms limitation agreements to economic and social development, with a view to reducing the ever-widening gap between developed and developing countries;

7. *Requests* the Secretary-General to report to the General Assembly at its sixty-sixth session on the implementation of the present resolution, including the information provided by Member States pursuant to paragraph 6 above;

8. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "Relationship between disarmament and development".

Women and disarmament

On 15 October, the General Assembly First Committee had before it a draft resolution on "Women, disarmament, arms control and non-proliferation" [A/C.1/65/L.39], submitted by Trinidad and Tobago. On 28 October, Trinidad and Tobago, on behalf of 50 other Member States, introduced a revised draft [A/C.1/65/L.39/Rev.1], which was adopted by the Committee as orally revised.

GENERAL ASSEMBLY ACTION

On 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/410], adopted **resolution 65/69** without vote [agenda item 97].

Women, disarmament, non-proliferation and arms control

The General Assembly,

Recalling that the Charter of the United Nations reaffirms the equal rights of men and women,

Recognizing that the participation of both men and women is essential for the attainment of sustainable peace and security,

Recognizing also the valuable contribution of women to practical disarmament measures carried out at the local, national, regional and subregional levels in the prevention and reduction of armed violence and armed conflict, and in promoting disarmament, non-proliferation and arms control,

1. *Encourages* Member States, regional and subregional organizations, the United Nations and specialized agencies to promote the equitable representation of women in all decision-making processes with regard to matters related to disarmament, non-proliferation and arms control;

2. *Invites* all States to support and strengthen the effective participation of women in organizations in the field of disarmament at the local, national, regional and subregional levels;

3. *Decides* to include in the provisional agenda of its sixty-seventh session an item entitled "Women, disarmament, non-proliferation and arms control".

Advisory Board on Disarmament Matters

The Advisory Board on Disarmament Matters, which advised the Secretary-General and served as the Board of Trustees of the United Nations Institute for Disarmament Research (UNIDIR), held its fifty-third (New York, 24–26 February) and fifty-fourth (Geneva, 7–9 July) sessions, discussing conceptual issues leading up to the 2010 NPT Review Conference (see p. 531); and follow-up action on the 2002 UN study on disarmament and non-proliferation education [YUN 2002, p. 544]. A report of the Secretary-General [A/65/228] summarized the Board's deliberations and recommendations.

On conceptual issues leading up to the 2010 NPT Review Conference, the Board had discussed the agenda item at its fifty-second session in 2009 and presented a set of recommendations to the Secretary-General [YUN 2009, p. 501]. Nonetheless, the Board had agreed to continue its consideration of the item, due to continuing developments in the field of nuclear disarmament and non-proliferation, and to provide the Secretary-General with new recommendations. The Board recommended that the Secretary-General continue to support the political momentum leading up to the NPT Review Conference; encourage States to ensure high-level political commitment to, as well as participation at the Conference; continue to send positive messages prior to the Conference and encourage States to propose concrete steps for a multilateral process in nuclear disarmament, non-proliferation and peaceful uses of nuclear energy and for implementation of existing norms; stress to both nuclear and non-nuclear-weapon States their common responsibility in having zero tolerance for proliferation by either States or non-State actors, as well as in advancing nuclear disarmament; and acknowledge the progress achieved, especially in the establishment of nuclear-weapon-free zones and in States reversing their nuclear status.

With regard to follow-up action on the 2002 UN study on disarmament and non-proliferation education, the Board recommended that the Secretary-General remind States to implement fully the recommendations made in the study; call the attention of international and regional organizations to the importance of disarmament and non-proliferation education; continue his advocacy role and consider making a major statement on disarmament and non-proliferation education; and encourage Governments to establish robust infrastructures to handle disarmament and non-proliferation studies and to regularly submit reports on disarmament education.

At the July session, Board members exchanged opinions on the outcome of the NPT Review Conference, which was seen as the result of an overall

positive review process from 2005 to 2010 within the framework of a constructive international climate that had recently been achieved. The 2010 Review Conference was seen as successful when compared with the 2005 Review Conference. Many Board members stressed the need to maintain the positive momentum and suggested that the Secretary-General act as the preserver of the spirit of the 2010 Review Conference and the bridge-builder between nuclear-weapon and non-nuclear weapon States.

In connection with the tasks assigned to the Secretary-General in the follow-on actions in the Final Document of the 2010 Review Conference, the Board stressed his special responsibility in convening the high-level meeting in September 2010 in support of the work of the CD (see p. 508). The Board stated that priority should also be given to the implementation of the 1995 resolution of the Review Conference on the Middle East [YUN 1995, p. 189] and the convening of a conference in 2012, to be attended by all States of the region, on the establishment in the Middle East of a zone free of nuclear weapons and other weapons of mass destruction.

In its capacity as the UNIDIR Board of Trustees, the Advisory Board adopted the Institute's 2010 programme and budget and approved, for submission to the General Assembly, the report of the UNIDIR's Director on its activities from August 2009 to July 2010 [A/65/177], as well as the proposed programme of work and budget for 2010–2011. The Board recommended increasing the subvention for UNIDIR from the UN regular budget.

Nuclear disarmament

In response to General Assembly resolutions 64/37 [YUN 2009, p. 504], 64/53 [ibid., p. 507] and 64/55 [ibid., p. 516], the Secretary-General in July submitted a report with a later addendum on nuclear disarmament [A/65/137 & Add.1]. He observed that there had been some progress related to reducing the total number of deployed nuclear weapons, increased transparency, an endeavour to diminish the role and significance of nuclear weapons in security policies and the building of political support for a process leading to the elimination of nuclear weapons, including by means of a nuclear weapons convention or a framework of separate mutually reinforcing instruments, backed by a strong system of verification. Consensus agreements, however, continued to elude forums for the development of new international law relating to the constraint and elimination of nuclear weapons, potentially limiting the opportunities to consolidate

and carry forward the prevailing political momentum for nuclear disarmament.

On 8 April in Prague, Russian President Dmitry Medvedev and United States President Barack Obama signed the Treaty between the Russian Federation and the United States of America on Measures for the Further Reduction and Limitation of Strategic Offensive Arms (the New START Treaty). The Russian Federation in its 2010 Military Doctrine and the United States in its 2010 Nuclear Posture Review announced welcome reductions in the scenarios in which the threat or use of nuclear weapons would be envisaged. The goal of nuclear disarmament and non-proliferation had also been advanced by major international meetings and conferences.

Progress continued to be slow or stagnant, however, on other aspects of nuclear disarmament. The Comprehensive Nuclear-Test-Ban Treaty (CTBT) lacked the ratifications required for it to enter into force. The ratification of the Treaty by additional States as well as the expressions of intent to ratify by two States listed in annex 2 of the Treaty, however, were welcome developments. The Conference on Disarmament had not been able to start work on the basis of an agreed programme of work during its 2010 session. The Disarmament Commission, convening in April, continued its deliberations on two of its agenda items: recommendations for achieving the objective of nuclear disarmament and non-proliferation of nuclear weapons; and elements of a draft declaration of the 2010s as the fourth disarmament decade, as mandated by the Assembly. The Secretary-General and the High Representative for Disarmament Affairs continued to promote nuclear disarmament and non-proliferation globally through interaction with Governments, civil society and parliamentarians.

Included in the report were replies from six Member States on measures they had taken with regard to the implementation of resolution 64/55, concerning the follow-up to the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons* (see p. 529).

GENERAL ASSEMBLY ACTION

On 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/410], adopted **resolution 65/60** by recorded vote (121-49-14) [agenda item 97 (g)].

Reducing nuclear danger

The General Assembly,

Bearing in mind that the use of nuclear weapons poses the most serious threat to mankind and to the survival of civilization,

Reaffirming that any use or threat of use of nuclear weapons would constitute a violation of the Charter of the United Nations,

Convinced that the proliferation of nuclear weapons in all its aspects would seriously enhance the danger of nuclear war,

Convinced also that nuclear disarmament and the complete elimination of nuclear weapons are essential to remove the danger of nuclear war,

Considering that, until nuclear weapons cease to exist, it is imperative on the part of the nuclear-weapon States to adopt measures that assure non-nuclear-weapon States against the use or threat of use of nuclear weapons,

Considering also that the hair-trigger alert of nuclear weapons carries unacceptable risks of unintentional or accidental use of nuclear weapons, which would have catastrophic consequences for all mankind,

Emphasizing the need to adopt measures to avoid accidental, unauthorized or unexplained incidents arising from computer anomaly or other technical malfunctions,

Conscious that limited steps relating to de-alerting and de-targeting have been taken by the nuclear-weapon States and that further practical, realistic and mutually reinforcing steps are necessary to contribute to the improvement in the international climate for negotiations leading to the elimination of nuclear weapons,

Mindful that a diminishing role for nuclear weapons in the security policies of nuclear-weapon States would positively impact on international peace and security and improve the conditions for the further reduction and the elimination of nuclear weapons,

Reiterating the highest priority accorded to nuclear disarmament in the Final Document of the Tenth Special Session of the General Assembly and by the international community,

Recalling the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons* that there exists an obligation for all States to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control,

Recalling also the call in the United Nations Millennium Declaration to seek to eliminate the dangers posed by weapons of mass destruction and the resolve to strive for the elimination of weapons of mass destruction, particularly nuclear weapons, including the possibility of convening an international conference to identify ways of eliminating nuclear dangers,

1. *Calls for* a review of nuclear doctrines and, in this context, immediate and urgent steps to reduce the risks of unintentional and accidental use of nuclear weapons, including through de-alerting and de-targeting nuclear weapons;

2. *Requests* the five nuclear-weapon States to take measures towards the implementation of paragraph 1 above;

3. *Calls upon* Member States to take the necessary measures to prevent the proliferation of nuclear weapons in all its aspects and to promote nuclear disarmament, with the objective of eliminating nuclear weapons;

4. *Takes note* of the report of the Secretary-General submitted pursuant to paragraph 5 of resolution 64/37 of 2 December 2009;

5. *Requests* the Secretary-General to intensify efforts and support initiatives that would contribute towards the full implementation of the seven recommendations identified in the report of the Advisory Board on Disarmament Matters that would significantly reduce the risk of nuclear war, and also to continue to encourage Member States to consider the convening of an international conference, as proposed in the United Nations Millennium Declaration, to identify ways of eliminating nuclear dangers, and to report thereon to the General Assembly at its sixty-sixth session;

6. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "Reducing nuclear danger".

RECORDED VOTE ON RESOLUTION 65/60:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia, Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom, United States.

Abstaining: Argentina, Armenia, Azerbaijan, Belarus, Benin, China, Georgia, Japan, Kyrgyzstan, Marshall Islands, Republic of Korea, Russian Federation, Serbia, Tajikistan.

Also on 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/410], adopted **resolution 65/61** without vote [agenda item 97].

Bilateral reductions of strategic nuclear arms and the new framework for strategic relations

The General Assembly,

Referring to its resolution 59/94 of 3 December 2004 and other relevant resolutions,

Noting with satisfaction the establishment of a new strategic relationship between the Russian Federation and the United States of America, based on the principles of indivisible security, trust, openness, predictability and cooperation, and also the desire of the two countries to bring their respective nuclear postures into alignment with this new relationship, and their endeavour to reduce further the role and importance of nuclear weapons,

Welcoming the resolve of the Russian Federation and the United States of America to work together and with other States and international organizations in the interests of fulfilling their obligations under article VI of the Treaty on the Non-Proliferation of Nuclear Weapons, which was opened for signature on 1 July 1968,

Taking into consideration the obligation of all States parties to the Treaty on the Non-Proliferation of Nuclear Weapons to fulfil their obligations under the Treaty,

Recognizing the importance of the Treaty on the Reduction and Limitation of Strategic Offensive Arms (the START Treaty), which has expired, and welcoming the fulfilment by Belarus, Kazakhstan, the Russian Federation, Ukraine and the United States of America of the obligations they undertook in accordance with the START Treaty,

Stressing the importance of the reaffirmation, in the joint statement of the Russian Federation and the United States of America of 4 December 2009 on the expiration of the START Treaty, of the security assurances for Belarus, Kazakhstan and Ukraine recorded in the Budapest Memorandum of 5 December 1994,

Recognizing the importance of the Treaty on Strategic Offensive Reductions (the SORT Treaty), and welcoming the fulfilment by the Russian Federation and the United States of America of the obligations they undertook in accordance with the SORT Treaty,

Noting the growing cooperation between the Russian Federation and the United States of America with respect to countering serious challenges to international security, which was demonstrated, in particular, by their joint efforts to implement Security Council resolution 1540(2004) of 28 April 2004, to launch and give substance to the Global Initiative to Combat Nuclear Terrorism, and to enhance nuclear security and convert research reactors in third countries,

1. *Welcomes the signing of the Treaty between the Russian Federation and the United States of America on Measures for the Further Reduction and Limitation of Strategic Offensive Arms (the New START Treaty) on 8 April 2010;*

2. *Notes that the Russian Federation and the United States of America are committed to continuing the development of a new strategic relationship based on mutual trust, openness, predictability and cooperation by following up on the successful negotiation of the New START Treaty, and expresses the hope for continuation of a constructive dialogue between the two countries on the basis of fundamental principles stated in the preamble of the New START Treaty;*

3. *Supports the consistent commitment of the Russian Federation and the United States of America to the continuation of efforts for reducing strategic offensive arms,*

and recognizes that the New START Treaty will foster the development of more favourable conditions for actively promoting security and cooperation and strengthening international stability;

4. *Recognizes the importance of the contributions made by Belarus, Kazakhstan, the Russian Federation, Ukraine and the United States of America, as States parties to the START Treaty, to nuclear disarmament as part of their commitment to fulfilling their obligations under article VI of the Treaty on the Non-Proliferation of Nuclear Weapons;*

5. *Welcomes the fact that the successful implementation of the START Treaty by the parties resulted in the reduction of their deployed strategic nuclear weapons by approximately 30 per cent during the fifteen-year span of the Treaty, thereby promoting security and cooperation and strengthening international stability;*

6. *Expresses the hope that the Comprehensive Nuclear-Test-Ban Treaty, which opened for signature on 24 September 1996, will enter into force at an early date;*

7. *Notes with approval that the Russian Federation and the United States of America have stopped the production of fissile materials for use in nuclear weapons or other nuclear explosive devices, expresses support for the early commencement of international negotiations within the framework of an approved programme of work of the Conference on Disarmament in Geneva for the conclusion of a verifiable treaty to end the production of fissile materials for use in nuclear weapons or other nuclear explosive devices, and encourages the nuclear-weapon States to engage the International Atomic Energy Agency to monitor fissile material designated by each of those States as no longer required for military purposes;*

8. *Deeply appreciates, in this context, the implementation of the 1993 Agreement between the Government of the Russian Federation and the Government of the United States of America concerning the Disposition of Highly Enriched Uranium Extracted from Nuclear Weapons, under which more than 400 tons of Russian highly enriched uranium have been blended down for use as power reactor fuel in the United States of America, and the fact that, in accordance with this Agreement, the quantity of highly enriched uranium blended down will total 500 tons;*

9. *Welcomes the commitment of the Russian Federation and the United States of America to the implementation, given dependable funding, of the 2000 Agreement between the Government of the Russian Federation and the Government of the United States of America concerning the Management and Disposition of Plutonium Designated as No Longer Required for Defence Purposes and Related Cooperation, as reflected in the Protocol to amend the Agreement, signed by the Secretary of State of the United States of America, Mrs. Hillary Clinton, and the Minister for Foreign Affairs of the Russian Federation, Mr. Sergey V. Lavrov, on 13 April 2010;*

10. *Notes the intentions of the Russian Federation and the United States of America to continue appropriately to notify other States Members of the United Nations concerning their nuclear arms reduction activities;*

11. *Also notes the growing expectations of the international community that progress will continue to be made on nuclear disarmament, expresses support for current and future efforts in this area, and calls upon all States Members of the United Nations to make an active contribution to the disarmament process.*

Also on 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/410], adopted **resolution 65/71** by recorded vote (157-3-22) [agenda item 97].

Decreasing the operational readiness of nuclear weapons systems

The General Assembly,

Recalling its resolutions 62/36 of 5 December 2007 and 63/41 of 2 December 2008,

Recalling also that the maintenance of nuclear weapons on high alert was a feature of cold war nuclear postures, and welcoming the increased confidence and transparency since the cessation of the cold war,

Concerned that, notwithstanding the end of the cold war, several thousand nuclear weapons remain on high alert, ready to be launched within minutes,

Noting the continuing engagement in multilateral disarmament forums in support of further reductions to the operational status of nuclear weapons systems,

Recognizing that the maintenance of nuclear weapons systems at a high level of readiness increases the risk of the unintentional or accidental use of such weapons, which would have catastrophic consequences,

Recognizing also that reductions in deployments and the lowering of operational status contribute to the maintenance of international peace and security, as well as to the process of nuclear disarmament, through the enhancement of confidence-building and transparency measures and a diminishing role for nuclear weapons in security policies,

Welcoming the steps taken by some States to enhance the environment to support further reductions in nuclear weapons, including de-targeting initiatives and increasing the amount of preparation time required for deployment, and in this connection welcoming the commitment made by the United States of America to maximize Presidential decision time and to consider other steps that may diminish further the possibility of nuclear launches resulting from accidents, unauthorized actions or misperceptions,

1. *Welcomes* the adoption by consensus of the conclusions and recommendations for follow-on actions of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, including the commitments of the nuclear-weapon States to promptly engage with a view to, inter alia, considering the legitimate interest of non-nuclear-weapon States in further reducing the operational status of nuclear weapons systems in ways that promote international stability and security, and looks forward to the report of the nuclear-weapon States, in terms of that undertaking, to the Preparatory Committee for the Review Conference in 2014;

2. *Calls for* further practical steps to be taken to decrease the operational readiness of nuclear weapons systems, with a view to ensuring that all nuclear weapons are removed from high alert status;

3. *Urges* States to update the General Assembly on progress made in the implementation of the present resolution;

4. *Decides* to remain seized of the matter.

RECORDED VOTE ON RESOLUTION 65/71:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Finland, Gabon, Gambia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: France, United Kingdom, United States.

Abstaining: Albania, Andorra, Croatia, Czech Republic, Estonia, Georgia, Hungary, Israel, Latvia, Lithuania, Marshall Islands, Micronesia, Netherlands, Palau, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Serbia, Slovakia, the former Yugoslav Republic of Macedonia, Turkey.

Conference on Disarmament

The Conference on Disarmament held four informal sessions (28 June, 29 June (two sessions), 13 July) on agenda item 1, "Cessation of the nuclear arms race and nuclear disarmament", and item 2, "Prevention of nuclear war, including all related matters" [CD/1899, annex I]. Some nuclear-weapon States recalled their unilateral actions in favour of reducing nuclear arsenals. They underscored the importance of the debate that took place on nuclear disarmament during the 2010 NPT Review Conference, and reiterated their preference for an approach based on a framework of agreements whose components were mutually reinforcing rather than on a convention to ban the use of nuclear weapons.

The debate became more focused in the second session, when the question arose on how to address the issue of nuclear disarmament and whether a legal framework was needed. There was no unanimity on a particular option in that regard. Several delegations said that the call for a nuclear-weapons free world would remain valid so long as full nuclear disarmament

ment was not achieved. Nuclear disarmament was an international legal obligation under article 6 of the NPT, a treaty that was the only multilateral disarmament instrument; however, the NPT was not a universal treaty. That called for a new framework to include all States, address their legitimate concerns and ensure universal commitment going beyond the scope of the obligation under article 6 of the NPT. According to a second set of views, it was important to create the appropriate conditions, in terms of maturity, for negotiations on a nuclear ban convention. Some proponents of that approach were somewhat cautious as to the practicability of pursuing the goal of a nuclear-weapons free world, arguing that the so-called "Global Zero" option was an academic and theoretical concept that could not be reasonably pursued as a goal by States. During the third session, several delegations supporting the approach of a total and immediate ban on nuclear weapons demanded that the CD be provided with a negotiating mandate, which should be as broad as possible because the negotiations could result in one or more instruments. The Chair noted that views were divided on many fundamental issues, including the legal framework and the CD's mandate. It was encouraging to note that differences and disagreements did not relate in all cases to the fact that some States possessed nuclear weapons and others did not.

GENERAL ASSEMBLY ACTION

On 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/410], adopted **resolution 65/72** by recorded vote (173-1-11) [agenda item 97 (x)].

United action towards the total elimination of nuclear weapons

The General Assembly,

Recalling the need for all States to take further practical steps and effective measures towards the total elimination of nuclear weapons, with a view to achieving a peaceful and secure world free of nuclear weapons, and in this regard confirming the determination of Member States to take united action,

Noting that the ultimate objective of the efforts of States in the disarmament process is general and complete disarmament under strict and effective international control,

Recalling its resolution 64/47 of 2 December 2009,

Expressing deep concern at the catastrophic humanitarian consequences of any use of nuclear weapons, and reaffirming the need for all States at all times to comply with applicable international law, including international humanitarian law, while convinced that every effort should be made to avoid nuclear war and nuclear terrorism,

Reaffirming that the enhancement of international peace and security and the promotion of nuclear disarmament are mutually reinforcing,

Reaffirming also that further advancement in nuclear disarmament will contribute to consolidating the international regime for nuclear non-proliferation, which is, inter alia, essential to international peace and security,

Reaffirming further the crucial importance of the Treaty on the Non-Proliferation of Nuclear Weapons as the cornerstone of the international nuclear non-proliferation regime and an essential foundation for the pursuit of the Treaty's three pillars, namely nuclear disarmament, nuclear non-proliferation and the peaceful uses of nuclear energy,

Welcoming the successful outcome of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, held from 3 to 28 May 2010, and reaffirming the necessity of fully implementing the action plan adopted at the Conference,

Welcoming also this year's visit of the Secretary-General to Hiroshima and Nagasaki, Japan, which marked the sixty-fifth anniversary of the atomic bombings,

Noting the high-level meeting on revitalizing the work of the Conference on Disarmament and taking forward multilateral disarmament negotiations, convened by the Secretary-General on 24 September 2010,

Welcoming the signing on 8 April 2010 of the Treaty between the Russian Federation and the United States of America on Measures for the Further Reduction and Limitation of Strategic Offensive Arms,

Noting the recent announcements on overall stockpiles of nuclear warheads by France, the United Kingdom of Great Britain and Northern Ireland and the United States of America, as well as the update of the Russian Federation on its nuclear arsenals, which further enhance transparency and increase mutual confidence, and noting in this regard the announcement of the first 2010 Review Conference follow-up meeting of the five nuclear-weapon States, to be convened in Paris in 2011,

Expressing deep concern regarding the growing dangers posed by the proliferation of weapons of mass destruction, inter alia, nuclear weapons, including that caused by proliferation networks,

Recognizing the importance of the objective of nuclear security, along with the shared goals of Member States of nuclear disarmament, nuclear non-proliferation and peaceful uses of nuclear energy, and welcoming the Nuclear Security Summit, held on 12 and 13 April 2010, which represented a remarkable contribution to strengthening nuclear security and reducing the threat of nuclear terrorism,

Recognizing also the importance of implementing Security Council resolutions 1718(2006) of 14 October 2006 and 1874(2009) of 12 June 2009 with regard to the nuclear tests announced by the Democratic People's Republic of Korea on 9 October 2006 and on 25 May 2009, respectively, and declaring that the Democratic People's Republic of Korea cannot have the status of a nuclear-weapon State under the Treaty on the Non-Proliferation of Nuclear Weapons under any circumstances,

1. *Reaffirms* the importance of all States parties to the Treaty on the Non-Proliferation of Nuclear Weapons complying with their obligations under all the articles of the Treaty;

2. *Also reaffirms* the vital importance of the universality of the Treaty on the Non-Proliferation of Nuclear Weapons, and calls upon all States not parties to the Treaty to

accede as non-nuclear-weapon States to the Treaty promptly and without any conditions and, pending their accession to the Treaty, to adhere to its terms and take practical steps in support of the Treaty;

3. *Further reaffirms* the unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals, leading to nuclear disarmament, to which all States parties to the Treaty on the Non-Proliferation of Nuclear Weapons are committed under article VI thereof;

4. *Calls upon* nuclear-weapon States to undertake further efforts to reduce and ultimately eliminate all types of nuclear weapons, deployed and non-deployed, including through unilateral, bilateral, regional and multilateral measures;

5. *Emphasizes* the importance of applying the principles of irreversibility, verifiability and transparency in relation to the process of nuclear disarmament and non-proliferation;

6. *Recognizes* that nuclear disarmament and achieving the peace and security of a world without nuclear weapons require openness and cooperation, and affirms the importance of enhanced confidence through increased transparency and effective verification;

7. *Encourages* the Russian Federation and the United States of America to seek the early entry into force and full implementation of the Treaty on Measures for the Further Reduction and Limitation of Strategic Offensive Arms and to continue discussions on follow-on measures in order to achieve deeper reductions in their nuclear arsenals;

8. *Urges* all States that have not yet done so to sign and ratify the Comprehensive Nuclear-Test-Ban Treaty at the earliest opportunity, with a view to its early entry into force and universalization, stresses the importance of maintaining existing moratoriums on nuclear-weapon test explosions or any other nuclear explosions pending the entry into force of the Treaty, and reaffirms the importance of the continued development of the Treaty verification regime, which will be a significant contribution to providing assurance of compliance with the Treaty;

9. *Calls for* the immediate commencement of negotiations on a fissile material cut-off treaty at the 2011 session of the Conference on Disarmament and its early conclusion, and calls upon all nuclear-weapon States and States not parties to the Treaty on the Non-Proliferation of Nuclear Weapons to declare and maintain moratoriums on the production of fissile material for any nuclear weapons or other nuclear explosive devices pending the entry into force of the treaty;

10. *Calls upon* the nuclear-weapon States to take measures to further reduce the risk of an accidental or unauthorized launch of nuclear weapons in ways that promote international stability and security, while welcoming the measures already taken by several nuclear-weapon States in this regard;

11. *Also calls upon* the nuclear-weapon States to promptly engage with a view to further diminishing the role and significance of nuclear weapons in all military and security concepts, doctrines and policies;

12. *Recalls* Security Council resolution 984(1995) of 11 April 1995, noting the unilateral statements by each of the nuclear-weapon States, and calls upon all nuclear-

weapon States to fully respect their existing commitments with regard to security assurances;

13. *Encourages* the establishment of further nuclear-weapon-free zones, where appropriate, on the basis of arrangements freely arrived at among States of the region concerned and in accordance with the 1999 guidelines of the Disarmament Commission;

14. *Calls upon* all States to redouble their efforts to prevent and curb the proliferation of nuclear weapons and their means of delivery and to fully respect and comply with obligations undertaken to forswear nuclear weapons;

15. *Stresses* the importance of the universalization of the comprehensive safeguards agreements of the International Atomic Energy Agency to include States which have not yet adopted and implemented such an agreement, while also strongly encouraging further works for achieving the universalization of the Model Protocol Additional to the Agreement(s) between State(s) and the International Atomic Energy Agency for the Application of Safeguards approved by the Board of Governors of the Agency on 15 May 1997, and the full implementation of relevant Security Council resolutions, including resolution 1540(2004) of 28 April 2004;

16. *Encourages* every effort to secure all vulnerable nuclear and radiological material, and calls upon all States to work cooperatively as an international community to advance nuclear security, while requesting and providing assistance, including in the field of capacity-building, as necessary;

17. *Encourages* all States to implement the recommendations contained in the report of the Secretary-General on the United Nations study on disarmament and non-proliferation education, in support of achieving a world without nuclear weapons, and to voluntarily share information on efforts they have been undertaking to that end;

18. *Commends and further encourages* the constructive role played by civil society in promoting nuclear non-proliferation and nuclear disarmament, and encourages all States to promote, in cooperation with civil society, disarmament and non-proliferation education which, inter alia, contributes to raising public awareness of the tragic consequences of the use of nuclear weapons and strengthens the momentum of international efforts to promote nuclear disarmament and non-proliferation;

19. *Decides* to include in the provisional agenda of its sixty-sixth session an item entitled "United action towards the total elimination of nuclear weapons".

RECORDED VOTE ON RESOLUTION 65/72:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait,

Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mexico, Micronesia, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, United States, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Democratic People's Republic of Korea.

Abstaining: Brazil, China, Cuba, India, Iran, Israel, Mauritius, Myanmar, Pakistan, South Africa, Syrian Arab Republic.

Also on 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/410], adopted **resolution 65/56** by recorded vote (120-45-18) [agenda item 97 (*aa*)].

Nuclear disarmament

The General Assembly,

Recalling its resolution 49/75 E of 15 December 1994 on a step-by-step reduction of the nuclear threat, and its resolutions 50/70 P of 12 December 1995, 51/45 O of 10 December 1996, 52/38 L of 9 December 1997, 53/77 X of 4 December 1998, 54/54 P of 1 December 1999, 55/33 T of 20 November 2000, 56/24 R of 29 November 2001, 57/79 of 22 November 2002, 58/56 of 8 December 2003, 59/77 of 3 December 2004, 60/70 of 8 December 2005, 61/78 of 6 December 2006, 62/42 of 5 December 2007, 63/46 of 2 December 2008 and 64/53 of 2 December 2009 on nuclear disarmament,

Reaffirming the commitment of the international community to the goal of the total elimination of nuclear weapons and the establishment of a nuclear-weapon-free world,

Bearing in mind that the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction of 1972 and the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction of 1993 have already established legal regimes on the complete prohibition of biological and chemical weapons, respectively, and determined to achieve a nuclear weapons convention on the prohibition of the development, testing, production, stockpiling, loan, transfer, use and threat of use of nuclear weapons and on their destruction, and to conclude such an international convention at an early date,

Recognizing that there now exist conditions for the establishment of a world free of nuclear weapons, and stressing the need to take concrete practical steps towards achieving this goal,

Bearing in mind paragraph 50 of the Final Document of the Tenth Special Session of the General Assembly, the first special session devoted to disarmament, calling for the urgent negotiation of agreements for the cessation of the qualitative improvement and development of nuclear-weapon systems, and for a comprehensive and phased programme with agreed time frames, wherever feasible, for the progressive and balanced reduction of nuclear weapons and their means of delivery, leading to their ultimate and complete elimination at the earliest possible time,

Reaffirming the conviction of the States parties to the Treaty on the Non-Proliferation of Nuclear Weapons that the Treaty is a cornerstone of nuclear non-proliferation and nuclear disarmament, and the importance of the decision on strengthening the review process for the Treaty, the decision on principles and objectives for nuclear non-proliferation and disarmament, the decision on the extension of the Treaty and the resolution on the Middle East, adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,

Stressing the importance of the thirteen steps for the systematic and progressive efforts to achieve the objective of nuclear disarmament leading to the total elimination of nuclear weapons, as agreed to by the States parties in the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,

Recognizing the important work done at the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, and considering its action plan as an impetus to intensify work aimed at beginning negotiations for a nuclear weapons convention,

Reiterating the highest priority accorded to nuclear disarmament in the Final Document of the Tenth Special Session of the General Assembly and by the international community,

Reiterating its call for an early entry into force of the Comprehensive Nuclear-Test-Ban Treaty,

Taking note of the signing of the new strategic arms reduction treaty between the Russian Federation and the United States of America, in order to achieve further deep cuts in their strategic and tactical nuclear weapons, and stressing that such cuts should be irreversible, verifiable and transparent,

Recalling the entry into force of the Treaty on Strategic Offensive Reductions ("the Moscow Treaty") between the United States of America and the Russian Federation as a significant step towards reducing their deployed strategic nuclear weapons, while calling for further irreversible deep cuts in their nuclear arsenals,

Noting the positive statements by nuclear-weapon States of their intention to pursue actions to achieve a world free of nuclear weapons, while reaffirming the need for urgent concrete actions by nuclear-weapon States to achieve this goal within a specified framework of time, and urging them to take further measures for progress on nuclear disarmament,

Recognizing the complementarity of bilateral, plurilateral and multilateral negotiations on nuclear disarmament, and that bilateral negotiations can never replace multilateral negotiations in this respect,

Noting the support expressed in the Conference on Disarmament and in the General Assembly for the elabora-

tion of an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, and the multilateral efforts in the Conference on Disarmament to reach agreement on such an international convention at an early date,

Recalling the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*, issued on 8 July 1996, and welcoming the unanimous reaffirmation by all Judges of the Court that there exists an obligation for all States to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control,

Mindful of paragraph 102 of the Final Document of the Coordinating Bureau of the Non-Aligned Movement at its Ministerial Meeting, held in Havana from 27 to 30 April 2009,

Recalling paragraph 112 and other relevant recommendations in the Final Document of the Fifteenth Summit Conference of Heads of State and Government of the Movement of Non-Aligned Countries, held in Sharm el-Sheikh, Egypt, on 15 and 16 July 2009, calling upon the Conference on Disarmament to establish, as soon as possible and as the highest priority, an ad hoc committee on nuclear disarmament and to commence negotiations on a phased programme for the complete elimination of nuclear weapons within a specified framework of time, including a nuclear weapons convention,

Noting the adoption of the programme of work for the 2009 session by the Conference on Disarmament on 29 May 2009, after years of stalemate, while regretting that the Conference has not been able to undertake substantive work on its agenda in 2010,

Reaffirming the importance and validity of the Conference on Disarmament as the sole multilateral negotiating forum on disarmament, and expressing the need to adopt and implement a balanced and comprehensive programme of work on the basis of its agenda and dealing with, inter alia, four core issues, in accordance with the rules of procedure, and by taking into consideration the security concerns of all States,

Reaffirming also the specific mandate conferred upon the Disarmament Commission by the General Assembly, in its decision 52/492 of 8 September 1998, to discuss the subject of nuclear disarmament as one of its main substantive agenda items,

Recalling the United Nations Millennium Declaration, in which Heads of State and Government resolved to strive for the elimination of weapons of mass destruction, in particular nuclear weapons, and to keep all options open for achieving this aim, including the possibility of convening an international conference to identify ways of eliminating nuclear dangers,

Reaffirming that, in accordance with the Charter of the United Nations, States should refrain from the use or threat of use of nuclear weapons in settling their disputes in international relations,

Seized of the danger of the use of weapons of mass destruction, particularly nuclear weapons, in terrorist acts and the urgent need for concerted international efforts to control and overcome it,

1. *Recognizes* that the time is now opportune for all the nuclear-weapon States to take effective disarmament measures to achieve the total elimination of these weapons at the earliest possible time;

2. *Reaffirms* that nuclear disarmament and nuclear non-proliferation are substantively interrelated and mutually reinforcing, that the two processes must go hand in hand and that there is a genuine need for a systematic and progressive process of nuclear disarmament;

3. *Welcomes and encourages* the efforts to establish new nuclear-weapon-free zones in different parts of the world, including the establishment of a Middle East zone free of nuclear weapons, on the basis of agreements or arrangements freely arrived at among the States of the regions concerned, which is an effective measure for limiting the further spread of nuclear weapons geographically and contributes to the cause of nuclear disarmament;

4. *Recognizes* that there is a genuine need to diminish the role of nuclear weapons in strategic doctrines and security policies to minimize the risk that these weapons will ever be used and to facilitate the process of their total elimination;

5. *Urges* the nuclear-weapon States to stop immediately the qualitative improvement, development, production and stockpiling of nuclear warheads and their delivery systems;

6. *Also urges* the nuclear-weapon States, as an interim measure, to de-alert and deactivate immediately their nuclear weapons and to take other concrete measures to reduce further the operational status of their nuclear-weapon systems, while stressing that reductions in deployments and in operational status cannot substitute for irreversible cuts in, and the total elimination of, nuclear weapons;

7. *Reiterates its call upon* the nuclear-weapon States to undertake the step-by-step reduction of the nuclear threat and to carry out effective nuclear disarmament measures with a view to achieving the total elimination of these weapons within a specified framework of time;

8. *Calls upon* the nuclear-weapon States, pending the achievement of the total elimination of nuclear weapons, to agree on an internationally and legally binding instrument on a joint undertaking not to be the first to use nuclear weapons, and calls upon all States to conclude an internationally and legally binding instrument on security assurances of non-use and non-threat of use of nuclear weapons against non-nuclear-weapon States;

9. *Urges* the nuclear-weapon States to commence plural-lateral negotiations among themselves at an appropriate stage on further deep reductions of nuclear weapons as an effective measure of nuclear disarmament;

10. *Underlines* the importance of applying the principles of transparency, irreversibility and verifiability to the process of nuclear disarmament and to nuclear and other related arms control and reduction measures;

11. *Underscores* the importance of the unequivocal undertaking by the nuclear-weapon States, in the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament, to which all States parties are committed under article VI of the Treaty, and the reaffirmation by the States parties that the total elimination of nuclear weapons is the only absolute guarantee against the use or threat of use of nuclear weapons;

12. *Calls for the full and effective implementation of the thirteen practical steps for nuclear disarmament contained in the Final Document of the 2000 Review Conference;*

13. *Also calls for the full implementation of the action plan as set out in the conclusions and recommendations for follow-on actions of the Final Document of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, particularly the 22-point action plan on nuclear disarmament;*

14. *Urges the nuclear-weapon States to carry out further reductions of non-strategic nuclear weapons, based on unilateral initiatives and as an integral part of the nuclear arms reduction and disarmament process;*

15. *Calls for the immediate commencement of negotiations in the Conference on Disarmament on a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices on the basis of the report of the Special Coordinator and the mandate contained therein;*

16. *Urges the Conference on Disarmament to commence as early as possible its substantive work during its 2011 session, on the basis of a comprehensive and balanced programme of work that takes into consideration all the real and existing priorities in the field of disarmament and arms control, including the immediate commencement of negotiations on such a treaty with a view to their conclusion within five years;*

17. *Calls for the conclusion of an international legal instrument or instruments on adequate security assurances to non-nuclear-weapon States;*

18. *Also calls for the early entry into force and strict observance of the Comprehensive Nuclear-Test-Ban Treaty;*

19. *Expresses its regret that the Conference on Disarmament was unable to establish an ad hoc committee to deal with nuclear disarmament early in 2010, as called for by the General Assembly in its resolution 64/53;*

20. *Reiterates its call upon the Conference on Disarmament to establish, as soon as possible and as the highest priority, an ad hoc committee on nuclear disarmament early in 2011 and to commence negotiations on a phased programme of nuclear disarmament leading to the total elimination of nuclear weapons within a specified framework of time;*

21. *Calls for the convening of an international conference on nuclear disarmament in all its aspects at an early date to identify and deal with concrete measures of nuclear disarmament;*

22. *Requests the Secretary-General to submit to the General Assembly at its sixty-sixth session a report on the implementation of the present resolution;*

23. *Decides to include in the provisional agenda of its sixty-sixth session the item entitled "Nuclear disarmament".*

RECORDED VOTE ON RESOLUTION 65/56:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic Peo-

ple's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Indonesia, Iran, Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Nicaragua, Niger, Nigeria, Oman, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Tuvalu, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Albania, Andorra, Australia, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Micronesia, Monaco, Montenegro, Netherlands, Norway, Palau, Poland, Portugal, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom, United States.

Abstaining: Armenia, Austria, Azerbaijan, Belarus, India, Ireland, Japan, Malta, Marshall Islands, Mauritius, New Zealand, Pakistan, Republic of Korea, Russian Federation, Serbia, Sweden, Tajikistan, Uzbekistan.

Fissile material

The Conference on Disarmament held four informal sessions on a fissile material cut-off treaty, on 8 June (two sessions), 22 June and 23 June [CD/1899, annex II]. The discussions focused on: the value of such a treaty; the disarmament and non-proliferation objectives of the treaty; scope of the treaty (new production/existing stocks); definitions (fissile material, production); verification (objectives, scope, legal arrangements, role of the International Atomic Energy Agency); and organizational issues (implementation, decision-making, secretariat, entry into force).

Regarding the scope of the treaty, States debated on whether to include reduction in existing stocks among the treaty's provisions. Marked divergences of views emerged; the majority of non-nuclear-weapon States insisted on the inclusion of such a provision, while some nuclear-weapon States were not in favour. Those positions mirrored the fundamental dichotomy as to whether such a treaty should be considered a nuclear disarmament or a non-proliferation measure. In an attempt to bridge those differences, Brazil proposed a treaty structure similar to the Convention on Certain Conventional Weapons, under which the issue of stocks would be dealt with in a separate protocol to a framework treaty.

GENERAL ASSEMBLY ACTION

On 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/410], adopted **resolution 65/65** by recorded vote (179-1-2) [agenda item 97 (f)].

Treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices

The General Assembly,

Recalling its resolutions 48/75 L of 16 December 1993, 53/77 I of 4 December 1998, 55/33 Y of 20 November 2000, 56/24 J of 29 November 2001, 57/80 of 22 November 2002, 58/57 of 8 December 2003, 59/81 of 3 December 2004 and 64/29 of 2 December 2009 on the subject of banning the production of fissile material for nuclear weapons or other nuclear explosive devices, and noting in this regard the support for the Conference on Disarmament expressed by the Security Council summit on nuclear disarmament and nuclear non-proliferation, held on 24 September 2009,

Convinced that a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices would be a significant contribution to nuclear disarmament and non-proliferation,

Welcoming, after years of stalemate, the consensus adoption by the Conference on Disarmament of its decision (CD/1864) of 29 May 2009 on the establishment of a programme of work for its 2009 session, by which the Conference, inter alia, and without prejudice to any past, present or future position, established a Working Group to negotiate a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices on the basis of document CD/1299 of 24 March 1995 and the mandate contained therein,

1. Urges the Conference on Disarmament to agree early in 2011 on a programme of work that includes the immediate commencement of negotiations on a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices;

2. Decides to include in the provisional agenda of its sixty-sixth session the item entitled “Treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices”.

RECORDED VOTE ON RESOLUTION 65/65:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d’Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People’s Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Lib-

yan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, United States, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Pakistan.

Abstaining: Democratic People’s Republic of Korea, Syrian Arab Republic.

Security assurances

The Conference on Disarmament held four informal meetings (16 and 25 June, 1 and 16 July) on agenda item 4, “Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons” (or “negative security assurances”) [CD/1899, annex IV].

Many delegations shared the view that the elimination of nuclear weapons was the only absolute guarantee for negative security assurances. Pending the ultimate goal of a nuclear-weapon-free world, non-nuclear weapon States should have a legitimate right to a legally binding assurance for negative security assurances; however, some delegations supported the decision taken in the 2010 NPT Review Conference outcome concerning negative security assurances. Some delegations identified the unilateral declarations by nuclear-weapon States in the mid-1990s as important steps towards negative security assurances.

Some delegations noted the establishment of nuclear-weapon-free zones as positive steps for guaranteeing negative security assurances, although not all nuclear-weapon States had ratified the protocols of nuclear-weapon-free zones. Conversely, others argued that security assurances should not be granted in the context of nuclear-weapon-free zones because the idea of such zones might not be applicable to specific regions such as the Middle East or South Asia. Therefore, they called for the conclusion of a universal, legally binding instrument on negative security assurances. Nevertheless, delegations welcomed the creation of nuclear-weapon-free zones in Africa, South-East Asia, Central Asia, Latin America and the South Pacific, as well as Mongolia’s nuclear-weapon-free status, and stressed the need to establish more

such zones. Some delegations viewed positively the 2010 United States Nuclear Posture Review, stating that it gave added assurance of “no-use” of nuclear weapons against non-nuclear-weapon States and within nuclear-weapon-free zones.

GENERAL ASSEMBLY ACTION

On 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/407], adopted **resolution 65/43** by recorded vote (119-0-58) [agenda item 94].

Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons

The General Assembly,

Bearing in mind the need to allay the legitimate concern of the States of the world with regard to ensuring lasting security for their peoples,

Convinced that nuclear weapons pose the greatest threat to mankind and to the survival of civilization,

Noting that the renewed interest in nuclear disarmament should be translated into concrete actions for the achievement of general and complete disarmament under effective international control,

Convinced that nuclear disarmament and the complete elimination of nuclear weapons are essential to remove the danger of nuclear war,

Determined to abide strictly by the relevant provisions of the Charter of the United Nations on the non-use of force or threat of force,

Recognizing that the independence, territorial integrity and sovereignty of non-nuclear-weapon States need to be safeguarded against the use or threat of use of force, including the use or threat of use of nuclear weapons,

Considering that, until nuclear disarmament is achieved on a universal basis, it is imperative for the international community to develop effective measures and arrangements to ensure the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons from any quarter,

Recognizing that effective measures and arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons can contribute positively to the prevention of the spread of nuclear weapons,

Bearing in mind paragraph 59 of the Final Document of the Tenth Special Session of the General Assembly, the first special session devoted to disarmament, in which it urged the nuclear-weapon States to pursue efforts to conclude, as appropriate, effective arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, and desirous of promoting the implementation of the relevant provisions of the Final Document,

Recalling the relevant parts of the special report of the Committee on Disarmament submitted to the General Assembly at its twelfth special session, the second special session devoted to disarmament, and of the special report of the Conference on Disarmament submitted to the Assembly at its fifteenth special session, the third special session devoted to disarmament, as well as the report of the Conference on its 1992 session,

Recalling also paragraph 12 of the Declaration of the 1980s as the Second Disarmament Decade, contained in the annex to its resolution 35/46 of 3 December 1980, which states, inter alia, that all efforts should be exerted by the Committee on Disarmament urgently to negotiate with a view to reaching agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons,

Noting the in-depth negotiations undertaken in the Conference on Disarmament and its Ad Hoc Committee on Effective International Arrangements to Assure Non-Nuclear-Weapon States against the Use or Threat of Use of Nuclear Weapons, with a view to reaching agreement on this question,

Taking note of the proposals submitted under the item in the Conference on Disarmament, including the drafts of an international convention,

Taking note also of the relevant decision of the Thirteenth Conference of Heads of State or Government of Non-Aligned Countries, held at Kuala Lumpur on 24 and 25 February 2003, which was reiterated at the Fourteenth and Fifteenth Conferences of Heads of State or Government of Non-Aligned Countries, held at Havana and Sharm el-Sheik, Egypt, on 15 and 16 September 2006, and 15 and 16 July 2009, respectively, as well as the relevant recommendations of the Organization of the Islamic Conference,

Taking note further of the unilateral declarations made by all the nuclear-weapon States on their policies of non-use or non-threat of use of nuclear weapons against the non-nuclear-weapon States,

Noting the support expressed in the Conference on Disarmament and in the General Assembly for the elaboration of an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, as well as the difficulties pointed out in evolving a common approach acceptable to all,

Taking note of Security Council resolution 984(1995) of 11 April 1995 and the views expressed on it,

Recalling its relevant resolutions adopted in previous years, in particular resolutions 45/54 of 4 December 1990, 46/32 of 6 December 1991, 47/50 of 9 December 1992, 48/73 of 16 December 1993, 49/73 of 15 December 1994, 50/68 of 12 December 1995, 51/43 of 10 December 1996, 52/36 of 9 December 1997, 53/75 of 4 December 1998, 54/52 of 1 December 1999, 55/31 of 20 November 2000, 56/22 of 29 November 2001, 57/56 of 22 November 2002, 58/35 of 8 December 2003, 59/64 of 3 December 2004, 60/53 of 8 December 2005, 61/57 of 6 December 2006, 62/19 of 5 December 2007, 63/39 of 2 December 2008, and 64/27 of 2 December 2009,

1. *Reaffirms* the urgent need to reach an early agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons;

2. *Notes with satisfaction* that in the Conference on Disarmament there is no objection, in principle, to the idea of an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, although the difficulties with regard to evolving a common approach acceptable to all have also been pointed out;

3. *Appeals* to all States, especially the nuclear-weapon States, to work actively towards an early agreement on a common approach and, in particular, on a common formula that could be included in an international instrument of a legally binding character;

4. *Recommends* that further intensive efforts be devoted to the search for such a common approach or common formula and that the various alternative approaches, including, in particular, those considered in the Conference on Disarmament, be explored further in order to overcome the difficulties;

5. *Also recommends* that the Conference on Disarmament actively continue intensive negotiations with a view to reaching early agreement and concluding effective international agreements to assure the non-nuclear-weapon States against the use or threat of use of nuclear weapons, taking into account the widespread support for the conclusion of an international convention and giving consideration to any other proposals designed to secure the same objective;

6. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons".

RECORDED VOTE ON RESOLUTION 65/43:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Myanmar, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia.

Against: None.

Abstaining: Albania, Andorra, Argentina, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia, Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Serbia, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Tajikistan, the former Yugoslav Republic of Macedonia, Turkey, Tuvalu, Ukraine, United Kingdom, United States.

Comprehensive Nuclear-Test-Ban Treaty

Status

As at 31 December, 182 States had signed the 1996 Comprehensive Nuclear-Test-Ban Treaty (CTBT) adopted by General Assembly resolution 50/245 [YUN 1996, p. 454], and 153 had ratified it. During the year, instruments of ratification were deposited by Trinidad and Tobago and the Central African Republic. In accordance with article XIV, CTBT would enter into force 180 days after the 44 States possessing nuclear reactors, listed in annex 2 of the Treaty, had deposited their instruments of ratification. By year's end, 35 of those States had ratified the Treaty.

Report of Secretary General. In July, pursuant to General Assembly resolution 64/69 [YUN 2009, p. 513], the Secretary-General reported [A/65/111 & Add.1,2 & Corr.1], in consultation with the Preparatory Commission for CTBT, on the efforts of States that had ratified the Treaty towards its universalization and possibilities for providing assistance on ratification procedures to States that so requested it, covering the period June 2009–May 2010.

Fifth ministerial meeting to promote entry into force

On the eve of the fourteenth anniversary of the opening for signature of CTBT, foreign ministers of Member States convened a meeting (New York, 24 September) to promote the Treaty's entry into force. The fifth of its kind, the biennial meeting was convened by Australia, Canada, Finland, France, Japan, Morocco and the Netherlands.

In a joint ministerial statement, 74 countries committed themselves to making CTBT a focus of attention at the highest political level and to take measures to facilitate the signature and ratification process, as recommended in the Final Document of the 2010 NPT Review Conference.

On 28 December [A/65/675], Australia, Canada, Finland, France, Japan, Morocco and the Netherlands transmitted the joint ministerial statement to the Secretary-General.

GENERAL ASSEMBLY ACTION

On 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/416], adopted **resolution 65/91** by recorded vote (179-1-3) [agenda item 103].

Comprehensive Nuclear-Test-Ban Treaty

The General Assembly,

Reiterating that the cessation of nuclear-weapon test explosions or any other nuclear explosions constitutes an

effective nuclear disarmament and non-proliferation measure, and convinced that this is a meaningful step in the realization of a systematic process for achieving nuclear disarmament,

Recalling that the Comprehensive Nuclear-Test-Ban Treaty, adopted by its resolution 50/245 of 10 September 1996, was opened for signature on 24 September 1996,

Stressing that a universal and effectively verifiable Treaty constitutes a fundamental instrument in the field of nuclear disarmament and non-proliferation and that, after more than fourteen years, its entry into force is more urgent than ever before,

Encouraged by the signing of the Treaty by one hundred and eighty-one States, including forty-one of the forty-four whose ratification is needed for its entry into force, and welcoming the ratification of the Treaty by one hundred and fifty-three States, including thirty-five of the forty-four whose ratification is needed for its entry into force, among which there are three nuclear-weapon States,

Recalling its resolution 64/69 of 2 December 2009,

Welcoming the adoption by consensus of the conclusions and recommendations for follow-on actions of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, which, *inter alia*, reaffirmed the vital importance of the entry into force of the Comprehensive Nuclear-Test-Ban Treaty as a core element of the international nuclear disarmament and non-proliferation regime and included specific actions to be taken in support of the entry into force of the Treaty,

Welcoming also the Joint Ministerial Statement on the Comprehensive Nuclear-Test-Ban Treaty, adopted at the Ministerial Meeting held in New York on 23 September 2010,

Recalling the Final Declaration adopted by the sixth Conference on Facilitating the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty, held in New York on 24 and 25 September 2009, pursuant to article XIV of the Treaty, and noting the improved prospects for ratification in several Annex 2 countries,

1. *Stresses* the vital importance and urgency of signature and ratification, without delay and without conditions, in order to achieve the earliest entry into force of the Comprehensive Nuclear-Test-Ban Treaty;

2. *Welcomes* the contributions by the States signatories to the work of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization, in particular its efforts to ensure that the verification regime of the Treaty will be capable of meeting the verification requirements of the Treaty upon its entry into force, in accordance with article IV of the Treaty;

3. *Underlines* the need to maintain momentum towards completion of all elements of the verification regime;

4. *Urges* all States not to carry out nuclear-weapon test explosions or any other nuclear explosions, to maintain their moratoriums in this regard and to refrain from acts that would defeat the object and purpose of the Treaty, while stressing that these measures do not have the same permanent and legally binding effect as the entry into force of the Treaty;

5. *Recalls* Security Council resolutions 1718(2006) of 14 October 2006 and 1874(2009) of 12 June 2009, empha-

sizes the importance of their implementation, and reaffirms its firm support for the Six-Party Talks;

6. *Urges* all States that have not yet signed the Treaty to sign and ratify it as soon as possible;

7. *Urges* all States that have signed but not yet ratified the Treaty, in particular those whose ratification is needed for its entry into force, to accelerate their ratification processes with a view to ensuring their earliest successful conclusion;

8. *Welcomes*, since its previous resolution on the subject, the ratification of the Treaty by the Central African Republic, the Marshall Islands and Trinidad and Tobago, as significant steps towards the early entry into force of the Treaty;

9. *Also welcomes* the recent expressions by a number of the remaining States whose ratification is needed for the Treaty to enter into force of their intention to pursue and complete the ratification process;

10. *Urges* all States to remain seized of the issue at the highest political level and, where in a position to do so, to promote adherence to the Treaty through bilateral and joint outreach, seminars and other means;

11. *Requests* the Secretary-General, in consultation with the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization, to prepare a report on the efforts of States that have ratified the Treaty towards its universalization and possibilities for providing assistance on ratification procedures to States that so request it, and to submit such a report to the General Assembly at its sixty-sixth session;

12. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "Comprehensive Nuclear-Test-Ban Treaty".

RECORDED VOTE ON RESOLUTION 65/91:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mexico, Micronesia, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Af-

rica, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, United States, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Democratic People's Republic of Korea.

Abstaining: India, Mauritius, Syrian Arab Republic.

Also on 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/410], adopted **resolution 65/59** by recorded vote (173-5-5) [agenda item 97 (*ad*)].

**Towards a nuclear-weapon-free world:
accelerating the implementation of nuclear
disarmament commitments**

The General Assembly,

Recalling its resolution 64/57 of 2 December 2009,

Reiterating its grave concern at the danger to humanity posed by the possibility that nuclear weapons could be used,

Reaffirming that nuclear disarmament and nuclear non-proliferation are mutually reinforcing processes requiring urgent irreversible progress on both fronts,

Recalling the decisions entitled “Strengthening the review process for the Treaty”, “Principles and objectives for nuclear non-proliferation and disarmament” and “Extension of the Treaty on the Non-Proliferation of Nuclear Weapons” and the resolution on the Middle East, all of which were adopted at the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, and the final document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,

Recalling in particular the unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals, leading to nuclear disarmament, in accordance with commitments made under article VI of the Treaty on the Non-Proliferation of Nuclear Weapons,

Recognizing the continued vital importance of the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty to the advancement of nuclear disarmament and nuclear non-proliferation objectives, and welcoming the recent ratification of the Treaty by the Marshall Islands, the Central African Republic and Trinidad and Tobago,

Recalling that the 2000 Review Conference, in its final document, inter alia, reaffirmed the conviction that the establishment of nuclear-weapon-free zones enhances global and regional peace and security, strengthens the nuclear non-proliferation regime and contributes towards realizing the objectives of nuclear disarmament,

Recognizing that the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, in its final document, encouraged the establishment of further nuclear-weapon-free zones, and expressing the hope that this encouragement will be followed by concerted international efforts to create nuclear-weapon-free zones in areas in the world where they do not currently exist, especially in the Middle East,

Noting with satisfaction the agreement at the 2010 Review Conference on practical steps to fully implement the 1995 resolution on the Middle East,

Welcoming the holding in New York on 30 April 2010 of the second Conference of States Parties and Signatories to Treaties that Establish Nuclear-Weapon-Free Zones and Mongolia, and taking note of its outcome document,

Welcoming also the conclusion and signature of the Treaty on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, and the commitment by its signatories, the Russian Federation and the United States of America, to seek its early entry into force and full implementation, while noting the encouragement of the 2010 Review Conference to both States to continue discussions on follow-on measures in order to achieve deeper reductions in their nuclear arsenals, and stressing the need for all nuclear-weapon States to take effective nuclear disarmament measures which comply with the fundamental principles of transparency, verification and irreversibility,

Welcoming further the Agreement between the Russian Federation and the United States of America concerning the Management and Disposition of Plutonium Designated as No Longer Required for Defence Purposes and their commitment to conclude legally binding agreements with the International Atomic Energy Agency to implement verification measures,

Recalling that the 2010 Review Conference reaffirmed and recognized that the total elimination of nuclear weapons is the only absolute guarantee against the use or threat of use of nuclear weapons and the legitimate interest of non-nuclear weapon States in receiving unequivocal and legally binding security assurances from nuclear-weapon States,

1. *Welcomes* the adoption by the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons of a substantive final document containing conclusions and recommendations for follow-on actions relating to nuclear disarmament, nuclear non-proliferation, peaceful uses of nuclear energy and the Middle East, particularly implementation of the 1995 resolution on the Middle East;

2. *Also welcomes*, in particular, the fact that the 2010 Review Conference resolved to seek a safer world for all and to achieve the peace and security of a world without nuclear weapons, in accordance with the objectives of the Treaty on the Non-Proliferation of Nuclear Weapons;

3. *Further welcomes* the expression by the 2010 Review Conference of deep concern at the catastrophic humanitarian consequences of any use of nuclear weapons, and its reaffirmation of the need for all States at all times to comply with applicable international law, including international humanitarian law;

4. *Welcomes* the call by the 2010 Review Conference for the nuclear-weapon States to further enhance transparency so as to increase mutual confidence, acknowledges recent positive steps in this regard, and calls upon all nuclear-weapon States to undertake activities in this regard at an early date;

5. *Also welcomes* the reaffirmation of the continued validity of the practical steps agreed to in the final document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, including the specific reaffirmation of the unequivocal undertak-

ing of the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament, to which all States parties are committed under article VI of the Treaty;

6. *Stresses* the importance of the commitment made by the nuclear-weapon States at the 2010 Review Conference to accelerate concrete progress on the steps leading to nuclear disarmament contained in the final document of the 2000 Review Conference, and of their prompt engagement with a view to ensuring substantial progress in advance of the 2014 session of the Preparatory Committee for the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, and encourages the nuclear-weapon States to report regularly on the implementation of their commitments under the action plan on nuclear disarmament adopted by the 2010 Review Conference;

7. *Notes with satisfaction* the commitment of the nuclear-weapon States to undertake further efforts to reduce and ultimately eliminate all types of nuclear weapons, deployed and non-deployed, including through unilateral, bilateral, regional and multilateral measures;

8. *Encourages* further steps by all nuclear-weapon States, in accordance with the action plan on nuclear disarmament of the final document of the 2010 Review Conference, to ensure the irreversible removal of all fissile material designated by each nuclear-weapon State as no longer required for military purposes, and to support the development of appropriate verification capabilities relating to nuclear disarmament;

9. *Calls upon* all States parties to the Treaty on the Non-Proliferation of Nuclear Weapons to work towards the full implementation of the resolution on the Middle East adopted at the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, and also calls upon the Secretary-General and the co-sponsors of the 1995 resolution, as well as all other relevant States and organizations, to undertake all necessary preparations to implement the practical steps agreed upon at the 2010 Review Conference in this regard;

10. *Continues to emphasize* the central role of the Treaty on the Non-Proliferation of Nuclear Weapons and its universality in achieving nuclear disarmament and nuclear non-proliferation, and calls upon all States parties to respect their obligations;

11. *Calls upon* all States to comply fully with all commitments made regarding nuclear disarmament and nuclear non-proliferation and not to act in any way that may compromise either cause or that may lead to a new nuclear arms race;

12. *Reiterates its call upon* all States parties to spare no effort to achieve the universality of the Treaty on the Non-Proliferation of Nuclear Weapons, and in this regard urges India, Israel and Pakistan to accede to the Treaty as non-nuclear-weapon States promptly and without conditions;

13. *Urges* the Democratic People's Republic of Korea to fulfil the commitments under the Six-Party Talks, including those in the September 2005 Joint Statement, to abandon all nuclear weapons and existing nuclear programmes, and to return, at an early date, to the Treaty on the Non-Proliferation of Nuclear Weapons and to its adherence to the International Atomic Energy Agency safeguards agreement, with a view to achieving the denuclearization of

the Korean Peninsula in a peaceful manner, and reaffirms its firm support for the Six-Party Talks;

14. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "Towards a nuclear-weapon-free world: accelerating the implementation of nuclear disarmament commitments" and to review the implementation of the present resolution at that session.

RECORDED VOTE ON RESOLUTION 65/59:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Democratic People's Republic of Korea, France, India, Israel, United States.

Abstaining: Bhutan, Micronesia, Pakistan, Palau, United Kingdom.

Preparatory Commission for the CTBT Organization

In advance of the entry into force of the Comprehensive Nuclear-Test-Ban Treaty and the establishment of the Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO), a Preparatory Commission was established by the signatory States in 1996 [YUN 1996, p. 452]. In 2010, the Commission continued to develop the Treaty's verification regime. Momentum was maintained in setting up the International Monitoring System (IMS) [YUN 1999, p. 472], the global network of 337 facilities in 90 countries designed to detect nuclear explosions

prohibited by CTBT. By the end of the year, 272 IMS stations, representing 85 per cent of the network, were installed, and 27 noble gas systems were in provisional operation at IMS radionuclide stations. Efforts were made to enhance the capabilities to perform atmospheric transport modelling and to deliver high-quality products to signatory States. Infrasound monitoring, an important verification technology for detecting and locating an atmospheric nuclear explosion, was introduced into operations at the International Data Centre in Vienna in February.

The Preparatory Commission held its thirty-fourth (28–29 June) [CTBT/PC-34/2] and thirty-fifth (8–9 November) [CTBT/PC-35/2] sessions in Vienna to consider the reports of its working groups and to discuss organizational, budgetary and other matters.

Note by Secretary-General. In June [A/65/98], the Secretary-General transmitted to the General Assembly the report of the Executive Secretary of the Preparatory Commission for 2009, pursuant to article IV, paragraph 1, of the Agreement to Regulate the Relationship between the United Nations and the Preparatory Commission for CTBTO, annexed to Assembly resolution 54/280 [YUN 2000, p. 501].

GENERAL ASSEMBLY ACTION

On 13 December [meeting 64], the General Assembly adopted **resolution 65/127** [draft: A/65/L.34 & Add.1] without vote [agenda item 122 (u)].

Cooperation between the United Nations and the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization

The General Assembly,

Taking note of the report of the Secretary-General,

Taking note also of the report of the Executive Secretary of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization,

Decides to include in the provisional agenda of its sixty-seventh session the sub-item entitled “Cooperation between the United Nations and the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization”.

Advisory opinion of the International Court of Justice

Pursuant to General Assembly resolution 64/55 [YUN 2009, p. 516], relating to the advisory opinion of the International Court of Justice that the threat or use of nuclear weapons was contrary to the UN Charter [YUN 1999, p. 461], the Secretary-General in July [A/65/137 & Add.1] presented information from six Member States (Burkina Faso, Cuba, Japan, Lebanon, Qatar, Serbia) on measures they had taken to implement resolution 64/55 and towards nuclear disarmament.

GENERAL ASSEMBLY ACTION

On 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/410], adopted **resolution 65/76** by recorded vote (133-28-23) [agenda item 97 (c)].

Follow-up to the advisory opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons

The General Assembly,

Recalling its resolutions 49/75 K of 15 December 1994, 51/45 M of 10 December 1996, 52/38 O of 9 December 1997, 53/77 W of 4 December 1998, 54/54 Q of 1 December 1999, 55/33 X of 20 November 2000, 56/24 S of 29 November 2001, 57/85 of 22 November 2002, 58/46 of 8 December 2003, 59/83 of 3 December 2004, 60/76 of 8 December 2005, 61/83 of 6 December 2006, 62/39 of 5 December 2007, 63/49 of 2 December 2008 and 64/55 of 2 December 2009,

Convinced that the continuing existence of nuclear weapons poses a threat to humanity and all life on Earth, and recognizing that the only defence against a nuclear catastrophe is the total elimination of nuclear weapons and the certainty that they will never be produced again,

Reaffirming the commitment of the international community to the realization of the goal of a nuclear-weapon-free world through the total elimination of nuclear weapons,

Mindful of the solemn obligations of States parties, undertaken in article VI of the Treaty on the Non-Proliferation of Nuclear Weapons, particularly to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament,

Recalling the principles and objectives for nuclear non-proliferation and disarmament adopted at the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, the unequivocal commitment of nuclear-weapon States to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament, agreed at the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, and the action points agreed at the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation on Nuclear Weapons as part of the conclusions and recommendations for follow-on actions on nuclear disarmament,

Sharing the deep concern at the catastrophic humanitarian consequences of any use of nuclear weapons, and in this context reaffirming the need for all States at all times to comply with applicable international law, including international humanitarian law,

Calling upon all nuclear-weapon States to undertake concrete disarmament efforts, and stressing that all States need to make special efforts to achieve and maintain a world without nuclear weapons,

Noting the five-point proposal for nuclear disarmament of the Secretary-General, in which he proposes, inter alia, the consideration of negotiations on a nuclear weapons convention or agreement on a framework of separate

mutually reinforcing instruments, backed by a strong system of verification,

Recalling the adoption of the Comprehensive Nuclear-Test-Ban Treaty in its resolution 50/245 of 10 September 1996, and expressing its satisfaction at the increasing number of States that have signed and ratified the Treaty,

Recognizing with satisfaction that the Antarctic Treaty, the treaties of Tlatelolco, Rarotonga, Bangkok and Pelindaba and the Treaty on a Nuclear-Weapon-Free Zone in Central Asia, as well as Mongolia's nuclear-weapon-free status, are gradually freeing the entire southern hemisphere and adjacent areas covered by those treaties from nuclear weapons,

Recognizing the need for a multilaterally negotiated and legally binding instrument to assure non-nuclear-weapon States against the threat or use of nuclear weapons pending the total elimination of nuclear weapons,

Reaffirming the central role of the Conference on Disarmament as the sole multilateral disarmament negotiating forum,

Emphasizing the need for the Conference on Disarmament to commence negotiations on a phased programme for the complete elimination of nuclear weapons with a specified framework of time,

Stressing the urgent need for the nuclear-weapon States to accelerate concrete progress on the thirteen practical steps to implement article VI of the Treaty on the Non-Proliferation of Nuclear Weapons leading to nuclear disarmament, contained in the Final Document of the 2000 Review Conference,

Taking note of the Model Nuclear Weapons Convention that was submitted to the Secretary-General by Costa Rica and Malaysia in 2007 and circulated by the Secretary-General,

Desiring to achieve the objective of a legally binding prohibition of the development, production, testing, deployment, stockpiling, threat or use of nuclear weapons and their destruction under effective international control,

Recalling the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*, issued on 8 July 1996,

1. *Underlines once again* the unanimous conclusion of the International Court of Justice that there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control;

2. *Calls once again upon* all States immediately to fulfil that obligation by commencing multilateral negotiations leading to an early conclusion of a nuclear weapons convention prohibiting the development, production, testing, deployment, stockpiling, transfer, threat or use of nuclear weapons and providing for their elimination;

3. *Requests* all States to inform the Secretary-General of the efforts and measures they have taken with respect to the implementation of the present resolution and nuclear disarmament, and requests the Secretary-General to apprise the General Assembly of that information at its sixty-sixth session;

4. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "Follow-up to the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*".

RECORDED VOTE ON RESOLUTION 65/76:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Ireland, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Albania, Belgium, Bulgaria, Czech Republic, Denmark, Estonia, France, Georgia, Germany, Greece, Hungary, Israel, Italy, Latvia, Lithuania, Luxembourg, Montenegro, Netherlands, Palau, Poland, Portugal, Russian Federation, Slovakia, Slovenia, Spain, Turkey, United Kingdom, United States.

Abstaining: Andorra, Armenia, Australia, Azerbaijan, Belarus, Benin, Canada, Croatia, Cyprus, Finland, Iceland, Japan, Kyrgyzstan, Liechtenstein, Marshall Islands, Micronesia, Norway, Republic of Korea, Republic of Moldova, Romania, the former Yugoslav Republic of Macedonia, Ukraine, Uzbekistan.

Prohibition of the use of nuclear weapons

In 2010, no progress was made on a convention on the prohibition of the use of nuclear weapons, as the Conference on Disarmament was unable to undertake negotiations on the subject as called for in General Assembly resolution 64/59 [YUN 2009, p. 517]. As in previous years, the Assembly reiterated its request to the Conference on Disarmament to commence negotiations.

GENERAL ASSEMBLY ACTION

On 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/411], adopted **resolution 65/80** by recorded vote (124-49-11) [agenda item 98 (d)].

Convention on the Prohibition of the Use of Nuclear Weapons

The General Assembly,

Convinced that the use of nuclear weapons poses the most serious threat to the survival of mankind,

Bearing in mind the advisory opinion of the International Court of Justice of 8 July 1996 on the *Legality of the Threat or Use of Nuclear Weapons*,

Convinced that a multilateral, universal and binding agreement prohibiting the use or threat of use of nuclear weapons would contribute to the elimination of the nuclear threat and to the climate for negotiations leading to the ultimate elimination of nuclear weapons, thereby strengthening international peace and security,

Conscious that some steps taken by the Russian Federation and the United States of America towards a reduction of their nuclear weapons and the improvement in the international climate can contribute towards the goal of the complete elimination of nuclear weapons,

Recalling that paragraph 58 of the Final Document of the Tenth Special Session of the General Assembly states that all States should actively participate in efforts to bring about conditions in international relations among States in which a code of peaceful conduct of nations in international affairs could be agreed upon and which would preclude the use or threat of use of nuclear weapons,

Reaffirming that any use of nuclear weapons would be a violation of the Charter of the United Nations and a crime against humanity, as declared in its resolutions 1653(XVI) of 24 November 1961, 33/71 B of 14 December 1978, 34/83 G of 11 December 1979, 35/152 D of 12 December 1980 and 36/92 I of 9 December 1981,

Determined to achieve an international convention prohibiting the development, production, stockpiling and use of nuclear weapons, leading to their ultimate destruction,

Stressing that an international convention on the prohibition of the use of nuclear weapons would be an important step in a phased programme towards the complete elimination of nuclear weapons, with a specified framework of time,

Noting with regret that the Conference on Disarmament, during its 2010 session, was unable to undertake negotiations on this subject as called for in General Assembly resolution 64/59 of 2 December 2009,

1. *Reiterates its request* to the Conference on Disarmament to commence negotiations in order to reach agreement on an international convention prohibiting the use or threat of use of nuclear weapons under any circumstances;

2. *Requests* the Conference on Disarmament to report to the General Assembly on the results of those negotiations.

RECORDED VOTE ON RESOLUTION 65/80:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea,

Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia, Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom, United States.

Abstaining: Armenia, Azerbaijan, Belarus, Georgia, Japan, Kyrgyzstan, Marshall Islands, Republic of Korea, Russian Federation, Serbia, Uzbekistan.

International Day against Nuclear Tests

August 29 marked the first commemoration of the International Day against Nuclear Tests, established by General Assembly resolution 64/35 [YUN 2009, p. 518]. The resolution was initiated by Kazakhstan, together with a large number of sponsors, to commemorate the closure of the Semipalatinsk Nuclear Test site on 29 August 1991. Ceremonies were held in Astana, New York and Vienna. The Secretary-General issued a message for the Day [SG/SM/13074]. Special events, such as symposia, conferences and exhibits, were held.

Non-proliferation

Non-proliferation treaty

Status

In 2010, the number of States parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) remained at 190. Regarded as the cornerstone of the global nuclear non-proliferation regime, the Treaty was adopted by the General Assembly in 1968, by resolution 2373(XXIII) [YUN 1968, p. 16], and entered into force in 1970. It was extended indefinitely in 1995 by Assembly resolution 50/70 [YUN 1995, p. 189].

2010 review conference

Following the entry into force of the NPT, quinquennial review conferences, as called for under article VIII, paragraph 3, of the Treaty, were held beginning in 1975 [YUN 1975, p. 27]; the most recent was held in 2005 [YUN 2005, p. 597].

The 2010 Review Conference (New York, 3–28 May) [NPT/CONF.2010/50 (Vols. I–III)] adopted an outcome document [NPT/CONF.2010/50 (Vol. I)] containing a 64-point action plan on nuclear disarmament, nuclear non-proliferation, peaceful uses of nuclear energy and the Middle East, particularly implementation of the 1995 resolution on the Middle East. The document outlined concrete steps in areas such as nuclear disarmament, security assurances, nuclear testing, fissile materials, and measures in support of nuclear disarmament.

The Conference reaffirmed the need for the nuclear-weapon States to implement the steps leading to nuclear disarmament agreed to in the Final Document of the 2000 Review Conference in a way that promoted international stability, peace and security, and based on the principle of undiminished and increased security for all. The Conference recognized the legitimate interests of non-nuclear-weapon States in the constraining by the nuclear-weapon States of the development and qualitative improvement of nuclear weapons and ending the development of advanced new types of nuclear weapons. It noted the Secretary-General's five-point proposal [YUN 2008, p. 565] for negotiations on a nuclear weapons convention backed by a strong system of verification.

The Conference resolved that the nuclear-weapon States should commit to further efforts to reduce and ultimately eliminate all types of nuclear weapons, deployed and non-deployed, including through unilateral, bilateral, regional and multilateral measures. The Russian Federation and the United States should commit to the early entry into force and full implementation of the Treaty on Measures for the Further Reduction and Limitation of Strategic Offensive Arms (START), and were encouraged to continue discussions on follow-on measures in order to achieve deeper reductions in their nuclear arsenals.

All States agreed that the Conference on Disarmament should immediately establish a subsidiary body to deal with nuclear disarmament within the context of an agreed, comprehensive and balanced programme of work. The Conference reaffirmed that the elimination of nuclear weapons was the only absolute guarantee against the use or threat of use of nuclear weapons and the legitimate interest of non-nuclear-weapon States in receiving unequivocal and legally binding security assurances. All States also agreed that the Conference on Disarmament should immediately begin discussion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.

In the area of nuclear testing, the Conference resolved that all nuclear-weapon States should undertake to ratify the CTBT; those States had a special

responsibility to encourage Annex 2 countries, in particular those which had not acceded to the NPT and continued to operate unsafeguarded nuclear facilities, to ratify and sign it. Pending the CTBT's entry into force, all States should refrain from nuclear-weapon test explosions or any other nuclear explosions, from the use of new nuclear weapons technologies and from any action that would defeat the object and purpose of the CTBT; all moratoriums on nuclear-weapon test explosions should be maintained. On fissile materials, the Conference encouraged States to support the development of legally binding verification arrangements, within the context of IAEA, to ensure the irreversible removal of fissile material designated by each nuclear-weapon State as no longer required for military purposes.

Further, the Conference noted that 18 States parties to the NPT had yet to bring into force comprehensive safeguards agreements and urged them to do so. It encouraged all States parties to conclude and to bring into force additional protocols and to implement them provisionally pending their entry into force. The Conference called upon States parties to respect each country's choices and decisions in the field of peaceful uses of nuclear energy without jeopardizing its policies or international cooperation agreements and arrangements for peaceful uses of nuclear energy and its fuel cycle policies.

Regarding the Middle East, the Conference reaffirmed the importance of the resolution on the Middle East adopted by the 1995 Review and Extension Conference [YUN 1995, p. 189], which concerned the creation of a nuclear-weapon-free zone in that region. The Conference stressed that the 1995 resolution remained valid until its goals and objectives were achieved.

The Conference also recalled the reaffirmation, by the 2000 Review Conference, of the importance of Israel's accession to the NPT and the placement of all its nuclear facilities under comprehensive IAEA safeguards. It urged all States in the region to take steps and confidence-building measures to realize the objectives of the 1995 resolution and to refrain from undertaking any measures that precluded the achievement of that objective. Towards that goal, the Conference endorsed the convening of a conference in 2012, to be attended by all States in the Middle East, on the establishment of a zone free of nuclear weapons and all other weapons of mass destruction in the Middle East. The conference would take as its terms of reference the 1995 resolution on the Middle East.

On other regional issues, the Conference urged the Democratic People's Republic of Korea (DPRK) to fulfil the commitments under the six-party talks, including the complete and verifiable abandonment

of all nuclear weapons and nuclear programmes in accordance with the September 2005 Joint Statement [YUN 2005, p. 450]. It also urged the country to return to the NPT and to its adherence with its IAEA safeguards agreement.

Communication. On 29 March, in identical letters [A/64/741-S/2010/178] to the Secretary-General and the Security Council, the Russian Federation transmitted declarations by the Ministers for Foreign Affairs of the States members of the Collective Security Treaty Organization in connection with the 2010 NPT Review Conference and the sixty-fifth anniversary of the victory in the Great Patriotic War of 1941–1945, in which they reaffirmed their support to the NPT and welcomed multilateral efforts to strengthen it.

Missiles

Pursuant to resolution 63/55 [YUN 2008, p. 576], the Secretary-General sought the views of Member States on the issue of missiles in all its aspects. Seven countries submitted their views (Iran, Iraq, Jordan, Lebanon, Mexico, Qatar, Serbia) [A/65/127 & Add.1,2].

Hague Code of Conduct

At the Ninth Regular Meeting of the Hague Code of Conduct against Ballistic Missile Proliferation (Vienna, 31 May–1 June), the 131 subscribing States discussed the strengthening of confidence-building measures, such as pre-launch notifications and annual declarations of ballistic missiles, space-launch vehicles and the importance of outreach activities to foster the universalization of the Code and thereby increase the number of subscribing States. The non-legally binding code of conduct was adopted in 2002 [YUN 2002, p. 504].

The General Assembly (see resolution 65/73 below) noted that 131 States had subscribed to the Hague Code of Conduct, invited States that had not subscribed to it to do so, and encouraged the exploration of further ways and means to deal with the problem of the proliferation of ballistic missiles capable of delivering weapons of mass destruction.

Communication. On 2 September [S/2010/464], Iraq transmitted to the Security Council a letter from the incumbent Chairman of the Hague Code of Conduct, which indicated that Iraq was a good example for countries that had not acceded to the Code.

GENERAL ASSEMBLY ACTION

On 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/410], adopted **resolution 65/73** by recorded vote (162-1-17) [agenda item 97].

The Hague Code of Conduct against Ballistic Missile Proliferation

The General Assembly,

Concerned about the increasing regional and global security challenges caused, inter alia, by the ongoing proliferation of ballistic missiles capable of delivering weapons of mass destruction,

Bearing in mind the purposes and principles of the United Nations and its role and responsibility in the field of international peace and security in accordance with the Charter of the United Nations,

Emphasizing the significance of regional and international efforts to prevent and curb comprehensively the proliferation of ballistic missile systems capable of delivering weapons of mass destruction, as a contribution to international peace and security,

Welcoming the adoption of the Hague Code of Conduct against Ballistic Missile Proliferation on 25 November 2002 at The Hague, and convinced that the Code of Conduct will contribute to enhancing transparency and confidence among States,

Recalling its resolutions 60/62 of 8 December 2005 and 63/64 of 2 December 2008 entitled “The Hague Code of Conduct against Ballistic Missile Proliferation”,

Recalling also that the proliferation of ballistic missiles capable of delivering weapons of mass destruction, as recognized by the Security Council in its resolutions 1540(2004) of 28 April 2004 and 1887(2009) of 24 September 2009, constitutes a threat to international peace and security,

Confirming its commitment to the Declaration on International Cooperation in the Exploration and Use of Outer Space for the Benefit and in the Interest of All States, Taking into Particular Account the Needs of Developing Countries, as contained in the annex to its resolution 51/122 of 13 December 1996,

Recognizing that States should not be excluded from utilizing the benefits of space for peaceful purposes, but that in reaping such benefits and in conducting related cooperation they must not contribute to the proliferation of ballistic missiles capable of carrying weapons of mass destruction,

Mindful of the need to combat the proliferation of weapons of mass destruction and their means of delivery,

1. *Notes with satisfaction* that one hundred and thirty-one States have already subscribed to the Hague Code of Conduct against Ballistic Missile Proliferation as a practical step against the proliferation of weapons of mass destruction and their means of delivery;

2. *Invites* all States that have not yet subscribed to the Code of Conduct to do so;

3. *Encourages* States that have already subscribed to the Code of Conduct to make efforts to increase participation in the Code;

4. *Welcomes* progress in implementation of the Code of Conduct and all efforts to increase the efficiency of the Code, which contributes to enhancing transparency and building confidence among States through the submission of pre-launch notifications and annual declarations on space and ballistic missile activity;

5. *Encourages* the exploration of further ways and means to deal effectively with the problem of the proliferation of ballistic missiles capable of delivering weapons of mass destruction;

6. *Decides* to include in the provisional agenda of its sixty-seventh session the item entitled “The Hague Code of Conduct against Ballistic Missile Proliferation”.

RECORDED VOTE ON RESOLUTION 65/73:

In favour: Afghanistan, Albania, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, Colombia, Comoros, Congo, Costa Rica, Côte d’Ivoire, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Latvia, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Micronesia, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Kingdom, United Republic of Tanzania, United States, Uruguay, Vanuatu, Yemen, Zambia, Zimbabwe.

Against: Iran.

Abstaining: Algeria, Bahrain, Bolivia, China, Cuba, Egypt, India, Indonesia, Lebanon, Mexico, Nicaragua, Oman, Pakistan, Qatar, Syrian Arab Republic, United Arab Emirates, Venezuela.

Also on 8 December, the General Assembly included the item entitled “Missiles” in the provisional agenda of its sixty-sixth (2011) session (**decision 65/517**).

Non-proliferation of weapons of mass destruction

Security Council Committee on WMDs

Pursuant to resolution 1540(2004) [YUN 2004, p. 544], the Security Council in 2004 set up a Committee to report to the Council on the implementation of that resolution, which dealt with the non-proliferation of weapons of mass destruction (WMDs). The Committee’s mandate was extended until 25 April 2011 by resolutions 1673(2006) [YUN 2006, p. 635] and 1810(2008) [YUN 2008, p. 585].

On 29 January, the Committee submitted its final document [S/2010/52] on the 2009 comprehensive review of the status of implementation of resolution 1540(2004). On the same day, the Committee communicated to the Council [S/2010/53] that it could not meet the deadline for submitting its programme of work, which would be adopted by 26 February.

On that date [S/2010/112], the Committee submitted to the Council its programme of work for the period from 1 February 2010 to 31 January 2011, which included: taking forward the recommendations of the comprehensive review of the status of implementation of resolution 1540(2004); examining the information on the status of implementation of the resolution; promoting implementation of the resolution through outreach, dialogue, assistance and co-operation; enhancing cooperation between the Committee and other international organizations, including the Security Council committees established pursuant to resolutions 1267(1999) [YUN 1999, p. 265] and 1373(2001) [YUN 2001, p. 61]; encouraging and taking full advantage of voluntary financial contributions to assist States in addressing their needs for the implementation of resolution 1540(2004); and making funding mechanisms more effective.

The Chairman of the Committee briefed the Security Council on 11 May [S/PV.6310] and 15 November [S/PV.6424]. During the year, reports on implementation of the resolution were submitted by Côte d’Ivoire [S/AC.44/2004/(02)/157], Germany, Ireland [S/AC.44/2007/24], Poland [S/AC.44/2007/26], Portugal, Togo [S/AC.44/2007/15] and Uganda [S/AC.44/2007/25].

New types of WMDs

Conference on Disarmament. The issue of radiological weapons had been on the agenda of the Conference on Disarmament since 1979. Four informal meetings on agenda item 5, entitled “New types of weapons of mass destruction and new systems of such weapons; radiological weapons” (17 and 24 June and 1 and 8 July) [CD/1899, annex V] focused on three issues: prohibition of new WMDs, radiological weapons, and nuclear terrorism. Some delegations emphasized the importance of upholding international humanitarian law norms while developing new weapons and new systems of such weapons. One delegation made reference to Additional Protocol I to the Geneva Conventions of 1949, which obliged States to evaluate the legality of new types of weapons. An appeal was made to strengthen the consensus around the issue in the General Assembly. Several delegations suggested that the agenda item was ripe to start negotiations. Delegations agreed that in order to identify new WMDs and new types of similar destructive weapons, they should have at their disposal a clear definition of WMDs.

Terrorism and WMDs

During the year, the United Nations promoted international action against terrorism through collaborative efforts with Member States and regional and international organizations, and through the work of the Counter-Terrorism Committee (see p. 72) and the Al-Qaida and Taliban Sanctions Committee (see p. 361).

Report of Secretary-General. Pursuant to General Assembly resolution 64/38 [YUN 2009, p. 522], the Secretary-General in July [A/65/99 & Add.1] presented the views of 15 Member States and 15 international organizations, including UN agencies, on measures they had taken to prevent terrorists from acquiring WMDs, their means of delivery, and related materials and technologies.

IAEA report. The IAEA Director General, in a report [GOV/2010/42-GC(54)/9] issued in August in response to resolution GC(53)/RES/11 [YUN 2009, p. 522], presented activities undertaken by the Agency and progress in the area of nuclear security and against nuclear terrorism during the period July 2009–June 2010.

The importance of nuclear security was emphasized by the Nuclear Security Summit (Washington, D.C., 12–13 April), which brought together leaders from 47 States; the Summit's Communiqué recognized "the essential role of the IAEA in the international nuclear security framework". The Final Document of the 2010 NPT Review Conference also recognized the importance of the highest possible standards of nuclear security. The Conference called on States parties to promote the sharing of best practices in the area of nuclear safety and security, including through dialogue with the nuclear industry and the private sector.

IAEA's Illicit Trafficking Database (ITDB) programme continued to expand, with 110 participant States as at 30 June. From 1 July 2009 to 30 June 2010, States reported 222 incidents to ITDB; 120 of those were reported to have occurred during the period under review and the remaining 102 were reports of prior incidents. Twenty-one of the incidents reported involved such activities as unauthorized possession and/or attempts to sell or smuggle nuclear material or radioactive sources. Sixty-one incidents involved the theft or loss of nuclear or other radioactive material; in 58 per cent of those incidents, the material had not been reported as recovered. One hundred and forty incidents involved unauthorized activities without apparent relation to criminal activity; those included the detection of nuclear material or radioactive sources disposed of in unauthorized ways, the detection of radioactively contaminated material, the recovery of orphan sources and the discovery of nuclear material or radioactive sources in unauthorized or undeclared storage.

The Agency's integrated nuclear security support plans helped States consolidate their nuclear security needs into integrated plans for nuclear security improvements and assistance; as at 30 June, 52 such plans had been developed. The Agency's newly developed Nuclear Security Information Portal supported nuclear security efforts worldwide by providing an interactive platform to support cooperation, facilitate implementation of joint activities and share information. The Agency offered services to evaluate and assess nuclear security arrangements in States through its nuclear security missions; 21 evaluation and advisory nuclear security missions were carried out between mid-2009 and mid-2010.

Approximately 1,600 people from more than 100 States received nuclear security training. Since the inauguration in May 2009 of new nuclear security training facilities at the Interdepartmental Special Training Centre in Obninsk, Russian Federation—the Agency's largest project in physical protection capacity-building—the Agency had delivered five training courses. As at June 2010, 48 engineers specializing in nuclear security had graduated from the Agency-supported education programme at the Sevastopol National University of Nuclear Energy and Technology in Ukraine, which was the Agency's earliest partner in establishing nuclear security education. The Agency assisted in the repatriation of high enriched uranium (HEU) research reactor fuel, at the request of States; it was an implementing partner in the repatriation of approximately 30 kilograms (kg) of fresh HEU fuel and nearly 350 kg of spent fuel. Additionally, the Agency was involved, in an auxiliary capacity, in other HEU repatriation shipments from research reactors, involving more than 80 kg of fresh fuel and nearly 60 kg of spent fuel. The Agency also assisted States in border control by providing instruments for radiation detection.

GENERAL ASSEMBLY ACTION

On 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/410], adopted **resolution 65/62** without vote [agenda item 97 (n)].

Measures to prevent terrorists from acquiring weapons of mass destruction

The General Assembly,

Recalling its resolution 64/38 of 2 December 2009,

Recognizing the determination of the international community to combat terrorism, as evidenced in relevant General Assembly and Security Council resolutions,

Deeply concerned by the growing risk of linkages between terrorism and weapons of mass destruction, and in particular by the fact that terrorists may seek to acquire weapons of mass destruction,

Cognizant of the steps taken by States to implement Security Council resolution 1540(2004) on the non-proliferation of weapons of mass destruction, adopted on 28 April 2004,

Welcoming the entry into force on 7 July 2007 of the International Convention for the Suppression of Acts of Nuclear Terrorism,

Welcoming also the adoption, by consensus, of amendments to strengthen the Convention on the Physical Protection of Nuclear Material by the International Atomic Energy Agency on 8 July 2005,

Noting the support expressed in the final document of the Fifteenth Summit Conference of Heads of State and Government of the Movement of Non-Aligned Countries, which was held in Sharm el-Sheikh, Egypt, from 11 to 16 July 2009, for measures to prevent terrorists from acquiring weapons of mass destruction,

Noting also that the Group of Eight, the European Union, the Regional Forum of the Association of Southeast Asian Nations and others have taken into account in their deliberations the dangers posed by the likely acquisition by terrorists of weapons of mass destruction and the need for international cooperation in combating it, and that the Global Initiative to Combat Nuclear Terrorism has been launched jointly by the Russian Federation and the United States of America,

Noting further the holding of the Nuclear Security Summit on 12 and 13 April 2010 in Washington, D.C.,

Acknowledging the consideration of issues relating to terrorism and weapons of mass destruction by the Advisory Board on Disarmament Matters,

Taking note of the relevant resolutions adopted by the General Conference of the International Atomic Energy Agency at its fifty-fourth regular session,

Taking note also of the 2005 World Summit Outcome adopted at the high-level plenary meeting of the General Assembly in September 2005 and the adoption of the United Nations Global Counter-Terrorism Strategy on 8 September 2006,

Taking note further of the report of the Secretary-General, submitted pursuant to paragraph 5 of resolution 64/38,

Mindful of the urgent need for addressing, within the United Nations framework and through international cooperation, this threat to humanity,

Emphasizing that progress is urgently needed in the area of disarmament and non-proliferation in order to maintain international peace and security and to contribute to global efforts against terrorism,

1. *Calls upon* all Member States to support international efforts to prevent terrorists from acquiring weapons of mass destruction and their means of delivery;

2. *Appeals* to all Member States to consider early accession to and ratification of the International Convention for the Suppression of Acts of Nuclear Terrorism;

3. *Urges* all Member States to take and strengthen national measures, as appropriate, to prevent terrorists from acquiring weapons of mass destruction, their means of delivery and materials and technologies related to their manufacture;

4. *Encourages* cooperation among and between Member States and relevant regional and international organizations for strengthening national capacities in this regard;

5. *Requests* the Secretary-General to compile a report on measures already taken by international organizations on issues relating to the linkage between the fight against terrorism and the proliferation of weapons of mass destruction and to seek the views of Member States on additional relevant measures, including national measures, for tackling the global threat posed by the acquisition by terrorists of weapons of mass destruction and to report to the General Assembly at its sixty-sixth session;

6. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "Measures to prevent terrorists from acquiring weapons of mass destruction".

Also on 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/410], adopted **resolution 65/74** without vote [agenda item 97 (ff)].

Preventing the acquisition by terrorists of radioactive sources

The General Assembly,

Recognizing the essential contribution of radioactive materials and sources to social and economic development, and the benefits drawn from their use for all States,

Recognizing also the determination of the international community to combat terrorism, as evident in relevant General Assembly and Security Council resolutions,

Deeply concerned by the threat of terrorism and the risk that terrorists may acquire, traffic in or use radioactive materials or sources in radiological dispersion devices,

Deeply concerned also by the potential threat to human health and the environment that would result from the use of such devices by terrorists,

Recalling the importance of international conventions aimed at preventing and suppressing such a risk, in particular the International Convention for the Suppression of Acts of Nuclear Terrorism, adopted on 13 April 2005, and the Convention on the Physical Protection of Nuclear Material, adopted on 26 October 1979, as well as its Amendment, adopted on 8 July 2005,

Noting that actions of the international community to combat the proliferation of weapons of mass destruction and prevent access by non-State actors to weapons of mass destruction and related material, notably Security Council resolution 1540(2004) of 28 April 2004, constitute contributions to the protection against nuclear and radiological terrorism,

Stressing the importance of the role of the International Atomic Energy Agency in promoting and reinforcing the safety and security of radioactive materials and sources, in particular by supporting the improvement of national legal and regulatory infrastructure and by establishing technical guidance,

Stressing also the contribution of the International Atomic Energy Agency to preventing illicit trafficking in radioactive materials and identifying vulnerabilities in security systems through, inter alia, the Illicit Trafficking Database and its work in the field of nuclear forensics,

Taking note of the importance of the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management with respect to the safety of the end of life of radioactive sources,

Taking note also of the importance of the Code of Conduct on the Safety and Security of Radioactive Sources and of the Guidance on the Import and Export of Radioactive Sources as valuable instruments for enhancing the safety and security of radioactive sources, while recognizing that the Code is not a legally binding instrument, and of the International Atomic Energy Agency Revised Action Plan for the Safety and Security of Radioactive Sources and its Nuclear Security Plan for 2010–2013, and of the voluntary contributions of Member States to the International Atomic Energy Agency Nuclear Security Fund,

Encouraging Member States to make voluntary contributions to the International Atomic Energy Agency Nuclear Security Fund,

Taking note of resolutions GC(54)/RES/7 and GC(54)/RES/8, adopted by the General Conference of the International Atomic Energy Agency at its fifty-fourth regular session, which address measures to strengthen international cooperation in nuclear, radiation, transport and waste safety and measures to protect against nuclear and radiological terrorism, and of the International Atomic Energy Agency Nuclear Security Plan for 2010–2013,

Welcoming the ongoing individual and collective efforts of Member States to take into account in their deliberations the dangers posed by the lack or insufficiency of control over radioactive materials and sources, and recognizing the need for States to take more effective measures to strengthen those controls in accordance with their national legal authorities and legislation and consistent with international law,

Welcoming also the fact that Member States have taken multilateral actions to address this issue, as reflected in General Assembly resolution 61/8 of 30 October 2006,

Noting the various international efforts and partnerships to enhance nuclear security and to implement measures contributing to nuclear material security in relation to the security of radioactive substances, and encouraging the efforts to secure those materials,

Mindful of the responsibilities of every Member State, in accordance with international obligations, to maintain effective nuclear safety and security, asserting that responsibility for nuclear security within a State rests entirely with that State, and noting the important contribution of international cooperation in supporting the efforts of States to fulfil their responsibilities,

Mindful also of the urgent need to address, within the United Nations framework and through international cooperation, the rising concern for international security,

1. *Calls upon* Member States to support international efforts to prevent the acquisition and use by terrorists of radioactive materials and sources, and, if necessary, suppress such acts, in accordance with their national legal authorities and legislation and consistent with international law;

2. *Urges* Member States to take and strengthen national measures, as appropriate, to prevent the acquisition and use by terrorists of radioactive materials and sources, as well as terrorist attacks on nuclear plants and facilities which would result in radioactive releases, and, if necessary, to suppress such acts, in particular by taking effective measures to account for, secure and physically protect such facilities, materials and sources in accordance with their international obligations;

3. *Encourages* Member States to enhance their national capacities with appropriate means of detection and related architecture or systems, including through international cooperation and assistance in conformity with international law and regulations, with a view to reflecting and preventing illicit trafficking in radioactive materials and sources;

4. *Encourages* all Member States that have not yet done so to become party to the International Convention for the Suppression of Acts of Nuclear Terrorism as soon as possible, in accordance with their legal and constitutional processes;

5. *Invites* Member States, in particular those producing and distributing radioactive sources, to support and endorse the efforts of the International Atomic Energy Agency to enhance the safety and security of radioactive sources, as described in General Conference resolution GC(54)/RES/8 and to enhance the security of radioactive sources as described in the Nuclear Security Plan for 2010–2013, urges all States to work towards following the guidance contained in the Code of Conduct on the Safety and Security of Radioactive Sources, including, as appropriate, the Guidance on the Import and Export of Radioactive Sources, noting that the Guidance is supplementary to the Code, and encourages Member States to notify the Director General of the Agency of their intention to do so pursuant to General Conference resolution GC(54)/RES/7;

6. *Recognizes* the value of information exchange on national approaches to controlling radioactive sources, and takes note of the endorsement by the Board of Governors of the International Atomic Energy Agency of a proposal for a formalized process for a voluntary periodic exchange on information and lessons learned and for the evaluation of progress made by States towards implementing the provisions of the Code of Conduct on the Safety and Security of Radioactive Sources;

7. *Welcomes* the efforts undertaken by Member States, including through international cooperation under the auspices of the International Atomic Energy Agency, to search for, locate and secure unsecured and/or uncontrolled (“orphan”) radioactive sources within their State jurisdiction or territory;

8. *Encourages* cooperation among and between Member States and through relevant international and, where appropriate, regional organizations aimed at strengthening national capacities in this regard;

9. *Decides* to include in the provisional agenda of its sixty-seventh session an item entitled “Preventing the acquisition by terrorists of radioactive sources”.

Multilateralism in disarmament and non-proliferation

Pursuant to General Assembly resolution 64/34 [YUN 2009, p. 523], the Secretary-General, in July and September [A/65/124 & Add.1], presented replies received from seven Member States (Brazil, Cuba, Georgia, Jordan, Mexico, Qatar, Turkmenistan) regarding their views on the promotion of multilateralism in the area of disarmament and non-proliferation.

GENERAL ASSEMBLY ACTION

On 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/410], adopted **resolution 65/54** by recorded vote (129-5-49) [agenda item 97 (p)].

Promotion of multilateralism in the area of disarmament and non-proliferation

The General Assembly,

Determined to foster strict respect for the purposes and principles enshrined in the Charter of the United Nations,

Recalling its resolution 56/24 T of 29 November 2001 on multilateral cooperation in the area of disarmament and non-proliferation and global efforts against terrorism and other relevant resolutions, as well as its resolutions 57/63 of 22 November 2002, 58/44 of 8 December 2003, 59/69 of 3 December 2004, 60/59 of 8 December 2005, 61/62 of 6 December 2006, 62/27 of 5 December 2007, 63/50 of 2 December 2008 and 64/34 of 2 December 2009 on the promotion of multilateralism in the area of disarmament and non-proliferation,

Recalling also the purpose of the United Nations to maintain international peace and security and, to that end, to take effective collective measures for the prevention and removal of threats to the peace and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace, as enshrined in the Charter,

Recalling further the United Nations Millennium Declaration, which states, inter alia, that the responsibility for managing worldwide economic and social development, as well as threats to international peace and security, must be shared among the nations of the world and should be exercised multilaterally and that, as the most universal and most representative organization in the world, the United Nations must play the central role,

Convinced that, in the globalization era and with the information revolution, arms regulation, non-proliferation and disarmament problems are more than ever the concern of all countries in the world, which are affected in one way or another by these problems and, therefore, should have the possibility to participate in the negotiations that arise to tackle them,

Bearing in mind the existence of a broad structure of disarmament and arms regulation agreements resulting from non-discriminatory and transparent multilateral negotiations with the participation of a large number of countries, regardless of their size and power,

Aware of the need to advance further in the field of arms regulation, non-proliferation and disarmament on the basis of universal, multilateral, non-discriminatory and transparent negotiations with the goal of reaching general and complete disarmament under strict international control,

Recognizing the complementarity of bilateral, plurilateral and multilateral negotiations on disarmament,

Recognizing also that the proliferation and development of weapons of mass destruction, including nuclear weap-

ons, are among the most immediate threats to international peace and security which need to be dealt with, with the highest priority,

Considering that the multilateral disarmament agreements provide the mechanism for States parties to consult one another and to cooperate in solving any problems which may arise in relation to the objective of, or in the application of, the provisions of the agreements and that such consultations and cooperation may also be undertaken through appropriate international procedures within the framework of the United Nations and in accordance with the Charter,

Stressing that international cooperation, the peaceful settlement of disputes, dialogue and confidence-building measures would make an essential contribution to the creation of multilateral and bilateral friendly relations among peoples and nations,

Being concerned at the continuous erosion of multilateralism in the field of arms regulation, non-proliferation and disarmament, and recognizing that a resort to unilateral actions by Member States in resolving their security concerns would jeopardize international peace and security and undermine confidence in the international security system as well as the foundations of the United Nations itself,

Noting that the Fifteenth Summit Conference of Heads of State and Government of the Movement of Non-Aligned Countries, held in Sharm el-Sheikh, Egypt, from 11 to 16 July 2009, welcomed the adoption of resolution 63/50 on the promotion of multilateralism in the area of disarmament and non-proliferation, and underlined the fact that multilateralism and multilaterally agreed solutions, in accordance with the Charter, provide the only sustainable method of addressing disarmament and international security issues,

Reaffirming the absolute validity of multilateral diplomacy in the field of disarmament and non-proliferation, and determined to promote multilateralism as an essential way to develop arms regulation and disarmament negotiations,

1. *Reaffirms* multilateralism as the core principle in negotiations in the area of disarmament and non-proliferation with a view to maintaining and strengthening universal norms and enlarging their scope;

2. *Also reaffirms* multilateralism as the core principle in resolving disarmament and non-proliferation concerns;

3. *Urges* the participation of all interested States in multilateral negotiations on arms regulation, non-proliferation and disarmament in a non-discriminatory and transparent manner;

4. *Underlines* the importance of preserving the existing agreements on arms regulation and disarmament, which constitute an expression of the results of international cooperation and multilateral negotiations in response to the challenges facing mankind;

5. *Calls once again upon* all Member States to renew and fulfil their individual and collective commitments to multilateral cooperation as an important means of pursuing and achieving their common objectives in the area of disarmament and non-proliferation;

6. *Requests* the States parties to the relevant instruments on weapons of mass destruction to consult and cooperate among themselves in resolving their concerns with regard to cases of non-compliance as well as on implemen-

tation, in accordance with the procedures defined in those instruments, and to refrain from resorting or threatening to resort to unilateral actions or directing unverified non-compliance accusations against one another to resolve their concerns;

7. *Takes note* of the report of the Secretary-General containing the replies of Member States on the promotion of multilateralism in the area of disarmament and non-proliferation, submitted pursuant to resolution 64/34;

8. *Requests* the Secretary-General to seek the views of Member States on the issue of the promotion of multilateralism in the area of disarmament and non-proliferation and to submit a report thereon to the General Assembly at its sixty-sixth session;

9. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "Promotion of multilateralism in the area of disarmament and non-proliferation".

RECORDED VOTE ON RESOLUTION 65/54:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Marshall Islands, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, Micronesia, Palau, United Kingdom, United States.

Abstaining: Albania, Andorra, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine.

IAEA safeguards

The verification programme of the International Atomic Energy Agency (IAEA) remained at the core of

multilateral efforts to curb the proliferation of nuclear weapons. The Agency had an essential verification role under the NPT as well as other treaties, such as those establishing nuclear weapons-free zones.

Comprehensive safeguards agreements, concluded pursuant to the NPT, and the Model Additional Protocols to those agreements, which granted the Agency complementary verification authority, had been approved by the IAEA Board of Governors in 1997 [YUN 1997, p. 486]; they remained the principal legal instruments strengthening the Agency's safeguards regime.

During the year, safeguards were applied for 175 States with safeguards agreements in force with the Agency. States for which both comprehensive safeguards agreements and additional protocols were in force numbered 99. For 57 of those States, the Agency concluded that all nuclear material remained in peaceful activities. For the remaining 42 States, the Agency was able to conclude only that declared nuclear material remained in peaceful nuclear activities, as it had not completed all the necessary evaluations under those States' respective additional protocols.

For 68 States with a comprehensive safeguards agreement in force but no additional protocol, the Agency was only able to draw the conclusion that declared nuclear material remained in peaceful nuclear activities. Safeguards were also implemented with regard to declared nuclear material in selected facilities in the five nuclear-weapon States with voluntary offer agreements. For those five States, the Agency concluded that nuclear material to which safeguards were applied in selected facilities remained in peaceful activities or had been withdrawn as provided for in the agreements. The Agency could not draw any safeguards conclusions for 17 NPT non-nuclear-weapon States without safeguards agreements in force.

Democratic People's Republic of Korea

The Agency had not implemented safeguards in the DPRK since 2002, and therefore could not draw any safeguards conclusion regarding nuclear material in that country. Since 15 April 2009, the Agency had not implemented any measures under the ad hoc monitoring and verification arrangement agreed between the Agency and the DPRK, and foreseen in the Initial Actions agreed at the six-party talks (China, DPRK, Japan, Republic of Korea, Russian Federation, United States). Although not implementing any verification in the field, the Agency continued to monitor the country's nuclear activities by using open source information, satellite imagery and trade information. In that regard, the Agency learned with regret of the report on the uranium enrichment facility at Yongbyong.

The Agency continued to consolidate its knowledge of the DPRK's nuclear programme with the objective of maintaining operational readiness to resume safeguards implementation in the country, to implement ad hoc monitoring and verification arrangements, and to resolve any issues that might have arisen due to the long absence of Agency safeguards. In 2010, the Agency continued to regard the DPRK nuclear issue and that country's nuclear tests as a serious threat to the international nuclear non-proliferation regime and regional and international peace and stability.

General Conference. In a 24 September resolution [GC(54)/RES/12] on implementation of the NPT safeguards agreement between the Agency and the DPRK, the General Conference stressed its desire for a diplomatic resolution of the DPRK nuclear issue so as to achieve the complete, verifiable and irreversible denuclearization of the Korean peninsula; condemned the DPRK nuclear test on 25 May 2009 in violation of Security Council resolutions; stressed the importance of Member States fully implementing their obligations pursuant to Council resolutions 1718(2006) [YUN 2006, p. 444] and 1874(2009) [YUN 2009, p. 384], including the DPRK's non-proliferation obligations; urged the DPRK not to conduct any further nuclear test and to comply with its obligations under relevant Council resolutions; supported the six-party talks as an effective mechanism for dealing with the DPRK nuclear issue; called upon the DPRK to comply with the NPT and to cooperate with IAEA; deplored the DPRK's actions to cease all cooperation with IAEA; and supported the international community's peaceful efforts to address the challenge posed by the DPRK.

Iran

The IAEA Director General submitted to the Board of Governors four reports [GOV/2010/10; GOV/2010/28; GOV/2010/46; GOV/2010/62] on Iran's implementation of the NPT safeguards agreement and relevant Security Council resolutions—1737(2006) [YUN 2006, p. 436], 1747(2007) [YUN 2007, p. 374], 1803(2008) [YUN 2008, p. 409] and 1835(2008) [ibid., p. 414].

During the year, the Agency continued to verify the non-diversion of declared nuclear material in Iran; however, Iran did not provide the necessary cooperation to permit the Agency to confirm that all the nuclear material in the country was in peaceful activities. Iran had not implemented the requirements contained in the resolutions of the Board of Governors and the Security Council, including implementation of the Additional Protocol, which were essential to building confidence in the exclusively peaceful purpose of Iran's nuclear programme and to resolving outstanding questions. In particular,

Iran needed to cooperate in clarifying outstanding issues which gave rise to concerns about possible military dimensions to its nuclear programme, including by providing access to all sites, equipment, persons and documents requested by the Agency. In addition, contrary to the resolutions of the Board of Governors and the Council, Iran had not suspended its enrichment-related activities, and had continued with the construction of the IR-40 reactor at Arak and with heavy water related activities. The Agency had not been permitted to take samples of the heavy water stored at the uranium conversion facility at Esfahan, and had not been provided with access to the heavy water production plant at Arak. While Iran had stated that it had not suspended those activities, without full access to those two facilities IAEA was unable to verify such statements. The Agency requested Iran to fully implement its safeguards agreement and its other obligations, including implementation of its Additional Protocol.

On 9 June, the Security Council, by **resolution 1929(2010)** (see p. 396), imposed a fourth round of sanctions against Iran, while demanding that the country suspend its enrichment-related activities and resolve outstanding concerns over the nature of its nuclear programme.

(For information on UN concern with Iran's nuclear programme and related sanctions, see p. 405).

Syrian Arab Republic

The IAEA Director General submitted to the Board of Governors four reports [GOV/2010/11; GOV/2010/29; GOV/2010/47; GOV/2010/63] on Syria's implementation of the NPT safeguards agreement. The reports noted that Syria had not cooperated with the Agency since June 2008 in connection with the unresolved issues related to the Dair Alzour site and the other three locations allegedly functionally related to it. As a consequence, the Agency had not been able to make progress towards resolving the outstanding issues related to those sites. With the passage of time, some of the information concerning the Dair Alzour site was deteriorating or had been lost. It was critical, therefore, that Syria cooperated with the Agency on those unresolved safeguards implementation issues. Concerning the Miniature Neutron Source Reactor (MNSR), Syria's responses under the agreed plan of action did not resolve the inconsistencies identified by the Agency. Conclusions about the source of the uranium particles at MNSR would be possible only once Syria had provided clarification regarding outstanding inconsistencies. The Agency urged Syria to bring into force an Additional Protocol to its safeguards agreement, which would facilitate the Agency's work in verifying the correctness and completeness of Syria's declarations.

Middle East

Report of Director General. In a report issued in August on the application of IAEA safeguards in the Middle East [GOV/2010/48-GC(54)/13], the IAEA Director General noted that all States in the region except Israel were parties to the NPT and had undertaken to accept comprehensive Agency safeguards. There continued to be a long-standing and fundamental difference between Israel and the other States of the region with regard to the application of comprehensive Agency safeguards to all nuclear activities. Israel took the view that Agency safeguards, as well as all other regional security issues, should be addressed in the framework of a regional security and arms control dialogue in the context of a multilateral peace process; whereas the other States emphasized that they were all parties to the NPT and that there was no automatic sequence that linked the application of comprehensive safeguards to all nuclear activities, or the establishment of a nuclear-weapon-free zone, to the prior conclusion of a peace settlement. The Director General stated that he would continue with his consultations regarding the early application of comprehensive safeguards on all nuclear activities in the region.

General Conference. In a resolution of 24 September [GC(54)/RES/13], the IAEA General Conference affirmed the need for all States in the region to accept the application of full-scope Agency safeguards to all their nuclear activities as a confidence-building measure, and to take steps to establish a nuclear-weapon-free zone. It requested the IAEA Director General to continue consultations with the States of the region to facilitate the early application of full-scope Agency safeguards to all nuclear activities.

Report of Secretary-General. Pursuant to General Assembly resolution 64/66 [YUN 2009, p. 531], the Secretary-General in October reported [A/65/121 (Part II)] that apart from the IAEA resolution on the application of Agency safeguards in the Middle East, he had not received any additional information since his 2009 report [YUN 2009, p. 531].

GENERAL ASSEMBLY ACTION

On 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/413], adopted **resolution 65/88** by recorded vote (172-6-8) [agenda item 100].

The risk of nuclear proliferation in the Middle East

The General Assembly,

Bearing in mind its relevant resolutions,

Taking note of the relevant resolutions adopted by the General Conference of the International Atomic Energy Agency, the latest of which is resolution GC(54)/RES/13, adopted on 24 September 2010,

Cognizant that the proliferation of nuclear weapons in the region of the Middle East would pose a serious threat to international peace and security,

Mindful of the immediate need for placing all nuclear facilities in the region of the Middle East under full-scope safeguards of the Agency,

Recalling the decision on principles and objectives for nuclear non-proliferation and disarmament adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons on 11 May 1995, in which the Conference urged universal adherence to the Treaty as an urgent priority and called upon all States not yet parties to the Treaty to accede to it at the earliest date, particularly those States that operate unsafeguarded nuclear facilities,

Recognizing with satisfaction that, in the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, the Conference undertook to make determined efforts towards the achievement of the goal of universality of the Treaty, called upon those remaining States not parties to the Treaty to accede to it, thereby accepting an international legally binding commitment not to acquire nuclear weapons or nuclear explosive devices and to accept Agency safeguards on all their nuclear activities, and underlined the necessity of universal adherence to the Treaty and of strict compliance by all parties with their obligations under the Treaty,

Recalling the resolution on the Middle East adopted by the 1995 Review and Extension Conference on 11 May 1995, in which the Conference noted with concern the continued existence in the Middle East of unsafeguarded nuclear facilities, reaffirmed the importance of the early realization of universal adherence to the Treaty and called upon all States in the Middle East that had not yet done so, without exception, to accede to the Treaty as soon as possible and to place all their nuclear facilities under full-scope Agency safeguards,

Noting with satisfaction that, in the Final Document of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, the Conference emphasized the importance of a process leading to full implementation of the 1995 resolution on the Middle East and decided, inter alia, that the Secretary-General of the United Nations and the co-sponsors of the 1995 resolution, in consultation with the States of the region, would convene a conference in 2012, to be attended by all States of the Middle East, on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction, on the basis of arrangements freely arrived at by the States of the region and with the full support and engagement of the nuclear-weapon States,

Recalling that Israel remains the only State in the Middle East that has not yet become a party to the Treaty,

Concerned about the threats posed by the proliferation of nuclear weapons to the security and stability of the Middle East region,

Stressing the importance of taking confidence-building measures, in particular the establishment of a nuclear-weapon-free zone in the Middle East, in order to enhance peace and security in the region and to consolidate the global non-proliferation regime,

Emphasizing the need for all parties directly concerned to seriously consider taking the practical and urgent steps

required for the implementation of the proposal to establish a nuclear-weapon-free zone in the region of the Middle East in accordance with the relevant resolutions of the General Assembly and, as a means of promoting this objective, inviting the countries concerned to adhere to the Treaty and, pending the establishment of the zone, to agree to place all their nuclear activities under Agency safeguards,

Noting that one hundred and eighty-two States have signed the Comprehensive Nuclear-Test-Ban Treaty, including a number of States in the region,

1. *Welcomes* the conclusions on the Middle East of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons;

2. *Reaffirms* the importance of Israel's accession to the Treaty on the Non-Proliferation of Nuclear Weapons and placement of all its nuclear facilities under comprehensive International Atomic Energy Agency safeguards, in realizing the goal of universal adherence to the Treaty in the Middle East;

3. *Calls upon* that State to accede to the Treaty without further delay, not to develop, produce, test or otherwise acquire nuclear weapons, to renounce possession of nuclear weapons and to place all its unsafeguarded nuclear facilities under full-scope Agency safeguards as an important confidence-building measure among all States of the region and as a step towards enhancing peace and security;

4. *Requests* the Secretary-General to report to the General Assembly at its sixty-sixth session on the implementation of the present resolution;

5. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "The risk of nuclear proliferation in the Middle East".

RECORDED VOTE ON RESOLUTION 65/88:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan,

Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, Marshall Islands, Micronesia, Nauru, Palau, United States.

Abstaining: Australia, Cameroon, Canada, Côte d'Ivoire, Ethiopia, India, Madagascar, Panama.

Radioactive waste

IAEA safety standards provided the global reference for the high safety level required for the use of nuclear power and other applications. In 2010, the Agency established the International Network of Laboratories for Nuclear Waste Characterization (LABONET) to improve the effectiveness of information exchange on good practices in radioactive waste management. Network participants were drawn from States with both advanced and limited nuclear programmes. Steps were taken to improve linkages between LABONET and other Agency networks addressing near surface disposal, deep geological disposal, the decommissioning of nuclear facilities and environmental remediation of contaminated sites.

The Contact Expert Group for International Radwaste Projects in the Russian Federation, established under the auspices of the Agency in 1996 to promote international cooperation and assistance in resolving problems caused by the nuclear legacy of the Cold War, as at 31 December had defuelled and dismantled 191 old Russian nuclear submarines; it was now focusing on the safe removal of submarine spent fuel that had been stockpiled at former navy bases in the north-western and far-eastern regions of the country. The Group had overseen the removal of all radioisotope thermoelectric generators previously used for navigation purposes on the country's north-west and Pacific coasts and was working to establish two regional centres for the conditioning and storage of legacy radioactive waste.

The Agency completed a report, *Assessment and Proposals for Uranium Production Legacy Sites in Central Asia: An International Approach*, which identified the needs and priorities for environmental impact assessments at legacy uranium production sites in Central Asia. In October, the Agency launched the International Working Forum on Regulatory Supervision of Legacy Sites, which provided support to regulators in addressing legacy site issues.

To assist countries lacking the resources to ensure adequate long-term management and disposal of radioactive waste, the Agency developed the borehole disposal system, a simple and economically viable option. Implementation of that option was begun at a demonstration project in Ghana.

The International Conference on Management of Spent Fuel from Nuclear Power Reactors (Vienna, 31 May–4 June) addressed national policy, safety and licensing, transport, medium- and long-term storage, reprocessing and disposal. It also reviewed technical issues associated with higher burnup fuel and mixed oxide fuel, and dealt with damaged and degraded spent fuel.

Nuclear-weapon-free zones

Second Conference of Nuclear-Weapon-Free Zones and Mongolia

On the occasion of the 2010 NPT Review Conference, the States parties and signatories to the Treaties of Tlatelolco (1967), Rarotonga (1985), Bangkok (1995), Pelindaba (1996) and Central Asia (2006), which had established nuclear-weapon-free zones, as well as Mongolia—a nuclear-weapon-free State—met in New York on 30 April [NWFZM/CONF.2010/1] to strengthen the nuclear-weapon-free zones regimes, contribute to nuclear disarmament and nuclear non-proliferation, and analyse ways of cooperating that could promote the achievement of a nuclear-weapon-free world. The meeting advocated for a denuclearized Korean Peninsula; expressed support for the establishment of nuclear-weapon-free zones in Central Europe and the Middle East; and recognized the importance of multilateralism and the role played by the United Nations in the area of nuclear disarmament and non-proliferation and peaceful uses of nuclear energy. The first meeting of the five nuclear-weapon-free zones and Mongolia was held in Ulaanbaatar in 2009 [YUN, p. 540].

Africa

The African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba) [YUN 1995, p. 203] entered into force in 2009 [YUN 2009, p. 533]. As at 31 December 2010, the Treaty had been ratified by 31 countries; 19 of 50 signatory States had yet to ratify. The African Nuclear-Weapon-Free Zone encompassed more than 30 million square kilometres, making it the largest of the five nuclear-weapon-free zones in the world.

GENERAL ASSEMBLY ACTION

On 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/402], adopted **resolution 65/39** without vote [agenda item 89].

African Nuclear-Weapon-Free Zone Treaty

The General Assembly,

Recalling its resolutions 51/53 of 10 December 1996 and 56/17 of 29 November 2001 and all its other relevant

resolutions, as well as those of the Organization of African Unity,

Recalling also the signing of the African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba) in Cairo on 11 April 1996,

Recalling further the Cairo Declaration adopted on that occasion, which emphasized that nuclear-weapon-free zones, especially in regions of tension, such as the Middle East, enhance global and regional peace and security,

Recalling the statement made by the President of the Security Council on behalf of the members of the Council on 12 April 1996, affirming that the signature of the Treaty constituted an important contribution by the African countries to the maintenance of international peace and security,

Considering that the establishment of nuclear-weapon-free zones, especially in the Middle East, would enhance the security of Africa and the viability of the African nuclear-weapon-free zone,

1. *Recalls with satisfaction* the entry into force of the African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba) on 15 July 2009;

2. *Calls upon* African States that have not yet done so to sign and ratify the Treaty as soon as possible;

3. *Expresses its appreciation* to the nuclear-weapon States that have signed the Protocols to the Treaty that concern them, and calls upon those that have not yet ratified the Protocols that concern them to do so as soon as possible;

4. *Calls upon* the States contemplated in Protocol III to the Treaty that have not yet done so to take all necessary measures to ensure the speedy application of the Treaty to territories for which they are, de jure or de facto, internationally responsible and which lie within the limits of the geographical zone established in the Treaty;

5. *Calls upon* the African States parties to the Treaty on the Non Proliferation of Nuclear Weapons that have not yet done so to conclude comprehensive safeguards agreements with the International Atomic Energy Agency pursuant to the Treaty, thereby satisfying the requirements of article 9 (b) of and annex II to the Treaty of Pelindaba, and to conclude additional protocols to their safeguards agreements on the basis of the Model Protocol approved by the Board of Governors of the Agency on 15 May 1997;

6. *Expresses its gratitude* to the Secretary-General, the Chairperson of the African Union Commission and the Director General of the International Atomic Energy Agency for the diligence with which they have rendered effective assistance to the signatories to the Treaty;

7. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled “African Nuclear-Weapon-Free Zone Treaty”.

Asia

Central Asia

The Central Asian Nuclear-Weapon-Free Zone, comprising Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan, entered into force in 2009 [YUN 2009, p. 534], just over two years after the signing of the treaty among the five Central Asian States [YUN 2006, p. 644]. Encompassing an area of roughly 4 million square kilometres, the treaty cov-

ered the smallest of the nuclear-weapon-free zones, but the only one where nuclear weapons had previously existed. It was the first such treaty to oblige participating countries to accept enhanced IAEA safeguards on their nuclear material and activities.

Communications. In May, the five Central Asian States submitted to the 2010 NPT Review Conference two working papers: on the Treaty on a Nuclear-Weapon-Free Zone in Central Asia [NPT/CONF.2010/WP.54] and on the environmental consequences of uranium mining [NPT/CONF.2010/WP.73].

GENERAL ASSEMBLY ACTION

On 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/410], adopted **resolution 65/49** by recorded vote (144-3-36) [agenda item 97 (i)].

Treaty on a Nuclear-Weapon-Free Zone in Central Asia

The General Assembly,

Recalling its resolutions 52/38 S of 9 December 1997, 53/77 A of 4 December 1998, 55/33 W of 20 November 2000, 57/69 of 22 November 2002, 61/88 of 6 December 2006 and 63/63 of 2 December 2008, and its decisions 54/417 of 1 December 1999, 56/412 of 29 November 2001, 58/518 of 8 December 2003, 59/513 of 3 December 2004 and 60/516 of 8 December 2005,

Convinced that the establishment of nuclear-weapon-free zones contributes to the achievement of general and complete disarmament, and emphasizing the importance of internationally recognized treaties on the establishment of such zones in different regions of the world in the strengthening of the non-proliferation regime,

Considering that the Treaty on a Nuclear-Weapon-Free Zone in Central Asia, on the basis of arrangements freely arrived at among the States of the region, constitutes an important step towards strengthening the nuclear non-proliferation regime and ensuring regional and international peace and security,

Considering also that the Treaty on a Nuclear-Weapon-Free Zone in Central Asia is an effective contribution to combating international terrorism and preventing nuclear materials and technologies from falling into the hands of non-State actors, primarily terrorists,

Reaffirming the universally recognized role of the United Nations in the establishment of nuclear-weapon-free zones,

Emphasizing the role of the Treaty on a Nuclear-Weapon-Free Zone in Central Asia in promoting cooperation in the peaceful uses of nuclear energy and in the environmental rehabilitation of territories affected by radioactive contamination, and the importance of stepping up efforts to ensure the safe and reliable storage of radioactive waste in the Central Asian States,

Recognizing the importance of the Treaty on a Nuclear-Weapon-Free Zone in Central Asia, and emphasizing its significance in the attainment of peace and security,

1. Welcomes the entry into force on 21 March 2009 of the Treaty on a Nuclear-Weapon-Free Zone in Central Asia;

2. Notes the readiness of the Central Asian countries to continue consultations with the nuclear-weapon States on a number of provisions of the Treaty on a Nuclear-Weapon-Free Zone in Central Asia;

3. Welcomes the submission at the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons of two working papers, on the Treaty on a Nuclear-Weapon-Free Zone in Central Asia and on the environmental consequences of uranium mining;

4. Also welcomes the convening in Ashgabat on 15 October 2009 of the first consultative meeting of States parties to the Treaty on a Nuclear-Weapon-Free Zone in Central Asia, which identified joint activities by the Central Asian States to ensure fulfilment of the obligations set out in the Treaty and to develop cooperation on disarmament issues with international bodies;

5. Decides to include in the provisional agenda of its sixty-seventh session an item entitled "Treaty on a Nuclear-Weapon-Free Zone in Central Asia".

RECORDED VOTE ON RESOLUTION 65/49:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Georgia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Ireland, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Republic of Korea, Republic of Moldova, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: France, United Kingdom, United States.

Abstaining: Albania, Andorra, Australia, Belgium, Benin, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, Finland, Germany, Greece, Hungary, Iceland, Israel, Italy, Latvia, Lithuania, Luxembourg, Monaco, Montenegro, Myanmar, Netherlands, Norway, Palau, Poland, Portugal, Romania, San Marino, Slovakia, Slovenia, Spain, the former Yugoslav Republic of Macedonia.

Mongolia

Report of Secretary-General. Pursuant to General Assembly resolution 63/56 [YUN 2008, p. 600],

the Secretary-General in July submitted a report [A/65/136] reviewing new developments and UN assistance to Mongolia to consolidate the country's international security and nuclear-weapon-free status. Mongolia had continued to receive international recognition for its nuclear-weapon-free status and to promote other nuclear disarmament and non-proliferation objectives. The country had continued to seek the institutionalization of its nuclear-weapon-free status, and in that regard it had undertaken discussions with its two immediate neighbours, China and the Russian Federation, towards the conclusion of a legal instrument that would include a separate draft protocol to be signed by the other nuclear-weapon States.

GENERAL ASSEMBLY ACTION

On 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/410], adopted **resolution 65/70** without vote [agenda item 97 (f)].

Mongolia's international security and nuclear-weapon-free status

The General Assembly,

Recalling its resolutions 53/77 D of 4 December 1998, 55/33 S of 20 November 2000, 57/67 of 22 November 2002, 59/73 of 3 December 2004, 61/87 of 6 December 2006 and 63/56 of 2 December 2008,

Recalling also the purposes and principles of the Charter of the United Nations, as well as the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,

Bearing in mind its resolution 49/31 of 9 December 1994 on the protection and security of small States,

Proceeding from the fact that nuclear-weapon-free status is one of the means of ensuring the national security of States,

Convinced that the internationally recognized status of Mongolia contributes to enhancing stability and confidence-building in the region and promotes Mongolia's security by strengthening its independence, sovereignty and territorial integrity, the inviolability of its borders and the preservation of its ecological balance,

Taking note of the adoption by the Mongolian parliament of legislation defining and regulating Mongolia's nuclear-weapon-free status as a concrete step towards promoting the aims of nuclear non-proliferation,

Bearing in mind the joint statement of the five nuclear-weapon States on security assurances to Mongolia in connection with its nuclear-weapon-free status as a contribution to the implementation of resolution 53/77 D, as well as their commitment to Mongolia to cooperate in the implementation of the resolution, in accordance with the principles of the Charter,

Noting that the joint statement was transmitted to the Security Council by the five nuclear-weapon States,

Mindful of the support expressed for Mongolia's nuclear-weapon-free status by the Heads of State and Government

of Non-Aligned Countries at the Thirteenth Conference of Heads of State or Government of Non-Aligned Countries, held in Kuala Lumpur on 24 and 25 February 2003, the Fourteenth Conference, held in Havana on 15 and 16 September 2006, and the Fifteenth Conference, held in Sharm El-Sheikh, Egypt, from 11 to 16 July 2009, and by Ministers at the Fifteenth Ministerial Conference of the Movement of Non-Aligned Countries, held in Tehran on 29 and 30 July 2008,

Noting that the States parties and signatories to the Treaties of Tlatelolco, Rarotonga, Bangkok and Pelindaba and the State of Mongolia expressed their recognition and full support for Mongolia's international nuclear-weapon-free status at the first Conference of States Parties and Signatories to Treaties that Establish Nuclear-Weapon-Free Zones, held in Tlatelolco, Mexico, from 26 to 28 April 2005,

Noting also that the States parties and signatories to the treaties of Tlatelolco, Rarotonga, Bangkok and Pelindaba and to the Treaty on a Nuclear-Weapon-Free Zone in Central Asia expressed support for Mongolia's policy at the Second Conference of States Parties and Signatories to Treaties that Establish Nuclear-Weapon-Free Zones and Mongolia, held in New York on 30 April 2010,

Noting further other measures taken to implement resolution 63/56 at the national and international levels,

Welcoming Mongolia's active and positive role in developing peaceful, friendly and mutually beneficial relations with the States of the region and other States,

Having considered the report of the Secretary-General,

1. *Takes note* of the report of the Secretary-General;
2. *Expresses its appreciation* to the Secretary-General for the efforts to implement resolution 63/56;
3. *Welcomes* the declaration by Mongolia of its nuclear-weapon-free status, and supports the measures taken by Mongolia to consolidate and strengthen this status;
4. *Endorses and supports* Mongolia's good-neighbourly and balanced relationship with its neighbours as an important element of strengthening regional peace, security and stability;
5. *Welcomes* the efforts made by Member States to cooperate with Mongolia in implementing resolution 63/56, as well as the progress made in consolidating Mongolia's international security;
6. *Invites* Member States to continue to cooperate with Mongolia in taking the necessary measures to consolidate and strengthen Mongolia's independence, sovereignty and territorial integrity, the inviolability of its borders, its independent foreign policy, its economic security and its ecological balance, as well as its nuclear-weapon-free status;
7. *Appeals* to the Member States of the Asia and Pacific region to support Mongolia's efforts to join the relevant regional security and economic arrangements;
8. *Requests* the Secretary-General and relevant United Nations bodies to continue to provide assistance to Mongolia in taking the necessary measures mentioned in paragraph 6 above;
9. *Requests* the Secretary-General to report to the General Assembly at its sixty-seventh session on the implementation of the present resolution;
10. *Decides* to include in the provisional agenda of its sixty-seventh session the item entitled "Mongolia's international security and nuclear-weapon-free status".

South-East Asia

The 10 States parties to the Treaty on the South-East Asia Nuclear-Weapon-Free Zone (Bangkok Treaty), which had opened for signature in 1995 [YUN 1995, p. 207] and entered into force in 1997 [YUN 1997, p. 495], continued their efforts to promote and strengthen implementation of the Treaty.

The forty-third Foreign Ministers Meeting (Hanoi, Viet Nam, 19–20 July) of the Association of Southeast Asian Nations, underscored the importance of preserving South-East Asia as a nuclear-weapon-free zone also free of other weapons of mass destruction. Participants reviewed the implementation of the plan of action to strengthen the Treaty, agreed to ensure that various programmes and activities indicated in the Treaty's plan of action (2007–2012) were carried out, and agreed to continue to engage with the nuclear-weapon States to encourage them to accede to the Treaty's Protocol.

Latin America and the Caribbean

The 33 States parties to the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) [YUN 1967, p. 13] continued to consolidate the Treaty regime. The Treaty's Additional Protocol I was directed at States that were, *de jure* or *de facto*, responsible for territories within the Zone of Application of the Treaty. The protocol had been signed and ratified by France, the Netherlands, the United Kingdom and the United States. Additional Protocol II, directed at the nuclear-weapon States officially recognized by the international community, had been signed and ratified by China, France, the United Kingdom, the United States and the Soviet Union (now the Russian Federation).

The General Assembly in resolution 65/40 (see below), encouraged States that had ratified the Protocols to the Treaty to review any reservations in that regard, in accordance with action 9 of the Final Document of the 2010 NPT Review Conference.

GENERAL ASSEMBLY ACTION

On 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/403], adopted **resolution 65/40** without vote [agenda item 90].

Consolidation of the regime established by the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)

The General Assembly,

Recalling that the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) was opened for signature at Mexico City on 14 February 1967,

Recalling also that, in its preamble, the Treaty of Tlatelolco states that military denuclearized zones are not an end in themselves but rather a means for achieving general and complete disarmament at a later stage,

Recalling further that, in its resolution 2286(XXII) of 5 December 1967, it welcomed with special satisfaction the Treaty of Tlatelolco as an event of historic significance in the efforts to prevent the proliferation of nuclear weapons and to promote international peace and security,

Recalling that in 1990, 1991 and 1992 the General Conference of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean approved and opened for signature a set of amendments to the Treaty of Tlatelolco, with the aim of enabling the full entry into force of that instrument,

Highlighting the fact that the Treaty of Tlatelolco, which is in force for thirty-three sovereign States of the region, consolidated the first nuclear-weapon-free zone established in a densely populated region,

Recognizing the important contribution of the treaties of Tlatelolco, Rarotonga, Bangkok and Pelindaba and the Treaty on a Nuclear-Weapon-Free Zone in Central Asia, as well as the Antarctic Treaty and the declaration by Mongolia of its nuclear-weapon-free status, to the achievement of nuclear non-proliferation and nuclear disarmament,

Recalling all relevant United Nations resolutions in support of nuclear-weapon-free zones,

Welcoming the holding of the Second Conference of States Parties and Signatories to Treaties that Establish Nuclear-Weapon-Free Zones and Mongolia, held in New York on 30 April 2010, as an important contribution to achieving a nuclear-weapon-free world,

Noting that the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, in its final document, encouraged the establishment of further nuclear-weapon-free zones and the fostering of cooperation and enhanced consultation mechanisms among the existing nuclear-weapon-free zones through the establishment of concrete measures, in order to fully implement the principles and objectives of the relevant nuclear-weapon-free zone treaties, and commending the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean for its leadership in this endeavour,

Reaffirming the importance of the Agency as the appropriate legal and political forum for ensuring full compliance with and implementation of the Treaty of Tlatelolco, as well as cooperation with the entities of other nuclear-weapon-free zones,

1. *Welcomes* the fact that the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) is in force for the sovereign States of the region;

2. *Urges* the countries of the region that have not yet done so to sign or deposit their instruments of ratification of the amendments to the Treaty of Tlatelolco approved by the General Conference of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean in its resolutions 267(E-V), 268(XII) and 290(VII);

3. *Encourages* States that have ratified the relevant Protocols to the Treaty of Tlatelolco to review any reservations in this regard, in accordance with action 9 of the Final Document of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons;

4. *Encourages* States members of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean to continue the activities and efforts of the Agency with a view to implementing the agreements reached at the first and second conferences of States parties and signatories to treaties that establish nuclear-weapon-free zones;

5. *Decides* to include in the provisional agenda of its sixty-eighth session the item entitled "Consolidation of the regime established by the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)".

Middle East

In response to General Assembly resolution 64/26 [YUN 2009, p. 537], the Secretary-General reported in July [A/65/121 (Part I) & Add.1] on the establishment of a nuclear-weapon-free zone in the Middle East. He noted that the issue remained of considerable importance and had received increased attention at the 2010 NPT Review Conference. The Final Document adopted by the Conference contained practical steps for implementing the 1995 resolution on the Middle East, and the Secretary-General reiterated his readiness to undertake the necessary actions with the co-sponsors of the 1995 resolution and in consultation with the States of the region. He also reaffirmed the need for a just and lasting solution to the Arab-Israeli conflict, and welcomed efforts of the United States to facilitate political progress between Israelis and Palestinians. His report included the views on the matter of 11 Member States—Algeria, Australia, Cuba, Egypt, Iran, Japan, Jordan, Libyan Arab Jamahiriya, Mexico, Spain (on behalf of the European Union) and Qatar.

GENERAL ASSEMBLY ACTION

On 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/406], adopted **resolution 65/42** without vote [agenda item 93].

Establishment of a nuclear-weapon-free zone in the region of the Middle East

The General Assembly,

Recalling its resolutions 3263 (XXIX) of 9 December 1974, 3474 (XXX) of 11 December 1975, 31/71 of 10 December 1976, 32/82 of 12 December 1977, 33/64 of 14 December 1978, 34/77 of 11 December 1979, 35/147 of 12 December 1980, 36/87 A and B of 9 December 1981, 37/75 of 9 December 1982, 38/64 of 15 December 1983, 39/54 of 12 December 1984, 40/82 of 12 December 1985, 41/48 of 3 December 1986, 42/28 of 30 November 1987, 43/65 of 7 December 1988, 44/108 of 15 December 1989, 45/52 of 4 December 1990, 46/30 of 6 December 1991, 47/48 of 9 December 1992, 48/71 of 16 December 1993, 49/71 of 15 December 1994, 50/66 of 12 December 1995, 51/41 of 10 December 1996, 52/34 of 9 December 1997, 53/74 of 4 December 1998, 54/51 of 1 December 1999, 55/30 of 20 November 2000, 56/21 of 29 November 2001, 57/55

of 22 November 2002, 58/34 of 8 December 2003, 59/63 of 3 December 2004, 60/52 of 8 December 2005, 61/56 of 6 December 2006, 62/18 of 5 December 2007, 63/38 of 2 December 2008 and 64/26 of 2 December 2009 on the establishment of a nuclear-weapon-free zone in the region of the Middle East,

Recalling also the recommendations for the establishment of a nuclear-weapon-free zone in the region of the Middle East consistent with paragraphs 60 to 63, and in particular paragraph 63 (d), of the Final Document of the Tenth Special Session of the General Assembly,

Emphasizing the basic provisions of the above-mentioned resolutions, which call upon all parties directly concerned to consider taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the region of the Middle East and, pending and during the establishment of such a zone, to declare solemnly that they will refrain, on a reciprocal basis, from producing, acquiring or in any other way possessing nuclear weapons and nuclear explosive devices and from permitting the stationing of nuclear weapons on their territory by any third party, to agree to place their nuclear facilities under International Atomic Energy Agency safeguards and to declare their support for the establishment of the zone and to deposit such declarations with the Security Council for consideration, as appropriate,

Reaffirming the inalienable right of all States to acquire and develop nuclear energy for peaceful purposes,

Emphasizing the need for appropriate measures on the question of the prohibition of military attacks on nuclear facilities,

Bearing in mind the consensus reached by the General Assembly since its thirty-fifth session that the establishment of a nuclear-weapon-free zone in the region of the Middle East would greatly enhance international peace and security,

Desirous of building on that consensus so that substantial progress can be made towards establishing a nuclear-weapon-free zone in the region of the Middle East,

Welcoming all initiatives leading to general and complete disarmament, including in the region of the Middle East, and in particular on the establishment therein of a zone free of weapons of mass destruction, including nuclear weapons,

Noting the peace negotiations in the Middle East, which should be of a comprehensive nature and represent an appropriate framework for the peaceful settlement of contentious issues in the region,

Recognizing the importance of credible regional security, including the establishment of a mutually verifiable nuclear weapon-free zone,

Emphasizing the essential role of the United Nations in the establishment of a mutually verifiable nuclear-weapon-free zone,

Having examined the report of the Secretary-General on the implementation of resolution 64/26,

1. *Urges* all parties directly concerned seriously to consider taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the region of the Middle East in accordance with the relevant resolutions of the General Assembly, and, as a means of promoting this objective,

invites the countries concerned to adhere to the Treaty on the Non-Proliferation of Nuclear Weapons;

2. *Calls upon* all countries of the region that have not yet done so, pending the establishment of the zone, to agree to place all their nuclear activities under International Atomic Energy Agency safeguards;

3. *Takes note* of resolution GC(54)/RES/13, adopted on 24 September 2010 by the General Conference of the International Atomic Energy Agency at its fifty-fourth regular session, concerning the application of Agency safeguards in the Middle East;

4. *Notes* the importance of the ongoing bilateral Middle East peace negotiations and the activities of the multilateral Working Group on Arms Control and Regional Security in promoting mutual confidence and security in the Middle East, including the establishment of a nuclear-weapon-free zone;

5. *Invites* all countries of the region, pending the establishment of a nuclear-weapon-free zone in the region of the Middle East, to declare their support for establishing such a zone, consistent with paragraph 63 (d) of the Final Document of the Tenth Special Session of the General Assembly, and to deposit those declarations with the Security Council;

6. *Also invites* those countries, pending the establishment of the zone, not to develop, produce, test or otherwise acquire nuclear weapons or permit the stationing on their territories, or territories under their control, of nuclear weapons or nuclear explosive devices;

7. *Invites* the nuclear-weapon States and all other States to render their assistance in the establishment of the zone and at the same time to refrain from any action that runs counter to both the letter and the spirit of the present resolution;

8. *Takes note* of the report of the Secretary-General;

9. *Invites* all parties to consider the appropriate means that may contribute towards the goal of general and complete disarmament and the establishment of a zone free of weapons of mass destruction in the region of the Middle East;

10. *Requests* the Secretary-General to continue to pursue consultations with the States of the region and other concerned States, in accordance with paragraph 7 of resolution 46/30 and taking into account the evolving situation in the region, and to seek from those States their views on the measures outlined in chapters III and IV of the study annexed to the report of the Secretary-General of 10 October 1990 or other relevant measures, in order to move towards the establishment of a nuclear-weapon-free zone in the region of the Middle East;

11. *Also requests* the Secretary-General to submit to the General Assembly at its sixty-sixth session a report on the implementation of the present resolution;

12. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "Establishment of a nuclear weapon-free-zone in the region of the Middle East".

South Pacific

As at 31 December, the number of States parties to the 1985 South Pacific Nuclear-Free Zone Treaty (Treaty of Rarotonga) [YUN 1985, p. 58] remained at 13. China and the Russian Federation had ratified Protocols 2 and 3, and France and the United King-

dom had ratified all three Protocols. Under Protocol 1, the States internationally responsible for territories situated within the zone would apply the relevant prohibitions of the Treaty to those territories; under Protocol 2, the five nuclear-weapon States would provide security assurances to parties or territories within the zone; and under Protocol 3, the five nuclear-weapon States would not carry out any nuclear tests in the zone.

Southern hemisphere and adjacent areas

On 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/410], adopted **resolution 65/58** by recorded vote (174-3-6) [agenda item 97 (v)].

Nuclear-weapon-free southern hemisphere and adjacent areas

The General Assembly,

Recalling its resolutions 51/45 B of 10 December 1996, 52/38 N of 9 December 1997, 53/77 Q of 4 December 1998, 54/54 L of 1 December 1999, 55/33 I of 20 November 2000, 56/24 G of 29 November 2001, 57/73 of 22 November 2002, 58/49 of 8 December 2003, 59/85 of 3 December 2004, 60/58 of 8 December 2005, 61/69 of 6 December 2006, 62/35 of 5 December 2007, 63/65 of 2 December 2008 and 64/44 of 2 December 2009,

Recalling also the adoption by the Disarmament Commission at its 1999 substantive session of a text entitled "Establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the region concerned",

Determined to pursue the total elimination of nuclear weapons,

Determined also to continue to contribute to the prevention of the proliferation of nuclear weapons in all its aspects and to the process of general and complete disarmament under strict and effective international control, in particular in the field of nuclear weapons and other weapons of mass destruction, with a view to strengthening international peace and security, in accordance with the purposes and principles of the Charter of the United Nations,

Recalling the provisions on nuclear-weapon-free zones of the Final Document of the Tenth Special Session of the General Assembly, the first special session devoted to disarmament,

Stressing the importance of the treaties of Tlatelolco, Rarotonga, Bangkok and Pelindaba establishing nuclear-weapon-free zones, as well as the Antarctic Treaty, *inter alia*, for achieving a world entirely free of nuclear weapons,

Welcoming the Second Conference of States Parties and Signatories to Treaties that Establish Nuclear-Weapon-Free Zones and Mongolia, held in New York on 30 April 2010, and noting that one hundred and fifteen States are currently parties and signatories to these treaties,

Underlining the value of enhancing cooperation among the nuclear-weapon-free-zone treaty members by means of mechanisms such as joint meetings of States parties, signatories and observers to those treaties,

Reaffirming the applicable principles and rules of international law relating to the freedom of the high seas and the

rights of passage through maritime space, including those of the United Nations Convention on the Law of the Sea,

1. *Welcomes* the continued contribution that the Antarctic Treaty and the treaties of Tlatelolco, Rarotonga, Bangkok and Pelindaba are making towards freeing the southern hemisphere and adjacent areas covered by those treaties from nuclear weapons;

2. *Notes with satisfaction* that all nuclear-weapon-free zones in the southern hemisphere and adjacent areas are now in force;

3. *Notes* that the Russian Federation has initiated internal procedures to ratify the appropriate protocols to the Treaty of Pelindaba, and also notes the positive announcement by the United States of its intention to begin the process of ratification of the protocols to the treaties of Pelindaba and Rarotonga;

4. *Calls upon* all States concerned to continue to work together in order to facilitate adherence to the protocols to nuclear-weapon-free zone treaties by all relevant States that have not yet done so, and in this regard notes the positive announcement by the United States of consultations to be conducted with the parties to the nuclear-weapon-free zone treaties in Central and South-East Asia in an effort to sign and ratify the relevant protocols;

5. *Welcomes* the steps taken to conclude further nuclear-weapon-free-zone treaties on the basis of arrangements freely arrived at among the States of the region concerned, and calls upon all States to consider all relevant proposals, including those reflected in its resolutions on the establishment of nuclear weapon-free zones in the Middle East and South Asia;

6. *Affirms its conviction* of the important role of nuclear-weapon-free zones in strengthening the nuclear non-proliferation regime and in extending the areas of the world that are nuclear-weapon-free, and, with particular reference to the responsibilities of the nuclear-weapon States, calls upon all States to support the process of nuclear disarmament and to work for the total elimination of all nuclear weapons;

7. *Welcomes* the progress made on increased collaboration within and between zones at the Second Conference of States Parties and Signatories to Treaties that Establish Nuclear-Weapon-Free Zones and Mongolia at which States noted their intention to foster cooperation among the nuclear-weapon-free zones to fully implement the principles and objectives of the treaties and to exchange relevant ideas and best practices in areas of mutual interest;

8. *Congratulates* the States parties and signatories to the treaties of Tlatelolco, Rarotonga, Bangkok and Pelindaba, as well as of Central Asia and Mongolia, for their efforts to pursue the common goals envisaged in those treaties and to promote the nuclear-weapon-free status of the southern hemisphere and adjacent areas, and calls upon them to explore and implement further ways and means of cooperation among themselves and their treaty agencies;

9. *Encourages* the competent authorities of the nuclear-weapon-free zone treaties to provide assistance to the States parties and signatories to those treaties so as to facilitate the accomplishment of the goals;

10. *Decides* to include in the provisional agenda of its sixty-seventh session the item entitled "Nuclear-weapon-free southern hemisphere and adjacent areas".

RECORDED VOTE ON RESOLUTION 65/58:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: France, United Kingdom, United States.

Abstaining: India, Israel, Marshall Islands, Micronesia, Pakistan, Palau.

Bacteriological (biological) and chemical weapons

Bacteriological (biological) weapons

Annual meetings of the States parties to the 1972 Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction [YUN 1972, p. 5] (Biological Weapons Convention (BWC)) continued in 2010, covering international cooperation and capacity-building. The meeting of experts took place in August and the meeting of States parties in December (see below).

Meeting of States parties

In accordance with a decision of the Sixth Review Conference of the States parties to BWC [YUN 2006, p. 650], a meeting of those States was convened in 2010 (Geneva, 6–10 December) [BWC/MSP/2010/6]. It was attended by

92 States parties, four signatory States, one observer State, the Office for Disarmament Affairs (UNODA), the United Nations Interregional Crime and Justice Research Institute (UNICRI) and 12 NGOs and research institutes. The European Union (EU), the International Committee of the Red Cross (ICRC), the Organization for the Prohibition of Chemical Weapons (OPCW) and WHO, among others, participated as observers.

In the case of alleged use of biological or toxin weapons, participants considered the provision of assistance and the coordination with relevant organizations, including improving national capabilities for disease surveillance, detection and diagnosis and public health systems. One working session was devoted to arrangements for the Seventh Review Conference and its Preparatory Committee in 2011, and another to reports from the Chairman and States parties on universalization activities [BWC/MSP/2010/4] and the report of the UNODA Implementation Support Unit [BWC/MSP/2010/2]. States parties emphasized the value of assisting other States parties by promoting and facilitating the generation, transfer and acquisition of new knowledge and technologies, as well as of materials and equipment; strengthening human resources; identifying opportunities for collaborative research and sharing advances in science and technology; and sharing practices for biorisk standards in laboratories handling biological agents and toxins.

Given their commitments under the Convention, in particular under article VII, States parties recognized that they bore the primary responsibility for providing assistance and coordinating with relevant organizations in the case of alleged use of biological or toxin weapons. States parties recognized the need to develop national laws and regulations, to improve their capacities in disease surveillance and detection for identifying the cause of outbreaks, and to cooperate to build the capacity of other States parties.

Meeting of experts. Eighty-nine States parties, four signatory States and two observer States took part in the annual meeting of experts (Geneva, 23–27 August) [BWC/MSP/2010/MX/3]. Participants—including the EU, ICRC, UNODA, UNICRI, FAO, WHO, OPCW and 16 NGOs and research institutes—considered the provision of assistance and coordination with relevant organizations upon request by any State party in the case of alleged use of biological or toxin weapons, including improving national capabilities for disease surveillance, detection and diagnosis.

GENERAL ASSEMBLY ACTION

On 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/417], adopted **resolution 65/92** without vote [agenda item 104].

Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction

The General Assembly,

Recalling its previous resolutions relating to the complete and effective prohibition of bacteriological (biological) and toxin weapons and to their destruction,

Noting with satisfaction that there are one hundred and sixty-three States parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, including all the permanent members of the Security Council,

Bearing in mind its call upon all States parties to the Convention to participate in the implementation of the recommendations of the Review Conferences of the Parties to the Convention, including the exchange of information and data agreed to in the Final Declaration of the Third Review Conference, and to provide such information and data in conformity with standardized procedure to the Secretary-General on an annual basis and no later than 15 April,

Welcoming the reaffirmation made in the Final Declaration of the Fourth Review Conference that under all circumstances the use of bacteriological (biological) and toxin weapons and their development, production and stockpiling are effectively prohibited under article I of the Convention,

Recalling the decision reached at the Sixth Review Conference to hold four annual meetings of the States parties of one week's duration each year commencing in 2007, prior to the Seventh Review Conference, which is to be held no later than the end of 2011, and to hold a one-week meeting of experts to prepare for each meeting of the States parties,

1. *Calls upon* all signatory States that have not yet ratified the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction to do so without delay, and calls upon those States that have not signed the Convention to become parties thereto at an early date, thus contributing to the achievement of universal adherence to the Convention;

2. *Welcomes* the information and data provided to date, and reiterates its call upon all States parties to the Convention to participate in the exchange of information and data agreed to in the Final Declaration of the Third Review Conference of the Parties to the Convention;

3. *Also welcomes* the successful holding of meetings as part of the 2007–2010 intersessional process, and in this context also welcomes the discussion aimed at the promotion of common understanding and effective action on topics agreed at the Sixth Review Conference;

4. *Notes with satisfaction* that the Sixth Review Conference agreed on several measures to update the mechanism for the transmission of information within the framework of the confidence-building measures;

5. *Recalls* the decisions reached at the Sixth Review Conference, and calls upon States parties to the Convention to participate in their implementation;

6. *Urges* States parties to continue to work closely with the Implementation Support Unit of the Office for Dis-

armament Affairs of the Secretariat in fulfilling its mandate, in accordance with the decision of the Sixth Review Conference;

7. *Notes* the proposal to hold the meeting of the Preparatory Committee for the Seventh Review Conference in April 2011 and to hold the Seventh Review Conference in Geneva in December 2011;

8. *Requests* the Secretary-General to continue to render the necessary assistance to the depositary Governments and to provide such services as may be required for the implementation of the decisions and recommendations of the Review Conferences, including all assistance to the annual meetings of the States parties and the meetings of experts, and to render the necessary assistance and to provide such services as may be required for the Seventh Review Conference and the preparations for it;

9. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction".

Chemical weapons

Chemical weapons convention

As at 31 December, 188 States had either ratified or acceded to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction. The number of signatories remained at 165. The Convention was adopted by the Conference on Disarmament in 1992 [YUN 1992, p. 65] and entered into force in 1997 [YUN 1997, p. 499].

Fifteenth Session of the Conference of States Parties

The fifteenth session of the Conference of States Parties (The Hague, Netherlands, 29 November–3 December) [C-15/5] was attended by 127 States parties, one signatory State attending as observer, 10 international organizations and specialized agencies, and 20 NGOs.

The Conference noted with concern that the final extended destruction deadline of 29 April 2012 for all categories of chemical weapons might not be met. While significant progress had been made, the Conference noted that as at 31 October, 37.17 per cent of chemical weapons stockpiles remained to be destroyed. In that regard, the Conference urged possessor States parties to ensure their compliance with the final extended destruction deadline.

The Conference adopted a decision to extend the intermediate deadline for the destruction of category 1 chemical weapons by the Libyan Arab Jamahiriya to 15 May 2011. It approved the report of OPCW (see below) on the implementation of the Convention in 2009.

GENERAL ASSEMBLY ACTION

On 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/410], adopted **resolution 65/57** without vote [agenda item 97 (w)].

Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction

The General Assembly,

Recalling its previous resolutions on the subject of chemical weapons, in particular resolution 64/46 of 2 December 2009, adopted without a vote, in which it noted with appreciation the ongoing work to achieve the objective and purpose of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction,

Determined to achieve the effective prohibition of the development, production, acquisition, transfer, stockpiling and use of chemical weapons and their destruction,

Noting with satisfaction that, since the adoption of resolution 63/48 of 2 December 2008, four additional States have acceded to the Convention, bringing the total number of States parties to the Convention to one hundred and eighty-eight,

Reaffirming the importance of the outcome of the Second Special Session of the Conference of the States Parties to Review the Operation of the Chemical Weapons Convention (hereinafter "the Second Review Conference"), including the consensus final report, which addressed all aspects of the Convention and made important recommendations on its continued implementation,

Emphasizing that the Second Review Conference welcomed the fact that, eleven years after its entry into force, the Convention remains a unique multilateral agreement banning an entire category of weapons of mass destruction in a non-discriminatory and verifiable manner under strict and effective international control,

1. *Emphasizes* that the universality of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction is fundamental to the achievement of its objective and purpose, acknowledges progress made in the implementation of the action plan for the universality of the Convention, and calls upon all States that have not yet done so to become parties to the Convention without delay;

2. *Underlines* the fact that implementation of the Convention makes a major contribution to international peace and security through the elimination of existing stockpiles of chemical weapons and the prohibition of the acquisition or use of chemical weapons, and provides for assistance and protection in the event of use, or threat of use, of chemical weapons and for international cooperation for peaceful purposes in the field of chemical activities;

3. *Stresses* the importance to the Convention that all possessors of chemical weapons, chemical weapons production facilities or chemical weapons development facilities, including previously declared possessor States, should be among the States parties to the Convention, and welcomes progress to that end;

4. *Reaffirms* the obligation of the States parties to the Convention to destroy chemical weapons and to destroy or convert chemical weapons production facilities within the time limits provided for by the Convention;

5. *Stresses* that the full and effective implementation of all provisions of the Convention, including those on national implementation (article VII) and assistance and protection (article X), constitutes an important contribution to the efforts of the United Nations in the global fight against terrorism in all its forms and manifestations;

6. *Notes* that the effective application of the verification system builds confidence in compliance with the Convention by States parties;

7. *Stresses* the importance of the Organization for the Prohibition of Chemical Weapons in verifying compliance with the provisions of the Convention as well as in promoting the timely and efficient accomplishment of all its objectives;

8. *Urges* all States parties to the Convention to meet in full and on time their obligations under the Convention and to support the Organization for the Prohibition of Chemical Weapons in its implementation activities;

9. *Welcomes* progress made in the national implementation of article VII obligations, commends the States parties and the Technical Secretariat for assisting other States parties, on request, with the implementation of the follow-up to the plan of action regarding article VII obligations, and urges States parties that have not fulfilled their obligations under article VII to do so without further delay, in accordance with their constitutional processes;

10. *Emphasizes* the continuing relevance and importance of the provisions of article X of the Convention, and welcomes the activities of the Organization for the Prohibition of Chemical Weapons in relation to assistance and protection against chemical weapons;

11. *Reaffirms* that the provisions of the Convention shall be implemented in a manner that avoids hampering the economic or technological development of States parties and international cooperation in the field of chemical activities for purposes not prohibited under the Convention, including the international exchange of scientific and technical information, and chemicals and equipment for the production, processing or use of chemicals for purposes not prohibited under the Convention;

12. *Emphasizes* the importance of article XI provisions relating to the economic and technological development of States parties, recalls that the full, effective and non-discriminatory implementation of those provisions contributes to universality, and also reaffirms the undertaking of the States parties to foster international cooperation for peaceful purposes in the field of chemical activities of the States parties and the importance of that cooperation and its contribution to the promotion of the Convention as a whole;

13. *Notes with appreciation* the ongoing work of the Organization for the Prohibition of Chemical Weapons to achieve the objective and purpose of the Convention, to ensure the full implementation of its provisions, including those for international verification of compliance with it, and to provide a forum for consultation and cooperation among States parties;

14. *Welcomes* decision C-14/DEC.6 of 2 December 2009 of the fourteenth session of the Conference of the

States Parties to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction on the appointment of Ahmet Üzümcü as the Director-General of the Technical Secretariat of the Organization for the Prohibition of Chemical Weapons;

15. *Also welcomes* the cooperation between the United Nations and the Organization for the Prohibition of Chemical Weapons within the framework of the Relationship Agreement between the United Nations and the Organization, in accordance with the provisions of the Convention;

16. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction".

Organization for the Prohibition of Chemical Weapons

OPCW, mandated to oversee the implementation of CWC and to provide a forum for consultations and cooperation among States parties, made progress in the three areas of work under the Convention: chemical disarmament; non-proliferation, assistance and protection; and international cooperation, as detailed in a report on its activities during 2010 [C-16/4].

In 2010, OPCW verified the destruction of approximately 4,900 metric tonnes of chemical weapons in three States parties (Libyan Arab Jamahiriya, Russian Federation, United States), bringing the total amount destroyed to approximately 45,000 metric tonnes, or 64 per cent of the amount declared by the six possessor States parties since the entry into force of the Convention. As at 31 December, Libya had destroyed 22 per cent, the Russian Federation 49 per cent, and the United States 83 per cent of their declared stocks of category 1 chemical weapons. Iraq had yet to start the destruction of its declared chemical weapons. OPCW carried out inspections at 208 chemical-industry facilities, pursuant to article VI of the Convention, to verify State party declarations.

Forty-eight percent of the 398 inspections/rotations conducted at 49 sites in 40 States parties in 2010 were chemical weapons-related. The remaining 52 per cent concerned chemical-industry inspections under article VI. As in previous years, no challenge inspections or requests from States parties for an investigation of alleged use were received.

The Secretariat conducted long-term national capacity-building projects on development and improvement of protection against chemical weapons for personnel who were involved in emergency response. The Secretariat continued engagement with African Member States to accelerate and strengthen efforts under the Africa Programme in order to meet the needs and requests of those States.

The Secretary-General, in June [A/65/97], transmitted to the General Assembly the 2008 opcw report on the implementation of the Convention and the 2009 draft report, in accordance with the Agreement concerning the Relationship between the United Nations and opcw, signed in 2000 [YUN 2000, p. 516] and annexed to Assembly resolution 55/283 [YUN 2001, p. 495], which entered into force in 2001 [ibid.].

GENERAL ASSEMBLY ACTION

On 22 December [meeting 72], the General Assembly adopted **resolution 65/236** [draft: A/65/L.56 & Add.1] without vote [agenda item 122 (p)].

Cooperation between the United Nations and the Organization for the Prohibition of Chemical Weapons

The General Assembly,

Recalling its resolution 63/115 of 5 December 2008 on cooperation between the United Nations and the Organization for the Prohibition of Chemical Weapons,

Having received the annual report for 2008 and the report for 2009 of the Organization for the Prohibition of Chemical Weapons on the implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction,

1. *Takes note* of the annual report for 2008 and the report for 2009 of the Organization for the Prohibition of Chemical Weapons submitted on its behalf by its Director-General;

2. *Welcomes* the decision of the fourteenth session of the Conference of States Parties to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction on the appointment of Mr. Ahmet Üzümcü as Director-General of the Technical Secretariat of the Organization for the Prohibition of Chemical Weapons;

3. *Decides* to include in the provisional agenda of its sixty-seventh session the sub-item entitled “Cooperation between the United Nations and the Organization for the Prohibition of Chemical Weapons”.

1925 Geneva Protocol

The 1925 Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare (the 1925 Geneva Protocol), prohibiting the use of chemical and biological weapons in war, entered into force in 1928.

In response to General Assembly resolution 63/53 [YUN 2008, p. 610], the Secretary-General reported in June [A/65/95] that the depositary of the 1925 Geneva Protocol (France) had received no notice of withdrawals of reservations since the Assembly's adoption of the resolution.

GENERAL ASSEMBLY ACTION

On 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/410], adopted **resolution 65/51** by recorded vote (178-0-4) [agenda item 97 (c)].

Measures to uphold the authority of the 1925 Geneva Protocol

The General Assembly,

Recalling its previous resolutions on the subject, in particular resolution 63/53 of 2 December 2008,

Determined to act with a view to achieving effective progress towards general and complete disarmament under strict and effective international control,

Recalling the long-standing determination of the international community to achieve the effective prohibition of the development, production, stockpiling and use of chemical and biological weapons as well as the continuing support for measures to uphold the authority of the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925, as expressed by consensus in many previous resolutions,

Emphasizing the necessity of easing international tension and strengthening trust and confidence between States,

1. *Takes note* of the note by the Secretary-General;
2. *Renews its previous call* to all States to observe strictly the principles and objectives of the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, and reaffirms the vital necessity of upholding its provisions;
3. *Calls upon* those States that continue to maintain reservations to the 1925 Geneva Protocol to withdraw them;
4. *Requests* the Secretary-General to submit to the General Assembly at its sixty-seventh session a report on the implementation of the present resolution.

RECORDED VOTE ON RESOLUTION 65/51:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic

of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: None.

Abstaining: Israel, Marshall Islands, Palau, United States.

Conventional weapons

Towards an arms trade treaty

By resolution 64/48 [YUN 2009, p. 544], the General Assembly decided to convene a Conference on the Arms Trade Treaty in 2012. By the same resolution, the Open-ended Working Group towards an Arms Trade Treaty was renamed the Preparatory Committee for the United Nations Conference on the Arms Trade Treaty. In 2010, the Preparatory Committee held one session (New York, 12–23 July) to make recommendations to the Conference on the elements that would be needed to attain an effective and balanced legally binding instrument on the highest possible common international standards for the transfer of conventional arms.

Small arms

UN Programme of Action on illicit trade in small arms

In a report issued in July [A/65/153], pursuant to resolution 64/50 [YUN 2009, p. 546], the Secretary-General noted that the Organization's main instrument for addressing illicit trafficking in small arms was the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, adopted in 2001 [YUN 2001, p. 499]. The Programme of Action set out a comprehensive framework for a coordinated international response to the problems associated with small arms and light weapons. It established international norms and measures to address the issue, and aimed to promote its responsible implementation by States. The implementation of the Programme of Action was reviewed biennially through meetings of States, and would be further reviewed by a meeting of governmental experts in 2011 and a review conference in 2012.

The Fourth Biennial Meeting of States to Consider the Implementation of the Programme of Action

(New York, 14–18 June) [A/CONF.192/BMS/2010/3] considered the national, regional and global implementation of the Programme of Action around four themes: border management, international cooperation and assistance, the International Tracing Instrument [YUN 2005, p. 621] and follow-up mechanisms within the Programme of Action. The “way forward” sections in the outcome document of the meeting highlighted measures that could be undertaken to further implement the Programme of Action. Highlighting the importance of regional approaches to implementation, UNODA organized three regional meetings, in Lima and in Bali (March) and in Kinshasa (April).

GENERAL ASSEMBLY ACTION

On 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/410], adopted **resolution 65/64** without vote [agenda item 97 (z)].

The illicit trade in small arms and light weapons in all its aspects

The General Assembly,

Recalling its resolution 64/50 of 2 December 2009, as well as all previous resolutions entitled “The illicit trade in small arms and light weapons in all its aspects”, including resolution 56/24 V of 24 December 2001,

Emphasizing the importance of the continued and full implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, adopted by the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects,

Emphasizing also the importance of the continued and full implementation of the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons (the International Tracing Instrument),

Recalling the commitment of States to the Programme of Action as the main framework for measures within the activities of the international community to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects,

Underlining the need for States to enhance their efforts to build national capacity for the effective implementation of the Programme of Action and the International Tracing Instrument,

Welcoming the early designation of New Zealand as the Chair of the 2011 open-ended meeting of governmental experts,

Welcoming also the efforts by Member States to submit, on a voluntary basis, national reports on their implementation of the Programme of Action,

Stressing the importance of voluntary national reporting to follow up on the Programme of Action as a means of assessing overall implementation efforts, including implementation challenges and opportunities, and which could

greatly facilitate the rendering of international cooperation and assistance to affected States,

Noting that tools developed by the Office for Disarmament Affairs of the Secretariat, including the Programme of Action Implementation Support System, and developed by Member States could be used to assess progress made in the implementation of the Programme of Action,

Taking into account the importance of regional approaches to the implementation of the Programme of Action,

Noting with satisfaction regional and subregional efforts being undertaken in support of the implementation of the Programme of Action, and commending the progress that has already been made in this regard, including tackling both supply and demand factors that are relevant to addressing the illicit trade in small arms and light weapons,

Welcoming the holding of such regional meetings in the Democratic Republic of the Congo, Indonesia and Peru,

Recognizing that illicit brokering in small arms and light weapons is a serious problem that the international community should address urgently,

Recognizing also the efforts undertaken by non-governmental organizations in the provision of assistance to States for the implementation of the Programme of Action,

Welcoming the coordinated efforts within the United Nations to implement the Programme of Action, including through developing the Programme of Action Implementation Support System, which forms an integrated clearing house for international cooperation and assistance for capacity-building in the area of small arms and light weapons,

Taking note of the report of the Secretary-General which includes an overview of the implementation of resolution 64/50,

1. *Underlines* the fact that the issue of the illicit trade in small arms and light weapons in all its aspects requires concerted efforts at the national, regional and international levels to prevent, combat and eradicate the illicit manufacture, transfer and circulation of small arms and light weapons, and that their uncontrolled spread in many regions of the world has a wide range of humanitarian and socio-economic consequences and poses a serious threat to peace, reconciliation, safety, security, stability and sustainable development at the individual, local, national, regional and international levels;

2. *Encourages* all initiatives, including those of the United Nations, other international organizations, regional and subregional organizations, non-governmental organizations and civil society, for the successful implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, and calls upon all Member States to contribute towards the continued implementation of the Programme of Action at the national, regional and global levels;

3. *Encourages* States to implement the recommendations contained in the report of the Group of Governmental Experts established pursuant to resolution 60/81 to consider further steps to enhance international cooperation in preventing, combating and eradicating illicit brokering in small arms and light weapons;

4. *Endorses* the report adopted at the fourth biennial meeting of States to consider the implementation of the Programme of Action, and encourages all States to implement, as appropriate, the measures highlighted in the section of the report entitled "The way forward";

5. *Encourages* all efforts to build national capacity for the effective implementation of the Programme of Action, including those highlighted in the report of the fourth biennial meeting of States;

6. *Decides* that, in conformity with resolution 64/50, the open-ended meeting of governmental experts, to be convened to address key implementation challenges and opportunities relating to particular issues and themes, including international cooperation and assistance, shall be held in New York from 9 to 13 May 2011;

7. *Encourages* States to identify, in cooperation with the Chair-designate of the open-ended meeting of governmental experts, and well in advance of that meeting, key implementation challenges and opportunities relating to particular issues and themes, including international cooperation and assistance;

8. *Also encourages* States, before the open-ended meeting of governmental experts and with the collaboration of the Chair-designate, to develop pragmatic, action-oriented draft agendas for the meeting, with a view to strengthening the implementation of the Programme of Action;

9. *Further encourages* States to contribute relevant national expertise to the open-ended meeting of governmental experts;

10. *Stresses* the importance of the contribution of civil society to the implementation of the Programme of Action with regard to the preparation of the open-ended meeting of governmental experts;

11. *Encourages* States to submit, on a voluntary basis, national reports on their implementation of the Programme of Action, notes that States will submit national reports on their implementation of the International Tracing Instrument, to the extent possible by the end of 2011, and encourages those States in a position to do so to use the new reporting template prepared by the Office for Disarmament Affairs and to include therein information, as appropriate, on progress made in the implementation of the measures highlighted in the reports of the third and fourth biennial meetings of States;

12. *Also encourages* States, on a voluntary basis, to make increasing use of their national reports as another tool for communicating assistance needs and information on the resources and mechanisms available to address such needs, and encourages States in a position to render such assistance to make use of these national reports;

13. *Encourages* States, relevant international and regional organizations and civil society with the capacity to do so to cooperate with and assist other States, upon request, in the preparation of comprehensive reports on their implementation of the Programme of Action;

14. *Calls upon* all States to implement the International Tracing Instrument by, inter alia, including in their national reports the name and contact information of the national points of contact and information on national marking practices used to indicate country of manufacture and/or country of import, as applicable;

15. *Encourages* States to consider ways to enhance cooperation and assistance and to assess their effectiveness in order to ensure the implementation of the Programme of Action, including at the open-ended meeting of governmental experts in 2011;

16. *Recognizes* the urgent need to maintain and enhance national controls to prevent, combat and eradicate the illicit trade in small arms and light weapons;

17. *Recalls* its decision to convene a conference to review progress made in the implementation of the Programme of Action, for a period of two weeks, in New York in 2012;

18. *Decides* to convene a preparatory committee for the review conference, for no longer than a total of five working days, in New York in early 2012;

19. *Recognizes* the importance of the early designation of one Chair for both the preparatory committee and the review conference, and encourages the relevant regional group to nominate the Chair-designate by May 2011;

20. *Also recognizes* that, to strengthen the implementation of the Programme of Action, the 2012 review conference may consider recommending convening a further open-ended meeting of governmental experts;

21. *Encourages* States to consider the timely establishment of a voluntary sponsorship fund through which financial assistance could be provided, upon request, to States otherwise unable to participate in meetings on the Programme of Action in order to increase the engagement of States in the Programme of Action process;

22. *Encourages* interested States and relevant international and regional organizations in a position to do so to convene regional meetings to consider and advance the implementation of the Programme of Action, as well as the International Tracing Instrument, in preparation for the meetings on the Programme of Action;

23. *Encourages* States to make use, as appropriate, of the Programme of Action Implementation Support System and the United Nations Institute for Disarmament Research clearing house for matching assistance needs with potential donors as additional tools to facilitate global action on small arms and light weapons;

24. *Emphasizes* the need to facilitate the implementation at the national level of the Programme of Action through the strengthening of national coordination agencies or bodies and institutional infrastructure;

25. *Also emphasizes* the fact that initiatives by the international community with respect to international cooperation and assistance remain essential and complementary to national implementation efforts, as well as to those at the regional and global levels;

26. *Recognizes* the necessity for interested States to develop effective coordination mechanisms, where they do not exist, in order to match the needs of States with existing resources to enhance the implementation of the Programme of Action and to make international cooperation and assistance more effective;

27. *Encourages* States to consider, among other mechanisms, the coherent identification of needs, priorities, national plans and programmes that may require international cooperation and assistance from States and regional and international organizations in a position to do so;

28. *Encourages* civil society and relevant organizations to strengthen their cooperation and work with States at the respective national and regional levels to achieve the implementation of the Programme of Action;

29. *Invites* Member States to communicate to the Secretary-General their views on the progress made on the implementation of the Programme of Action, ten years following its adoption, and requests the Secretary-General to present a report containing that information as an input to the 2012 review conference;

30. *Requests* the Secretary-General to report to the General Assembly at its sixty-sixth session on the implementation of the present resolution;

31. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "The illicit trade in small arms and light weapons in all its aspects".

Assistance to States for curbing illicit small arms traffic

Pursuant to General Assembly resolutions 64/30 [YUN 2009, p. 548] and 64/50 [ibid., p. 546], the Secretary-General in July [A/65/153] reviewed activities undertaken by the UN system, intergovernmental organizations and Member States to curb the illicit trade in small arms and light weapons; as well as implementation of the Programme of Action. He noted that the cross-cutting nature of the impact of the illicit trade in small arms and light weapons underscored the importance of coordination on the small arms issue within the UN system. To meet that challenge, the United Nations Coordinating Action on Small Arms (CASA) mechanism [YUN 1998, p. 525] had been established as the Secretary-General's coordination platform within the United Nations. The mechanism brought together 22 UN system partners that dealt with preventing violence and mitigating the impact of small arms and light weapons on societies, communities and individuals. CASA's flagship initiative was the development of International Small Arms Control Standards (ISACS). The aim was to develop a set of internationally accepted technical standards providing guidance to practitioners and policymakers on legal, policy and operational issues surrounding small arms control. Twenty-six ISACS modules had been drafted and opened as public consultation drafts available online. CASA had enhanced its capacity for information sharing since the launch in 2008 of the Programme of Action Implementation Support System [YUN 2008, p. 613], a web-based tool to contribute to the implementation of the Programme of Action.

GENERAL ASSEMBLY ACTION

On 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/410], adopted **resolution 65/50** without vote [agenda item 97 (m)].

**Assistance to States for curbing the illicit traffic
in small arms and light weapons
and collecting them**

The General Assembly,

Recalling its resolution 64/30 of 2 December 2009 on assistance to States for curbing the illicit traffic in small arms and light weapons and collecting them,

Deeply concerned by the magnitude of human casualty and suffering, especially among children, caused by the illicit proliferation and use of small arms and light weapons,

Concerned by the negative impact that the illicit proliferation and use of those weapons continue to have on the efforts of States in the Sahelo-Saharan subregion in the areas of poverty eradication, sustainable development and the maintenance of peace, security and stability,

Bearing in mind the Bamako Declaration on an African Common Position on the Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons, adopted at Bamako on 1 December 2000,

Recalling the report of the Secretary-General entitled "In larger freedom: towards development, security and human rights for all", in which he emphasized that States must strive just as hard to eliminate the threat of illicit small arms and light weapons as they do to eliminate the threat of weapons of mass destruction,

Recalling also the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons, adopted on 8 December 2005,

Recalling further the expression of support in the 2005 World Summit Outcome for the implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects,

Recalling the adoption, at the thirtieth ordinary summit of the Economic Community of West African States, held in Abuja in June 2006, of the Convention on Small Arms and Light Weapons, Their Ammunition and Other Related Materials, in replacement of the moratorium on the importation, exportation and manufacture of small arms and light weapons in West Africa,

Recalling also the decision taken by the Economic Community to establish a Small Arms Unit responsible for advocating appropriate policies and developing and implementing programmes, as well as the establishment of the Economic Community's Small Arms Control Programme, launched on 6 June 2006 in Bamako, in replacement of the Programme for Coordination and Assistance for Security and Development,

Taking note of the latest report of the Secretary-General providing information on assistance to States for curbing the illicit traffic in small arms and light weapons and collecting them and the illicit trade in small arms and light weapons in all its aspects,

Recalling, in that regard, the decision of the European Union to significantly support the Economic Community in its efforts to combat the illicit proliferation of small arms and light weapons,

Recognizing the important role that civil society organizations play, by raising public awareness, in efforts to curb the illicit traffic in small arms and light weapons,

Recalling the report of the United Nations Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, held in New York from 26 June to 7 July 2006,

1. *Commends* the United Nations and international, regional and other organizations for their assistance to States for curbing the illicit traffic in small arms and light weapons and collecting them;

2. *Encourages* the Secretary-General to pursue his efforts in the context of the implementation of General Assembly resolution 49/75 G of 15 December 1994 and the recommendations of the United Nations advisory missions aimed at curbing the illicit circulation of small arms and light weapons and collecting them in the affected States that so request, with the support of the United Nations Regional Centre for Peace and Disarmament in Africa and in close cooperation with the African Union;

3. *Encourages* the international community to support the implementation of the Economic Community of West African States Convention on Small Arms and Light Weapons, Their Ammunition and Other Related Materials;

4. *Encourages* the countries of the Sahelo-Saharan subregion to facilitate the effective functioning of national commissions to combat the illicit proliferation of small arms and light weapons, and in that regard invites the international community to lend its support wherever possible;

5. *Encourages* the collaboration of civil society organizations and associations in the efforts of the national commissions to combat the illicit traffic in small arms and light weapons and in the implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects;

6. *Encourages* cooperation among State organs, international organizations and civil society in support of programmes and projects aimed at combating the illicit traffic in small arms and light weapons and collecting them;

7. *Calls upon* the international community to provide technical and financial support to strengthen the capacity of civil society organizations to take action to help to combat the illicit trade in small arms and light weapons;

8. *Invites* the Secretary-General and those States and organizations that are in a position to do so to continue to provide assistance to States for curbing the illicit traffic in small arms and light weapons and collecting them;

9. *Requests* the Secretary-General to continue to consider the matter and to report to the General Assembly at its sixty-sixth session on the implementation of the present resolution;

10. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "Assistance to States for curbing the illicit traffic in small arms and light weapons and collecting them".

Illicit arms brokering

The United Nations continued to pay attention to the threat posed by black market weapons-related activities, including through illicit brokering and intermediation services. The Organization remained engaged in efforts to prevent and combat illicit arms brokering, particularly with respect to small arms

and light weapons. The United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific organized a seminar for East and South-East Asian States (Bangkok, February) to discuss enhancing international and regional cooperation on combating illicit brokering in small arms and light weapons. In East Africa, the United Nations Regional Centre for Peace and Disarmament in Africa worked with the Regional Centre on Small Arms to build the capacity of States to identify brokers and developed software for States to register brokers and brokering licences electronically.

GENERAL ASSEMBLY ACTION

On 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/410], adopted **resolution 65/75** by recorded vote (183-1-1) [agenda item 97 (j)].

Preventing and combating illicit brokering activities

The General Assembly,

Noting the threat to international peace and security posed by illicit brokering activities circumventing the international arms control and non-proliferation framework,

Concerned that, if proper measures are not taken, the illicit brokering of arms in all its aspects will adversely affect the maintenance of international peace and security, and prolong conflicts, and could be an obstacle to sustainable economic and social development and result in illicit transfers of conventional arms and the acquisition of weapons of mass destruction by non-State actors,

Recognizing the need for Member States to prevent and combat illicit brokering activities, which covers not only conventional arms but also materials, equipment and technology that could contribute to the proliferation of weapons of mass destruction and their means of delivery,

Reaffirming that efforts to prevent and combat illicit brokering activities should not hamper the legitimate arms trade and international cooperation with respect to materials, equipment and technology for peaceful purposes,

Recalling Security Council resolution 1540(2004) of 28 April 2004, in particular paragraph 3, which determined that all States shall develop and maintain appropriate effective border controls and law enforcement efforts to detect, deter, prevent and combat, including through international cooperation when necessary, illicit trafficking and brokering, in accordance with their national legal authorities and legislation and consistent with international law,

Recalling also General Assembly resolution 63/67 of 2 December 2008,

Taking note of international efforts to prevent and combat illicit arms brokering, in particular in small arms and light weapons, as demonstrated by the adoption in 2001 of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, and the entry into force in 2005 of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition,

supplementing the United Nations Convention against Transnational Organized Crime,

Noting the report of the Group of Governmental Experts established pursuant to General Assembly resolution 60/81 of 8 December 2005 to consider further steps to enhance international cooperation in preventing, combating and eradicating illicit brokering in small arms and light weapons as an international initiative within the framework of the United Nations,

Welcoming efforts to implement the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, and noting in this regard the report of the Fourth Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects,

Underlining the inherent right of Member States to determine the specific scope and content of domestic regulations in accordance with their legislative frameworks and export control systems, consistent with international law,

Welcoming the efforts made by Member States to implement laws and/or administrative measures to regulate arms brokering within their legal systems,

Encouraging cooperation among Member States to prevent and combat illicit trafficking in nuclear materials, and recognizing in this regard existing efforts at all levels, consistent with international law,

Encouraging Member States in a position to do so to share their experience and practices in relation to the control of illicit brokering and to further enhance international cooperation to this end,

Noting with satisfaction the activities of the United Nations Institute for Disarmament Research in relation to preventing and combating illicit brokering activities,

Acknowledging the constructive role civil society can play in raising awareness and providing practical expertise on the prevention of illicit brokering activities,

1. *Underlines* the commitment of Member States to address the threat posed by illicit brokering activities;

2. *Encourages* Member States to fully implement relevant international treaties, instruments and resolutions to prevent and combat illicit brokering activities, and takes note of the recommendations contained in the report of the Group of Governmental Experts;

3. *Calls upon* Member States to establish appropriate national laws and/or measures to prevent and combat the illicit brokering of conventional arms and materials, equipment and technology that could contribute to the proliferation of weapons of mass destruction and their means of delivery, in a manner consistent with international law;

4. *Acknowledges* that national efforts to prevent and combat illicit brokering activities can be reinforced by such efforts at the regional and subregional levels;

5. *Emphasizes* the importance of international cooperation and assistance, capacity-building and information-sharing in preventing and combating illicit brokering activities;

6. *Encourages* Member States to draw, where appropriate, on the relevant expertise of civil society in developing effective measures to prevent and combat illicit brokering activities;

7. *Decides* to include in the provisional agenda of its sixty-seventh session the item entitled "Preventing and combating illicit brokering activities".

RECORDED VOTE ON RESOLUTION 65/75:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, United States, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Democratic People's Republic of Korea.

Abstaining: Iran.

Convention on excessively injurious conventional weapons and Protocols

Status

As at 31 December, the accession of Antigua and Barbuda, the Dominican Republic, and Saint Vincent and the Grenadines brought to 114 the number of States parties to the 1980 Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (ccw) and its annexed Protocols on Non-Detectable Fragments (Protocol I) [YUN 1980, p. 76]; on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices, as amended on 3 May 1996 (Protocol II) [ibid., p. 77]; and on Prohibitions or Restrictions on the Use of Incendiary Weapons (Protocol III) [ibid., p. 78].

Amended Protocol II, which entered into force in 1998 [YUN 1998, p. 844], had 97 parties. The 1995

Protocol on Blinding Laser Weapons (Protocol IV) [YUN 1995, p. 221], which took effect in 1998 [YUN 1998, p. 530], had 100 parties. The Protocol on Explosive Remnants of War (Protocol V), which was adopted in 2003 [YUN 2003, p. 566] and entered into force in 2006 [YUN 2006, p. 663], had 73 parties. The number of parties to the amendment to article I of the Convention, which entered into force in 2004 [YUN 2004, p. 563], stood at 75.

Group of Governmental Experts

The Group of Governmental Experts, established by the Second Review Conference of the States Parties to the ccw [YUN 2001, p. 504], met in Geneva for two formal sessions (12–16 April, 30 August–3 September) [CCW/GGE/2010-I/7, CCW/GGE/2010-II/1] and an informal session (28 June–1 July). States parties in 2009 [YUN 2009, p. 551] had mandated the Group to continue negotiations on a new protocol to the Convention that would address the humanitarian impact of cluster munitions while striking a balance between military and humanitarian considerations, and to report to the next Meeting of the High Contracting Parties to the Convention.

The Group considered a draft protocol on cluster munitions [CCW/GGE/2010-I/WP.2, CCW/GGE/2010-II/WP.1, CCW/GGE/2010-II/WP.2], referred to as the “Chair’s text”. The draft protocol covered issues such as scope of application, definitions, general prohibitions and restrictions, storage and destruction of cluster munitions, clearance and destruction of cluster munitions remnants, victim assistance, cooperation and assistance, and compliance. The Group also considered the preparation for the 2011 Fourth Review Conference of the High Contracting Parties. The Group did not reach any conclusion and decided to submit the issue to the 2010 Meeting of the High Contracting Parties.

Meeting of High Contracting Parties

The Meeting of the High Contracting Parties to the Convention (Geneva, 25–26 November) [CCW/MSP/2010/5 & Corr.1] decided that the Group of Governmental Experts would hold three sessions in 2011 to continue its negotiations on the draft protocol, with a view to making recommendations to the Fourth Review Conference.

The Meeting took note of the report on the implementation of the plan of action to promote the universality of the Convention [CCW/MSP/2010/4] and emphasized the importance of achieving universal adherence to, and compliance with, the Convention, the

amendment to its article 1, and its annexed Protocols. It expressed its satisfaction at the steps undertaken in the implementation of the decisions on compliance, including the establishment and the maintenance by the Secretariat of the compliance database, and decided to keep the issue of mines other than anti-personnel mines under consideration. The Meeting further decided on dates and duration of Convention-related meetings in 2011.

Protocol V on explosive remnants of war

Meeting of Experts

The fourth Protocol V Meeting of Experts (Geneva, 21–23 April) focused on five main topics identified by the First Conference of the High Contracting Parties to Protocol V [YUN 2007, p. 576]: clearance, removal or destruction of explosive remnants of war [CCW/P.V/CONF/2010/2]; cooperation and assistance and requests for assistance [CCW/P.V/CONF/2010/3]; national reporting [CCW/P.V/CONF/2010/4], including article 4 generic electronic template for recording information [CCW/P.V/CONF/2010/5]; generic preventive measures [CCW/P.V/CONF/2010/6 & Add.1]; and victim assistance [CCW/P.V/CONF/2010/7].

Fourth Conference of the High Contracting Parties to Protocol V

States parties met for the Fourth Conference (Geneva, 22–23 November) [CCW/P.V/CONF/2010/11] and recommended that the UN Secretary-General, as depositary of Protocol V, and the President of the Fourth Conference, on behalf of the High Contracting Parties, exercise their authority to achieve the goal of universality of Protocol V. The Conference decided to continue the consideration of clearance, removal or destruction of explosive remnants of war; of assistance to victims; and of cooperation and assistance and of requests for assistance.

The Conference decided that the Meeting of Experts would continue to consider national procedures and experience in the implementation of obligations under article 4. It adopted the “Guide to National Reporting under ccw Protocol V” [CCW/P.V/CONF/2009/4/Add.1 & Corr.1 & Amend.1], a document containing a checklist of questions to be used as a tool by the High Contracting Parties to facilitate the filling-out of national reporting forms. The Conference also adopted the “Guide for the implementation of Part 3 of the Technical Annex” [CCW/P.V/CONF/2010/6/Add.1], took note of the latest version of the Web-based information system for Protocol V and decided to commence the testing phase.

Amended Protocol II on Mines, Booby-traps and Other Devices

Meeting of Experts

The Amended Protocol II Meeting of Experts (Geneva, 19–20 April) reviewed the operation and status of the Protocol; considered matters arising from States parties’ reports and the development of technologies to protect civilians against indiscriminate effects of mines, as coordinated by Abderrazak Laassel (Morocco); and addressed the issue of improvised explosive devices (IEDs). The coordinators presented three discussion papers: on IEDs [CCW/AP.II/GX/2010/1]; on the legal possibility and feasibility of terminating Protocol II [CCW/AP.II/GX/2010/2]; and on national annual reporting [CCW/AP.II/GX/2010/3].

Annual Conference of States Parties

The Twelfth Annual Conference of the High Contracting Parties to Amended Protocol II on Mines, Booby-traps and Other Devices (Geneva, 24 November) [CCW/AP.II/CONF.12/6] recommended that the Secretary-General, as depositary of Amended Protocol II, and the President of the Conference, on behalf of the States parties, exercise their authority to achieve the universality of Amended Protocol II. The Conference decided that the Group of Experts should continue to review the operation and status of the Protocol and consider matters arising from the national annual reports, as well as the development of technologies to protect civilians against indiscriminate effects of mines. It encouraged States parties and the ccw secretariat to intensify their efforts to implement the plan of action to promote the universality of ccw [YUN 2006, p. 664], in particular by organizing more national and regional seminars aimed at promoting and explaining the Convention and its Protocols.

The Conference decided to continue information exchange on IEDs, IED incidents, their prevention, as well as their relevance for the ccw framework, with a view to obtaining a better understanding of how IED incidents occurred and what their short-, mid- and long-term effects were, including discussing best practices in addressing those challenges.

GENERAL ASSEMBLY ACTION

On 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/414], adopted **resolution 65/89** without vote [agenda item 101].

**Convention on Prohibitions or Restrictions
on the Use of Certain Conventional Weapons
Which May Be Deemed to Be Excessively
Injurious or to Have Indiscriminate Effects**

The General Assembly,

Recalling its resolution 64/67 of 2 December 2009,

Recalling with satisfaction the adoption and the entry into force of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects and its amended article 1, the Protocol on Non-Detectable Fragments (Protocol I), the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices (Protocol II) and its amended version, the Protocol on Prohibitions or Restrictions on the Use of Incendiary Weapons (Protocol III), the Protocol on Blinding Laser Weapons (Protocol IV) and the Protocol on Explosive Remnants of War (Protocol V),

Welcoming the results of the Third Review Conference of the High Contracting Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, held from 7 to 17 November 2006 in Geneva,

Welcoming also the results of the 2009 Meeting of the High Contracting Parties to the Convention, held on 12 and 13 November 2009 in Geneva,

Welcoming further the results of the Eleventh Annual Conference of the High Contracting Parties to Amended Protocol II, held on 11 November 2009 in Geneva,

Welcoming the results of the Third Conference of the High Contracting Parties to Protocol V, held on 9 and 10 November 2009 in Geneva,

Recalling the role played by the International Committee of the Red Cross in the elaboration of the Convention and the Protocols thereto, and welcoming the particular efforts of various international, non-governmental and other organizations in raising awareness of the humanitarian consequences of explosive remnants of war,

1. *Calls upon* all States that have not yet done so to take all measures to become parties, as soon as possible, to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects and the Protocols thereto, as amended, with a view to achieving the widest possible adherence to these instruments at an early date and so as to ultimately achieve their universality;

2. *Calls upon* all States parties to the Convention that have not yet done so to express their consent to be bound by the Protocols to the Convention and the amendment extending the scope of the Convention and the Protocols thereto to include armed conflicts of a non-international character;

3. *Emphasizes* the importance of the universalization of the Protocol on Explosive Remnants of War (Protocol V);

4. *Welcomes* the additional ratifications and acceptances of or accessions to the Convention, as well as the consents to be bound by the Protocols thereto;

5. *Also welcomes* the adoption by the Third Review Conference of the High Contracting Parties to the Convention of a plan of action to promote universality of the Convention and the Protocols thereto, and expresses appreciation for the continued efforts of the Secretary-General,

as depositary of the Convention and the Protocols thereto, the Chair of the Meeting of the High Contracting Parties to the Convention, the President of the Third Conference of the High Contracting Parties to Protocol V and the President of the Eleventh Annual Conference of the High Contracting Parties to Amended Protocol II, on behalf of the High Contracting Parties, to achieve the goal of universality;

6. *Recalls* the decision by the Third Review Conference of the High Contracting Parties to the Convention to establish a sponsorship programme within the framework of the Convention, and, with recognition of the value and importance of the programme, encourages States to contribute to the Sponsorship Programme;

7. *Welcomes* the decision by the 2009 Meeting of the High Contracting Parties to the Convention that the Fourth Review Conference of the High Contracting Parties to the Convention would take place in 2011 and that the Chair-designate of the 2010 Meeting of the High Contracting Parties to the Convention should undertake consultations during the intersessional period on the preparation of the Fourth Review Conference;

8. *Takes note* of the decision by the 2009 Meeting of the High Contracting Parties to the Convention to establish an implementation support unit within the Geneva Branch of the Office for Disarmament Affairs of the Secretariat;

9. *Welcomes* the commitment by States parties to continue to address the humanitarian problems caused by certain specific types of munitions in all their aspects, including cluster munitions, with a view to minimizing the humanitarian impact of these munitions;

10. *Expresses support* for the work conducted in 2010 by the Group of Governmental Experts of the High Contracting Parties to the Convention to continue its negotiations to address urgently the humanitarian impact of cluster munitions, while striking a balance between military and humanitarian considerations, in accordance with the mandate given to it by the Meeting of the High Contracting Parties in November 2009;

11. *Welcomes* the commitment of States parties to the Protocol on Explosive Remnants of War (Protocol V) to the effective and efficient implementation of the Protocol and the implementation of the decisions of the First and Second Conferences of the High Contracting Parties to the Protocol establishing a comprehensive framework for the exchange of information and cooperation, and also welcomes the holding of the third Meeting of Experts of the High Contracting Parties to the Protocol, from 21 to 23 April 2010 in Geneva, as a mechanism for consultation and cooperation among the States parties;

12. *Notes* the decision by the Tenth Annual Conference of the High Contracting Parties to Amended Protocol II to establish an informal open-ended group of experts, and welcomes the holding of the second session of the Group of Experts of the High Contracting Parties to Amended Protocol II, on 19 and 20 April 2010 in Geneva, to exchange national practices and experiences and to assess the implementation of the Protocol;

13. *Also notes* that, in conformity with article 8 of the Convention, conferences may be convened to examine amendments to the Convention or to any of the Protocols thereto, to examine additional protocols concerning other

categories of conventional weapons not covered by existing Protocols or to review the scope and application of the Convention and the Protocols thereto and to examine any proposed amendments or additional protocols;

14. *Requests* the Secretary-General to render the necessary assistance and to provide such services, including summary records, as may be required for the Fourth Conference of the High Contracting Parties to Protocol V, to be held on 22 and 23 November 2010, for the Twelfth Annual Conference of the High Contracting Parties to Amended Protocol II, to be held on 24 November 2010, and for the 2010 Meeting of the High Contracting Parties to the Convention, to be held on 25 and 26 November 2010, as well as for any continuation of work after the meetings;

15. *Also requests* the Secretary-General, in his capacity as depositary of the Convention and the Protocols thereto, to continue to inform the General Assembly periodically, by electronic means, of ratifications and acceptances of and accessions to the Convention, its amended article 1 and the Protocols thereto;

16. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled “Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects”.

Cluster munitions

The Convention on Cluster Munitions entered into force on 1 August, six months after the thirtieth instrument of ratification had been deposited by Burkina Faso. As at 31 December, it was ratified by 49 States and signed by 108. The First Meeting of the States Parties (Vientiane, Lao People’s Democratic Republic, 9–12 November) adopted a declaration and a plan of action for 2011–2015. The Convention prohibited all use, stockpiling, production and transfer of cluster munitions causing unacceptable harm to civilians, and provided for support to victims and affected communities. It was adopted in Dublin, Ireland, on 30 May 2008 by 107 States, and signed in Oslo, Norway, on 3 December 2008 by 94 States, as well as simultaneously ratified by four of those [YUN 2008, p. 623].

Anti-personnel mines

1997 Convention

As at 31 December, the number of States parties to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction (Mine Ban Convention), which was adopted in 1997 [YUN 1997, p. 503] and entered into force in 1999 [YUN 1999, p. 498], remained at 156.

Communication. On 25 June [A/64/847], Nicaragua informed the Secretary-General that the country had been declared anti-personnel mine-free as at 18 June.

Meeting of States parties

The Tenth Meeting of the States Parties to the Mine Ban Convention (Geneva, 29 November–3 December) [APLC/MSP.10/2010/7] held 10 plenary sessions, attended by 103 States parties. Seventeen States non-parties, one signatory that had not ratified the Convention and a number of international, regional and non-governmental organizations attended as observers.

The Meeting agreed to extensions of deadlines for destruction of anti-personnel mines in mined areas under article 5 of the Convention by Chad (until 1 January 2014), Colombia (1 March 2021), Denmark (1 July 2012), Guinea-Bissau (1 January 2012), Mauritania (1 January 2016) and Zimbabwe (1 January 2013). The Meeting endorsed the final report of the task force established by the Second Review Conference to oversee and evaluate the status and work of the Implementation Support Unit (ISU). It requested the President to establish an informal open-ended working group to examine new models for financing ISU and to present recommendations to the Eleventh Meeting of the States Parties in 2011.

GENERAL ASSEMBLY ACTION

On 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/410], adopted **resolution 65/48** by recorded vote (165-0-17) [agenda item 97].

Implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction

The General Assembly,

Recalling its resolutions 54/54 B of 1 December 1999, 55/33 V of 20 November 2000, 56/24 M of 29 November 2001, 57/74 of 22 November 2002, 58/53 of 8 December 2003, 59/84 of 3 December 2004, 60/80 of 8 December 2005, 61/84 of 6 December 2006, 62/41 of 5 December 2007, 63/42 of 2 December 2008 and 64/56 of 2 December 2009,

Reaffirming its determination to put an end to the suffering and casualties caused by anti-personnel mines, which kill or injure thousands of people—women, girls, boys and men—every year, and which place people living in affected areas at risk and hinder the development of their communities,

Believing it necessary to do the utmost to contribute in an efficient and coordinated manner to facing the challenge of removing anti-personnel mines placed throughout the world and to assure their destruction,

Wishing to do the utmost in ensuring assistance for the care and rehabilitation, including the social and economic reintegration, of mine victims,

Noting with satisfaction the work undertaken to implement the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction and the substantial progress made towards addressing the global anti-personnel land-mine problem,

Recalling the first to ninth meetings of the States parties to the Convention, held in Maputo (1999), Geneva (2000), Managua (2001), Geneva (2002), Bangkok (2003), Zagreb (2005), Geneva (2006), the Dead Sea (2007) and Geneva (2008) and the First Review Conference of the States Parties to the Convention, held in Nairobi (2004),

Recalling also the Second Review Conference of the States Parties to the Convention, held in Cartagena, Colombia, from 30 November to 4 December 2009, at which the international community reviewed the implementation of the Convention and the States parties adopted the Cartagena Declaration and the Cartagena Action Plan 2010–2014 to support enhanced implementation and promotion of the Convention,

Noting with satisfaction that one hundred and fifty-six States have ratified or acceded to the Convention and have formally accepted the obligations of the Convention,

Emphasizing the desirability of attracting the adherence of all States to the Convention, and determined to work strenuously towards the promotion of its universalization and norms,

Noting with regret that anti-personnel mines continue to be used in some conflicts around the world, causing human suffering and impeding post-conflict development,

1. *Invites* all States that have not signed the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction to accede to it without delay;

2. *Urges* all States that have signed but have not ratified the Convention to ratify it without delay;

3. *Stresses* the importance of the full and effective implementation of and compliance with the Convention, including through the continued implementation of the Cartagena Action Plan 2010–2014;

4. *Urges* all States parties to provide the Secretary-General with complete and timely information as required under article 7 of the Convention in order to promote transparency and compliance with the Convention;

5. *Invites* all States that have not ratified the Convention or acceded to it to provide, on a voluntary basis, information to make global mine action efforts more effective;

6. *Renews its call upon* all States and other relevant parties to work together to promote, support and advance the care, rehabilitation and social and economic reintegration of mine victims, mine risk education programmes and the removal and destruction of anti-personnel mines placed or stockpiled throughout the world;

7. *Urges* all States to remain seized of the issue at the highest political level and, where in a position to do so, to promote adherence to the Convention through bilateral, subregional, regional and multilateral contacts, outreach, seminars and other means;

8. *Reiterates its invitation and encouragement* to all interested States, the United Nations, other relevant international organizations or institutions, regional organizations, the International Committee of the Red Cross and relevant non-governmental organizations to attend the Tenth Meeting of the States Parties to the Convention, to be held in Geneva from 29 November to 3 December 2010, and to participate in the future meeting programme of the Convention;

9. *Requests* the Secretary-General, in accordance with article 11, paragraph 2, of the Convention, to undertake

the preparations necessary to convene the Eleventh Meeting of the States Parties to the Convention and, on behalf of the States parties and in accordance with article 11, paragraph 4, of the Convention, to invite States not parties to the Convention, as well as the United Nations, other relevant international organizations or institutions, regional organizations, the International Committee of the Red Cross and relevant non-governmental organizations, to attend the Eleventh Meeting of the States Parties and future meetings as observers;

10. *Decides* to remain seized of the matter.

RECORDED VOTE ON RESOLUTION 65/48:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iraq, Ireland, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia, Monaco, Mongolia, Montenegro, Morocco, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Moldova, Romania, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Yemen, Zambia, Zimbabwe.

Against: None.

Abstaining: Cuba, Democratic People's Republic of Korea, Egypt, India, Iran, Israel, Libyan Arab Jamahiriya, Myanmar, Nepal, Nicaragua, Pakistan, Republic of Korea, Russian Federation, Syrian Arab Republic, United States, Uzbekistan, Viet Nam.

Practical disarmament

Disarmament Commission. The Commission [A/65/42] included in its agenda the item "Practical confidence-building measures in the field of conventional weapons", but noted that the item would be taken up upon the conclusion of the elements of a draft declaration of the 2010s as the fourth disarmament decade, preferably by 2010, and in any case no later than 2011.

Report of Secretary General. Pursuant to General Assembly resolutions 63/62 [YUN 2008, p. 626], the Secretary-General in July [A/65/153] reviewed activities undertaken by States and regional and sub-regional organizations to consolidate peace through practical disarmament measures. The report covered the period from August 2008 to July 2010, during which the Group of Interested States in Practical Disarmament Measures held six meetings (December 2008; January, March and October 2009; February and March 2010). The Group discussed progress towards an arms trade treaty, the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons, the General Assembly First Committee and the International Small Arms Control Standards. The Secretary-General also reviewed regional and subregional activities undertaken within and outside the UN system.

GENERAL ASSEMBLY ACTION

On 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/410], adopted **resolution 65/67** without vote [agenda item 97 (b)].

Consolidation of peace through practical disarmament measures

The General Assembly,

Recalling its resolutions 51/45 N of 10 December 1996, 52/38 G of 9 December 1997, 53/77 M of 4 December 1998, 54/54 H of 1 December 1999, 55/33 G of 20 November 2000, 56/24 P of 29 November 2001 and 57/81 of 22 November 2002, its decision 58/519 of 8 December 2003, as well as its resolutions 59/82 of 3 December 2004, and 61/76 of 6 December 2006 and 63/62 of 2 December 2008 entitled "Consolidation of peace through practical disarmament measures",

Convinced that a comprehensive and integrated approach towards certain practical disarmament measures often is a prerequisite to maintaining and consolidating peace and security and thus provides a basis for effective post-conflict peacebuilding; such measures include collection and responsible disposal, preferably through destruction, of weapons obtained through illicit trafficking or illicit manufacture as well as of weapons and ammunition declared by competent national authorities to be surplus to requirements, particularly with regard to small arms and light weapons, unless another form of disposition or use has been officially authorized and provided that such weapons have been duly marked and registered; confidence-building measures; disarmament, demobilization and reintegration of former combatants; demining; and conversion,

Noting with satisfaction that the international community is more than ever aware of the importance of such practical disarmament measures, especially with regard to the growing problems arising from the excessive accumulation and uncontrolled spread of small arms and light weapons, including their ammunition, which pose a threat to peace and security and reduce the prospects for economic development in many regions, particularly in post-conflict situations,

Stressing that further efforts are needed in order to develop and effectively implement programmes of practical disarmament in affected areas as part of disarmament, demobilization and reintegration measures so as to complement, on a case-by-case basis, peacekeeping and peace-building efforts,

Taking note with appreciation of the report of the Secretary-General on prevention of armed conflict, which, inter alia, refers to the role which the proliferation and the illicit transfer of small arms and light weapons play in the context of the build-up and sustaining of conflicts,

Taking note of the statement by the President of the Security Council of 31 August 2001 underlining the importance of practical disarmament measures in the context of armed conflicts, and, with regard to disarmament, demobilization and reintegration programmes, emphasizing the importance of measures to contain the security risks stemming from the use of illicit small arms and light weapons,

Taking note also of the report of the Secretary-General prepared with the assistance of the Group of Governmental Experts on Small Arms and, in particular, the recommendations contained therein, as an important contribution to the consolidation of the peace process through practical disarmament measures,

Welcoming the work of the United Nations Coordinating Action on Small Arms mechanism, which was established by the Secretary-General to bring about a holistic and multidisciplinary approach to this complex and multifaceted global problem,

Welcoming also the establishment, within the United Nations system, of the Programme of Action Implementation Support System, which provides a comprehensive tool to facilitate international cooperation and assistance for the implementation of practical disarmament measures, including the matching of assistance needs with available resources,

Welcoming further the reports of the first, second, third and fourth biennial meetings of States to consider the implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, which, inter alia, underlined that States are encouraged to build on existing mechanisms, such as the enhanced Programme of Action Implementation Support System, and to consider other ways in which needs and resources can be matched effectively and assistance and cooperation can be more effectively coordinated,

1. *Stresses* the particular relevance of the "Guidelines on conventional arms control/limitation and disarmament, with particular emphasis on consolidation of peace in the context of General Assembly resolution 51/45 N";

2. *Takes note* of the report of the Secretary-General on the consolidation of peace through practical disarmament measures, submitted pursuant to resolution 63/62, and encourages Member States as well as regional arrangements and agencies to lend their support to the implementation of recommendations contained therein;

3. *Emphasizes* the importance of including in United Nations-mandated peacekeeping missions, as appropriate and with the consent of the host State, practical disarmament measures aimed at addressing the problem of the illicit trade in small arms and light weapons in conjunction with disarmament, demobilization and reintegration programmes aimed at former combatants, with a view to promoting an integrated comprehensive and effective weapons

management strategy that would contribute to a sustainable peacebuilding process;

4. *Welcomes* the activities undertaken by the Group of Interested States, and invites the Group to continue to promote, on the basis of lessons learned from previous disarmament and peacebuilding projects, new practical disarmament measures to consolidate peace, especially as undertaken or designed by affected States themselves, regional and subregional organizations as well as United Nations agencies;

5. *Encourages*, in this regard, the Group of Interested States to continue to function as an informal, open and transparent forum supporting the implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, and encourages the Group to facilitate the exchange of views on issues related to the United Nations small arms process as well as to facilitate the effective matching of needs and resources in accordance with the outcome of the fourth biennial meeting of States;

6. *Requests* the Secretary-General to provide the Office for Disarmament Affairs of the Secretariat with resources adequate for maintaining the Programme of Action Implementation Support System as from 2012, thus securing its important role in identifying and communicating information on needs and resources so as to enhance the implementation of the Programme of Action;

7. *Encourages* Member States, also in the framework of the Group of Interested States, to continue to lend their support to the Secretary-General, relevant international, regional and subregional organizations, in accordance with Chapter VIII of the Charter of the United Nations, and non-governmental organizations in responding to requests by Member States to collect and destroy small arms and light weapons, including their ammunition, in post-conflict situations;

8. *Welcomes* the synergies within the multi-stakeholder process, including Governments, the United Nations system, regional and subregional organizations and institutions as well as non-governmental organizations in support of practical disarmament measures and the Programme of Action;

9. *Requests* the Secretary-General to submit to the General Assembly at its sixty-seventh session a report on the implementation of practical disarmament measures, taking into consideration the activities of the Group of Interested States in this regard;

10. *Decides* to include in the provisional agenda of its sixty-seventh session the item entitled "Consolidation of peace through practical disarmament measures".

Transparency

Concerning transparency, there was a record low in the number of States (72) participating in the United Nations Register of Conventional Arms, yet also a slight improvement in the percentage of reports (almost 60 per cent) on transfers of small arms, light weapons and conventional weapons. With respect to the United Nations Standardized Instrument for Reporting Military Expenditures, the year marked the second-lowest level of reporting since 2001, with 2009 marking the lowest.

Conference on Disarmament. During the general debate of the Conference [A/65/27], delegations reaffirmed or further elaborated their respective positions on the issue. The Conference held four informal meetings (18 and 21 June, 9 and 12 July) on "Transparency in armaments" [CD/1899, annex VII]. While no attempt to define transparency was made, there seemed to be a broadly shared understanding that it should not be equalled to disarmament, even though it often had a clear and supporting role in disarmament negotiations and arrangements. Transparency should not be seen as an attempt to diminish the security of States or to restrict the inherent right of States to self-defence and their right to determine their national security interests, in accordance with the UN Charter. While it was recognized that, since 1991, some 170 countries had contributed information at least once to the United Nations Register of Conventional Arms, there was some concern over the diminished rate of reporting. It would be useful to analyse reasons behind that lack of enthusiasm and identify ways of making the register more relevant; in that connection, the scope of the Register deserved closer attention.

UN Register of Conventional Arms

In response to General Assembly resolution 64/54 [YUN 2009, p. 556], the Secretary-General in July submitted the eighteenth annual report on the United Nations Register of Conventional Arms [A/65/133 & Add.1-5], established in 1992 [YUN 1992, p. 75] to enhance transparency on arms transfers. The report presented information for 2009, provided by 72 countries, on the export and import of conventional arms, military holdings, procurement through national production and the international transfers of small arms and light weapons. The report highlighted numerous activities undertaken by UNODA, in collaboration with Governments and regional organizations, to enhance awareness of the Register and encourage greater participation. UNODA maintained the Register's database and updated the information about its operation.

Transparency of military expenditures

In response to General Assembly resolution 64/22 [YUN 2009, p. 558], the Secretary-General in July [A/65/118 & Corr.1 & Add.1,2] presented reports from 60 States on their national military expenditures for the latest fiscal year for which data were available. As requested by the resolution, UNODA organized regional workshops on transparency in armaments for Latin America and the Caribbean (Lima, Peru, 9–10 March) and for South-East Asia (Bali, Indonesia, 31 March–1 April), which devoted one session to the United Nations Standardized Instrument for

Reporting Military Expenditures to enhance family with the Instrument.

On 8 December, the General Assembly took note of the report of the First Committee [A/65/401] on "Reduction of military budgets" (**decision 65/514**).

GENERAL ASSEMBLY ACTION

On 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/410], adopted **resolution 65/63** without vote [agenda item 97 (g)].

Information on confidence-building measures in the field of conventional arms

The General Assembly,

Guided by the purposes and principles enshrined in the Charter of the United Nations,

Bearing in mind the contribution of confidence-building measures in the field of conventional arms, adopted on the initiative and with the agreement of the States concerned, to the improvement of the overall international peace and security situation,

Convinced that the relationship between the development of confidence-building measures in the field of conventional arms and the international security environment can also be mutually reinforcing,

Considering the important role that confidence-building measures in the field of conventional arms can also play in creating favourable conditions for progress in the field of disarmament,

Recognizing that the exchange of information on confidence-building measures in the field of conventional arms contributes to mutual understanding and confidence among Member States,

Recalling its resolutions 59/92 of 3 December 2004, 60/82 of 8 December 2005, 61/79 of 6 December 2006 and 63/57 of 2 December 2008,

1. *Welcomes* all confidence-building measures in the field of conventional arms already undertaken by Member States, as well as the information on such measures voluntarily provided;

2. *Encourages* Member States to continue to adopt confidence-building measures in the field of conventional arms and to provide information in that regard;

3. *Also encourages* Member States to continue the dialogue on confidence-building measures in the field of conventional arms;

4. *Welcomes* the establishment of the electronic database containing information provided by Member States, and requests the Secretary-General to keep the database updated and to assist Member States, at their request, in the organization of seminars, courses and workshops aimed at enhancing the knowledge of new developments in this field;

5. *Requests* the Secretary-General to report to the General Assembly at its sixty-sixth session on the implementation of the present resolution, including the information provided by Member States pursuant to paragraph 4 above;

6. *Decides* to include in the provisional agenda of its sixty-seventh session the item entitled "Information on confidence-building measures in the field of conventional arms".

Other issues

Prevention of an arms race in outer space

Conference on Disarmament. Delegations discussed the prevention of an arms race in outer space in four informal meetings (Geneva, 9, 14 and 30 June, 5 July) [CD/1899, annex III]. They expressed the view that outer space should be used solely for peaceful purposes and for the benefit of all countries and not become an arena for competitive strategic policies. Most States believed that the placement of weapons in outer space could deepen global insecurity. Recent technological advancements could lead to the production of sophisticated space weapons, such as anti-satellites, which could become a threat to the security and safety of outer space. The development of new and unforeseen weapons might require review of current parameters of space security. Current international instruments were seen as insufficient to prevent an arms race in outer space. Many delegations believed that a specific international legal instrument was needed to strengthen or complement existing regimes. The Outer Space Treaty of 1967, for example, addressed only nuclear weapons and weapons of mass destruction. The main goals of such an instrument should be to prohibit the placement of weapons; to prevent military use of outer space; to forbid the destruction or damage of satellites from ground-based platforms; to ensure that space property was protected; and to assure that global satellite services operated without threats or risk of disruption. Delegations pointed out that there should be coordination among international organizations regulating the use of outer space. There were, however, different views on the readiness of the subject in the Conference on Disarmament, with a majority of States supporting the early commencement of negotiations and others maintaining that conditions for negotiating a legally binding instrument were not yet given. Also discussed was the option to adhere voluntarily to other mechanisms, such as the European Union's draft Code of Conduct for Outer Space Activities. The option of an instrument remained under consideration in the Conference on Disarmament.

Report of Secretary-General. Pursuant to resolution 64/49 [YUN 2009, p. 562], the Secretary-General in July submitted a report [A/65/123 & Add.1] containing proposals from eight countries (Argentina, Australia, Cuba, Jordan, Oman, Panama, Qatar, Ukraine) on international outer space transparency and confidence-building measures.

General Assembly action. By resolution 65/68 of 8 December (see p. 568), the General Assembly requested the Secretary-General to establish a group of governmental experts to conduct a study, com-

mencing in 2012, on outer space transparency and confidence-building measures, and to submit the study to the Assembly's sixty-eighth (2013) session.

GENERAL ASSEMBLY ACTION

On 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/408], adopted **resolution 65/44** by recorded vote (178-0-2) [agenda item 95].

Prevention of an arms race in outer space

The General Assembly,

Recognizing the common interest of all mankind in the exploration and use of outer space for peaceful purposes,

Reaffirming the will of all States that the exploration and use of outer space, including the Moon and other celestial bodies, shall be for peaceful purposes and shall be carried out for the benefit and in the interest of all countries, irrespective of their degree of economic or scientific development,

Reaffirming also the provisions of articles III and IV of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies,

Recalling the obligation of all States to observe the provisions of the Charter of the United Nations regarding the use or threat of use of force in their international relations, including in their space activities,

Reaffirming paragraph 80 of the Final Document of the Tenth Special Session of the General Assembly, in which it is stated that in order to prevent an arms race in outer space, further measures should be taken and appropriate international negotiations held in accordance with the spirit of the Treaty,

Recalling its previous resolutions on this issue, and taking note of the proposals submitted to the General Assembly at its tenth special session and at its regular sessions, and of the recommendations made to the competent organs of the United Nations and to the Conference on Disarmament,

Recognizing that prevention of an arms race in outer space would avert a grave danger for international peace and security,

Emphasizing the paramount importance of strict compliance with existing arms limitation and disarmament agreements relevant to outer space, including bilateral agreements, and with the existing legal regime concerning the use of outer space,

Considering that wide participation in the legal regime applicable to outer space could contribute to enhancing its effectiveness,

Noting that the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space, taking into account its previous efforts since its establishment in 1985 and seeking to enhance its functioning in qualitative terms, continued the examination and identification of various issues, existing agreements and existing proposals, as well as future initiatives relevant to the prevention of an arms race in outer space, and that this contributed to a better understanding of a number of problems and to a clearer perception of the various positions,

Noting also that there were no objections in principle in the Conference on Disarmament to the re-establishment of

the Ad Hoc Committee, subject to re-examination of the mandate contained in the decision of the Conference on Disarmament of 13 February 1992,

Emphasizing the mutually complementary nature of bilateral and multilateral efforts for the prevention of an arms race in outer space, and hoping that concrete results will emerge from those efforts as soon as possible,

Convinced that further measures should be examined in the search for effective and verifiable bilateral and multilateral agreements in order to prevent an arms race in outer space, including the weaponization of outer space,

Stressing that the growing use of outer space increases the need for greater transparency and better information on the part of the international community,

Recalling, in this context, its previous resolutions, in particular resolutions 45/55 B of 4 December 1990, 47/51 of 9 December 1992 and 48/74 A of 16 December 1993, in which, inter alia, it reaffirmed the importance of confidence-building measures as a means conducive to ensuring the attainment of the objective of the prevention of an arms race in outer space,

Conscious of the benefits of confidence- and security-building measures in the military field,

Recognizing that negotiations for the conclusion of an international agreement or agreements to prevent an arms race in outer space remain a priority task of the Conference on Disarmament and that the concrete proposals on confidence-building measures could form an integral part of such agreements,

Noting with satisfaction the constructive, structured and focused debate on the prevention of an arms race in outer space at the Conference on Disarmament in 2009 and 2010,

Taking note of the introduction by China and the Russian Federation at the Conference on Disarmament of the draft treaty on the prevention of the placement of weapons in outer space and of the threat or use of force against outer space objects,

Taking note also of the decision of the Conference on Disarmament to establish for its 2009 session a working group to discuss, substantially, without limitation, all issues related to the prevention of an arms race in outer space,

1. *Reaffirms* the importance and urgency of preventing an arms race in outer space and the readiness of all States to contribute to that common objective, in conformity with the provisions of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies;

2. *Reaffirms its recognition*, as stated in the report of the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space, that the legal regime applicable to outer space does not in and of itself guarantee the prevention of an arms race in outer space, that the regime plays a significant role in the prevention of an arms race in that environment, that there is a need to consolidate and reinforce that regime and enhance its effectiveness and that it is important to comply strictly with existing agreements, both bilateral and multilateral;

3. *Emphasizes* the necessity of further measures with appropriate and effective provisions for verification to prevent an arms race in outer space;

4. *Calls upon* all States, in particular those with major space capabilities, to contribute actively to the objective of the peaceful use of outer space and of the prevention of an arms race in outer space and to refrain from actions con-

trary to that objective and to the relevant existing treaties in the interest of maintaining international peace and security and promoting international cooperation;

5. *Reiterates* that the Conference on Disarmament, as the sole multilateral disarmament negotiating forum, has the primary role in the negotiation of a multilateral agreement or agreements, as appropriate, on the prevention of an arms race in outer space in all its aspects;

6. *Invites* the Conference on Disarmament to establish a working group under its agenda item entitled "Prevention of an arms race in outer space" as early as possible during its 2011 session;

7. *Recognizes*, in this respect, the growing convergence of views on the elaboration of measures designed to strengthen transparency, confidence and security in the peaceful uses of outer space;

8. *Urges* States conducting activities in outer space, as well as States interested in conducting such activities, to keep the Conference on Disarmament informed of the progress of bilateral and multilateral negotiations on the matter, if any, so as to facilitate its work;

9. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "Prevention of an arms race in outer space".

RECORDED VOTE ON RESOLUTION 65/44:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia, Monaco, Mongolia, Montenegro, Morocco, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: None.

Abstaining: Israel, United States.

Also on 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/410], adopted **resolution 65/68** by recorded vote (183-0-1) [agenda item 97 (y)].

Transparency and confidence-building measures in outer space activities

The General Assembly,

Recalling its resolutions 60/66 of 8 December 2005, 61/75 of 6 December 2006, 62/43 of 5 December 2007, 63/68 of 2 December 2008 and 64/49 of 2 December 2009,

Reaffirming that the prevention of an arms race in outer space would avert a grave danger to international peace and security,

Conscious that further measures should be examined in the search for agreements to prevent an arms race in outer space, including the weaponization of outer space,

Recalling, in this context, its previous resolutions, including resolutions 45/55 B of 4 December 1990 and 48/74 B of 16 December 1993, which, inter alia, emphasize the need for increased transparency and confirm the importance of confidence-building measures as a means conducive to ensuring the attainment of the objective of the prevention of an arms race in outer space,

Recalling also the report of the Secretary-General of 15 October 1993 to the General Assembly at its forty-eighth session, the annex to which contains the study by governmental experts on the application of confidence-building measures in outer space,

Noting the constructive debate which the Conference on Disarmament held on this subject in 2010, including the views expressed by Member States,

Noting also the introduction by China and the Russian Federation at the Conference on Disarmament of the draft treaty on the prevention of the placement of weapons in outer space and of the threat or use of force against outer space objects,

Noting further the presentation by the European Union of a draft code of conduct for outer space activities,

Noting the contribution of Member States which have submitted to the Secretary-General concrete proposals on international outer space transparency and confidence-building measures pursuant to paragraph 1 of resolution 61/75, paragraph 2 of resolution 62/43, paragraph 2 of resolution 63/68 and paragraph 2 of resolution 64/49,

1. *Takes note* of the final report of the Secretary-General containing concrete proposals from Member States on international outer space transparency and confidence-building measures;

2. *Requests* the Secretary-General to establish, on the basis of equitable geographical distribution, a group of governmental experts to conduct a study, commencing in 2012, on outer space transparency and confidence-building measures, making use of the relevant reports of the Secretary-General, including the final report, submitted to the General Assembly at its sixty-fifth session, and without prejudice to the substantive discussions on the prevention of an arms race in outer space within the framework of the Conference on Disarmament, and to submit to the Assembly at its sixty-eighth session a report with an annex containing the study of governmental experts;

3. *Also requests* the Secretary-General to provide the group of governmental experts with any assistance and services, within existing resources, that may be required for the discharge of its tasks;

4. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled “Transparency and confidence-building measures in outer space activities”.

RECORDED VOTE ON RESOLUTION 65/68:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: None.

Abstaining: United States.

Prevention of an arms race on the seabed and the ocean floor

Pursuant to resolution 44/116 O [YUN 1989, p. 81], the Secretary-General in July submitted a report [A/65/128 & Add.1] containing information provided by Bulgaria, Lebanon and Qatar on measures taken to prevent an arms race on the seabed and the ocean floor and the subsoil thereof.

Observance of environmental norms

Pursuant to General Assembly resolution 64/33 [YUN 2009, p. 562], the Secretary-General in July sub-

mitted a report [A/65/125] containing information from Cameroon, Cuba and Spain on measures they had adopted to promote the observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control.

GENERAL ASSEMBLY ACTION

On 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/410], adopted **resolution 65/53** without vote [agenda item 97 (o)].

Observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control

The General Assembly,

Recalling its resolutions 50/70 M of 12 December 1995, 51/45 E of 10 December 1996, 52/38 E of 9 December 1997, 53/77 J of 4 December 1998, 54/54 S of 1 December 1999, 55/33 K of 20 November 2000, 56/24 F of 29 November 2001, 57/64 of 22 November 2002, 58/45 of 8 December 2003, 59/68 of 3 December 2004, 60/60 of 8 December 2005, 61/63 of 6 December 2006, 62/28 of 5 December 2007, 63/51 of 2 December 2008 and 64/33 of 2 December 2009,

Emphasizing the importance of the observance of environmental norms in the preparation and implementation of disarmament and arms limitation agreements,

Recognizing that it is necessary to take duly into account the agreements adopted at the United Nations Conference on Environment and Development, as well as prior relevant agreements, in the drafting and implementation of agreements on disarmament and arms limitation,

Taking note of the report of the Secretary-General submitted pursuant to resolution 64/33,

Noting that the Fifteenth Summit Conference of Heads of State and Government of the Movement of Non-Aligned Countries, held in Sharm el-Sheikh, Egypt, from 11 to 16 July 2009, welcomed the adoption of resolution 63/51, the first resolution adopted without a vote by the General Assembly on the observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control,

Mindful of the detrimental environmental effects of the use of nuclear weapons,

1. *Reaffirms* that international disarmament forums should take fully into account the relevant environmental norms in negotiating treaties and agreements on disarmament and arms limitation and that all States, through their actions, should contribute fully to ensuring compliance with the aforementioned norms in the implementation of treaties and conventions to which they are parties;

2. *Calls upon* States to adopt unilateral, bilateral, regional and multilateral measures so as to contribute to ensuring the application of scientific and technological progress within the framework of international security, disarmament and other related spheres, without detriment to the environment or to its effective contribution to attaining sustainable development;

3. *Welcomes* the information provided by Member States on the implementation of the measures they have

adopted to promote the objectives envisaged in the present resolution;

4. *Invites* all Member States to communicate to the Secretary-General information on the measures they have adopted to promote the objectives envisaged in the present resolution, and requests the Secretary-General to submit a report containing that information to the General Assembly at its sixty-sixth session;

5. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "Observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control".

Effects of depleted uranium

In accordance with General Assembly resolution 63/54 [YUN 2008, p. 637], the Secretary-General, in a report issued in July [A/65/129 & Add.1], transmitted the views of 15 Member States (Belgium, Burundi, Cuba, Czech Republic, Germany, Ireland, Japan, Jordan, Lithuania, Mauritius, Mexico, Netherlands, New Zealand, Norway, Panama) and three international organizations (IAEA, United Nations Environment Programme, WHO) on the effects of the use of armaments and ammunitions containing depleted uranium on human health and the environment.

GENERAL ASSEMBLY ACTION

On 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/410], adopted **resolution 65/55** by recorded vote (148-4-30) [agenda item 97 (d)].

Effects of the use of armaments and ammunitions containing depleted uranium

The General Assembly,

Guided by the purposes and principles enshrined in the Charter of the United Nations and the rules of humanitarian international law,

Recalling its resolutions 62/30 of 5 December 2007 and 63/54 of 2 December 2008,

Determined to promote multilateralism as an essential means to carry forward negotiations on arms regulation and disarmament,

Taking note of the opinions expressed by Member States and relevant international organizations on the effects of the use of armaments and ammunitions containing depleted uranium, as reflected in the reports submitted by the Secretary-General pursuant to resolutions 62/30 and 63/54,

Recognizing the importance of implementing, as appropriate, the recommendations of the International Atomic Energy Agency, the United Nations Environment Programme and the World Health Organization to mitigate potential hazards to human beings and the environment from the contamination of territories with depleted uranium residues,

Considering that studies conducted so far by relevant international organizations have not provided a detailed enough account of the magnitude of the potential long-

term effects on human beings and the environment of the use of armaments and ammunitions containing depleted uranium,

Convinced that, as humankind becomes more aware of the need to take immediate measures to protect the environment, any event that could jeopardize such efforts requires urgent attention to implement the required measures,

Taking into consideration the potential harmful effects of the use of armaments and ammunitions containing depleted uranium on human health and the environment,

1. *Expresses its appreciation* to the Member States and international organizations that submitted their views to the Secretary-General pursuant to resolution 63/54;

2. *Invites* Member States and relevant international organizations, particularly those that have not yet done so, to communicate to the Secretary-General their views on the effects of the use of armaments and ammunitions containing depleted uranium;

3. *Requests* the Secretary-General to request relevant international organizations to update and complete, as appropriate, their studies and research on the effects of the use of armaments and ammunitions containing depleted uranium on human health and the environment;

4. *Encourages* Member States, particularly the affected States, as necessary, to facilitate the studies and research referred to in paragraph 3 above;

5. *Also encourages* Member States to follow closely the development of the studies and research referred to in paragraph 3 above;

6. *Invites* Member States that have used armaments and ammunitions containing depleted uranium in armed conflicts to provide the relevant authorities of affected States, upon request, with information, as detailed as possible, about the location of the areas of use and the amounts used, with the objective of facilitating the assessment of such areas;

7. *Requests* the Secretary-General to submit an updated report on this subject to the General Assembly at its sixty-seventh session, reflecting the information submitted by Member States and relevant international organizations, including the information submitted pursuant to paragraphs 2 and 3 above;

8. *Decides* to include in the provisional agenda of its sixty-seventh session the item entitled "Effects of the use of armaments and ammunitions containing depleted uranium".

RECORDED VOTE ON RESOLUTION 65/55:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Finland, Gabon, Gambia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi,

Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Slovenia, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: France, Israel, United Kingdom, United States.

Abstaining: Albania, Andorra, Australia, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, Georgia, Hungary, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Micronesia, Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Sao Tome and Principe, Slovakia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Turkey, Ukraine.

Science and technology and disarmament

By **decision 65/516** of 8 December, the General Assembly included the item “Role of science and technology in the context of international security and disarmament” in the provisional agenda of its sixty-sixth (2011) session.

Studies, research and training

UN Institute for Disarmament Research

The Secretary-General in July transmitted to the General Assembly the report of the Director of the United Nations Institute for Disarmament Research (UNIDIR) [A/65/177], covering activities from August 2009 to July 2010, as well as the proposed programme of work and estimated budget for 2010 and 2011, as approved by the Advisory Board on Disarmament Matters in its capacity as UNIDIR's Board of Trustees. During the reporting period, with UNIDIR celebrating its thirtieth anniversary in 2010 as well as embarking upon institutional reform, the Institute's work centred on five issues: weapons of mass destruction; weapons of societal disruption; security and society; emerging threats; and improving processes and creating synergies. UNIDIR work included research, seminars, advisory services, outreach activities and publications, such as the quarterly journal *Disarmament Forum*.

The Board of Trustees recommended that the Institute's subvention from the UN regular budget be increased (in addition to being cost-adjusted)

in the biennium 2012–2013, in order to meet the costs of the Director and the core staff of the Institute. The Director also reported on the status of voluntary funds received from Governments and philanthropic foundations, which covered about 90 per cent of the Institute's budget and financed all its operational activities. As voluntary funds had, in the past, come from only a few Member States, UNIDIR had been seeking to expand its donor base. The Institute's value to the international community was based on its unique status as an autonomous institution within the UN system.

GENERAL ASSEMBLY ACTION

On 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/412], adopted **resolution 65/87** without vote [agenda item 99].

Thirtieth anniversary of the United Nations Institute for Disarmament Research

The General Assembly,

Recalling its resolution 34/83 M of 11 December 1979, in which it requested the Secretary-General to establish the United Nations Institute for Disarmament Research on the basis of the recommendations contained in the report of the Secretary-General,

Reaffirming its resolution 39/148 H of 17 December 1984, in which it approved the statute of the Institute, renewed the invitation to Governments to consider making voluntary contributions to the Institute and requested the Secretary-General to continue to give the Institute administrative and other support,

Recalling its resolutions 45/62 G of 4 December 1990, 55/35 A of 20 November 2000 and 60/89 of 8 December 2005 on the tenth, twentieth and twenty-fifth anniversaries of the Institute,

Considering the continuing need for the international community to have access to independent and in-depth research on security issues and prospects for disarmament and non-proliferation,

Underlining the particularly relevant contribution of the Institute to thinking and analysis on international security issues in the current context,

Recognizing the potential of the Institute, through its research, seminars, networks, outreach activities and publications, such as *Disarmament Forum*, to assist ongoing negotiations on disarmament and efforts at ensuring greater international security at a progressively lower level of armaments and to contribute to education in this regard,

Noting the lack of implementation to date of the recommendation of the Advisory Board on Disarmament Matters that the costs of the core staff of the Institute, in addition to those of the Director, be funded from the regular budget of the United Nations,

1. *Welcomes* the thirtieth anniversary of the establishment of the United Nations Institute for Disarmament Research;

2. *Recognizes* the importance, the timeliness and the high quality of the work of the Institute;

3. *Reiterates its conviction* that the Institute should continue to conduct independent research on problems relating to disarmament and security and to undertake specialized research requiring a high degree of expertise;

4. *Emphasizes* the importance of the Institute as a stand-alone, autonomous institution that contributes, through its research, analysis and activities, to progress in disarmament and, ultimately, to a safer world;

5. *Underlines* the contribution that the Institute makes and should continue to make in the field of disarmament and non-proliferation education in all regions of the world;

6. *Appeals* to all Member States to continue to make financial contributions to the Institute in order to ensure its viability and the quality of its work over the long term;

7. *Recommends* that the Secretary-General implement, within existing resources, the relevant recommendations of the Board of Trustees of the Institute on the funding of the Institute.

Disarmament fellowships, training and advisory services

Twenty-five fellows participated in the 2010 UN disarmament fellowship, training and advisory services programme, which began in Geneva on 23 August and concluded in New York on 22 October. The programme was structured in three segments: a study session in Geneva; study visits to disarmament-related intergovernmental organizations and to Member States; and a study session at UN Headquarters in New York.

Report of Secretary-General. Pursuant to General Assembly resolution 63/79 [YUN 2008, p. 642], the Secretary-General reported in July [A/65/151] on the UN disarmament fellowship, training and advisory services programme, which, since being launched in 1979 [YUN 1979, p. 92], had trained 808 officials from 159 States. He noted the contribution of the programme to promoting a greater awareness of the importance of disarmament, non-proliferation and arms control. The programme afforded an important opportunity to facilitate a better understanding of the work of UNODA and of other global institutions active in the area of disarmament, as well as of the security concerns of Member States. The Secretary-General was gratified to note that the number of women nominated fellows had remained high (45 per cent) in 2009–2010.

GENERAL ASSEMBLY ACTION

On 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/411], adopted **resolution 65/82** without vote [agenda item 98 (a)].

United Nations disarmament fellowship, training and advisory services

The General Assembly,

Having considered the report of the Secretary-General,

Recalling its decision, contained in paragraph 108 of the Final Document of the Tenth Special Session of the General Assembly, the first special session devoted to disarmament, to establish a programme of fellowships on disarmament, as well as its decisions contained in annex IV to the Concluding Document of the Twelfth Special Session of the General Assembly, the second special session devoted to disarmament, including its decision to continue the programme,

Noting that the programme continues to contribute significantly to developing greater awareness of the importance and benefits of disarmament and a better understanding of the concerns of the international community in the field of disarmament and security, as well as to enhancing the knowledge and skills of fellows, allowing them to participate more effectively in efforts in the field of disarmament at all levels,

Noting with satisfaction that the programme has trained a large number of officials from Member States throughout its thirty-two years of existence, many of whom hold positions of responsibility in the field of disarmament within their own Governments,

Recognizing the need for Member States to take into account gender equality when nominating candidates to the programme,

Recalling all the annual resolutions on the matter since the thirty-seventh session of the General Assembly, in 1982, including resolution 50/71 A of 12 December 1995,

Believing that the forms of assistance available under the programme to Member States, in particular to developing countries, will enhance the capabilities of their officials to follow ongoing deliberations and negotiations on disarmament, both bilateral and multilateral,

1. *Reaffirms* its decisions contained in annex IV to the Concluding Document of the Twelfth Special Session of the General Assembly and the report of the Secretary-General approved by the Assembly in its resolution 33/71 E of 14 December 1978;

2. *Expresses its appreciation* to all Member States and organizations that have consistently supported the programme throughout the years, thereby contributing to its success, in particular to the Governments of Germany and Japan for continuing extensive and highly educative study visits for the participants in the programme and to the Governments of China and Switzerland for organizing study visits for the fellows in the area of disarmament in 2009 and 2010;

3. *Also expresses its appreciation* to the International Atomic Energy Agency, the Organization for the Prohibition of Chemical Weapons, the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization and the James Martin Center for Nonproliferation Studies of the Monterey Institute of International Studies for organizing specific study programmes in the field of disarmament in their respective areas of competence, thereby contributing to the objectives of the programme;

4. *Commends* the Secretary-General for the diligence with which the programme has continued to be carried out;

5. *Requests* the Secretary-General to continue to implement annually the Geneva-based programme within existing resources and to report thereon to the General Assembly at its sixty-seventh session;

6. *Decides* to include in the provisional agenda of its sixty-seventh session the item entitled “United Nations disarmament fellowship, training and advisory services”.

Disarmament education

Pursuant to General Assembly resolution 63/70 [YUN 2008, p. 639], the Secretary-General, in a July report [A/65/160 & Add.1], reviewed the results of the implementation of the 34 recommendations of a 2002 study [YUN 2002, p. 544] on disarmament and non-proliferation education and possible new opportunities for promoting such education. Six Member States (Burkina Faso, Japan, Mexico, Spain, Turkmenistan, Ukraine) had submitted information, together with 9 UN entities and international organizations and 20 civil society and non-governmental organizations.

The report was the fourth on disarmament and non-proliferation education since the adoption of the 2002 study. Compared with previous years, there was an overwhelming response from civil society on the implementation of the 34 recommendations of the study. That reflected the renewed interest in disarmament and non-proliferation education worldwide, and was encouraging at a time when the United Nations was promoting such education as an integral part of the education curriculum of the next generation. Some of the most effective efforts in that area were based on partnerships among Governments and international, regional and non-governmental organizations. The United Nations would continue to seek opportunities to promote and participate in such collaborative work.

GENERAL ASSEMBLY ACTION

On 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/410], adopted **resolution 65/77** without vote [agenda item 97 (k)].

United Nations study on disarmament and non-proliferation education

The General Assembly,

Recalling its resolutions 55/33 E of 20 November 2000, 57/60 of 22 November 2002, 59/93 of 3 December 2004, 61/73 of 6 December 2006 and 63/70 of 2 December 2008,

Welcoming the report of the Secretary-General on disarmament and non-proliferation education, in which the Secretary-General reported on the implementation of the recommendations contained in the United Nations study on disarmament and non-proliferation education,

Recognizing the usefulness of the disarmament and non-proliferation education website, “Disarmament Education: Resources for Learning”, welcoming the launch on the site of the publication *Disarmament: A Basic Guide* by the Office for Disarmament Affairs of the Secretariat, and encouraging the continuous updating of the educational disarmament and non-proliferation content on the United Nations CyberSchoolBus website, launched by the Department of Public Information of the Secretariat and the Office for Disarmament Affairs,

Emphasizing that the Secretary-General concludes in his report that efforts need to be continued to implement the recommendations of the study and follow the good examples of how they are being implemented to stimulate even further long-term results,

Desirous of stressing the urgency of promoting concerted international efforts at disarmament and non-proliferation, in particular in the field of nuclear disarmament and non-proliferation, with a view to strengthening international security and enhancing sustainable economic and social development,

Conscious of the need to combat the negative effects of cultures of violence and complacency in the face of current dangers in this field through long-term programmes of education and training,

Remaining convinced that the need for disarmament and non-proliferation education has never been greater, not only on the subject of weapons of mass destruction but also in the field of small arms and light weapons, terrorism and other challenges to international security and the process of disarmament, as well as on the relevance of implementing the recommendations contained in the United Nations study,

Recognizing the importance of encouraging civil society, including non-governmental organizations, to play a more active role in the promotion of disarmament and non-proliferation education,

1. *Expresses its appreciation* to the Member States, the United Nations and other international and regional organizations, civil society and non-governmental organizations, which, within their purview, implemented the recommendations made in the United Nations study, as discussed in the report of the Secretary-General reviewing the implementation of the recommendations, and encourages them once again to continue applying those recommendations and reporting to the Secretary-General on steps taken to implement them;

2. *Requests* the Secretary-General to prepare a report reviewing the results of the implementation of the recommendations and possible new opportunities for promoting disarmament and non-proliferation education, and to submit it to the General Assembly at its sixty-seventh session;

3. *Reiterates the request* to the Secretary-General to utilize electronic means to the fullest extent possible in the dissemination, in as many official languages as feasible, of information related to that report and any other information that the Office for Disarmament Affairs gathers on an ongoing basis in regard to the implementation of the recommendations of the United Nations study;

4. *Decides* to include in the provisional agenda of its sixty-seventh session the item entitled “Disarmament and non-proliferation education”.

Disarmament information programme

Pursuant to resolution 63/81 [YUN 2008, p. 640], the Secretary-General in July submitted a report [A/65/159] reviewing the activities of the United Nations Disarmament Information Programme carried out by UNODA. The Programme focused its activities on information in the field of weapons of mass destruction, especially nuclear weapons, and on the illicit trade in small arms and light weapons. Orienting its publications to electronic formats, the *Disarmament Yearbook*, the Occasional Papers series and the quarterly "Disarmament Update" were available on the UNODA website; specialized websites had been developed for major conferences. With the assistance of the Department of Public Information (DPI), UNODA would continue to improve the website. DPI had highlighted disarmament and arms control issues, especially nuclear weapons and small arms and light weapons, in print, on the Internet and in film, television and radio, using its global network of information centres. DPI use of the celebrity appeal of the Messengers of Peace in respect of arms control issues continued to be effective. UNODA facilitated the participation of civil society organizations in disarmament-related meetings and conferences and worked with coalitions of NGOs that spearheaded such participation.

GENERAL ASSEMBLY ACTION

On 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/411], adopted **resolution 65/81** without vote [agenda item 98 (b)].

United Nations Disarmament Information Programme

The General Assembly,

Recalling its decision taken in 1982 at its twelfth special session, the second special session devoted to disarmament, by which the World Disarmament Campaign was launched,

Bearing in mind its resolution 47/53 D of 9 December 1992, in which it decided, inter alia, that the World Disarmament Campaign should be known thereafter as the "United Nations Disarmament Information Programme" and the World Disarmament Campaign Voluntary Trust Fund as the "Voluntary Trust Fund for the United Nations Disarmament Information Programme",

Recalling its resolutions 51/46 A of 10 December 1996, 53/78 E of 4 December 1998, 55/34 A of 20 November 2000, 57/90 of 22 November 2002, 59/103 of 3 December 2004, 61/95 of 6 December 2006 and 63/81 of 2 December 2008,

Welcoming the report of the Secretary-General,

1. *Commends* the Secretary-General for his efforts to make effective use of the limited resources available to him in disseminating, as widely as possible, information on arms control and disarmament to Governments, the media, non-governmental organizations, educational communities and research institutes and in carrying out a seminar and conference programme;

2. *Stresses* the importance of the United Nations Disarmament Information Programme as a significant instrument in enabling all Member States to participate fully in the deliberations and negotiations on disarmament in the various United Nations bodies, in assisting them in complying with treaties, as required, and in contributing to agreed mechanisms for transparency;

3. *Commends with satisfaction* the launch of *The United Nations Disarmament Yearbook* for 2009, as well as its online edition, by the Office for Disarmament Affairs of the Secretariat;

4. *Notes with appreciation* the cooperation of the Department of Public Information of the Secretariat and its information centres in pursuit of the objectives of the Programme;

5. *Recommends* that the Programme continue to inform, educate and generate public understanding of the importance of multilateral action and support for it, including action by the United Nations and the Conference on Disarmament, in the field of arms control and disarmament, in a factual, balanced and objective manner, and that it focus its efforts:

(a) To continue to publish in all official languages *The United Nations Disarmament Yearbook*, the flagship publication of the Office for Disarmament Affairs;

(b) To continue to update the disarmament website as a part of the United Nations website in as many official languages as feasible;

(c) To encourage the use of the Programme as a means to provide information related to progress on the implementation of nuclear disarmament measures;

(d) To continue to intensify United Nations interaction with the public, principally non-governmental organizations and research institutes, to help further an informed debate on topical issues of arms limitation, disarmament and security;

(e) To continue to organize discussions on topics of interest in the field of arms limitation and disarmament with a view to broadening understanding and facilitating an exchange of views and information among Member States and civil society;

6. *Recognizes* the importance of all support extended to the Voluntary Trust Fund for the United Nations Disarmament Information Programme, and once again invites all Member States to make further contributions to the Fund with a view to sustaining a strong outreach programme;

7. *Takes note* of the recommendations contained in the report of the Secretary-General on disarmament and non-proliferation education, which reviews the implementation of the recommendations made in the 2002 study on disarmament and non-proliferation education;

8. *Requests* the Secretary-General to submit to the General Assembly at its sixty-seventh session a report covering both the implementation of the activities of the Programme by the United Nations system during the previous two years and the activities of the Programme contemplated by the system for the following two years;

9. *Decides* to include in the provisional agenda of its sixty-seventh session the item entitled "United Nations Disarmament Information Programme".

Regional disarmament

Throughout 2010, regional organizations remained engaged with disarmament and non-proliferation issues. Regional and subregional initiatives aimed at preventing the spread of weapons of mass destruction, curbing the illicit trade in small arms and light weapons and promoting confidence- and security-building measures.

The General Assembly in resolution 65/45 (see below) noted that regional disarmament endeavours, taking into account the characteristics of each region and in accordance with the principle of undiminished security at the lowest level of armaments, would enhance the security of all States and thus contribute to international peace and security by reducing the risk of regional conflicts.

Communication. On 2 July [A/64/855], Turkmenistan transmitted the final document of the International Conference on Disarmament in Central Asia and the Caspian Basin (Ashgabat, Turkmenistan, 24 June), held under the aegis of the United Nations.

GENERAL ASSEMBLY ACTION

On 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/410], adopted **resolution 65/45** without vote [agenda item 97 (i)].

Regional disarmament

The General Assembly,

Recalling its resolutions 45/58 P of 4 December 1990, 46/36 I of 6 December 1991, 47/52 J of 9 December 1992, 48/75 I of 16 December 1993, 49/75 N of 15 December 1994, 50/70 K of 12 December 1995, 51/45 K of 10 December 1996, 52/38 P of 9 December 1997, 53/77 O of 4 December 1998, 54/54 N of 1 December 1999, 55/33 O of 20 November 2000, 56/24 H of 29 November 2001, 57/76 of 22 November 2002, 58/38 of 8 December 2003, 59/89 of 3 December 2004, 60/63 of 8 December 2005, 61/80 of 6 December 2006, 62/38 of 5 December 2007, 63/43 of 2 December 2008 and 64/41 of 2 December 2009 on regional disarmament,

Believing that the efforts of the international community to move towards the ideal of general and complete disarmament are guided by the inherent human desire for genuine peace and security, the elimination of the danger of war and the release of economic, intellectual and other resources for peaceful pursuits,

Affirming the abiding commitment of all States to the purposes and principles enshrined in the Charter of the United Nations in the conduct of their international relations,

Noting that essential guidelines for progress towards general and complete disarmament were adopted at the tenth special session of the General Assembly,

Taking note of the guidelines and recommendations for regional approaches to disarmament within the context of

global security adopted by the Disarmament Commission at its 1993 substantive session,

Welcoming the prospects of genuine progress in the field of disarmament engendered in recent years as a result of negotiations between the two super-Powers,

Taking note of the recent proposals for disarmament at the regional and subregional levels,

Recognizing the importance of confidence-building measures for regional and international peace and security,

Convinced that endeavours by countries to promote regional disarmament, taking into account the specific characteristics of each region and in accordance with the principle of undiminished security at the lowest level of armaments, would enhance the security of all States and would thus contribute to international peace and security by reducing the risk of regional conflicts,

1. *Stresses* that sustained efforts are needed, within the framework of the Conference on Disarmament and under the umbrella of the United Nations, to make progress on the entire range of disarmament issues;

2. *Affirms* that global and regional approaches to disarmament complement each other and should therefore be pursued simultaneously to promote regional and international peace and security;

3. *Calls upon* States to conclude agreements, wherever possible, for nuclear non-proliferation, disarmament and confidence-building measures at the regional and subregional levels;

4. *Welcomes* the initiatives towards disarmament, nuclear non-proliferation and security undertaken by some countries at the regional and subregional levels;

5. *Supports and encourages* efforts aimed at promoting confidence-building measures at the regional and subregional levels to ease regional tensions and to further disarmament and nuclear non-proliferation measures at the regional and subregional levels;

6. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "Regional disarmament".

Conventional arms control at regional and subregional levels

In response to General Assembly resolution 64/42 [YUN 2009, p. 565] on conventional arms control at the regional and subregional levels, the Secretary-General in July submitted a report [A/65/131 & Add.1] containing the views of 11 Member States (Armenia, Bosnia and Herzegovina, Burkina Faso, Greece, Jordan, Lebanon, Mexico, Nicaragua, Panama, Serbia, Ukraine) on the issue.

GENERAL ASSEMBLY ACTION

On 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/410], adopted **resolution 65/46** by recorded vote (175-1-2) [agenda item 97 (i)].

Conventional arms control at the regional and subregional levels

The General Assembly,

Recalling its resolutions 48/75 J of 16 December 1993, 49/75 O of 15 December 1994, 50/70 L of 12 December

1995, 51/45 Q of 10 December 1996, 52/38 Q of 9 December 1997, 53/77 P of 4 December 1998, 54/54 M of 1 December 1999, 55/33 P of 20 November 2000, 56/24 I of 29 November 2001, 57/77 of 22 November 2002, 58/39 of 8 December 2003, 59/88 of 3 December 2004, 60/75 of 8 December 2005, 61/82 of 6 December 2006, 62/44 of 5 December 2007, 63/44 of 2 December 2008 and 64/42 of 2 December 2009,

Recognizing the crucial role of conventional arms control in promoting regional and international peace and security,

Convinced that conventional arms control needs to be pursued primarily in the regional and subregional contexts since most threats to peace and security in the post-cold-war era arise mainly among States located in the same region or subregion,

Aware that the preservation of a balance in the defence capabilities of States at the lowest level of armaments would contribute to peace and stability and should be a prime objective of conventional arms control,

Desirous of promoting agreements to strengthen regional peace and security at the lowest possible level of armaments and military forces,

Noting with particular interest the initiatives taken in this regard in different regions of the world, in particular the commencement of consultations among a number of Latin American countries and the proposals for conventional arms control made in the context of South Asia, and recognizing, in the context of this subject, the relevance and value of the Treaty on Conventional Armed Forces in Europe, which is a cornerstone of European security,

Believing that militarily significant States and States with larger military capabilities have a special responsibility in promoting such agreements for regional security,

Believing also that an important objective of conventional arms control in regions of tension should be to prevent the possibility of military attack launched by surprise and to avoid aggression,

1. *Decides* to give urgent consideration to the issues involved in conventional arms control at the regional and subregional levels;

2. *Requests* the Conference on Disarmament to consider the formulation of principles that can serve as a framework for regional agreements on conventional arms control, and looks forward to a report of the Conference on this subject;

3. *Requests* the Secretary-General, in the meantime, to seek the views of Member States on the subject and to submit a report to the General Assembly at its sixty-sixth session;

4. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "Conventional arms control at the regional and subregional levels".

RECORDED VOTE ON RESOLUTION 65/46:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gam-

bia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran, Iraq, Ireland, Israel, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia, Monaco, Mongolia, Montenegro, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, United States, Uruguay, Uzbekistan, Vanuatu, Venezuela, Yemen, Zambia, Zimbabwe.

Against: India.

Abstaining: Bhutan, Russian Federation.

Confidence-building measures

In July, the Secretary-General, in response to General Assembly resolution 64/43 [YUN 2009, p. 566] on confidence-building measures in the regional and subregional context, submitted a report [A/65/135] containing the views of five Member States (Burkina Faso, Lebanon, Mexico, Spain, Ukraine) on the issue.

GENERAL ASSEMBLY ACTION

On 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/410], adopted **resolution 65/47** without vote [agenda item 97 (u)].

Confidence-building measures in the regional and subregional context

The General Assembly,

Guided by the purposes and principles enshrined in the Charter of the United Nations,

Recalling its resolutions 58/43 of 8 December 2003, 59/87 of 3 December 2004, 60/64 of 8 December 2005, 61/81 of 6 December 2006, 62/45 of 5 December 2007, 63/45 of 2 December 2008 and 64/43 of 2 December 2009,

Recalling also its resolution 57/337 of 3 July 2003 entitled "Prevention of armed conflict", in which it calls upon Member States to settle their disputes by peaceful means, as set out in Chapter VI of the Charter, inter alia, by any procedures adopted by the parties,

Recalling further the resolutions and guidelines adopted by consensus by the General Assembly and the Disarmament Commission relating to confidence-building measures and their implementation at the global, regional and subregional levels,

Considering the importance and effectiveness of confidence-building measures taken at the initiative and with the

agreement of all States concerned, and taking into account the specific characteristics of each region, since such measures can contribute to regional stability,

Convinced that resources released by disarmament, including regional disarmament, can be devoted to economic and social development and to the protection of the environment for the benefit of all peoples, in particular those of the developing countries,

Recognizing the need for meaningful dialogue among States concerned to avert conflict,

Welcoming the peace processes already initiated by States concerned to resolve their disputes through peaceful means bilaterally or through mediation, inter alia, by third parties, regional organizations or the United Nations,

Recognizing that States in some regions have already taken steps towards confidence-building measures at the bilateral, subregional and regional levels in the political and military fields, including arms control and disarmament, and noting that such confidence-building measures have improved peace and security in those regions and contributed to progress in the socio-economic conditions of their people,

Concerned that the continuation of disputes among States, particularly in the absence of an effective mechanism to resolve them through peaceful means, may contribute to the arms race and endanger the maintenance of international peace and security and the efforts of the international community to promote arms control and disarmament,

1. *Calls upon* Member States to refrain from the use or threat of use of force in accordance with the purposes and principles of the Charter of the United Nations;

2. *Reaffirms its commitment* to the peaceful settlement of disputes under Chapter VI of the Charter, in particular Article 33, which provides for a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements or other peaceful means chosen by the parties;

3. *Reaffirms* the ways and means regarding confidence- and security-building measures set out in the report of the Disarmament Commission on its 1993 session;

4. *Calls upon* Member States to pursue these ways and means through sustained consultations and dialogue, while at the same time avoiding actions that may hinder or impair such a dialogue;

5. *Urges* States to comply strictly with all bilateral, regional and international agreements, including arms control and disarmament agreements, to which they are party;

6. *Emphasizes* that the objective of confidence-building measures should be to help to strengthen international peace and security and to be consistent with the principle of undiminished security at the lowest level of armaments;

7. *Encourages* the promotion of bilateral and regional confidence-building measures, with the consent and participation of the parties concerned, to avoid conflict and prevent the unintended and accidental outbreak of hostilities;

8. *Requests* the Secretary-General to submit a report to the General Assembly at its sixty-sixth session containing the views of Member States on confidence-building measures in the regional and subregional context;

9. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "Confidence-building measures in the regional and subregional context".

Regional centres for peace and disarmament

On 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/411], adopted **resolution 65/78** without vote [agenda item 98 (c)].

United Nations regional centres for peace and disarmament

The General Assembly,

Recalling its resolutions 60/83 of 8 December 2005, 61/90 of 6 December 2006, 62/50 of 5 December 2007, 63/76 of 2 December 2008 and 64/58 of 2 December 2009 regarding the maintenance and revitalization of the three United Nations regional centres for peace and disarmament,

Recalling also the reports of the Secretary-General on the United Nations Regional Centre for Peace and Disarmament in Africa, the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific and the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean,

Reaffirming its decision, taken in 1982 at its twelfth special session, to establish the United Nations Disarmament Information Programme, the purpose of which is to inform, educate and generate public understanding and support for the objectives of the United Nations in the field of arms control and disarmament,

Bearing in mind its resolutions 40/151 G of 16 December 1985, 41/60 J of 3 December 1986, 42/39 D of 30 November 1987 and 44/117 F of 15 December 1989 on the regional centres for peace and disarmament in Nepal, Peru and Togo,

Recognizing that the changes that have taken place in the world have created new opportunities and posed new challenges for the pursuit of disarmament, and bearing in mind, in this regard, that the regional centres for peace and disarmament can contribute substantially to understanding and cooperation among States in each particular region in the areas of peace, disarmament and development,

Recalling that, in paragraph 127 of the Final Document of the Fifteenth Summit Conference of Heads of State and Government of the Movement of Non-Aligned Countries, held in Sharm el-Sheikh, Egypt, from 11 to 16 July 2009, the Heads of State and Government emphasized the importance of United Nations activities at the regional level to increase the stability and security of its Member States, which could be promoted in a substantive manner by the maintenance and revitalization of the three regional centres for peace and disarmament,

1. *Reiterates* the importance of United Nations activities at the regional level to advance disarmament and to increase the stability and security of its Member States, which could be promoted in a substantive manner by the maintenance and revitalization of the three regional centres for peace and disarmament;

2. *Reaffirms* that, in order to achieve positive results, it is useful for the three regional centres to carry out dissemination and educational programmes that promote regional peace and security and that are aimed at changing basic

attitudes with respect to peace and security and disarmament so as to support the achievement of the purposes and principles of the United Nations;

3. *Appeals* to Member States in each region that are able to do so, as well as to international governmental and non-governmental organizations and foundations, to make voluntary contributions to the regional centres in their respective regions in order to strengthen their activities and initiatives;

4. *Emphasizes* the importance of the activities of the Regional Disarmament Branch of the Office for Disarmament Affairs of the Secretariat;

5. *Requests* the Secretary-General to provide all necessary support, within existing resources, to the regional centres in carrying out their programmes of activities;

6. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "United Nations regional centres for peace and disarmament".

Africa

The activities of the United Nations Regional Centre for Peace and Disarmament in Africa in 2010 were covered in a later report of the Secretary-General [A/66/159]. The Centre was established in Lomé, Togo, in 1986 [YUN 1986, p. 85]. At the request of the member States of the United Nations Standing Advisory Committee on Security Questions in Central Africa, the Centre assisted in drafting the Central African Convention for the Control of Small Arms and Light Weapons, their Ammunition and all Parts and Components that can be used for their Manufacture, Repair and Assembly (Kinshasa Convention), which was adopted in April (see p. 118). In July, the Centre assisted the national commission of Togo in reviewing its draft legislation on the control of small arms and light weapons and in drafting the national action plan for their management and control. The project on "Regulating small arms brokering in Africa", launched by the Centre in 2009, completed its main activities in 2010: it was implemented in Burundi, Kenya, Rwanda, the United Republic of Tanzania and Uganda to strengthen the capacity of national focal points on small arms and light weapons to better control brokering activities. The Centre co-organized a training session on violence against women for female officers of the Togolese gendarmerie and security forces (Lomé, January); organized a workshop (Accra, Ghana, May) for West African parliamentarians on the international dimension of small arms control; co-organized two interparliamentary conferences (Bamako, February; Monrovia, October) on the development of national legislation on small arms and light weapons and on parliamentary oversight over the security sector; co-hosted a seminar for African States (Pretoria, South Africa, 15–17 March) in preparation for the 2010 NPT Review Conference; and trained members of provincial parliaments in the

Democratic Republic of the Congo on oversight of the security sector (August). As at 31 December 2009, the reserves and fund balance of the Centre's trust fund stood at \$779,227.

Asia and the Pacific

Pursuant to General Assembly resolution 64/63 [YUN 2009, p. 570], the Secretary-General in July [A/65/120] reported on the work of the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific between July 2009 and June 2010 on promoting global disarmament and non-proliferation norms; enhancing regional dialogue on disarmament, non-proliferation and security matters; and partnership, outreach and advocacy activities. The Centre, established in 1987 [YUN 1987, p. 89] and located in Kathmandu, Nepal, organized workshops, seminars and two conferences, namely, the twenty-first United Nations Conference on Disarmament Issues (Niigata, Japan, 26–28 August 2009) and the eighth United Nations-Republic of Korea Joint Conference on Disarmament and Non-Proliferation Issues (Jeju Island, Republic of Korea, 16–18 November 2009). The Secretary-General called on Member States, in particular those from the region, to provide political and financial support to the Centre. As at 31 December 2009, the reserves and fund balance of the Centre's trust fund stood at \$559,836.

GENERAL ASSEMBLY ACTION

On 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/411], adopted **resolution 65/83** without vote [agenda item 98 (g)].

United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific

The General Assembly,

Recalling its resolutions 42/39 D of 30 November 1987 and 44/117 F of 15 December 1989, by which it established the United Nations Regional Centre for Peace and Disarmament in Asia and renamed it the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific, with headquarters in Kathmandu and with the mandate of providing, on request, substantive support for the initiatives and other activities mutually agreed upon by the Member States of the Asia-Pacific region for the implementation of measures for peace and disarmament, through appropriate utilization of available resources,

Welcoming the physical operation of the Regional Centre from Kathmandu in accordance with General Assembly resolution 62/52 of 5 December 2007,

Recalling the mandate of the Regional Centre to provide, on request, substantive support for the initiatives and other activities mutually agreed upon by the Member States of the Asia-Pacific region for the implementation of measures for peace and disarmament,

Expressing its appreciation to the Regional Centre for its important work in promoting confidence-building measures through the organization of meetings, conferences and workshops in the region, including conferences held on Jeju Island, Republic of Korea, from 16 to 18 November 2009 and in Saitama, Japan, from 25 to 27 August 2010,

Appreciating the timely execution by Nepal of its financial commitments for the physical operation of the Regional Centre,

1. *Expresses its satisfaction* for the activities carried out in the past year by the Regional Centre for Peace and Disarmament in Asia and the Pacific, and invites all States of the region to continue to support the activities of the Centre, including by continuing to take part in them, where possible, and by proposing items for inclusion in the programme of activities of the Centre, in order to contribute to the implementation of measures for peace and disarmament;

2. *Expresses its gratitude* to the Government of Nepal for its cooperation and financial support, which has allowed the new office of the Regional Centre to operate from Kathmandu;

3. *Expresses its appreciation* to the Secretary-General and the Office for Disarmament Affairs of the Secretariat for providing necessary support with a view to ensuring the smooth operation of the Regional Centre from Kathmandu and to enabling the Centre to function effectively;

4. *Appeals* to Member States, in particular those within the Asia-Pacific region, as well as to international governmental and non-governmental organizations and foundations, to make voluntary contributions, the only resources of the Regional Centre, to strengthen the programme of activities of the Centre and the implementation thereof;

5. *Reaffirms its strong support* for the role of the Regional Centre in the promotion of United Nations activities at the regional level to strengthen peace, stability and security among its Member States;

6. *Underlines* the importance of the Kathmandu process for the development of the practice of region-wide security and disarmament dialogues;

7. *Requests* the Secretary-General to report to the General Assembly at its sixty-sixth session on the implementation of the present resolution;

8. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific".

Latin America and the Caribbean

The United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean was inaugurated in Lima, Peru, in 1987 [YUN 1987, p. 88]. Pursuant to General Assembly resolution 64/60 [YUN 2009, p. 571], the Secretary-General in July submitted a report [A/65/139] describing the work of the Centre from July 2009 to June 2010. The Centre focused its activities on providing assistance in addressing one of the major threats to public security and development in the region: illicit firearms trafficking. It carved out a niche for itself as a key provider

of capacity-building initiatives aimed at bolstering the efforts of the law enforcement community to combat such trafficking. The Centre also delivered technical assistance in stockpile management and legal and policy assistance to national authorities responsible for firearms control. Additionally, through its outreach and advocacy activities, the Centre provided support to Member States in their implementation of disarmament and non-proliferation instruments. As at 31 December 2009, the reserves and fund balance of the trust fund for the Centre stood at \$1,304,229.

GENERAL ASSEMBLY ACTION

On 8 December [meeting 60], the General Assembly, on the recommendation of the First Committee [A/65/411], adopted **resolution 65/79** without vote [agenda item 98 (e)].

United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean

The General Assembly,

Recalling its resolutions 41/60 J of 3 December 1986, 42/39 K of 30 November 1987 and 43/76 H of 7 December 1988 on the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean, with headquarters in Lima,

Recalling also its resolutions 46/37 F of 9 December 1991, 48/76 E of 16 December 1993, 49/76 D of 15 December 1994, 50/71 C of 12 December 1995, 52/220 of 22 December 1997, 53/78 F of 4 December 1998, 54/55 F of 1 December 1999, 55/34 E of 20 November 2000, 56/25 E of 29 November 2001, 57/89 of 22 November 2002, 58/60 of 8 December 2003, 59/99 of 3 December 2004, 60/84 of 8 December 2005, 61/92 of 6 December 2006, 62/49 of 5 December 2007, 63/74 of 2 December 2008 and 64/60 of 2 December 2009,

Recognizing that the Regional Centre has continued to provide substantive support for the implementation of regional and subregional initiatives and has intensified its contribution to the coordination of United Nations efforts towards peace and disarmament and for the promotion of economic and social development,

Reaffirming the mandate of the Regional Centre to provide, on request, substantive support for the initiatives and other activities of the Member States of the region for the implementation of measures for peace and disarmament and for the promotion of economic and social development,

Taking note of the report of the Secretary-General, and expressing its appreciation for the important assistance provided by the Regional Centre to many countries in the region for the development of plans to reduce and prevent armed violence from an arms control perspective, for promoting the implementation of relevant agreements and treaties and for capacity-building initiatives aimed at bolstering the efforts of the law enforcement community to combat firearms trafficking,

Welcoming the support provided by the Regional Centre to Member States in the implementation of disarmament and non-proliferation instruments,

Emphasizing the need for the Regional Centre to develop and strengthen its activities and programmes in a comprehensive and balanced manner, in accordance with its mandate,

Welcoming the support provided by the Regional Centre to Member States in the implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects,

Recalling the report of the Group of Governmental Experts on the relationship between disarmament and development, referred to in General Assembly resolution 59/78 of 3 December 2004, which is of utmost interest with regard to the role that the Regional Centre plays in promoting the issue in the region in pursuit of its mandate to promote economic and social development related to peace and disarmament,

Noting that security and disarmament issues have always been recognized as significant topics in Latin America and the Caribbean, the first inhabited region in the world to be declared a nuclear-weapon-free zone,

Welcoming the support provided by the Regional Centre with a view to strengthening the nuclear-weapon-free zone established by the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco), promoting and assisting in the ratification and implementation of existing multilateral agreements related to weapons of mass destruction and promoting peace and disarmament education projects during the period under review,

Bearing in mind the important role of the Regional Centre in promoting confidence-building measures, arms control and limitation, disarmament and development at the regional level,

Bearing in mind also the importance of information, research, education and training for peace, disarmament and development in order to achieve understanding and cooperation among States,

1. *Reiterates its strong support* for the role of the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean in the promotion of United Nations activities at the regional and subregional levels to strengthen peace, disarmament, stability, security and development among its member States;

2. *Expresses its satisfaction* for the activities carried out in the past year by the Regional Centre, and requests the Centre to take into account the proposals to be submitted by the countries of the region for the promotion of confidence-building measures, arms control and limitation, transparency, disarmament and development at the regional and subregional levels;

3. *Expresses its appreciation* for the political support for and financial contributions to the Regional Centre, which are essential for its continued operation;

4. *Appeals* to Member States, in particular those within the Latin American and Caribbean region, and to international governmental and non-governmental organizations and foundations to make and to increase voluntary contributions in order to strengthen the Regional Centre, its programme of activities and the implementation thereof;

5. *Invites* all States of the region to continue to take part in the activities of the Regional Centre, proposing items for inclusion in its programme of activities and making greater and better use of the potential of the Centre to meet the current challenges facing the international community, with a view to fulfilling the aims of the Charter of the United Nations in the areas of peace, disarmament and development;

6. *Recognizes* that the Regional Centre has an important role to play in the promotion and development of regional and subregional initiatives agreed upon by the countries of Latin America and the Caribbean in the field of weapons of mass destruction, in particular nuclear weapons, and conventional arms, including small arms and light weapons, as well as in the relationship between disarmament and development;

7. *Encourages* the Regional Centre to further develop activities in all countries of the region in the important areas of peace, disarmament and development;

8. *Requests* the Secretary-General to report to the General Assembly at its sixty-sixth session on the implementation of the present resolution;

9. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean".

Other political and security questions

In 2010, the United Nations continued to address political and security questions related to its support for democratization worldwide, the promotion of decolonization and the peaceful uses of outer space, as well as the Organization's public information activities.

In a March resolution, the General Assembly recalled that 2010 marked the sixty-fifth anniversary of the end of the Second World War, and underlined the progress made since the War's end towards reconciliation, international cooperation and the promotion of democratic values, human rights and fundamental freedoms, particularly through the United Nations. In May, the Assembly held a special solemn meeting in commemoration of all victims of the Second World War.

The Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples reviewed progress in implementing the 1960 Declaration, particularly as regards the exercise of self-determination by the remaining 16 Non-Self-Governing Territories. It organized a Pacific regional seminar in Nouméa, New Caledonia, to review implementation of the plan of action for the Second International Decade for the Eradication of Colonialism (2001–2010) and to identify priority actions for the remaining year of the Decade. In August, the Secretary-General submitted a report reviewing the achievements of the Decade, but also noting that the task of decolonization was incomplete. In that regard, and on the recommendation of the Special Committee, the Assembly in December declared the period 2011–2020 the Third International Decade for the Eradication of Colonialism.

The Committee on the Peaceful Uses of Outer Space discussed ways and means of maintaining outer space for peaceful purposes; the spin-off benefits of space technology; space and society; space and water; space and climate change; the use of space technology in the UN system; and promoting the use of space-derived geospatial data for sustainable development. It also reviewed the work of its two subcommittees, one dealing with scientific and technical issues and the other with legal issues, and considered the implementation of the recommendations of the Third (1999) United Nations Confer-

ence on the Exploration and Peaceful Uses of Outer Space (1999).

There was progress in implementing the United Nations Platform for Space-based Information for Disaster Management and Emergency Response (UN-SPIDER). A host country agreement was signed between China and the Office for Outer Space Affairs for the establishment of the UN-SPIDER office in Beijing. UN-SPIDER took a lead role in the aftermath of major earthquakes in Haiti and Chile by ensuring the immediate activation and delivery of satellite imagery and maps of the affected areas, including through the UN-SPIDER portal.

The United Nations Scientific Committee on the Effects of Atomic Radiation held its fifty-seventh session in Vienna in August. The Committee developed and approved for submission to the Assembly a scientific report summarizing low-dose radiation effects on health. It also approved a strategy to improve data collection, analysis and dissemination.

Addressing developments in information and telecommunications in the context of international security, the Assembly in December called on Member States to promote the consideration of existing and potential threats in the field of information security, as well as strategies to address those threats, consistent with the need to preserve the free flow of information.

The Committee on Information continued to review UN information policies and activities and the management and operation of the UN Department of Public Information (DPI). At its session in May, the Committee considered reports by the Secretary-General on DPI activities in promoting the work of the United Nations to a global audience, and adopted two resolutions for submission to the General Assembly. During the year, DPI provided communications support to the creation of UN-Women; the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons; International Women's Day; the 15-year review of the implementation of the Beijing Declaration and Platform for Action; and the International Day of United Nations Peacekeepers, among other occasions. The Academic Impact initiative continued to expand, with some 300 universities from 60 countries having joined the programme.

General aspects of international peace and security

Support for democracies

On 17 February, 28 Member States submitted to the General Assembly a draft resolution [A/64/L.46] entitled "Sixty-fifth anniversary of the end of the Second World War". On 2 March [A/64/L.46/Add.1], 30 additional Member States sponsored the draft resolution.

GENERAL ASSEMBLY ACTION

On 2 March [meeting 74], the General Assembly adopted **resolution 64/257** [draft: A/64/L.46 & Add.1] without vote [agenda item 126].

Sixty-fifth anniversary of the end of the Second World War

The General Assembly,

Recalling its resolution 59/26 of 22 November 2004, in which it, inter alia, declared 8 and 9 May as a time of remembrance and reconciliation,

Recalling that 2010 will mark the sixty-fifth anniversary of the end of the Second World War, a war which brought untold sorrow to mankind,

Stressing that this historic event established the conditions for the creation of the United Nations, designed to save succeeding generations from the scourge of war,

Calling upon the States Members of the United Nations to unite their efforts in dealing with new challenges and threats, with the United Nations playing a central role, and to make every effort to settle all disputes by peaceful means in conformity with the Charter of the United Nations and in such a manner that international peace and security are not endangered,

Underlining the progress made since the end of the Second World War in overcoming its legacy and towards reconciliation, international and regional cooperation and the promotion of democratic values, human rights and fundamental freedoms, in particular through the United Nations, and the establishment of regional organizations and other appropriate frameworks,

1. *Invites* all Member States, organizations of the United Nations system, non-governmental organizations and individuals to observe these days in an appropriate manner to pay tribute to all victims of the Second World War;

2. *Requests* the President of the General Assembly to hold a special solemn meeting of the General Assembly in the second week of May 2010 in commemoration of all victims of the war;

3. *Requests* the Secretary-General to bring the present resolution to the attention of all Member States and organizations of the United Nations system and to take measures necessary for its implementation.

As requested by the resolution, the Assembly on 6 May held a special solemn meeting in commemoration of all victims of the Second World War [A/64/PV.85].

Regional aspects of international peace and security

South Atlantic

In 2010, States members of the zone of peace and cooperation of the South Atlantic, declared in 1986 to promote cooperation among States of the region [YUN 1986, p. 369], met for a two-day round table (Brasilia, Brazil, 6–7 December) to refine the identification of areas for enhanced cooperation. Member countries agreed on the need for capacity-building and an exchange of best practices in the areas of mapping and exploring the seabed, as well as for strengthened cooperation on the environment and on aerial and maritime transportation, port safety and security.

GENERAL ASSEMBLY ACTION

On 13 December [meeting 63], the General Assembly adopted **resolution 65/121** [draft: A/65/L.22 & Add.1] without vote [agenda item 35].

Zone of peace and cooperation of the South Atlantic

The General Assembly,

Recalling its resolution 41/11 of 27 October 1986, in which the Atlantic Ocean, in the region situated between Africa and South America, was solemnly declared a zone of peace and cooperation of the South Atlantic,

Recalling also its subsequent resolutions on the zone of peace and cooperation of the South Atlantic,

Reaffirming that the questions of peace and security and those of development are interrelated and inseparable, and considering that cooperation among States, in particular those of the region, for peace and development is essential for the promotion of the objectives of the zone of peace and cooperation of the South Atlantic,

Reaffirming also the importance of the purposes and objectives of the zone of peace and cooperation of the South Atlantic as a basis for the promotion of cooperation among the States of the region,

Recalling its relevant resolutions, in which it urged States of the region to continue their actions aimed at fulfilling the objectives of the zone of peace and cooperation of the South Atlantic, especially through the implementation of specific programmes,

1. *Stresses* the role of the zone of peace and cooperation of the South Atlantic as a forum for increased interaction among its member States;

2. *Calls upon* States to cooperate in the promotion of the objectives of peace and cooperation established in resolution 41/11 and reiterated in the Luanda Final Declaration and the Luanda Plan of Action;

3. *Requests* the relevant organizations, organs and bodies of the United Nations system, and invites relevant partners, including international financial institutions, to render all appropriate assistance that States members of the zone of peace and cooperation of the South Atlantic may seek in their joint efforts to implement the Luanda Plan of Action;

4. *Welcomes* the round table hosted by the Government of Brazil on 6 and 7 December 2010 in Brasilia, which was aimed, inter alia, at gathering inputs for a new programme of work for the zone, and thanks the Government of Brazil for its initiative and generosity;

5. *Also welcomes* the offer by the Government of Uruguay to host the seventh ministerial meeting of the States members of the zone of peace and cooperation of the South Atlantic;

6. *Requests* the Secretary-General to keep the implementation of resolution 41/11 and subsequent resolutions on the zone of peace and cooperation of the South Atlantic under review and to submit a report to the General Assembly at its sixty-seventh session, taking into account, inter alia, the views expressed by Member States;

7. *Decides* to include in the provisional agenda of its sixty-seventh session the item entitled "Zone of peace and cooperation of the South Atlantic".

Decolonization

The General Assembly's Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (Special Committee on decolonization) held its annual session in New York in two parts: 25 February and 18 and 30 March (first part); and 15 and 21–25 June (second part). The Special Committee considered various aspects of the implementation of the 1960 Declaration on the Granting of Independence to Colonial Countries and Peoples, adopted by the General Assembly in resolution 1514(XV) [YUN 1960, p. 49], including general decolonization issues and the situation in the individual Non-Self-Governing Territories (NSGTs). The Special Committee adopted three resolutions and recommended ten draft resolutions for adoption by the Assembly. In accordance with resolution 64/106 [YUN 2009, p. 577], the Special Committee reported to the Assembly on its 2010 activities [A/65/23 & Corr.1].

By **decision 64/554** of 15 April, the General Assembly increased the Special Committee's membership from 28 to 29. On the same date (**decision 64/418**), the Assembly appointed Nicaragua as a member of the Special Committee.

Commemoration of fiftieth anniversary. In response to the recommendation of the Special Committee contained in its decision of 25 June [A/64/23/Add.1], the Assembly on 29 June decided to acknowledge the fiftieth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples by holding a commemorative meeting on 14 December, on the occasion of that milestone (**decision 64/560**). The Assembly on 14 December decided that the commemorative meeting would include a statement by the Chair of the Special Committee (**decision 65/524**).

GENERAL ASSEMBLY ACTION

On 10 December [meeting 62], the General Assembly, on the recommendation of the Fourth (Special Political and Decolonization) Committee [A/65/430], adopted **resolution 65/118** by recorded vote (168-3-0) [agenda item 59].

Fiftieth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples

The General Assembly,

Recalling the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in its resolution 1514(XV) of 14 December 1960,

Recalling also the provisions of the Charter of the United Nations, in which the peoples of the world proclaimed their determination to reaffirm faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and of nations large and small, and to promote social progress and better standards of life in larger freedom,

Recalling further the relevant provisions of the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,

Bearing in mind its resolution 55/146 of 8 December 2000, by which it declared the period 2001–2010 the Second International Decade for the Eradication of Colonialism, and the need to examine ways to ascertain the wishes of the peoples of the Non-Self-Governing Territories on the basis of resolution 1514(XV) and other relevant resolutions on decolonization,

Recognizing the significant and commendable role played by the United Nations, since its very inception, in the field of decolonization, and noting the emergence, during this period, of more than one hundred States into sovereign existence,

Noting with satisfaction, in particular, that during the past fifty years a large number of former colonial Territories have achieved independence and that many former Trust and Non-Self-Governing Territories have exercised their right to self-determination and independence in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Noting also with satisfaction the important contribution made by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in furthering the aims and objectives of the Declaration,

Noting further with satisfaction the active and important role being played by former colonial Territories, as States Members of the United Nations and members of the other organizations of the United Nations system, in the realization of the purposes and principles of the Charter, the preservation of international peace and security, decolonization and the promotion of human progress, as well as the profound impact thereof on contemporary international relations,

Stressing the importance of formal participation of the administering Powers in the work of the Special Committee,

Noting with satisfaction the cooperation and active participation of the administering Powers in the work of the Special Committee with a view to furthering the process of decolonization and self-determination, and encouraging them to continue to do so,

Conscious of the fact that the Declaration has played an important role in assisting the peoples of the Non-Self-Governing Territories and will continue to serve as an inspiration in their efforts to achieve self-determination and independence in accordance with the Charter and in mobilizing world public opinion for the complete elimination of colonialism in all its forms and manifestations,

Noting with satisfaction the work accomplished by the regional seminars held by the Special Committee during the First and Second International Decades for the Eradication of Colonialism,

Deeply concerned about the fact that, fifty years after the adoption of the Declaration, colonialism has not yet been totally eradicated,

Increasingly aware of the importance of economic, social and cultural development and self-reliance of the Non-Self-Governing Territories and their peoples for the attainment and consolidation of genuine self-government and independence,

Noting that the large majority of the remaining Non-Self-Governing Territories are small island Territories,

Determined to take effective measures leading to the complete and unconditional elimination of colonialism in all its forms and manifestations without further delay,

1. *Reaffirms* the inalienable right of all peoples of the Non-Self-Governing Territories to self-determination, including independence, in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in resolution 1514(XV);

2. *Declares* that the continuation of colonialism in all its forms and manifestations is incompatible with the Charter of the United Nations, the Declaration and the principles of international law;

3. *Urges* Member States to do their utmost to promote, in the United Nations and the specialized agencies and other organizations of the United Nations system, effective measures for the full and speedy implementation of the Declaration in all Non-Self-Governing Territories to which the Declaration applies;

4. *Urges* the administering Powers and other Member States to ensure that the activities of foreign economic and other interests in colonial Territories do not run counter to the interests of the inhabitants of those Territories and do not impede the implementation of the Declaration;

5. *Requests* Member States, as well as the organizations of the United Nations system, to ensure that the permanent sovereignty of the colonial Territories over their natural resources is fully respected and safeguarded;

6. *Reiterates the view* that such factors as territorial size, geographical location, size of population and limited natural resources should in no way delay the speedy exercise by the peoples of the Non-Self-Governing Territories of their inalienable right to self-determination, including independence, in accordance with the Declaration, which fully applies to the Non-Self-Governing Territories;

7. *Reaffirms* that all administering Powers are obliged, under the Charter and in accordance with the Declaration, to create economic, social and other conditions in the Territories under their administration that will enable those Territories to achieve genuine self-government and economic self-reliance;

8. *Requests* the administering Powers to preserve the cultural identity, as well as the national unity, of the Territories under their administration and to encourage the full development of the indigenous culture, with a view to facilitat-

ing the unfettered exercise of the right to self-determination and independence by the peoples of those Territories;

9. *Considers it incumbent upon* the United Nations to continue to play an active role in the process of decolonization and to intensify its efforts for the widest possible dissemination of information on decolonization, with a view to the further mobilization of international public opinion in support of complete decolonization;

10. *Urges* Member States to ensure the full and speedy implementation of the Declaration and other relevant resolutions of the United Nations;

11. *Invites* non-governmental organizations having a special interest in the field of decolonization to intensify their activities in cooperation with the United Nations;

12. *Requests* the Special Committee to continue to examine the full compliance of all States with resolution 1514(XV) and other relevant resolutions on the question of decolonization, to seek the most suitable ways for the speedy and total application of the Declaration to all Territories to which it applies and to propose to the General Assembly specific measures for the complete implementation of the Declaration in the remaining Non-Self-Governing Territories;

13. *Invites* all States to cooperate fully with the Special Committee in the complete fulfilment of its mandate.

RECORDED VOTE ON RESOLUTION 65/118:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Bhutan, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet Nam, Zambia, Zimbabwe.

Against: Israel, United Kingdom, United States.

Abstaining: None.

The General Assembly held the commemorative meeting on 14 December [A/65/PV.65].

Decade for the Eradication of Colonialism

Pacific regional seminar

The Special Committee on decolonization organized a Pacific regional seminar (Nouméa, New Caledonia, 18–20 May) [A/65/23] to review implementation of the plan of action for the Second International Decade for the Eradication of Colonialism (2001–2010) [YUN 2001, p. 530] and to identify priority actions for the remaining year of the Decade, as declared by General Assembly resolution 55/146 [YUN 2000, p. 548]. The objective of the seminar was to enable the Special Committee to hear the views of representatives of NSGTs, experts, civil society and other stakeholders in the process of decolonization.

Seminar participants reaffirmed that all peoples had the right to self-determination, and, by virtue thereof, the right to freely determine their political status and pursue their economic, social and cultural development, and that the UN system had a valid ongoing role in the process of decolonization. The seminar underlined the importance for the Special Committee to develop a proactive and focused approach, in fulfilment of the goal of decolonization vis-à-vis the NSGTs on the UN list. Participants advised that the Special Committee, in collaboration with the UN Department of Public Information, engage with the peoples of the NSGTs to foster an understanding of the options for self-determination in accordance with relevant UN resolutions and decisions. Seminar participants suggested that the relevant territorial Governments and administering Powers consider incorporating decolonization issues into the school curriculums of the NSGTs, and that the Special Committee retool its work methods and hone its capacity to conduct the regional seminars in a manner that allowed it to better hear the views of NSGTs. The Special Committee was also advised to develop ways and means through which it could better assess, on a case-by-case basis, the current stage of decolonization and self-determination in each NSGT. The seminar suggested again that the Special Committee consider proposing to the General Assembly the possibility of launching a Third International Decade for the Eradication of Colonialism, and in that context, that the Special Committee conduct a stocktaking of current challenges for the decolonization process and draw up a plan of action for the Third Decade.

GENERAL ASSEMBLY ACTION

On 10 December [meeting 62], the General Assembly, on the recommendation of the Fourth Committee [A/65/430], adopted **resolution 65/117** by recorded vote (171-3-2) [agenda item 59].

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

The General Assembly,

Having examined the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2010,

Recalling its resolution 1514(XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all its subsequent resolutions concerning the implementation of the Declaration, the most recent of which was resolution 64/106 of 10 December 2009, as well as the relevant resolutions of the Security Council,

Bearing in mind its resolution 55/146 of 8 December 2000, by which it declared the period 2001–2010 the Second International Decade for the Eradication of Colonialism, and the need to examine ways to ascertain the wishes of the peoples of the Non-Self-Governing Territories on the basis of resolution 1514(XV) and other relevant resolutions on decolonization,

Recognizing that the eradication of colonialism has been one of the priorities of the United Nations and continues to be one of its priorities for the decade that began in 2001,

Regretting that measures to eliminate colonialism by 2010, as called for in its resolution 55/146, have not been successful,

Reiterating its conviction of the need for the eradication of colonialism, as well as racial discrimination and violations of basic human rights,

Noting with satisfaction the continued efforts of the Special Committee in contributing to the effective and complete implementation of the Declaration and other relevant resolutions of the United Nations on decolonization,

Stressing the importance of the formal participation of the administering Powers in the work of the Special Committee,

Noting with satisfaction the cooperation and active participation of certain administering Powers in the work of the Special Committee, and encouraging the others also to do so,

Noting that the Pacific regional seminar was held in Nouméa from 18 to 20 May 2010, a second such event in a Non-Self-Governing Territory in the past decade,

1. *Reaffirms* its resolution 1514(XV) and all other resolutions and decisions on decolonization, including its resolution 55/146, by which it declared the period 2001–2010 the Second International Decade for the Eradication of Colonialism, and calls upon the administering Powers, in accordance with those resolutions, to take all steps necessary to enable the peoples of the Non-Self-Governing Territories concerned to exercise fully as soon as possible their right to self-determination, including independence;

2. *Reaffirms once again* that the existence of colonialism in any form or manifestation, including economic exploitation, is incompatible with the Charter of the United Nations, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Universal Declaration of Human Rights;

3. *Reaffirms its determination* to continue to take all steps necessary to bring about the complete and speedy eradication of colonialism and the faithful observance

by all States of the relevant provisions of the Charter, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Universal Declaration of Human Rights;

4. *Affirms once again its support* for the aspirations of the peoples under colonial rule to exercise their right to self-determination, including independence, in accordance with the relevant resolutions of the United Nations on decolonization;

5. *Calls upon* the administering Powers to cooperate fully with the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to develop and finalize, as soon as possible, a constructive programme of work on a case-by-case basis for the Non-Self-Governing Territories to facilitate the implementation of the mandate of the Special Committee and the relevant resolutions on decolonization, including resolutions on specific Territories;

6. *Recalls with satisfaction* the professional, open and transparent conduct of both the February 2006 and the October 2007 referendums to determine the future status of Tokelau, monitored by the United Nations;

7. *Requests* the Special Committee to continue to seek suitable means for the immediate and full implementation of the Declaration and to carry out the actions approved by the General Assembly regarding the International Decade for the Eradication of Colonialism and the Second International Decade for the Eradication of Colonialism in all Territories that have not yet exercised their right to self-determination, including independence, and in particular:

(a) To formulate specific proposals to bring about an end to colonialism and to report thereon to the General Assembly at its sixty-sixth session;

(b) To continue to examine the implementation by Member States of resolution 1514(XV) and other relevant resolutions on decolonization;

(c) To continue to examine the political, economic and social situation in the Non-Self-Governing Territories, and to recommend, as appropriate, to the General Assembly the most suitable steps to be taken to enable the populations of those Territories to exercise their right to self-determination, including independence, in accordance with the relevant resolutions on decolonization, including resolutions on specific Territories;

(d) To develop and finalize, as soon as possible and in cooperation with the administering Power and the Territory in question, a constructive programme of work on a case-by-case basis for the Non-Self-Governing Territories to facilitate the implementation of the mandate of the Special Committee and the relevant resolutions on decolonization, including resolutions on specific Territories;

(e) To continue to dispatch visiting and special missions to the Non-Self-Governing Territories in accordance with the relevant resolutions on decolonization, including resolutions on specific Territories;

(f) To conduct seminars, as appropriate, for the purpose of receiving and disseminating information on the work of the Special Committee, and to facilitate participation by the peoples of the Non-Self-Governing Territories in those seminars;

(g) To take all steps necessary to enlist worldwide support among Governments, as well as national and international organizations, for the achievement of the objectives of the Declaration and the implementation of the relevant resolutions of the United Nations;

(h) To observe annually the Week of Solidarity with the Peoples of Non-Self-Governing Territories;

8. *Recalls* that the plan of action for the Second International Decade for the Eradication of Colonialism represents an important legislative authority for the attainment of self-government by the Non-Self-Governing Territories, and that the case-by-case assessment of the attainment of self-government in each Territory can make an important contribution to this process;

9. *Calls upon* all States, in particular the administering Powers, as well as the specialized agencies and other organizations of the United Nations system, to give effect within their respective spheres of competence to the recommendations of the Special Committee for the implementation of the Declaration and other relevant resolutions of the United Nations;

10. *Calls upon* the administering Powers to ensure that economic and other activities in the Non-Self-Governing Territories under their administration do not adversely affect the interests of the peoples but instead promote development, and to assist them in the exercise of their right to self-determination;

11. *Urges* the administering Powers concerned to take effective measures to safeguard and guarantee the inalienable rights of the peoples of the Non-Self-Governing Territories to their natural resources, and to establish and maintain control over the future development of those resources, and requests the relevant administering Power to take all steps necessary to protect the property rights of the peoples of those Territories;

12. *Urges* all States, directly and through their action in the specialized agencies and other organizations of the United Nations system, to provide moral and material assistance, as needed, to the peoples of the Non-Self-Governing Territories, and requests the administering Powers to take steps to enlist and make effective use of all possible assistance, on both a bilateral and a multilateral basis, in the strengthening of the economies of those Territories;

13. *Requests* the Secretary-General, the specialized agencies and other organizations of the United Nations system to provide economic, social and other assistance to the Non-Self-Governing Territories and to continue to do so, as appropriate, after they exercise their right to self-determination, including independence;

14. *Reaffirms* that the United Nations visiting missions to the Territories are an effective means of ascertaining the situation in the Territories, as well as the wishes and aspirations of their inhabitants, and calls upon the administering Powers to continue to cooperate with the Special Committee in the discharge of its mandate and to facilitate visiting missions to the Territories;

15. *Calls upon* all the administering Powers to cooperate fully in the work of the Special Committee and to participate formally in its future sessions;

16. *Approves* the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial

Countries and Peoples covering its work during 2010, including the programme of work envisaged for 2011;

17. *Requests* the Secretary-General to provide the Special Committee with the facilities and services required for the implementation of the present resolution, as well as the other resolutions and decisions on decolonization adopted by the General Assembly and the Special Committee.

RECORDED VOTE ON RESOLUTION 65/117:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, United Kingdom, United States.

Abstaining: Belgium, France.

Second International Decade

In response to General Assembly resolution 55/146 [YUN 2000, p. 548], the Secretary-General in August submitted a report [A/65/330 & Add.1] on the achievements of the Second International Decade for the Eradication of Colonialism (2001–2010). The report reviewed the decolonization actions taken by Member States and UN entities and specialized agencies during the previous decade. Notable outcomes included the independence of East Timor as Timor-Leste [YUN 2002, p. 315] and thus its successful decolonization, and considerable progress on the question of Tokelau towards a negotiated decolonization outcome. Successive Assembly resolutions and the work of the Special Committee had kept the issue of decolonization firmly on the Organization's agenda, and numerous activities mandated by

the Assembly were accomplished, including the consideration of Assembly reports; the annual preparation of Secretariat working papers on each of the Territories; visiting missions; the organization of annual seminars in the Caribbean and Pacific regions; and the enlisting of global support for the objectives of the Declaration, including through the UN website on decolonization. Some specialized agencies and regional commissions had facilitated the participation of NSGTs in their bodies as observers or associate members, enabling them to become eligible to participate in world conferences on economic and social issues.

Nevertheless, because the task of decolonizing the remaining 16 NSGTs was incomplete, formal and informal dialogue aimed at improving cooperation between the Special Committee and the administering Powers remained an essential part of efforts to advance the decolonization process. The report recalled that the Assembly had requested the Special Committee to continue to seek suitable means for the full implementation of the Declaration and to carry out the actions approved by the Assembly in the context of the First and Second Decades. In addition to the above-mentioned mandated activities, which continued to be requested of the Special Committee, further actions included the formulation of specific proposals to bring about an end to colonialism, and to develop and finalize, in cooperation with the administering Powers and the Territories in question, a constructive programme of work on a case-by-case basis. The Special Committee and the Assembly had reiterated that factors such as the size of territory, population, geographical location and limited natural resources should in no way delay the exercise by the peoples of the NSGTs of their inalienable right to self-determination, including independence. They had also reaffirmed that all administering Powers were obliged to create economic, social and other conditions in the Territories under their administration that would enable those Territories to achieve self-government and economic self-reliance.

Third International Decade

As indicated by the Secretary-General's August report [A/65/330 & Add.1], the Special Committee on decolonization [A/65/23] on 25 June adopted a draft resolution for adoption by the General Assembly, by which it would declare the period 2011–2020 the Third International Decade for the Eradication of Colonialism (see below).

GENERAL ASSEMBLY ACTION

On 10 December [meeting 62], the General Assembly, on the recommendation of the Fourth Committee [A/65/430], adopted **resolution 65/119** by recorded vote (151-3-21) [agenda item 59].

Third International Decade for the Eradication of Colonialism

The General Assembly,

Recalling that 2010 marks the fiftieth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recalling also its resolution 43/47 of 22 November 1988, by which it declared the period 1990–2000 the International Decade for the Eradication of Colonialism, resolution 46/181 of 19 December 1991, by which it adopted a plan of action for the Decade, and resolution 55/146 of 8 December 2000, by which it declared the period 2001–2010 the Second International Decade for the Eradication of Colonialism,

Bearing in mind the recommendations contained in the Final Document of the Fifteenth Summit Conference of Heads of State and Government of the Movement of Non-Aligned Countries, held in Sharm el-Sheikh, Egypt, from 11 to 16 July 2009, including the renewal of the call to States Members of the United Nations to speed up the process of decolonization towards the complete elimination of colonialism, including by supporting the effective implementation of the plan of action for the Second International Decade for the Eradication of Colonialism,

Bearing in mind also that the participants in the Pacific regional seminar held in Nouméa from 18 to 20 May 2010 called for the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to propose the declaration of a new decade for the eradication of colonialism,

Recalling its resolution 64/106 of 10 December 2009, in which it reconfirmed the need to take measures to eliminate colonialism by 2010, as called for in its resolution 55/146, and reaffirmed its determination to continue to take all steps necessary to bring about the complete and speedy eradication of colonialism,

Guided by the fundamental and universal principles enshrined in the Charter of the United Nations, the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights,

Having examined the relevant reports of the Secretary-General concerning the implementation of the plans of action for the International Decades,

Taking into account the important contribution of the United Nations in the field of decolonization, in particular through the Special Committee,

1. *Declares* the period 2011–2020 the Third International Decade for the Eradication of Colonialism;

2. *Calls upon* Member States to intensify their efforts to continue to implement the plan of action for the Second International Decade for the Eradication of Colonialism and to cooperate with the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in updating it as necessary, with a view to using it as the basis for a plan of action for the Third International Decade;

3. *Calls upon* the administering Powers to cooperate fully with the Special Committee to develop a constructive programme of work on a case-by-case basis for the Non-Self-Governing Territories to facilitate the implementation of the mandate of the Special Committee and the relevant resolutions of the United Nations on decolonization, including resolutions on specific Territories;

4. *Invites* Member States, the specialized agencies and other organizations of the United Nations system, and other governmental and non-governmental organizations, actively to support and participate in the implementation of the plan of action during the Third International Decade;

5. *Requests* the Secretary-General to provide the resources necessary for the successful implementation of the plan of action;

6. *Also requests* the Secretary-General to report to the General Assembly at its seventieth and seventy-fifth sessions on the implementation of the present resolution.

RECORDED VOTE ON RESOLUTION 65/119:

In favour: Afghanistan, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Finland, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Portugal, Qatar, Republic of Korea, Republic of Moldova, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Switzerland, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, United Kingdom, United States.

Abstaining: Albania, Belgium, Bulgaria, Croatia, Czech Republic, Denmark, Estonia, France, Georgia, Germany, Greece, Latvia, Lithuania, Micronesia, Netherlands, Palau, Poland, Romania, Slovakia, Sweden, the former Yugoslav Republic of Macedonia.

Implementation by international organizations

In February [A/65/61 & Corr.1], the Secretary-General reported that he had brought General Assembly resolution 64/99 [YUN 2009, p. 581] to the attention of the specialized agencies and other international institutions associated with the United Nations and invited them to submit information regarding their implementation activities in support of NSGTs. Replies received from eight agencies or institutions were summarized in a report of the Economic and Social Council President on his consultations with the

Special Committee on decolonization [E/2010/54 & Add.1]. According to the information provided, several organizations continued to provide assistance to the peoples of NSGTs, including through projects funded by the United Nations Development Programme, an important provider of support.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 23 July [meeting 46], the Economic and Social Council adopted **resolution 2010/30** [draft: E/2010/L.22 & E/2010/SR.46] by recorded vote (26-0-26) [agenda item 9].

Support to Non-Self-Governing Territories by the specialized agencies and international institutions associated with the United Nations

The Economic and Social Council,

Having examined the report of the Secretary-General and the report of the President of the Economic and Social Council containing the information submitted by the specialized agencies and other organizations of the United Nations system on their activities with regard to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Having heard the statement by the representative of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recalling General Assembly resolutions 1514(XV) of 14 December 1960 and 1541(XV) of 15 December 1960, the resolutions of the Special Committee and other relevant resolutions and decisions, including, in particular, Economic and Social Council resolution 2009/33 of 31 July 2009,

Bearing in mind the relevant provisions of the final documents of the successive Conferences of Heads of State or Government of Non-Aligned Countries and of the resolutions adopted by the Assembly of Heads of State and Government of the African Union, the Pacific Islands Forum and the Caribbean Community,

Conscious of the need to facilitate the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514(XV),

Welcoming the current participation, in their capacity as observers, of those Non-Self-Governing Territories that are associate members of the regional commissions in the world conferences in the economic and social sphere, subject to the rules of procedure of the General Assembly and in accordance with relevant United Nations resolutions and decisions, including resolutions and decisions of the Assembly and the Special Committee on specific Non-Self-Governing Territories,

Noting that only some specialized agencies and organizations of the United Nations system have been involved in providing assistance to Non-Self-Governing Territories,

Welcoming the assistance extended to Non-Self-Governing Territories by certain specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme,

Stressing that, because their development options are limited, the small island Non-Self-Governing Territories

face special challenges in planning for and implementing sustainable development and will be constrained in meeting those challenges without the continuing cooperation and assistance of the specialized agencies and other organizations of the United Nations system,

Stressing also the importance of securing the resources necessary for funding expanded programmes of assistance for the peoples concerned and the need to enlist the support of all the major funding institutions within the United Nations system in that regard,

Reaffirming the mandates of the specialized agencies and other organizations of the United Nations system to take all appropriate measures, within their respective spheres of competence, to ensure the full implementation of General Assembly resolution 1514(XV) and other relevant resolutions,

Expressing its appreciation to the African Union, the Pacific Islands Forum, the Caribbean Community and other regional organizations for the continued cooperation and assistance they have extended to the specialized agencies and other organizations of the United Nations system in that regard,

Expressing its conviction that closer contacts and consultations between and among the specialized agencies and other organizations of the United Nations system and regional organizations help to facilitate the effective formulation of programmes of assistance for the peoples concerned,

Mindful of the imperative need to keep under continuous review the activities of the specialized agencies and other organizations of the United Nations system in the implementation of the various United Nations decisions relating to decolonization,

Bearing in mind the extremely fragile economies of the small island Non-Self-Governing Territories and their vulnerability to natural disasters, such as hurricanes, cyclones and sea-level rise, and recalling the relevant resolutions of the General Assembly,

Recalling General Assembly resolution 64/99 of 10 December 2009 entitled "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations",

1. *Takes note* of the report of the President of the Economic and Social Council, and endorses the observations and suggestions arising therefrom;

2. *Also takes note* of the report of the Secretary-General;

3. *Recommends* that all States intensify their efforts within the specialized agencies and other organizations of the United Nations system of which they are members to ensure the full and effective implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514(XV), and other relevant resolutions of the United Nations;

4. *Reaffirms* that the specialized agencies and other organizations and institutions of the United Nations system should continue to be guided by the relevant resolutions of the United Nations in their efforts to contribute to the implementation of the Declaration and all other relevant General Assembly resolutions;

5. *Also reaffirms* that the recognition by the General Assembly, the Security Council and other United Nations organs of the legitimacy of the aspirations of the peoples of

the Non-Self-Governing Territories to exercise their right to self-determination entails, as a corollary, the extension of all appropriate assistance to those peoples;

6. *Expresses its appreciation* to those specialized agencies and other organizations of the United Nations system that have continued to cooperate with the United Nations and the regional and subregional organizations in the implementation of General Assembly resolution 1514(XV) and other relevant resolutions of the United Nations, and requests all the specialized agencies and other organizations of the United Nations system to implement the relevant provisions of those resolutions;

7. *Requests* the specialized agencies and other organizations of the United Nations system and international and regional organizations to examine and review conditions in each Non-Self-Governing Territory so that they may take appropriate measures to accelerate progress in the economic and social sectors of those Territories;

8. *Urges* those specialized agencies and organizations of the United Nations system that have not yet provided assistance to Non-Self-Governing Territories to do so as soon as possible;

9. *Requests* the specialized agencies and other organizations and bodies of the United Nations system and regional organizations to strengthen existing measures of support and to formulate appropriate programmes of assistance to the remaining Non-Self-Governing Territories, within the framework of their respective mandates, in order to accelerate progress in the economic and social sectors of those Territories;

10. *Recommends* that the executive heads of the specialized agencies and other organizations of the United Nations system formulate, with the active cooperation of the regional organizations concerned, concrete proposals for the full implementation of the relevant resolutions of the United Nations and submit those proposals to their governing and legislative organs;

11. *Also recommends* that the specialized agencies and other organizations of the United Nations system continue to review, at the regular meetings of their governing bodies, the implementation of General Assembly resolution 1514(XV) and other relevant resolutions of the United Nations;

12. *Recalls* the preparation by the Department of Public Information and the Department of Political Affairs of the Secretariat, in consultation with the United Nations Development Programme, the specialized agencies and the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, of an informational leaflet on assistance programmes available to the Non-Self-Governing Territories and its updated 2009 online version, and requests that they be disseminated as widely as possible;

13. *Welcomes* the continuing efforts made by the United Nations Development Programme in maintaining a close liaison between the specialized agencies and other organizations of the United Nations system, including the Economic Commission for Latin America and the Caribbean and the Economic and Social Commission for Asia and the Pacific, and in providing assistance to the peoples of the Non-Self-Governing Territories;

14. *Encourages* the Non-Self-Governing Territories to take steps to establish and/or strengthen disaster preparedness and management institutions and policies;

15. *Requests* the administering Powers concerned to facilitate, when appropriate, the participation of appointed and elected representatives of Non-Self-Governing Territories in the relevant meetings and conferences of the specialized agencies and other organizations of the United Nations system, in accordance with relevant United Nations resolutions and decisions, including the resolutions and decisions of the General Assembly and the Special Committee on specific Territories, so that they may benefit from the related activities of those agencies and organizations;

16. *Recommends* that all Governments intensify their efforts within the specialized agencies and other organizations of the United Nations system of which they are members to accord priority to the question of providing assistance to the peoples of the Non-Self-Governing Territories;

17. *Draws the attention* of the Special Committee to the present resolution and to the discussion held on the subject at the substantive session of 2010 of the Economic and Social Council;

18. *Recalls* the adoption by the Economic Commission for Latin America and the Caribbean on 16 May 1998 of its resolution 574(XXVII), in which the Commission called for the necessary mechanisms to be devised to permit the associate members of regional commissions, including the Non-Self-Governing Territories, to participate, subject to the rules of procedure of the General Assembly, in the special sessions of the Assembly to review and appraise the implementation of the programmes of action of those United Nations world conferences in which the Territories had originally participated in their capacity as observers and to participate in the work of the Economic and Social Council and its subsidiary bodies;

19. *Requests* the President of the Council to continue to maintain close contact on these matters with the Chair of the Special Committee and to report thereon to the Council;

20. *Requests* the Secretary-General to follow up on the implementation of the present resolution, paying particular attention to cooperation and integration arrangements for maximizing the efficiency of the assistance activities undertaken by various organizations of the United Nations system, and to report thereon to the Council at its substantive session of 2011;

21. *Decides* to keep the above questions under continuous review.

RECORDED VOTE ON RESOLUTION 2010/30:

In favour: Australia, Bahamas, Bangladesh, Brazil, Chile, China, Comoros, Egypt, Ghana, Guatemala, India, Iraq, Malaysia, Mauritius, Mongolia, Morocco, Mozambique, Namibia, Pakistan, Peru, Philippines, Saint Kitts and Nevis, Saint Lucia, Saudi Arabia, Uruguay, Venezuela.

Against: None.

Abstaining: Argentina, Belgium, Cameroon, Canada, Côte d'Ivoire, Estonia, Finland, France, Germany, Italy, Japan, Liechtenstein, Malta, Niger, Norway, Poland, Republic of Korea, Republic of Moldova, Russian Federation, Rwanda, Slovakia, Turkey, Ukraine, United Kingdom, United States, Zambia.

GENERAL ASSEMBLY ACTION

On 10 December [meeting 62], the General Assembly, on the recommendation of the Fourth Committee [A/65/428], adopted **resolution 65/110** by recorded vote (119-0-56) [agenda item 57].

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations

The General Assembly,

Having considered the item entitled “Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations”,

Having also considered the report of the Secretary-General and the report of the Economic and Social Council on the item,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the item for 2010,

Recalling its resolutions 1514(XV) of 14 December 1960 and 1541(XV) of 15 December 1960 and the resolutions of the Special Committee, as well as other relevant resolutions and decisions, including in particular Economic and Social Council resolution 2009/33 of 31 July 2009,

Bearing in mind the relevant provisions of the final documents of the successive Conferences of Heads of State or Government of Non-Aligned Countries and of the resolutions adopted by the Assembly of Heads of State and Government of the African Union, the Pacific Islands Forum and the Caribbean Community,

Conscious of the need to facilitate the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in resolution 1514(XV),

Noting that the large majority of the remaining Non-Self-Governing Territories are small island Territories,

Welcoming the assistance extended to Non-Self-Governing Territories by certain specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme,

Also welcoming the participation in the capacity of observers of those Non-Self-Governing Territories that are associate members of regional commissions in the world conferences in the economic and social spheres, subject to the rules of procedure of the General Assembly and in accordance with relevant resolutions and decisions of the United Nations, including resolutions and decisions of the Assembly and the Special Committee on specific Territories,

Noting that only some specialized agencies and other organizations of the United Nations system have been involved in providing assistance to Non-Self-Governing Territories,

Stressing that, because the development options of the small island Non-Self-Governing Territories are limited, there are special challenges to planning for and implementing sustainable development and that those Territories will be constrained in meeting the challenges without the continuing cooperation and assistance of the specialized agencies and other organizations of the United Nations system,

Stressing also the importance of securing the resources necessary for funding expanded programmes of assistance for the peoples concerned and the need to enlist the support

of all major funding institutions within the United Nations system in that regard,

Reaffirming the mandates of the specialized agencies and other organizations of the United Nations system to take all appropriate measures, within their respective spheres of competence, to ensure the full implementation of General Assembly resolution 1514(XV) and other relevant resolutions,

Expressing its appreciation to the African Union, the Pacific Islands Forum, the Caribbean Community and other regional organizations for the continued cooperation and assistance they have extended to the specialized agencies and other organizations of the United Nations system in this regard,

Expressing its conviction that closer contacts and consultations between and among the specialized agencies and other organizations of the United Nations system and regional organizations help to facilitate the effective formulation of programmes of assistance to the peoples concerned,

Mindful of the imperative need to keep under continuous review the activities of the specialized agencies and other organizations of the United Nations system in the implementation of the various resolutions and decisions of the United Nations relating to decolonization,

Bearing in mind the extremely fragile economies of the small island Non-Self-Governing Territories and their vulnerability to natural disasters, such as hurricanes, cyclones and sea-level rise, and recalling the relevant resolutions of the General Assembly,

Recalling its resolution 64/99 of 10 December 2009 on the implementation of the Declaration by the specialized agencies and the international institutions associated with the United Nations,

1. *Takes note* of the report of the Secretary-General;
2. *Recommends* that all States intensify their efforts in the specialized agencies and other organizations of the United Nations system in which they are members to ensure the full and effective implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514(XV), and other relevant resolutions of the United Nations;
3. *Reaffirms* that the specialized agencies and other organizations and institutions of the United Nations system should continue to be guided by the relevant resolutions of the United Nations in their efforts to contribute to the implementation of the Declaration and all other relevant resolutions of the General Assembly;
4. *Reaffirms also* that the recognition by the General Assembly, the Security Council and other United Nations organs of the legitimacy of the aspirations of the peoples of the Non-Self-Governing Territories to exercise their right to self-determination entails, as a corollary, the extension of all appropriate assistance to those peoples;
5. *Expresses its appreciation* to those specialized agencies and other organizations of the United Nations system that have continued to cooperate with the United Nations and the regional and subregional organizations in the implementation of General Assembly resolution 1514(XV) and other relevant resolutions of the United Nations, and requests all the specialized agencies and other organizations of the United Nations system to implement the relevant provisions of those resolutions;

6. *Requests* the specialized agencies and other organizations of the United Nations system to intensify their engagement with the work of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples as an important element for the implementation of General Assembly resolution 1514(XV), including possible participation at the regional seminars on decolonization, upon the invitation of the Special Committee;

7. *Requests* the specialized agencies and other organizations of the United Nations system and international and regional organizations to examine and review conditions in each Territory so as to take appropriate measures to accelerate progress in the economic and social sectors of the Territories;

8. *Urges* those specialized agencies and other organizations of the United Nations system that have not yet provided assistance to Non-Self-Governing Territories to do so as soon as possible;

9. *Requests* the specialized agencies and other organizations and institutions of the United Nations system and regional organizations to strengthen existing measures of support and formulate appropriate programmes of assistance to the remaining Non-Self-Governing Territories, within the framework of their respective mandates, in order to accelerate progress in the economic and social sectors of those Territories;

10. *Requests* the specialized agencies and other organizations of the United Nations system concerned to provide information on:

(a) Environmental problems facing the Non-Self-Governing Territories;

(b) The impact of natural disasters, such as hurricanes and volcanic eruptions, and other environmental problems, such as beach and coastal erosion and droughts, on those Territories;

(c) Ways and means to assist the Territories to fight drug trafficking, money-laundering and other illegal and criminal activities;

(d) Illegal exploitation of the marine and other natural resources of the Territories and the need to utilize those resources for the benefit of the peoples of the Territories;

11. *Recommends* that the executive heads of the specialized agencies and other organizations of the United Nations system formulate, with the active cooperation of the regional organizations concerned, concrete proposals for the full implementation of the relevant resolutions of the United Nations and submit the proposals to their governing and legislative organs;

12. *Also recommends* that the specialized agencies and other organizations of the United Nations system continue to review at the regular meetings of their governing bodies the implementation of General Assembly resolution 1514(XV) and other relevant resolutions of the United Nations;

13. *Recalls* the adoption by the Economic Commission for Latin America and the Caribbean of its resolution 574(XXVII) of 16 May 1998, calling for the necessary mechanisms for its associate members, including Non-Self-Governing Territories, to participate in the special sessions of the General Assembly, subject to the rules of procedure of the Assembly, to review and assess the imple-

mentation of the plans of action of those United Nations world conferences in which the Territories originally participated in the capacity of observer, and in the work of the Economic and Social Council and its subsidiary bodies;

14. *Requests* the Chair of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to maintain close contact on these matters with the President of the Economic and Social Council;

15. *Recalls* the publication by the Department of Public Information and the Department of Political Affairs of the Secretariat, in consultation with the United Nations Development Programme, the specialized agencies and the Special Committee, of an information leaflet on assistance programmes available to the Non-Self-Governing Territories, which was updated for the United Nations website on decolonization, and requests its continued updating and wide dissemination;

16. *Welcomes* the continuing efforts made by the United Nations Development Programme in maintaining close liaison among the specialized agencies and other organizations of the United Nations system, including the Economic Commission for Latin America and the Caribbean and the Economic and Social Commission for Asia and the Pacific, and in providing assistance to the peoples of the Non-Self-Governing Territories;

17. *Encourages* the Non-Self-Governing Territories to take steps to establish and/or strengthen disaster preparedness and management institutions and policies, inter alia, with the assistance of the relevant specialized agencies;

18. *Requests* the administering Powers concerned to facilitate, when appropriate, the participation of appointed and elected representatives of Non-Self-Governing Territories in the relevant meetings and conferences of the specialized agencies and other organizations of the United Nations system, in accordance with relevant resolutions and decisions of the United Nations, including resolutions and decisions of the General Assembly and the Special Committee on specific Territories, so that the Territories may benefit from the related activities of those agencies and organizations;

19. *Recommends* that all Governments intensify their efforts in the specialized agencies and other organizations of the United Nations system of which they are members to accord priority to the question of providing assistance to the peoples of the Non-Self-Governing Territories;

20. *Requests* the Secretary-General to continue to assist the specialized agencies and other organizations of the United Nations system in working out appropriate measures for implementing the relevant resolutions of the United Nations and to prepare for submission to the relevant bodies, with the assistance of those agencies and organizations, a report on the action taken in implementation of the relevant resolutions, including the present resolution, since the circulation of his previous report;

21. *Commends* the Economic and Social Council for its debate and resolution on this question, and requests it to continue to consider, in consultation with the Special Committee, appropriate measures for the coordination of the policies and activities of the specialized agencies and other organizations of the United Nations system in implementing the relevant resolutions of the General Assembly;

22. *Requests* the specialized agencies to report periodically to the Secretary-General on the implementation of the present resolution;

23. *Requests* the Secretary-General to transmit the present resolution to the governing bodies of the appropriate specialized agencies and international institutions associated with the United Nations so that those bodies may take the measures necessary to implement it, and also requests the Secretary-General to report to the General Assembly at its sixty-sixth session on the implementation of the present resolution;

24. *Requests* the Special Committee to continue to examine the question and to report thereon to the General Assembly at its sixty-sixth session.

RECORDED VOTE ON RESOLUTION 65/110:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Australia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Marshall Islands, Mauritania, Mauritius, Mexico, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: None.

Abstaining: Albania, Andorra, Argentina, Armenia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia, Monaco, Mongolia, Montenegro, Netherlands, Norway, Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom, United States.

Puerto Rico

In accordance with the Special Committee's 2009 resolution concerning the self-determination and independence of Puerto Rico [YUN 2009, p. 588], the Committee's Rapporteur, in an April report [A/AC.109/2010/L.4], provided information on Puerto Rico, including recent political, military and economic developments and UN action.

Following its usual practice, the Committee [A/65/23] acceded to requests for hearings from representatives of a number of organizations, which presented their views on 21 June [A/AC.109/2010/SR.5,6]. The Committee adopted a resolution by which it reaffirmed the inalienable right of the people of Puerto Rico to self-determination and independence; urged the United States to return the occupied land and installations on Vieques Island and in Ceiba to the people of Puerto Rico and to respect fundamental human rights, such as the right to health and economic development; and requested the General Assembly to consider the question of Puerto Rico. The Rapporteur was requested to report in 2011 on the resolution's implementation.

Territories under review

Falkland Islands (Malvinas)

The Special Committee on decolonization considered the question of the Falkland Islands (Malvinas) at two meetings on 24 and 25 June [A/65/23]. The Committee had before it a Secretariat working paper on the Territory [A/AC.109/2010/15] that addressed constitutional and political developments, mine clearance, economic and social conditions, and participation in international organizations and arrangements. Statements were heard from two members of the Legislative Assembly of the Falkland Islands; three petitioners representing the Malvinas Islands; and the Minister for Foreign Affairs, International Trade and Worship of Argentina. Further remarks were made by 21 Member States [A/AC.109/2010/SR.9,10]. The Committee adopted a resolution requesting Argentina and the United Kingdom to consolidate the process of dialogue and cooperation by resuming negotiations towards finding a peaceful solution to the sovereignty dispute relating to the Territory.

Communications. The Secretary-General received a series of letters from Argentina and the United Kingdom on the dispute [A/64/621, A/64/626, A/64/653, A/64/672, A/64/675, A/64/679, A/64/711, A/64/722, A/64/781, A/64/787, A/64/813, A/64/837, A/64/844, A/64/879, A/64/880, A/64/887, A/65/504, A/65/527, A/65/530, A/65/539, A/65/553, A/65/617, A/65/623, A/65/637, A/65/639], which addressed topics such as hydrocarbon exploration and exploitation by the United Kingdom in areas of the continental shelf around the Falkland Islands (Malvinas) and measures taken by Argentina in response to those activities; the listing in annex II of the 2009 Treaty of Lisbon of the Falkland Islands, South Georgia and the South Sandwich Islands as overseas territories of the United Kingdom and therefore as associated with the EU; continued military exercises in the territory by the United Kingdom, including the test-firing of missiles; and the

extension by the United Kingdom of the territorial application of the Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol to the Falkland Islands (Malvinas). Two letters to the General Assembly President from the United Kingdom contained responses to remarks by the President of Argentina on 24 September at the general debate of the Assembly [A/65/513] and by Venezuela on 14 December at the meeting to mark the fiftieth anniversary of the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples [A/65/672]. Further letters from Mexico [A/64/717] and Ecuador [A/65/523] transmitted declarations on the question of the Malvinas Islands adopted by the first Latin American and Caribbean Unity Summit (Mayan Riviera, Mexico, 22–23 February) and by the Union of South American Nations, respectively.

On 24 December, the General Assembly decided that the agenda item on the question of the Falkland Islands (Malvinas) would remain for consideration during its resumed sixty-fifth (2011) session (**decision 65/544**).

Gibraltar

The Special Committee on decolonization considered the question of Gibraltar on 15 June [A/65/23]. It had before it a Secretariat working paper [A/AC.109/2010/16] describing political developments and economic and social conditions in the Territory, and presenting the positions of the United Kingdom (the administering Power), Gibraltar and Spain concerning Gibraltar's future status. Spain and the leader of the opposition in Gibraltar made statements at the meeting [A/AC.109/2010/SR.4].

On 10 December (**decision 65/521**), the General Assembly, recalling its decision 64/521 of 10 December 2009 [YUN 2009, p. 589], as well as the statements agreed upon by Spain and the United Kingdom in Brussels on 27 November 1984 [YUN 1984, p. 1075] and the establishment of the tripartite Forum for Dialogue on Gibraltar in 2004 [YUN 2004, p. 606], urged both Governments to reach a solution, in light of the relevant Assembly resolutions and applicable principles, and in the spirit of the UN Charter. The Assembly also welcomed the continuing success of the Forum for Dialogue and the shared commitment to make further progress in the six additional areas of cooperation endorsed at the Forum's second ministerial meeting in 2008 [YUN 2008, p. 672].

New Caledonia

The Special Committee on decolonization considered the question of New Caledonia on 22 June

[A/65/23]. Before it was a Secretariat working paper [A/AC.109/2010/17] describing the political and socioeconomic conditions and developments in the Territory. A representative of the Front de libération national kanak socialiste made a statement at the meeting [A/AC.109/2010/SR.7]. On 25 June [A/AC.109/2010/SR.10], Fiji, also speaking on behalf of Papua New Guinea, introduced a draft resolution [A/AC.109/2010/L.9], which the Committee adopted.

GENERAL ASSEMBLY ACTION

On 10 December [meeting 62], the General Assembly, on the recommendation of the Fourth Committee [A/65/430], adopted **resolution 65/113** without vote [agenda item 59].

Question of New Caledonia

The General Assembly,

Having considered the question of New Caledonia,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2010 relating to New Caledonia,

Reaffirming the right of peoples to self-determination as enshrined in the Charter of the United Nations,

Recalling General Assembly resolutions 1514(XV) of 14 December 1960 and 1541(XV) of 15 December 1960,

Noting the importance of the positive measures being pursued in New Caledonia by the French authorities, in cooperation with all sectors of the population, to promote political, economic and social development in the Territory, including measures in the area of environmental protection and action with respect to drug abuse and trafficking, in order to provide a framework for its peaceful progress to self-determination,

Noting also, in this context, the importance of equitable economic and social development, as well as continued dialogue among the parties involved in New Caledonia in the preparation of the act of self-determination of New Caledonia,

Noting with satisfaction the intensification of contacts between New Caledonia and neighbouring countries of the South Pacific region,

1. *Welcomes* the significant developments that have taken place in New Caledonia since the signing of the Nouméa Accord on 5 May 1998 by the representatives of New Caledonia and the Government of France;

2. *Urges* all the parties involved, in the interest of all the people of New Caledonia, to maintain, in the framework of the Nouméa Accord, their dialogue in a spirit of harmony, and in this context welcomes the unanimous agreement, reached in Paris on 8 December 2008, on the transfer of powers to New Caledonia in 2009 and the conduct of provincial elections in May 2009;

3. *Notes* the relevant provisions of the Nouméa Accord aimed at taking more broadly into account the Kanak identity in the political and social organization of New Caledonia, and welcomes, in this context, the adoption on 18 August 2010 by the Government of New Caledonia of the law on the anthem, the motto and banknote designs;

4. *Acknowledges* those provisions of the Nouméa Accord relating to control of immigration and protection of local employment, and notes that unemployment remains high among Kanaks and that recruitment of foreign mine workers continues;

5. *Notes* the concerns expressed by a group of indigenous people in New Caledonia regarding their underrepresentation in the Territory's governmental and social structures;

6. *Also notes* the concerns expressed by representatives of indigenous people regarding incessant migratory flows and the impact of mining on the environment;

7. *Takes note* of the relevant provisions of the Nouméa Accord to the effect that New Caledonia may become a member or associate member of certain international organizations, such as international organizations in the Pacific region, the United Nations, the United Nations Educational, Scientific and Cultural Organization and the International Labour Organization, according to their regulations;

8. *Notes* the agreement between the signatories to the Nouméa Accord that the progress made in the emancipation process shall be brought to the attention of the United Nations;

9. *Recalls* the fact that the administering Power invited to New Caledonia, at the time the new institutions were established, a mission of information which comprised representatives of countries of the Pacific region;

10. *Notes* the continuing strengthening of ties between New Caledonia and both the European Union and the European Development Fund in such areas as economic and trade cooperation, the environment, climate change and financial services;

11. *Calls upon* the administering Power to continue to transmit to the Secretary-General information as required under Article 73 *e* of the Charter of the United Nations;

12. *Invites* all the parties involved to continue promoting a framework for the peaceful progress of the Territory towards an act of self-determination in which all options are open and which would safeguard the rights of all sectors of the population, according to the letter and the spirit of the Nouméa Accord, which is based on the principle that it is for the populations of New Caledonia to choose how to control their destiny;

13. *Recalls with satisfaction* the efforts of the French authorities to resolve the question of voter registration by adopting, in the French Congress of Parliament, on 19 February 2007, amendments to the French Constitution allowing New Caledonia to restrict eligibility to vote in local polls to those voters registered on the 1998 electoral rolls when the Nouméa Accord was signed, thus ensuring strong representation of the Kanak population;

14. *Welcomes* all measures taken to strengthen and diversify the New Caledonian economy in all fields, and encourages further such measures in accordance with the spirit of the Matignon and Nouméa Accords;

15. *Also welcomes* the importance attached by the parties to the Matignon and Nouméa Accords to greater progress in housing, employment, training, education and health care in New Caledonia;

16. *Notes* the financial assistance rendered by the Government of France to the Territory in areas such as health, education, payment of public-service salaries and funding development schemes;

17. *Acknowledges* the contribution of the Melanesian Cultural Centre to the protection of the indigenous Kanak culture of New Caledonia;

18. *Notes* the positive initiatives aimed at protecting the natural environment of New Caledonia, including the "Zonéco" operation designed to map and evaluate marine resources within the economic zone of New Caledonia;

19. *Welcomes* the cooperation among Australia, France and New Zealand in terms of surveillance of fishing zones, in accordance with the wishes expressed by France during the France-Oceania Summits in July 2003 and June 2006;

20. *Acknowledges* the close links between New Caledonia and the peoples of the South Pacific and the positive actions being taken by the French and territorial authorities to facilitate the further development of those links, including the development of closer relations with the countries members of the Pacific Islands Forum;

21. *Recalls with satisfaction*, in this regard, the participation of New Caledonia at the 41st summit of the Pacific Islands Forum, held in Port Vila on 4 and 5 August 2010, following its accession to the Forum as an associate member in October 2006;

22. *Recalls* the continuing high-level visits to New Caledonia by delegations from countries of the Pacific region and high-level visits by delegations from New Caledonia to countries members of the Pacific Islands Forum;

23. *Welcomes* the cooperative attitude of other States and Territories in the region towards New Caledonia, its economic and political aspirations and its increasing participation in regional and international affairs;

24. *Recalls* the endorsement of the report of the Forum Ministerial Committee on New Caledonia by leaders of the Pacific Islands Forum at its 36th Summit, held in Papua New Guinea in October 2005, and the continuing role of the Forum Ministerial Committee in monitoring developments in the Territory and encouraging closer regional engagements;

25. *Welcomes* the successful conclusion of the Pacific regional seminar of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, held in Nouméa from 18 to 20 May 2010, and expresses its appreciation to the people and Government of New Caledonia for hosting the seminar and to the Government of France for its support in organizing it;

26. *Decides* to keep under continuous review the process unfolding in New Caledonia as a result of the signing of the Nouméa Accord;

27. *Requests* the Special Committee to continue the examination of the question of the Non-Self-Governing Territory of New Caledonia and to report thereon to the General Assembly at its sixty-sixth session.

Tokelau

At its meeting on 25 June, the Special Committee on decolonization considered the question of Tokelau (the three small atolls of Nukunonu, Fakaofu and Atafu in the South Pacific), administered by New Zealand [A/65/23]. Before it was a Secretariat working paper [A/AC.109/2010/3] covering constitutional and political developments, external relations and economic and social conditions in the Terri-

tory, and presenting the positions of New Zealand and Tokelau on the Territory's future status. Statements were made by the Ulu-o-Tokelau (titular head of the Territory, a position rotated annually among the three Faipule, or village representatives) and New Zealand [A/AC.109/2010/SR.10]. Papua New Guinea, also on behalf of Fiji, introduced a draft resolution [A/AC.109/2010/L.16], which the Committee adopted. Noting the wider significance of Tokelau for the United Nations as a case study in successful co-operation for decolonization, the resolution noted that Tokelau and New Zealand remained committed to the development of Tokelau for the long-term benefit of its people. It requested the Committee to examine the question of Tokelau and report thereon to the Assembly at its sixty-sixth (2011) session.

GENERAL ASSEMBLY ACTION

On 10 December [meeting 62], the General Assembly, on the recommendation of the Fourth Committee [A/65/430], adopted **resolution 65/114** without vote [agenda item 59].

Question of Tokelau

The General Assembly,

Having considered the question of Tokelau,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2010 relating to Tokelau,

Recalling its resolution 1514(XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all resolutions and decisions of the United Nations relating to Non-Self-Governing Territories, in particular General Assembly resolution 64/103 of 10 December 2009,

Noting with appreciation the continuing exemplary cooperation of New Zealand as the administering Power with regard to the work of the Special Committee relating to Tokelau and its readiness to permit access by United Nations visiting missions to the Territory,

Noting also with appreciation the collaborative contribution to the development of Tokelau by New Zealand and the specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme,

Noting that, as a small island Territory, Tokelau exemplifies the situation of most remaining Non-Self-Governing Territories and that, as a case study pointing to successful cooperation for decolonization, Tokelau has wider significance for the United Nations as it seeks to complete its work in decolonization,

Recalling that New Zealand and Tokelau signed in November 2003 a document entitled "Joint statement of the principles of partnership", which sets out the rights and responsibilities of the two partners,

Bearing in mind the decision of the General Fono at its meeting in November 2003, following extensive consultations undertaken in all three villages, to explore formally with New Zealand the option of self-government in free association and its decision in August 2005 to hold in Feb-

ruary 2006 a referendum on self-determination on the basis of a draft constitution for Tokelau and a draft treaty of free association with New Zealand, and its subsequent decision to hold a further referendum in October 2007,

1. *Notes* that Tokelau and New Zealand remain firmly committed to the ongoing development of Tokelau for the long-term benefit of the people of Tokelau, with particular emphasis on the further development of facilities on each atoll that meet their current requirements;

2. *Welcomes* the progress made towards the devolution of power to the three taupulega (village councils), in particular the delegation of the Administrator's powers to the three taupulega with effect from 1 July 2004 and the assumption by each taupulega from that date of full responsibility for the management of all its public services;

3. *Recalls* the decision of the General Fono in November 2003, following extensive consultations in all three villages and a meeting of the Special Committee on the Constitution of Tokelau, to explore formally with New Zealand the option of self-government in free association, and the discussions subsequently held between Tokelau and New Zealand pursuant to the decision of the General Fono;

4. *Also recalls* the decision of the General Fono in August 2005 to hold a referendum on self-government on the basis of a draft constitution for Tokelau and a draft treaty of free association with New Zealand, and notes the enactment by the General Fono of rules for the referendum;

5. *Further recalls* that two referendums to determine the status of Tokelau, held in February 2006 and October 2007, did not produce the two-thirds majority of the valid votes cast required by the General Fono to change Tokelau's status from that of a Non-Self-Governing Territory under the administration of New Zealand;

6. *Commends* the professional and transparent conduct of both the February 2006 and the October 2007 referendums, monitored by the United Nations;

7. *Acknowledges* the decision of the General Fono that consideration of any future act of self-determination by Tokelau will be deferred and that New Zealand and Tokelau will devote renewed effort and attention to ensuring that essential services and infrastructure on the atolls of Tokelau are enhanced and strengthened, thereby ensuring an enhanced quality of life for the people of Tokelau;

8. *Also acknowledges* Tokelau's adoption of its National Strategic Plan for 2010–2015;

9. *Further acknowledges* the ongoing and consistent commitment of New Zealand to meeting the social and economic requirements of the people of Tokelau, as well as the support and cooperation of the United Nations Development Programme;

10. *Acknowledges* Tokelau's need for continued support from the international community;

11. *Recalls with satisfaction* the establishment and operation of the Tokelau International Trust Fund to support the ongoing needs of Tokelau, and calls upon Member States and international and regional agencies to contribute to the Fund and thereby lend practical support to Tokelau in overcoming the problems of smallness, isolation and lack of resources;

12. *Welcomes* the cooperative attitude of the other States and territories in the region towards Tokelau, and their support for its economic and political aspirations and its increasing participation in regional and international affairs;

13. *Calls upon* the administering Power and United Nations agencies to continue to provide assistance to Tokelau as it further develops;

14. *Welcomes* the actions taken by the administering Power to transmit information regarding the political, economic and social situation of Tokelau to the Secretary-General;

15. *Also welcomes* the commitment of both Tokelau and New Zealand to continue to work together in the interests of Tokelau and its people;

16. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to examine the question of the Non-Self-Governing Territory of Tokelau and to report thereon to the General Assembly at its sixty-sixth session.

Western Sahara

The Special Committee on decolonization considered the question of Western Sahara on 22 June [A/65/23]. A Secretariat working paper [A/AC.109/2010/11] described the Secretary-General's good offices with the parties concerned and actions taken by the General Assembly and the Security Council (see p. 308). The Committee granted a request for hearing to a representative of the Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro (Frente Polisario), who made a statement [A/AC.109/2010/SR.7]. At the same meeting, Bolivia, Chile, Cuba, Nicaragua and Venezuela also made statements [ibid.].

The Special Committee transmitted the relevant documentation to the Assembly's sixty-fifth (2010) session to facilitate the Fourth Committee's consideration of the question. The Secretary-General submitted his report [A/65/306] to the Assembly in July.

By **resolution 65/112** of 10 December (see p. 312), the Assembly supported the process of negotiations initiated by the Security Council in 2007, with a view to achieving a political solution that would provide for the self-determination of the people of Western Sahara; commended the efforts by the Secretary-General and his Personal Envoy in that respect; and requested the Special Committee to continue to consider the situation in Western Sahara and report to the Assembly's sixty-sixth (2011) session.

Island Territories

On 22 June, the Special Committee on decolonization [A/65/23] considered working papers on American Samoa [A/AC.109/2010/12], Anguilla [A/AC.109/2010/9], Bermuda [A/AC.109/2010/6], the British Virgin Islands [A/AC.109/2010/2], the Cayman Islands [A/AC.109/2010/5], Guam [A/AC.109/2010/14], Montserrat [A/AC.109/2010/7], Pitcairn [A/AC.109/2010/4], Saint Helena [A/AC.109/2010/8], the Turks and Caicos Islands [A/AC.109/2010/10] and the United

States Virgin Islands [A/AC.109/2010/13], describing political developments and economic and social conditions in each of those 11 island Territories. The United Kingdom and the United States, the administering Powers concerned, did not participate in the Special Committee's consideration of the Territories under their administration. Petitioners made statements on Guam, the Turks and Caicos Islands and the United States Virgin Islands [A/AC.109/2010/SR.7]. The Committee on 25 June adopted a consolidated draft resolution [A/AC.109/2010/L.10], which it subsequently recommended for adoption by the General Assembly (see below).

GENERAL ASSEMBLY ACTION

On 10 December [meeting 62], the General Assembly, on the recommendation of the Fourth Committee [A/65/430], adopted **resolution 65/115 A and B** without vote [agenda item 59].

Questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands

A

General

The General Assembly,

Having considered the questions of the Non-Self-Governing Territories of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands, hereinafter referred to as "the Territories",

Having examined the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2010,

Recalling all resolutions and decisions of the United Nations relating to those Territories, including, in particular, the resolutions adopted by the General Assembly at its sixty-fourth session on the individual Territories covered by the present resolutions,

Recognizing that all available options for self-determination of the Territories are valid as long as they are in accordance with the freely expressed wishes of the peoples concerned and in conformity with the clearly defined principles contained in General Assembly resolutions 1514(XV) of 14 December 1960, 1541(XV) of 15 December 1960 and other resolutions of the Assembly,

Recalling its resolution 1541(XV), containing the principles that should guide Member States in determining whether or not an obligation exists to transmit the information called for under Article 73 *e* of the Charter of the United Nations,

Expressing concern that fifty years after the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples, there still remain a number of Non-Self-Governing Territories,

Conscious of the importance of continuing effective implementation of the Declaration, taking into account the

target set by the United Nations to eradicate colonialism by 2010 and the plan of action for the Second International Decade for the Eradication of Colonialism,

Recognizing that the specific characteristics and the aspirations of the peoples of the Territories require flexible, practical and innovative approaches to the options for self-determination, without any prejudice to territorial size, geographical location, size of population or natural resources,

Noting the stated position of the Government of the United Kingdom of Great Britain and Northern Ireland and the stated position of the Government of the United States of America on the Non-Self-Governing Territories under their administration,

Noting also the constitutional developments in some Non-Self-Governing Territories affecting the internal structure of governance about which the Special Committee has received information,

Convinced that the wishes and aspirations of the peoples of the Territories should continue to guide the development of their future political status and that referendums, free and fair elections and other forms of popular consultation play an important role in ascertaining the wishes and aspirations of the people,

Convinced also that any negotiations to determine the status of a Territory must take place with the active involvement and participation of the people of that Territory, under the aegis of the United Nations, on a case-by-case basis, and that the views of the peoples of the Non-Self-Governing Territories in respect of their right to self-determination should be ascertained,

Noting that a number of Non-Self-Governing Territories have expressed concern at the procedure followed by some administering Powers, contrary to the wishes of the Territories themselves, of amending or enacting legislation for application to the Territories, either through orders in council, in order to apply to the Territories the international treaty obligations of the administering Power, or through the unilateral application of laws and regulations,

Aware of the importance of the international financial services and tourism sectors for the economies of some of the Non-Self-Governing Territories,

Noting the continued cooperation of the Non-Self-Governing Territories at the local and regional levels, including participation in the work of regional organizations,

Mindful that United Nations visiting and special missions provide an effective means of ascertaining the situation in the Territories, that some Territories have not received a United Nations visiting mission for a long time and that no visiting missions have been sent to some of the Territories, and considering the possibility of sending further visiting missions to the Territories at an appropriate time, in consultation with the relevant administering Powers and in accordance with the relevant resolutions and decisions of the United Nations on decolonization,

Mindful also that, in order for the Special Committee to enhance its understanding of the political status of the peoples of the Territories and to fulfil its mandate effectively, it is important for it to be apprised by the relevant administering Powers and to receive information from other appropriate sources, including the representatives of the Territories, concerning the wishes and aspirations of the peoples of the Territories,

Acknowledging the regular transmission by the administering Powers to the Secretary-General of information called for under Article 73 *e* of the Charter,

Aware of the importance both to the Territories and to the Special Committee of the participation of elected and appointed representatives of the Territories in the work of the Committee,

Recognizing the need for the Special Committee to ensure that the appropriate bodies of the United Nations actively pursue a public awareness campaign aimed at assisting the peoples of the Territories in gaining a better understanding of the options for self-determination,

Mindful, in this connection, that the holding of regional seminars in the Caribbean and Pacific regions and at Headquarters, with the active participation of representatives of the Non-Self-Governing Territories, provides a helpful means for the Special Committee to fulfil its mandate, and that the regional nature of the seminars, which alternate between the Caribbean and the Pacific, is a crucial element in the context of a United Nations programme for ascertaining the political status of the Territories,

Noting the stated positions of the representatives of the Non-Self-Governing Territories before the Special Committee and at its regional seminars,

Mindful that the 2010 Pacific regional seminar was held in Nouméa from 18 to 20 May 2010,

Conscious of the particular vulnerability of the Territories to natural disasters and environmental degradation, and, in this connection, bearing in mind the applicability to the Territories of the programmes of action or outcome documents of all United Nations world conferences and special sessions of the General Assembly in the economic and social spheres,

Noting with appreciation the contribution to the development of some Territories by the specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme, the Economic Commission for Latin America and the Caribbean and the Economic and Social Commission for Asia and the Pacific, as well as regional institutions such as the Caribbean Development Bank, the Caribbean Community, the Organization of Eastern Caribbean States, the Pacific Islands Forum and the agencies of the Council of Regional Organizations in the Pacific,

Aware that the Human Rights Committee, as part of its mandate under the International Covenant on Civil and Political Rights, reviews the status of the self-determination process, including in small island Territories under examination by the Special Committee,

Recalling the ongoing efforts of the Special Committee in carrying out a critical review of its work with the aim of making appropriate and constructive recommendations and decisions to attain its objectives in accordance with its mandate,

Recognizing that the annual working papers prepared by the Secretariat on developments in each of the small Territories, as well as the substantive documentation and information furnished by experts, scholars, non-governmental organizations and other sources, have provided important inputs to update the present resolutions,

Recalling the report of the Secretary-General on the implementation of decolonization resolutions adopted since the declaration of the First and Second International Decades for the Eradication of Colonialism,

1. *Reaffirms* the inalienable right of the peoples of the Non-Self-Governing Territories to self-determination, in conformity with the Charter of the United Nations and with General Assembly resolution 1514(XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples;

2. *Also reaffirms* that, in the process of decolonization, there is no alternative to the principle of self-determination, which is also a fundamental human right, as recognized under the relevant human rights conventions;

3. *Further reaffirms* that it is ultimately for the peoples of the Territories themselves to determine freely their future political status in accordance with the relevant provisions of the Charter, the Declaration and the relevant resolutions of the General Assembly, and in that connection reiterates its long-standing call for the administering Powers, in co-operation with the territorial Governments and appropriate bodies of the United Nations system, to develop political education programmes for the Territories in order to foster an awareness among the people of their right to self-determination in conformity with the legitimate political status options, based on the principles clearly defined in Assembly resolution 1541(XV) and other relevant resolutions and decisions;

4. *Stresses* the importance of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples being apprised of the views and wishes of the peoples of the Territories and enhancing its understanding of their conditions, including the nature and scope of the existing political and constitutional arrangements between the Non-Self-Governing Territories and their respective administering Powers;

5. *Requests* the administering Powers to continue to transmit regularly to the Secretary-General information called for under Article 73 *e* of the Charter;

6. *Calls upon* the administering Powers to participate in and cooperate fully with the work of the Special Committee in order to implement the provisions of Article 73 *e* of the Charter and the Declaration and in order to advise the Special Committee on the implementation of the provisions under Article 73 *b* of the Charter on efforts to promote self-government in the Territories, and encourages the administering Powers to facilitate visiting and special missions to the Territories;

7. *Reaffirms* the responsibility of the administering Powers under the Charter to promote the economic and social development and to preserve the cultural identity of the Territories, and, as a priority, to mitigate the effects of the current global financial crisis where possible, in consultation with the territorial Governments concerned, towards the strengthening and diversification of their respective economies;

8. *Requests* the Territories and the administering Powers to take all measures necessary to protect and conserve the environment of the Territories against any degradation, and once again requests the specialized agencies concerned to continue to monitor environmental conditions in the Territories and to provide assistance to those Territories, consistent with their prevailing rules of procedure;

9. *Welcomes* the participation of the Non-Self-Governing Territories in regional activities, including the work of regional organizations;

10. *Stresses* the importance of implementing the plan of action for the Second International Decade for the Eradication of Colonialism, in particular by expediting the application of the work programme for the decolonization of each Non-Self-Governing Territory, on a case-by-case basis, as well as by ensuring that periodic analyses are undertaken of the progress and extent of the implementation of the Declaration in each Territory, and that the working papers prepared by the Secretariat on each Territory should fully reflect developments in those Territories;

11. *Urges* Member States to contribute to the efforts of the United Nations to usher in a world free of colonialism within the context of the International Decades for the Eradication of Colonialism, and calls upon them to continue to give their full support to the Special Committee in its endeavours towards that noble goal;

12. *Stresses* the importance of the various constitutional exercises in the respective Territories administered by the United Kingdom of Great Britain and Northern Ireland and the United States of America, and led by the territorial Governments, designed to address internal constitutional structures within the present territorial arrangements, and decides to follow closely the developments concerning the future political status of those Territories;

13. *Requests* the Secretary-General to continue to report to the General Assembly on a regular basis on the implementation of decolonization resolutions adopted since the declaration of the First and Second International Decades for the Eradication of Colonialism;

14. *Reiterates its request* that the Human Rights Committee collaborate with the Special Committee, within the framework of its mandate on the right to self-determination as contained in the International Covenant on Civil and Political Rights, with the aim of exchanging information, given that the Human Rights Committee is mandated to review the situation, including political and constitutional developments, in many of the Non-Self-Governing Territories that are within the purview of the Special Committee;

15. *Requests* the Special Committee to continue to collaborate with the Economic and Social Council and its relevant subsidiary intergovernmental bodies, within the framework of their respective mandates, with the aim of exchanging information on developments in those Non-Self-Governing Territories which are reviewed by those bodies;

16. *Also requests* the Special Committee to continue to examine the question of the Non-Self-Governing Territories and to report thereon to the General Assembly at its sixty-sixth session and on the implementation of the present resolution.

B

Individual Territories

*The General Assembly,
Referring to resolution A above,*

I

American Samoa

Taking note of the working paper prepared by the Secretariat on American Samoa and other relevant information, *Aware* that under United States law the Secretary of the Interior has administrative jurisdiction over American Samoa,

Noting the position of the administering Power and the statements made by representatives of American Samoa in regional seminars inviting the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to send a visiting mission to the Territory,

Aware of the work of the Future Political Status Study Commission, completed in 2006, the release of its report, with recommendations, in January 2007, and the creation of the American Samoa Constitutional Review Committee in the Territory, as well as the holding in June 2010 of American Samoa's fourth Constitutional Convention,

Noting, in that regard, the statement made by the Governor of American Samoa at the Pacific regional seminar held in Nouméa from 18 to 20 May 2010, and previous policy papers presented to the Special Committee, in which he stated that, while the Territory's status was akin to being self-governing, it was time to forge a more collaborative approach between the Territory and the administering Power,

Acknowledging the indication by the territorial Government that the effects of certain federal laws on the Territory's economy are serious cause for concern,

Aware that American Samoa continues to be the only United States Territory to receive financial assistance from the administering Power for the operations of the territorial Government,

1. *Takes note* of the proposed amendments to the 1967 revised Constitution of American Samoa adopted at the fourth Constitutional Convention held in June 2010;

2. *Welcomes* the work of the territorial Government and legislature in accordance with the recommendations made by the Future Political Status Study Commission in preparation for the fourth Constitutional Convention, and commends the related efforts of the territorial Government to enhance public awareness of the Convention;

3. *Expresses appreciation* for the invitation extended in 2010 to the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the Governor of American Samoa to send a visiting mission to the Territory, calls upon the administering Power to facilitate such a mission if the territorial Government so desires, and requests the Chair of the Special Committee to take all the steps necessary to that end;

4. *Requests* the administering Power to assist the Territory by facilitating its work concerning a public awareness programme recommended by the Future Political Status Study Commission in its 2007 report, consistent with Article 73 *b* of the Charter of the United Nations, and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

5. *Calls upon* the administering Power to assist the territorial Government in the diversification and sustainability of the economy of the Territory and to address employment and cost-of-living issues;

II

Anguilla

Taking note of the working paper prepared by the Secretariat on Anguilla and other relevant information,

Recalling the holding of the 2003 Caribbean regional seminar in Anguilla, hosted by the territorial Govern-

ment and made possible by the administering Power, the first time that the seminar had been held in a Non-Self-Governing Territory,

Recalling also the statement of the representative of Anguilla at the Caribbean regional seminar, held in Frigate Bay, Saint Kitts and Nevis, from 12 to 14 May 2009,

Noting the internal constitutional review process resumed by the territorial Government in 2006, the work of the Constitutional and Electoral Reform Commission, which prepared its report in August 2006, the holding of public and other consultative meetings in 2007 on proposed constitutional amendments to be presented to the administering Power, and the 2008 decision to set up a drafting team consisting of territorial Government officials, members of the House of Assembly and lawyers to draft a new constitution, as well as the presentation of the draft constitution for public consultation in the Territory in 2009 and the expectation that the draft text will be further discussed with the United Kingdom of Great Britain and Northern Ireland in 2010, with the aim of seeking full internal self-government,

Aware that the Government intends to continue its commitment to high-end tourism and the implementation of various regulations in the financial services sector,

Noting the participation of the Territory as an associate member in the Caribbean Community, the Organization of Eastern Caribbean States and the Economic Commission for Latin America and the Caribbean,

1. *Welcomes* the presentation of a new constitution for public consultation in 2009 with the aim of further discussing the new constitution with the administering Power in 2010;

2. *Requests* the administering Power to assist the Territory in its current efforts with regard to advancing the internal constitutional review exercise, if requested;

3. *Stresses* the importance of the previously expressed desire of the territorial Government for a visiting mission by the Special Committee, calls upon the administering Power to facilitate such a mission, if the territorial Government so desires, and requests the Chair of the Special Committee to take all the necessary steps to that end;

4. *Requests* the administering Power to assist the Territory by facilitating its work concerning public consultative outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations, and, in this regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

5. *Calls upon* the administering Power to assist the territorial Government in strengthening its commitments in the economic domain, including fiscal matters;

III

Bermuda

Taking note of the working paper prepared by the Secretariat on Bermuda and other relevant information,

Recalling the statement of the representative of Bermuda at the Caribbean regional seminar, held in Frigate Bay, Saint Kitts and Nevis, from 12 to 14 May 2009,

Conscious of the different viewpoints of the political parties on the future status of the Territory, and noting a recent survey by local media on the matter,

Recalling the dispatch of the United Nations special mission to Bermuda in 2005, at the request of the territorial

Government and with the concurrence of the administering Power, which provided information to the people of the Territory on the role of the United Nations in the process of self-determination, on the legitimate political status options as clearly defined in General Assembly resolution 1541(XV) and on the experiences of other small States that have achieved a full measure of self-government,

1. *Stresses* the importance of the 2005 report of the Bermuda Independence Commission, which provides a thorough examination of the facts surrounding independence, and continues to regret that the plans for public meetings and the presentation of a Green Paper to the House of Assembly followed by a White Paper outlining the policy proposals for an independent Bermuda have so far not materialized;

2. *Requests* the administering Power to assist the Territory by facilitating its work concerning public educational outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations, and, in this regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

IV

British Virgin Islands

Taking note of the working paper prepared by the Secretariat on the British Virgin Islands and other relevant information,

Recalling the statement of the representative of the British Virgin Islands at the Caribbean regional seminar, held in Frigate Bay, Saint Kitts and Nevis, from 12 to 14 May 2009,

Recalling also the 1993 report of the Constitutional Commissioners, the 1996 debate on the report in the Legislative Council of the Territory, the establishment of the Constitutional Review Commission in 2004, the completion in 2005 of its report providing recommendations on internal constitutional modernization and the debate held in 2005 on the report in the Legislative Council, as well as the negotiations between the administering Power and the territorial Government, which resulted in the adoption of the new Constitution of the Territory in 2007,

Noting the view expressed in the aforementioned statement made by the representative of the British Virgin Islands at the 2009 Caribbean regional seminar, that, building on the conclusion of the recent internal constitutional modernization exercise, the Territory's focus was on economic development prior to any search for independence,

Noting also the impact of the global economic slowdown on the Territory's financial and tourism services sectors,

Cognizant of the potential usefulness of regional ties for the development of a small island Territory,

1. *Recalls* the new Constitution of the British Virgin Islands, which took effect in June 2007, and stresses the importance of continued discussions on constitutional matters;

2. *Requests* the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations, and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

3. *Welcomes* the efforts made by the Territory to stimulate, including through small business development, the two major segments of its economic base, namely financial services and tourism;

V

Cayman Islands

Taking note of the working paper prepared by the Secretariat on the Cayman Islands and other relevant information,

Noting the statement made by the representative of the territorial Government at the Pacific regional seminar held in Nouméa from 18 to 20 May 2010, which, inter alia, indicated that, as affirmed during the general elections in May 2009, the territorial Government had no mandate from the Territory's people to pursue full political independence,

Aware of the 2002 report of the Constitutional Modernization Review Commission, which contained a draft constitution for the consideration of the people of the Territory, the 2003 draft constitution offered by the administering Power and the subsequent discussions between the Territory and the administering Power in 2003, and the reopening of discussions between the administering Power and the territorial Government on internal constitutional modernization, in 2006, which resulted in the finalization of a new draft constitution in February 2009, its subsequent acceptance by referendum in May 2009, and promulgation in November 2009,

Noting with interest the establishment, under the new Constitution, of a Constitutional Commission, which serves as an advisory body on constitutional matters,

Noting the participation of the Territory as an associate member of the Economic Commission for Latin America and the Caribbean,

Acknowledging the indication by the territorial Government that certain economic growth and cost-of-living issues, such as inflation, continue to be cause for concern,

1. *Welcomes* the promulgation of a new Constitution in November 2009, and the appointment of Commissioners of the new Constitutional Commission by the Governor, in consultation with the Premier and the Leader of the Opposition;

2. *Requests* the administering Power to assist the Territory by facilitating its work concerning public awareness outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations, and, in this regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

3. *Welcomes* the efforts made by the territorial Government to address sectoral management policies and cost-of-living issues in various economic sectors;

VI

Guam

Taking note of the working paper prepared by the Secretariat on Guam and other relevant information,

Aware that under United States law the relations between the territorial Government and the federal Government in all matters that are not the programme responsibility of another federal department or agency are under the general administrative supervision of the Secretary of the Interior,

Recalling that, in a referendum held in 1987, the registered and eligible voters of Guam endorsed a draft Guam Commonwealth Act that would establish a new framework for relations between the Territory and the administering Power, providing for a greater measure of internal self-

government for Guam and recognition of the right of the Chamorro people of Guam to self-determination for the Territory,

Recalling also the previously expressed requests by the elected representatives and non-governmental organizations of the Territory that Guam not be removed from the list of the Non-Self-Governing Territories with which the Special Committee is concerned, pending the self-determination of the Chamorro people and taking into account their legitimate rights and interests,

Aware that negotiations between the administering Power and the territorial Government on the draft Guam Commonwealth Act ended in 1997 and that Guam has subsequently established a non-binding plebiscite process for a self-determination vote by the eligible Chamorro voters,

Cognizant of the importance that the administering Power continues to implement its programme of transferring surplus federal land to the Government of Guam,

Noting that the people of the Territory have called for reform in the programme of the administering Power with respect to the thorough, unconditional and expeditious transfer of land property to the people of Guam,

Aware of the deep concerns expressed by civil society and others, including at the meeting of the Special Political and Decolonization Committee of the General Assembly in October 2009 and at the Pacific regional seminar held in Nouméa from 18 to 20 May 2010, regarding the potential social, cultural, economic and environmental impacts of the impending transfer of additional military personnel of the administering Power to the Territory,

Conscious that immigration into Guam has resulted in the indigenous Chamorros becoming a minority in their homeland,

1. *Calls once again upon* the administering Power to take into consideration the expressed will of the Chamorro people as supported by Guam voters in the referendum of 1987 and as subsequently provided for in Guam law regarding Chamorro self-determination efforts, encourages the administering Power and the territorial Government to enter into negotiations on the matter, and stresses the need for continued close monitoring of the overall situation in the Territory;

2. *Requests* the administering Power, in cooperation with the territorial Government, to continue to transfer land to the original landowners of the Territory, to continue to recognize and to respect the political rights and the cultural and ethnic identity of the Chamorro people of Guam and to take all measures necessary to address the concerns of the territorial Government with regard to the question of immigration;

3. *Also requests* the administering Power to assist the Territory by facilitating public outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations, and, in this regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

4. *Further requests* the administering Power to cooperate in establishing programmes for the sustainable development of the economic activities and enterprises of the Territory, noting the special role of the Chamorro people in the development of Guam;

VII

Montserrat

Taking note of the working paper prepared by the Secretariat on Montserrat and other relevant information,

Recalling the statement of the representative of Montserrat at the Caribbean regional seminar, held in Frigate Bay, Saint Kitts and Nevis, from 12 to 14 May 2009,

Recalling also the 2002 report of the Constitutional Review Commission, the convening of a committee of the House of Assembly in 2005 to review the report and the subsequent discussions between the administering Power and the territorial Government on internal constitutional advancement and devolution of power,

Recalling further that the negotiating process with the administering Power on a draft constitution giving greater autonomy to the territorial Government is ongoing, and that, since March 2009, the administering Power has accorded stronger emphasis to the redevelopment of the Territory,

Noting that, in May 2010, the newly elected territorial Government continued the process of negotiating constitutional reforms with the administering Power and a draft constitution agreed between the two parties was published for public consultation,

Aware that Montserrat continues to receive budgetary aid from the administering Power for the operation of the territorial Government,

Recalling the statements made by participants at the 2009 Caribbean regional seminar encouraging the administering Power to commit sufficient resources to meet the Territory's special needs,

Noting with concern the continued consequences of the 1995 volcanic eruption, which led to the evacuation of three quarters of the Territory's population to safe areas of the island and to areas outside the Territory, which continues to have enduring consequences for the economy of the island,

Acknowledging the continued assistance provided to the Territory by States members of the Caribbean Community, in particular Antigua and Barbuda, which has offered safe refuge and access to educational and health facilities, as well as employment for thousands who have left the Territory,

Noting the continuing efforts of the administering Power and the territorial Government to deal with the consequences of the volcanic eruption,

1. *Welcomes* the progress made by the territorial Government and the administering Power on concluding the negotiations to reform the Constitution of the Territory and welcomes the public consultation being undertaken;

2. *Requests* the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations, and, in this regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

3. *Calls upon* the administering Power, the specialized agencies and other organizations of the United Nations system, as well as regional and other organizations, to continue to provide assistance to the Territory in alleviating the consequences of the volcanic eruption;

VIII

Pitcairn

Taking note of the working paper prepared by the Secretariat on Pitcairn and other relevant information,

Taking into account the unique character of Pitcairn in terms of population, area and access,

Noting that, following consultations in 2009, the Pitcairn Constitution Order 2010, including human rights provisions, came into force in the Territory in March 2010, replacing the 1970 Pitcairn Order and 1970 Royal Instructions,

Aware that the administering Power and the territorial Government have implemented a new governance structure to strengthen administrative capacity in the Territory, based on consultations with the people of the Territory, and that Pitcairn continues to receive budgetary aid from the administering Power for the operation of the territorial Government,

1. *Welcomes* the entry into force of the Pitcairn Constitution Order 2010 in the Territory in March 2010, featuring a new constitutional framework and human rights provisions, and all efforts by the administering Power and the territorial Government that would further devolve operational responsibilities to the Territory, with a view to gradually expanding self-government, including through training of local personnel;

2. *Requests* the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations, and, in this regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

3. *Also requests* the administering Power to continue its assistance for the improvement of the economic, social, educational and other conditions of the population of the Territory and to continue its discussions with the territorial Government on how best to support economic security in Pitcairn;

IX

Saint Helena

Taking note of the working paper prepared by the Secretariat on Saint Helena and other relevant information,

Recalling the statement of the representative of Saint Helena at the Caribbean regional seminar, held in Frigate Bay, Saint Kitts and Nevis, from 12 to 14 May 2009,

Taking into account the unique character of Saint Helena in terms of its population, geography and natural resources,

Noting the internal constitutional review process led by the territorial Government since 2001, the completion of a draft constitution following negotiations between the administering Power and the territorial Government in 2003 and 2004, the consultative poll with regard to a new Constitution, held in Saint Helena in May 2005, the subsequent preparation of a revised draft constitution and its publication in June 2008 for further public consultation, and the entry into force of the new Constitution for Saint Helena, Ascension and Tristan da Cunha on 1 September 2009,

Aware that Saint Helena continues to receive budgetary aid from the administering Power for the operation of the territorial Government,

Aware also of the efforts of the administering Power and the territorial Government to improve the socio-economic conditions of the population of Saint Helena, in particular in the areas of employment and transport and communications infrastructure,

Noting the efforts of the Territory to address the problem of unemployment on the island and the joint action of the administering Power and the territorial Government in dealing with it,

Noting also the importance of improving the infrastructure and accessibility of Saint Helena, and, in this regard, the administering Power's announcement on 22 July 2010 about plans for building an airport on the island of Saint Helena,

1. *Stresses* the importance of the entry into force of the Territory's new Constitution in 2009;

2. *Requests* the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations, and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

3. *Requests* the administering Power and relevant international organizations to continue to support the efforts of the territorial Government to address the Territory's socio-economic development challenges, including unemployment, and limited transport and communications infrastructure;

4. *Calls upon* the administering Power to take into account the unique geographical character of Saint Helena while resolving as soon as feasible any outstanding issues related to the airport construction;

X

Turks and Caicos Islands

Taking note of the working paper prepared by the Secretariat on the Turks and Caicos Islands and other relevant information,

Recalling the statement of the representative of the Turks and Caicos Islands at the Caribbean regional seminar, held in Frigate Bay, Saint Kitts and Nevis, from 12 to 14 May 2009,

Recalling also the dispatch of the United Nations special mission to the Turks and Caicos Islands in 2006, at the request of the territorial Government and with the concurrence of the administering Power,

Recalling further the 2002 report of the Constitutional Modernization Review Body, and acknowledging the Constitution agreed between the administering Power and the territorial Government, which entered into force in 2006,

Noting the administering Power's decision to suspend parts of the 2006 Constitution of the Turks and Caicos Islands, covering the constitutional right to trial by jury, ministerial Government, and the House of Assembly, following the recommendations of an independent Commission of Inquiry and the ruling of the administering Power's Court of Appeal,

Acknowledging the impact that the global economic slowdown and other relevant developments have had on tourism and related real estate development, the mainstays of the Territory's economy,

Noting the postponement of elections in the Territory,

1. *Notes with concern* the ongoing situation in the Turks and Caicos Islands, and also notes the efforts of the administering Power to restore good governance and sound financial management in the Territory;

2. *Calls for* the restoration of constitutional arrangements providing for representative democracy through elected territorial Government as soon as possible;

3. *Notes* the positions and repeated calls of the Caribbean Community and the Movement of Non-Aligned Countries for the restoration of democratically elected territorial Government as a matter of urgency and notes also the view expressed by the administering Power not to postpone elections any longer than necessary;

4. *Also notes* the extensive public consultations undertaken by the Constitutional and Electoral Reform Adviser and the continued debate on constitutional and electoral reform within the Territory, and stresses the importance of participation by all groups and interested parties in the consultation process;

5. *Stresses further* the importance of having in place in the Territory a Constitution that reflects the aspirations and wishes of the people of the Territory, based on the mechanisms for popular consultation;

6. *Requests* the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations, and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

7. *Welcomes* the continuing efforts made by the Government addressing the need for attention to be paid to the enhancement of socio-economic development across the Territory;

XI

United States Virgin Islands

Taking note of the working paper prepared by the Secretariat on the United States Virgin Islands and other relevant information,

Aware that under United States law the relations between the territorial Government and the federal Government in all matters not the programme responsibility of another federal department or agency are under the general administrative supervision of the Secretary of the Interior,

Aware also of the fifth attempt of the Territory to review the existing Revised Organic Act, which organizes its internal governance arrangements, as well as its requests to the administering Power and the United Nations system for assistance to its public education programme,

Cognizant that a draft constitution was proposed in 2009 and subsequently forwarded to the administering Power for review and action,

Cognizant also of the potential usefulness of regional ties for the development of a small island Territory,

1. *Welcomes* the proposal of a draft constitution emanating from the Territory in 2009, as a result of the work of the United States Virgin Islands fifth Constitutional Convention, for review by the administering Power, and requests the administering Power to assist the territorial Government in achieving its political, economic and social goals, in particular the successful conclusion of the ongoing internal Constitutional Convention exercise;

2. *Requests* the administering Power to facilitate the process for approval of the proposed territorial constitu-

tion in the United States Congress and its implementation, once agreed upon in the Territory;

3. *Also requests* the administering Power to assist the Territory by facilitating its work concerning a public education programme, consistent with Article 73 *b* of the Charter of the United Nations, and, in this regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

4. *Reiterates its call* for the inclusion of the Territory in regional programmes of the United Nations Development Programme, consistent with the participation of other Non-Self-Governing Territories.

Other issues

Military activities and arrangements in colonial countries

In accordance with General Assembly decision 57/525 [YUN 2002, p. 564], Secretariat working papers submitted to the Special Committee on decolonization on Bermuda [A/AC.109/2010/6], Guam [A/AC.109/2010/14] and the United States Virgin Islands [A/AC.109/2010/13] contained information on, among other things, military activities and arrangements by the administering Powers in those Territories.

Economic and other activities affecting the interests of NSGTs

The Special Committee on decolonization, in June [A/65/23], continued its consideration of economic and other activities affecting the interests of the peoples of NSGTs. It had before it Secretariat working papers containing information on, among other topics, economic conditions in American Samoa [A/AC.109/2010/12], Anguilla [A/AC.109/2010/9], Bermuda [A/AC.109/2010/6], the British Virgin Islands [A/AC.109/2010/2], the Cayman Islands [A/AC.109/2010/5], the Falkland Islands (Malvinas) [A/AC.109/2010/15], Gibraltar [A/AC.109/2010/16], Guam [A/AC.109/2010/14], Montserrat [A/AC.109/2010/7], New Caledonia [A/AC.109/2010/17], Pitcairn [A/AC.109/2010/4], Saint Helena [A/AC.109/2010/8], Tokelau [A/AC.109/2010/3], the Turks and Caicos Islands [A/AC.109/2010/10] and the United States Virgin Islands [A/AC.109/2010/13].

GENERAL ASSEMBLY ACTION

On 10 December [meeting 62], the General Assembly, on the recommendation of the Fourth Committee [A/65/427], adopted **resolution 65/109** by recorded vote (173-2-2) [agenda item 56].

Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories

The General Assembly,

Having considered the item entitled "Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories",

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2010 relating to the item,

Recalling General Assembly resolution 1514(XV) of 14 December 1960, as well as all other relevant resolutions of the Assembly, including, in particular, resolutions 46/181 of 19 December 1991 and 55/146 of 8 December 2000,

Reaffirming the solemn obligation of the administering Powers under the Charter of the United Nations to promote the political, economic, social and educational advancement of the inhabitants of the Territories under their administration and to protect the human and natural resources of those Territories against abuses,

Reaffirming also that any economic or other activity that has a negative impact on the interests of the peoples of the Non-Self-Governing Territories and on the exercise of their right to self-determination in conformity with the Charter and General Assembly resolution 1514(XV) is contrary to the purposes and principles of the Charter,

Reaffirming further that the natural resources are the heritage of the peoples of the Non-Self-Governing Territories, including the indigenous populations,

Aware of the special circumstances of the geographical location, size and economic conditions of each Territory, and bearing in mind the need to promote the stability, diversification and strengthening of the economy of each Territory,

Conscious of the particular vulnerability of the small Territories to natural disasters and environmental degradation,

Conscious also that foreign economic investment, when undertaken in collaboration with the peoples of the Non-Self-Governing Territories and in accordance with their wishes, could make a valid contribution to the socio-economic development of the Territories and also to the exercise of their right to self-determination,

Concerned about any activities aimed at exploiting the natural and human resources of the Non-Self-Governing Territories to the detriment of the interests of the inhabitants of those Territories,

Bearing in mind the relevant provisions of the final documents of the successive Conferences of Heads of State or Government of Non-Aligned Countries and of the resolutions adopted by the Assembly of Heads of State and Government of the African Union, the Pacific Islands Forum and the Caribbean Community,

1. *Reaffirms* the right of the peoples of the Non-Self-Governing Territories to self-determination in conformity with the Charter of the United Nations and with General Assembly resolution 1514(XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, as well as their right to the enjoyment of their natural resources and their right to dispose of those resources in their best interest;

2. *Affirms* the value of foreign economic investment undertaken in collaboration with the peoples of the Non-Self-Governing Territories and in accordance with their wishes in order to make a valid contribution to the socio-economic development of the Territories, especially during times of economic and financial crisis;

3. *Reaffirms* the responsibility of the administering Powers under the Charter to promote the political, economic, social and educational advancement of the Non-Self-Governing Territories, and reaffirms the legitimate rights of their peoples over their natural resources;

4. *Reaffirms its concern* about any activities aimed at the exploitation of the natural resources that are the heritage of the peoples of the Non-Self-Governing Territories, including the indigenous populations, in the Caribbean, the Pacific and other regions, and of their human resources, to the detriment of their interests, and in such a way as to deprive them of their right to dispose of those resources;

5. *Reaffirms* the need to avoid any economic and other activities that adversely affect the interests of the peoples of the Non-Self-Governing Territories;

6. *Calls once again upon* all Governments that have not yet done so to take, in accordance with the relevant provisions of General Assembly resolution 2621(XXV) of 12 October 1970, legislative, administrative or other measures in respect of their nationals and the bodies corporate under their jurisdiction that own and operate enterprises in the Non-Self-Governing Territories that are detrimental to the interests of the inhabitants of those Territories, in order to put an end to such enterprises;

7. *Calls upon* the administering Powers to ensure that the exploitation of the marine and other natural resources in the Non-Self-Governing Territories under their administration is not in violation of the relevant resolutions of the United Nations, and does not adversely affect the interests of the peoples of those Territories;

8. *Invites* all Governments and organizations of the United Nations system to take all possible measures to ensure that the permanent sovereignty of the peoples of the Non-Self-Governing Territories over their natural resources is fully respected and safeguarded in accordance with the relevant resolutions of the United Nations on decolonization;

9. *Urges* the administering Powers concerned to take effective measures to safeguard and guarantee the inalienable right of the peoples of the Non-Self-Governing Territories to their natural resources and to establish and maintain control over the future development of those resources, and requests the administering Powers to take all steps necessary to protect the property rights of the peoples of those Territories in accordance with the relevant resolutions of the United Nations on decolonization;

10. *Calls upon* the administering Powers concerned to ensure that no discriminatory working conditions prevail in the Territories under their administration and to promote in each Territory a fair system of wages applicable to all the inhabitants without any discrimination;

11. *Requests* the Secretary-General to continue, through all means at his disposal, to inform world public opinion of any activity that affects the exercise of the right of the peoples of the Non-Self-Governing Territories to self-determination in conformity with the Charter and General Assembly resolution 1514(XV);

12. *Appeals* to trade unions and non-governmental organizations, as well as individuals, to continue their efforts to promote the economic well-being of the peoples of the Non-Self-Governing Territories, and also appeals to the media to disseminate information about the developments in this regard;

13. *Decides* to follow the situation in the Non-Self-Governing Territories so as to ensure that all economic activities in those Territories are aimed at strengthening and diversifying their economies in the interest of their peoples, including the indigenous populations, and at promoting the economic and financial viability of those Territories;

14. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to examine this question and to report thereon to the General Assembly at its sixty-sixth session.

RECORDED VOTE ON RESOLUTION 65/109:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, United States.

Abstaining: France, United Kingdom.

Dissemination of information

In June [A/65/23], the Special Committee on decolonization held consultations with representatives of the UN Departments of Political Affairs and Public Information on the dissemination of information on decolonization. It also considered a report of the Secretary-General on the subject, covering the period from April 2009 to March 2010 [A/AC.109/2010/19].

GENERAL ASSEMBLY ACTION

On 10 December [meeting 62], the General Assembly, on the recommendation of the Fourth Committee [A/65/430], adopted **resolution 65/116** by recorded vote (171-3-1) [agenda item 59].

Dissemination of information on decolonization

The General Assembly,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2010 relating to the dissemination of information on decolonization and publicity for the work of the United Nations in the field of decolonization,

Recalling General Assembly resolution 1514(XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and other resolutions and decisions of the United Nations concerning the dissemination of information on decolonization, in particular Assembly resolution 64/105 of 10 December 2009,

Recognizing the need for flexible, practical and innovative approaches towards reviewing the options of self-determination for the peoples of Non-Self-Governing Territories with a view to implementing the plan of action for the Second International Decade for the Eradication of Colonialism,

Reiterating the importance of dissemination of information as an instrument for furthering the aims of the Declaration, and mindful of the role of world public opinion in effectively assisting the peoples of Non-Self-Governing Territories to achieve self-determination,

Recognizing the role played by the administering Powers in transmitting information to the Secretary-General in accordance with the terms of Article 73 *e* of the Charter of the United Nations,

Recognizing also the role of the Department of Public Information of the Secretariat, through the United Nations information centres, in the dissemination of information at the regional level on the activities of the United Nations,

Recalling the issuance by the Department of Public Information, in consultation with the United Nations Development Programme, the specialized agencies and the Special Committee, of an information leaflet on assistance programmes available to the Non-Self-Governing Territories,

Aware of the role of non-governmental organizations in the dissemination of information on decolonization,

1. *Approves* the activities in the field of dissemination of information on decolonization undertaken by the Department of Public Information and the Department of Political Affairs of the Secretariat, in accordance with the relevant resolutions of the United Nations on decolonization, and recalls with satisfaction the publication, in accordance with General Assembly resolution 61/129 of 14 December 2006, of the information leaflet entitled "What the UN Can Do to Assist Non-Self-Governing Territories", which was updated for the United Nations website on decolonization in May 2009, and encourages continued updating and wide dissemination of the information leaflet;

2. *Considers it important* to continue and expand its efforts to ensure the widest possible dissemination of information on decolonization, with particular emphasis on the options for self-determination available to the peoples of Non-Self-Governing Territories, and to this end, requests the Department of Public Information through the United Nations information centres in the relevant regions to

actively engage and seek new and innovative ways to disseminate material to the Non-Self-Governing Territories;

3. *Requests* the Secretary-General to further enhance the information provided on the United Nations decolonization website and to continue to include the full series of reports of the regional seminars on decolonization, the statements and scholarly papers presented at those seminars and links to the full series of reports of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples;

4. *Requests* the Department of Public Information to continue its efforts to update web-based information on the assistance programmes available to the Non-Self-Governing Territories;

5. *Requests* the Department of Political Affairs and the Department of Public Information to implement the recommendations of the Special Committee and to continue their efforts to take measures through all the media available, including publications, radio and television, as well as the Internet, to give publicity to the work of the United Nations in the field of decolonization and, inter alia:

(a) To develop procedures to collect, prepare and disseminate, particularly to the Non-Self-Governing Territories, basic material on the issue of self-determination of the peoples of the Territories;

(b) To seek the full cooperation of the administering Powers in the discharge of the tasks referred to above;

(c) To explore further the idea of a programme of collaboration with the decolonization focal points of territorial Governments, particularly in the Pacific and Caribbean regions, to help improve the exchange of information;

(d) To encourage the involvement of non-governmental organizations in the dissemination of information on decolonization;

(e) To encourage the involvement of the Non-Self-Governing Territories in the dissemination of information on decolonization;

(f) To report to the Special Committee on measures taken in the implementation of the present resolution;

6. *Requests* all States, including the administering Powers, to accelerate the dissemination of information referred to in paragraph 2 above;

7. *Requests* the Special Committee to continue to examine this question and to report to the General Assembly at its sixty-sixth session on the implementation of the present resolution.

RECORDED VOTE ON RESOLUTION 65/116:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary,

Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, United Kingdom, United States.

Abstaining: France.

Information on Territories

Communication. On 8 February [A/64/676], Denmark transmitted to the Secretary-General the Act on Greenland Self-Government, which entered into force on 21 June 2009 and opened for transfer of further competences from the Danish authorities to the Greenland authorities. With self-government in place, Naalakkersuisut (the Government of Greenland) had the right to take over responsibility for the administration of justice and the establishment of law courts, the police, and mineral and oil resources. Pursuant to the Act, Naalakkersuisut could also, on Denmark's behalf, negotiate and conclude agreements with foreign States and international organizations that exclusively concerned Greenland and its fields of responsibility. Where international organizations allowed entities other than States and associations of States to attain membership in their own name, Greenland could become a member of such organizations in its own name, in so far as it did not conflict with its constitutional status.

Report of Secretary-General. In response to General Assembly resolution 64/97 [YUN 2009, p. 586], the Secretary-General in March submitted a report [A/65/66] indicating the dates of transmittal of information from the administering Powers on economic, social and educational conditions in NSGTs for 2009, under Article 73 *e* of the Charter of the United Nations.

GENERAL ASSEMBLY ACTION

On 10 December [meeting 62], the General Assembly, on the recommendation of the Fourth Committee [A/65/426], adopted **resolution 65/108** by recorded vote (172-0-5) [agenda item 55].

Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations

The General Assembly,

Recalling its resolution 1970(XVIII) of 16 December 1963, in which it requested the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to study the information transmitted to the Secretary-General in accordance with Article 73 *e* of the Charter of the United Nations and to take such information fully into account in examining the situation with regard to the implementation of the Declaration, contained in General Assembly resolution 1514(XV) of 14 December 1960,

Recalling also its resolution 64/97 of 10 December 2009, in which it requested the Special Committee to continue to discharge the functions entrusted to it under resolution 1970(XVIII),

Stressing the importance of timely transmission by the administering Powers of adequate information under Article 73 *e* of the Charter, in particular in relation to the preparation by the Secretariat of the working papers on the Territories concerned,

Having examined the report of the Secretary-General,

1. *Reaffirms* that, in the absence of a decision by the General Assembly itself that a Non-Self-Governing Territory has attained a full measure of self-government in terms of Chapter XI of the Charter of the United Nations, the administering Power concerned should continue to transmit information under Article 73 *e* of the Charter with respect to that Territory;

2. *Requests* the administering Powers concerned, in accordance with their Charter obligations, to transmit or continue to transmit regularly to the Secretary-General for information purposes, subject to such limitation as security and constitutional considerations may require, statistical and other information of a technical nature relating to economic, social and educational conditions in the Territories for which they are respectively responsible, as well as the fullest possible information on political and constitutional developments in the Territories concerned, including the constitution, legislative act or executive order providing for the government of the Territory and the constitutional relationship of the Territory to the administering Power, within a maximum period of six months following the expiration of the administrative year in those Territories;

3. *Requests* the Secretary-General to continue to ensure that adequate information is drawn from all available published sources in connection with the preparation of the working papers relating to the Territories concerned;

4. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to discharge the functions entrusted to it under General Assembly resolution 1970(XVIII), in accordance with established procedures.

RECORDED VOTE ON RESOLUTION 65/108:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Central African

Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: None.

Abstaining: Benin, France, Israel, United Kingdom, United States.

Study and training

In response to General Assembly resolution 64/100 [YUN 2009, p. 587], the Secretary-General in March submitted a report [A/65/67] on offers of study scholarships and training facilities for inhabitants of NSGTs during the period from 24 March 2009 to 17 March 2010 by the following Member States: Algeria, Australia, South Africa and the United Kingdom. Over the years, 60 Member States and one non-Member State—the Holy See—had made such offers.

GENERAL ASSEMBLY ACTION

On 10 December [meeting 62], the General Assembly, on the recommendation of the Fourth Committee [A/65/429], adopted **resolution 65/111** without vote [agenda item 58].

Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories

The General Assembly,

Recalling its resolution 64/100 of 10 December 2009,

Having examined the report of the Secretary-General on offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories, prepared pursuant to its resolution 845(IX) of 22 November 1954,

Conscious of the importance of promoting the educational advancement of the inhabitants of Non-Self-Governing Territories,

Strongly convinced that the continuation and expansion of offers of scholarships is essential in order to meet the increasing need of students from Non-Self-Governing Territories for educational and training assistance, and considering that students in those Territories should be encouraged to avail themselves of such offers,

1. *Takes note* of the report of the Secretary-General;
2. *Expresses its appreciation* to those Member States that have made scholarships available to the inhabitants of Non-Self-Governing Territories;
3. *Invites* all States to make or continue to make generous offers of study and training facilities to the inhabitants of those Territories that have not yet attained self-government or independence and, wherever possible, to provide travel funds to prospective students;
4. *Urges* the administering Powers to take effective measures to ensure the widespread and continuous dissemination in the Territories under their administration of information relating to offers of study and training facilities made by States and to provide all the necessary facilities to enable students to avail themselves of such offers;
5. *Requests* the Secretary-General to report to the General Assembly at its sixty-sixth session on the implementation of the present resolution;
6. *Draws the attention* of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to the present resolution.

Visiting missions

In June [A/65/23], the Special Committee on decolonization considered the question of sending visiting missions to NSGTs. It adopted a resolution in which it stressed the need to dispatch periodic visiting missions to facilitate the full implementation of the 1960 Declaration on decolonization, and called upon the administering Powers to facilitate those missions in the Territories under their administration. It also requested the administering Powers to cooperate with the Special Committee in exploring the possibility of undertaking visiting or special missions in furtherance of the decolonization mandate of the General Assembly. The Committee Chair was asked to consult with the administering Powers concerned and report on the results.

The Special Committee recommended to the Assembly for adoption draft resolutions on 11 small NSGTs (see p. 597) and on Tokelau (see p. 595), endorsing a number of conclusions and recommendations concerning the sending of visiting and special missions to those Territories.

Peaceful uses of outer space

The Committee on the Peaceful Uses of Outer Space (Committee on Outer Space), at its fifty-third session (Vienna, 9–18 June) [A/65/20], discussed ways and means of maintaining outer space for peaceful

purposes; the spin-off benefits of space technology; space and society; space and water; space and climate change; the use of space technology in the UN system; and international cooperation in promoting the use of space-derived geospatial data for sustainable development. It also considered the implementation of the recommendations of the Third (1999) United Nations Conference on the Exploration and Peaceful Uses of Outer Space (UNISPACE III) [YUN 1999, p. 556] and reviewed the work of its two subcommittees, one dealing with scientific and technical issues (see p. 610) and the other with legal questions (see p. 613).

Pursuant to resolution 64/86 [YUN 2009, p. 599], the Chair of the Committee for the period 2008–2009 submitted a working paper [A/AC.105/L.278] entitled “Towards a United Nations space policy”, which explained the need for more effective governance on outer space matters and provided guiding principles and recommendations for a UN space policy. The Committee took note with appreciation of the working paper and agreed to include a new item entitled “Future role of the Committee” on the agenda of its fifty-fourth (2011) session, for one year only, in order to consider the paper further.

Implementation of UNISPACE III recommendations

In accordance with General Assembly resolution 64/86, the Committee on Outer Space [A/65/20] considered the implementation of the recommendations of UNISPACE III [YUN 1999, p. 556]. It noted that Member States contributed to the implementation through national and regional activities and by supporting and participating in the programmes established in response to the recommendations. Some States had established policies aimed at maximizing and harmonizing the use of various types of space-based services, such as navigation, meteorology and remote sensing, to respond to societal needs. The Committee noted with appreciation that the Action Team on Public Health, co-chaired by Canada and India, had included in its workplan the use of telecommunications in the context of tele-health and Earth observation applications in the context of tele-epidemiology, with an emphasis on improving public health and infectious-disease management. The Team was pursuing the objectives contained in its workplan for 2010–2011 and would present a report at the forty-eighth (2011) session of the Scientific and Technical Subcommittee.

The Committee on Outer Space had before it the report on its contribution to the work of the Commission on Sustainable Development for the thematic cluster 2010–2011 [YUN 2009, p. 602]. The Committee agreed that, in the preparation of its forthcom-

ing contribution to the work of the Commission on Sustainable Development, it should focus on the thematic clusters in which space technology and its applications played an important role; pay attention to the cross-cutting issues identified by the Commission; identify areas where space-based systems could complement terrestrial systems to promote integrated solutions; and include, in addition to examples of regional and international cooperation, national success stories that might provide useful examples for the overall contribution of the Committee. The Committee requested the Secretariat to provide, for consideration by the Working Group of the Whole at the forty-eighth (2011) session of the Scientific and Technical Subcommittee, a draft on the contribution of the Committee to the work of the Commission for the next thematic cluster, together with contributions of Member States.

Scientific and Technical Subcommittee

The Scientific and Technical Subcommittee of the Committee on Outer Space, at its forty-seventh session (Vienna, 8–19 February) [A/AC.105/958], considered the United Nations Programme on Space Applications and the implementation of the UNISPACE III recommendations. It also dealt with matters relating to remote sensing of the Earth by satellite, including applications for developing countries and monitoring of the Earth's environment; space debris; space-system-based disaster-management support; developments in global navigation satellite systems (GNSS); the use of nuclear power sources in outer space; near-Earth objects; the International Space Weather Initiative [YUN 2009, p. 606]; the long-term sustainability of outer space activities; and the examination of the physical nature and technical attributes of the geostationary orbit and its utilization and applications, including in the field of space communications.

UN Programme on Space Applications

As mandated by General Assembly resolution 37/90 [YUN 1982, p. 163], the United Nations Programme on Space Applications continued to promote greater cooperation in space science and technology between developed and developing countries, as well as among developing countries, by providing long-term fellowships, training programmes and seminars, and by supporting pilot projects and offering technical advisory services in capacity-building and regional cooperation. The Programme increased the awareness of knowledge-based themes in space science, law and exploration through multi-year workplans and projects, and by convening outreach events and workshops.

The United Nations Expert on Space Applications [A/AC.105/980] reported that the Programme continued to support training for capacity-building in developing countries through the regional centres for space science and technology education affiliated with the United Nations Office for Outer Space Affairs. The goal of the regional centres—located in Morocco and Nigeria for the African region, India for Asia and the Pacific, and Brazil and Mexico for Latin America and the Caribbean—was to develop an indigenous capability for research and applications in remote sensing and geographic information systems; satellite communications; satellite meteorology and global climate; and space and atmospheric science. Education curricula for those disciplines had been developed through expert meetings held under the Programme, and two further model curricula were being developed in the areas of GNSS and space law. At its fifth meeting (Turin, Italy, 18–22 October), the International Committee on Global Navigation Satellite Systems (ICG) developed the concept that the regional centres would act as ICG information centres.

One symposium, one training course and seven workshops were conducted within the framework of the Programme. The United Nations/Turkey/European Space Agency Workshop on Space Technology Applications for Socio-Economic Benefits (Istanbul, Turkey, 14–17 September) increased awareness of the socio-economic benefits of applying space technology at the national, regional and international levels, focusing on satellite remote sensing, satellite communications, GNSS, capacity-building and regional and international cooperation. The United Nations/Bolivia/European Space Agency Workshop on Integrated Space Technology Applications in the Mountain Regions of the Andean Countries (Cochabamba, Bolivia, 25–29 October) advanced a project on satellite information for sustainable development in the mountain areas of Andean countries. The second in a series of three United Nations/Austria/European Space Agency symposiums on small satellite programmes for sustainable development (Graz, Austria, 21–24 September) took place as part of the United Nations Basic Space Technology Initiative, a new initiative in the framework of the United Nations Programme on Space Applications aiming to support capacity-building in basic space technology and promote its use for sustainable development. At the United Nations/International Astronautical Federation Workshop on GNSS Applications for Human Benefit and Development (Prague, Czech Republic, 24–25 September), participants discussed GNSS technologies, applications and services contributing to sustainable economic and social development programmes, primarily in developing countries. At the Eleventh United Nations/International Academy of Astronautics Workshop on Small Satellites in the

Service of Developing Countries (Prague, 28 September), the main objectives were to review the benefits of small satellite programmes for developing countries; demonstrate the effectiveness of small satellites; and encourage educational and training activities at universities in developing countries. Further activities included the United Nations/Republic of Moldova/United States of America Workshop on Applications of GNSS (Chisinau, Moldova, 17–21 May); the first United Nations/National Aeronautics and Space Administration/Japan Aerospace Exploration Agency Workshop on the International Space Weather Initiative (Cairo, Egypt, 6–10 November); the seventh United Nations/Thailand Workshop on Space Law (Bangkok, Thailand, 16–19 November); and a training course on GNSS and location-based services (Ile-Ife, Nigeria, 4–29 October), conducted at the African Regional Centre for Space Science and Technology Education.

Following its consideration of the report of the United Nations Expert on Space Applications [A/AC.105/969] describing 2009 activities, those scheduled for 2010 and the activities of the UN-affiliated regional centres for space science and technology education for the period for 2008–2011, the Subcommittee expressed concern over the Programme's limited financial resources and appealed to Member States for voluntary contributions [A/AC.105/958].

The General Assembly, in resolution 65/97 (see p. 614), endorsed the Programme on Space Applications for 2011, as proposed by the Expert.

Cooperation

The Inter-Agency Meeting on Outer Space Activities, at its thirtieth session (Geneva, 10–12 March) [A/AC.105/960], discussed the coordination of plans and programmes and current activities in the practical application of space technology and related areas; implementation of the UNISPACE III recommendations; use of spatial data and activities related to the United Nations Geographic Information Working Group and the United Nations Spatial Data Infrastructure; participation in the process of the Group on Earth Observations; operational framework and good practices in the use of space-based technologies for disaster risk reduction and emergency response; and public outreach and information exchange to promote inter-agency cooperation.

Representatives of participating UN entities reported on their activities and plans for 2010 and 2011, the details of which were included in the Secretary-General's draft report on the coordination of space-related activities within the UN system: directions and anticipated results for the period 2010–2011 [A/AC.105/961]. The Meeting reviewed, revised and endorsed the report. It also agreed that future reports

should be restructured to address the thematic clusters of the Commission on Sustainable Development in the periods 2012–2013, 2014–2015 and 2016–2017. The reports should be issued on a biennial basis, starting with the period 2012–2013, and a review of the reporting structure should take place in 2017. Overall reporting on policies and strategies pertaining to the coordination of space-related activities, on human security and welfare and on humanitarian assistance should be retained, and the reports should also identify challenges faced in space-related activities of the UN system and monitor progress in addressing those challenges.

The Meeting agreed that a special report addressing climate change and the use of space technology within the UN system should be prepared under the leadership of the World Meteorological Organization, with contributions from the secretariat of the United Nations Framework Convention on Climate Change and other UN entities, for endorsement by the Meeting at its thirty-first (2011) session, and for submission to the Committee on the Peaceful Uses of Outer Space at its fifty-fourth (2011) session.

The Meeting noted with concern the continued absence of representatives from a number of major UN entities and programmes and encouraged the secretariat of the Inter-Agency Meeting to continue its efforts to involve those entities in the Meeting. In that regard, the Meeting recommended that its thirty-first session be held in conjunction with the annual meeting of the United Nations Geographic Information Working Group during the first half of 2011.

The Office for Outer Space Affairs, as the secretariat of the Inter-Agency Meeting, reported on the decisions of the Scientific and Technical Subcommittee at its forty-seventh (2010) session [A/AC.105/958] regarding the way forward in considering the implementation of the UNISPACE III recommendations and the need to focus efforts on the contribution by the Committee on the Peaceful Uses of Outer Space to the thematic cluster of work of the Commission on Sustainable Development. The Office also informed the Meeting about developments in the UN-SPIDER programme (see below), including activities planned for 2010–2011.

Scientific and technical issues

In 2010, the Scientific and Technical Subcommittee [A/AC.105/958] continued to consider matters relating to remote sensing of the Earth by satellite, including applications for developing countries and monitoring of the Earth's environment. It noted with satisfaction that a growing number of developing countries were creating and deploying their own remote-sensing satellite systems and utilizing space-based data to advance socio-economic development.

The Subcommittee reviewed cooperative programmes in the use of remote-sensing technology and recognized the importance of international organizations in promoting such activities. It noted that the increased convergence and availability of space-based data, geographic information systems and GNSS technologies was generating valuable information for policy- and decision-making.

For its consideration of space debris, the Subcommittee had before it a Secretariat note [A/AC.105/951 & Add.1] containing replies from nine Member States on national research on space debris, safety of space objects with nuclear power sources (NPS) on board and problems relating to their collision with space debris. The Subcommittee noted that some States were implementing space debris mitigation measures consistent with the Space Debris Mitigation Guidelines of the Committee on the Peaceful Uses of Outer Space [YUN 2007, p. 640] and/or the Inter-Agency Space Debris Coordination Committee Space Debris Mitigation Guidelines, or that they had developed their own mitigation standards based on those guidelines. The Subcommittee agreed that Member States, in particular space-faring nations, should pay greater attention to the problem of collisions of space objects, including those with NPS on board, with space debris and to other aspects of space debris, including its re-entry into the atmosphere. It further agreed that research on space debris should continue and that Member States should make available to all interested parties the results of that research, including information on practices that had proved effective in minimizing the creation of space debris.

The Subcommittee continued its consideration of the use of NPS in outer space. It welcomed the agreement on the Safety Framework for Nuclear Power Source Applications in Outer Space [YUN 2009, p. 605] and encouraged Member States to implement the Framework. The Subcommittee endorsed the report of the reconvened Working Group on the Use of Nuclear Power Sources in Outer Space, which was annexed to the Subcommittee's report and included the Working Group's workplan for the period 2010–2015.

The Subcommittee agreed that national and international efforts to detect and track near-Earth objects should be continued and expanded. It reconvened its Working Group on Near-Earth Objects and endorsed the Working Group's report, which was annexed to the Subcommittee's report and previewed the goals and activities of the Working Group for the period 2010–2011.

Pursuant to General Assembly resolution 64/86 [ibid., p. 599], the Subcommittee considered the long-term sustainability of outer space activities. It had before it a working paper [A/AC.105/C.1/L.303] and a conference room paper [A/AC.105/C.1/2010/CRP.3] on

the issue. The Subcommittee established the Working Group on the Long-term Sustainability of Outer Space Activities and recommended to the Committee on Outer Space that the Working Group hold a meeting during the Committee's fifty-third (2010) session (see p. 609) to develop its terms of reference and work method. The Subcommittee agreed that the Working Group should examine the long-term sustainability of outer space activities in all its aspects, including its contribution to the achievements of the Millennium Development Goals, taking into account the concerns of all countries, in particular those of developing countries. The Working Group should support the preparation of a report on the long-term sustainability of outer space activities and measures that could enhance such sustainability, as well as the preparation of a set of best-practice guidelines.

Also submitted to the Subcommittee were Secretariat notes on international cooperation in the peaceful uses of outer space [A/AC.105/953/Add.1,2 & A/AC.105/977 & Add.1], containing replies from 21 Member States on their space activities.

Space-based disaster management and emergency response

The Scientific and Technical Subcommittee, at its forty-seventh session in February [A/AC.105/958], had before it a report on the activities carried out in 2009 in the framework of the United Nations Platform for Space-based Information for Disaster Management and Emergency Response (UN-SPIDER) [A/AC.105/955], established by General Assembly resolution 61/110 [YUN 2006, p. 748]; a report of the Secretariat on outreach activities carried out in 2009 in the framework of UN-SPIDER [A/AC.105/952]; and a document containing the capacity-building strategy of UN-SPIDER [A/AC.105/947]. The Subcommittee heard a statement by the UN-SPIDER Programme Coordinator on the 2009 activities and on the implementation of activities planned for 2010. It took note of the progress made with regard to UN-SPIDER activities in 2009, such as the provision of space-based information to support emergency relief efforts in response to major disasters. It also welcomed the signature of cooperation agreements for the establishment of regional support offices in Pakistan and Ukraine. The Subcommittee reconvened its Working Group of the Whole and endorsed its report, which was annexed to the Subcommittee's report.

Two December reports, which were to be considered at the Subcommittee's forty-eighth (2011) session, dealt with the implementation of UN-SPIDER activities in 2010 [A/AC.105/981] and technical advisory support activities carried out in 2010 in the UN-SPIDER framework [A/AC.105/985]. The report on 2010 activities highlighted several accomplishments,

including the formalization of cooperation agreements for the establishment of regional support offices; the provision of support for the response to 29 disasters; the improvement of the UN-SPIDER knowledge portal; the organization and provision of support to international and regional workshops and expert meetings; and the provision of technical advisory support to 17 Member States. On 17 June, a host country agreement was signed between China and the Office for Outer Space Affairs for the establishment of the UN-SPIDER office in Beijing. The office was inaugurated on 10 November. The report on the provision of UN-SPIDER technical advisory support described such activities as were carried out on a regional basis—namely, in Africa, Asia and the Pacific, Latin America and the Caribbean, and West Asia. It summarized UN-SPIDER emergency response activities to assist Member States, particularly in the framework of the mechanisms and initiatives available to help countries access space-based technologies in support of relief efforts. In the aftermath of major earthquakes in Haiti and Chile, UN-SPIDER ensured the immediate delivery of satellite imagery and maps of the areas affected. For each emergency situation, a web page with vital information was created in the UN-SPIDER knowledge portal to facilitate information-sharing.

International Space Weather Initiative

In accordance with resolution 64/86, the Scientific and Technical Subcommittee [A/AC.105/958] considered the International Space Weather Initiative, which would be carried out under a three-year workplan (2010–2012) and build upon the success of the International Heliophysical Year 2007, a multi-year campaign that concluded in 2009 [YUN 2009, p. 606]. The Subcommittee had before it notes by the Secretariat containing replies from six Member States and two international organizations on national and regional activities related to the International Space Weather Initiative [A/AC.105/967 & Add.1 & A/AC.105/C.1/2010/CRP.8]. It noted that the Initiative would contribute to the observation of space weather through the deployment of instrument arrays and the sharing of observed data among researchers around the world. In particular, the Initiative would explore the solar corona; deepen understanding of the function of the Sun and the effects that the variability of the Sun could have on the Earth's magnetosphere, environment and climate; explore the ionized environments of planets; and determine the limits of the heliosphere and deepen understanding of its interaction with interstellar space. Participation was open to scientists from all countries, as instrument hosts or instrument providers. The Initiative offered Member States the opportunity to coordinate global monitoring of space weather using space- and ground-based

assets, assist in consolidating common knowledge and develop essential forecast capabilities to improve the safety of space-based assets.

Legal Subcommittee

The Legal Subcommittee, at its forty-ninth session (Vienna, 22 March–1 April) [A/AC.105/942], considered the status and application of the five UN treaties on outer space; information on the activities of international organizations relating to space law; matters related to the definition and delimitation of outer space and the character and utilization of the geostationary orbit; the review and possible revision of the Principles Relevant to the Use of Nuclear Power Sources in Outer Space; the examination and review of developments concerning the draft protocol on matters specific to space assets to the Convention on International Interests in Mobile Equipment; capacity-building in space law; exchange of information on national mechanisms relating to space debris mitigation measures; and exchange of information on national legislation relevant to the peaceful exploration and use of outer space.

The Subcommittee expressed appreciation for the distribution by the Secretariat of an updated document containing information, as at 1 January, on States parties and additional signatories to the UN treaties and other international agreements relating to activities in outer space [ST/SPACE/11/Rev.2/Add.3].

The Subcommittee reconvened its Working Group on the Status and Application of the Five United Nations Treaties on Outer Space [YUN 2001, p. 570], which considered the possible evolution of the scope of its work and recognized that its discussions should continue to include but not be limited to issues related to the Agreement Governing the Activities of States on the Moon and Other Celestial Bodies [YUN 1979, p. 111], and should reflect the actual needs of States vis-à-vis the provisions of the relevant UN treaties. The Working Group also discussed the relationship and consistency between some of the principles enshrined in the five UN treaties on outer space, and agreed upon a series of issues that it would consider at its fiftieth (2011) session. The Subcommittee endorsed the report of the Working Group, annexed to the Subcommittee's report, and the recommendation that its mandate be extended for an additional year.

For its consideration of the activities of international intergovernmental and non-governmental organizations relating to space law, the Subcommittee had before it a Secretariat note [A/AC.105/C.2/L.278 & Add.1] with information received from the European Centre for Space Law, the International Institute of Space Law, the International Law Association, the International Organization of Space Communica-

tions, the International Mobile Satellite Organization (IMSO) and the International Telecommunications Satellite Organization (ITSO); as well as conference room papers with additional information on IMSO and ITSO [A/AC.105/C.2/2010/CRP.3,15]. It welcomed the information provided by international inter-governmental and non-governmental organizations (NGOs) relating to space law and noted that such organizations had contributed significantly to space law development.

For its consideration of capacity-building in space law, the Subcommittee had before it: a report [A/AC.105/956] on and the proceedings [ST/SPACE/47] of the United Nations/Islamic Republic of Iran Workshop on Space Law [YUN 2009, p. 604], the theme of which was the “Role of international space law in the development and strengthening of international and regional cooperation in the peaceful exploration and use of outer space”; a report [A/AC.105/972] on the second (2009) United Nations Expert Meeting on Promoting Education in Space Law; and a Secretariat report [A/AC.105/954] on the implementation of recommendations to build capacity in space law. Also before it were conference room papers containing: a directory of education opportunities in space law [A/AC.105/C.2/2010/CRP.4]; and information submitted by nine Member States on actions and initiatives to build capacity in space law [A/AC.105/C.2/2010/CRP.8 & Add.1]. The Subcommittee agreed that capacity-building, training and education in space law were of paramount importance to efforts to develop space science and technology and increase knowledge about their legal framework. It acknowledged the space law capacity-building efforts conducted by governmental organizations and NGOs and highlighted the role of the Office for Outer Space Affairs in providing legal advisory services and participating in initiatives to build capacity in space law.

The Subcommittee reconvened its Working Group on the Definition and Delimitation of Outer Space, which considered two Secretariat notes—one containing replies from Member States on questions on the definition and delimitation of outer space [A/AC.105/889/Add.5,6] and the other on national legislation and practice relating to the definition and delimitation of outer space [A/AC.105/865 & Add.6,7]. It also had before it three conference room papers: two contained replies from the Netherlands [A/AC.105/C.2/2010/CRP.10] and Tunisia [A/AC.105/C.2/2010/CRP.13] on matters relating to the definition and delimitation of outer space, while a third [A/AC.105/C.2/2010/CRP.9] presented information from the International Civil Aviation Organization on the concept of suborbital flights. The Subcommittee endorsed the report of the Working Group, which was annexed to the Subcommittee’s report.

For its discussion on exchange of information on national legislation relevant to the peaceful exploration and use of outer space, the Subcommittee considered a Secretariat note [A/AC.105/957] and two conference room papers [A/AC.105/C.2/2010/CRP.11,14] containing information received from 10 Member States on national legislation governing their space activities. A further conference room paper [A/AC.105/C.2/2010/CRP.12] contained an overview of national regulatory frameworks for space activities. The Subcommittee reconvened its Working Group on National Legislation Relevant to the Peaceful Exploration and Use of Outer Space [YUN 2009, p. 607] and noted that the Working Group’s discussions, which included information-sharing about the development of national space legislation, allowed States to gain an understanding of national regulatory frameworks. In the light of the increasing number of space-related international cooperation programmes and projects, the Subcommittee noted the importance of the development of space legislation, which played a significant role in regulating and promoting such cooperation. The Subcommittee endorsed the report of the Working Group, which was annexed to the Subcommittee’s report.

GENERAL ASSEMBLY ACTION

On 10 December [meeting 62], the General Assembly, on the recommendation of the Fourth Committee [A/65/421], adopted **resolution 65/97** without vote [agenda item 50].

International cooperation in the peaceful uses of outer space

The General Assembly,

Recalling its resolutions 51/122 of 13 December 1996, 54/68 of 6 December 1999, 59/2 of 20 October 2004, 61/110 and 61/111 of 14 December 2006, 62/101 of 17 December 2007, 62/217 of 22 December 2007 and 64/86 of 10 December 2009,

Deeply convinced of the common interest of mankind in promoting and expanding the exploration and use of outer space, as the province of all mankind, for peaceful purposes and in continuing efforts to extend to all States the benefits derived therefrom, and also of the importance of international cooperation in this field, for which the United Nations should continue to provide a focal point,

Reaffirming the importance of international cooperation in developing the rule of law, including the relevant norms of space law and their important role in international cooperation for the exploration and use of outer space for peaceful purposes, and of the widest possible adherence to international treaties that promote the peaceful uses of outer space in order to meet emerging new challenges, especially for developing countries,

Seriously concerned about the possibility of an arms race in outer space, and bearing in mind the importance of article IV of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies (Outer Space Treaty),

Recognizing that all States, in particular those with major space capabilities, should contribute actively to the goal of preventing an arms race in outer space as an essential condition for the promotion and strengthening of international cooperation in the exploration and use of outer space for peaceful purposes,

Recognizing also that space debris is an issue of concern to all nations,

Noting the progress achieved in the further development of peaceful space exploration and applications as well as in various national and cooperative space projects, which contributes to international cooperation, and the importance of further developing the legal framework to strengthen international cooperation in this field,

Convinced of the need to promote the use of space technology towards implementing the United Nations Millennium Declaration,

Seriously concerned about the devastating impact of disasters,

Desirous of enhancing international coordination and cooperation at the global level in disaster management and emergency response through greater access to and use of space-based services for all countries and facilitating capacity-building and institutional strengthening for disaster management, in particular in developing countries,

Deeply convinced that the use of space science and technology and their applications in areas such as telemedicine, tele-education, disaster management, environmental protection and other Earth observation applications contribute to achieving the objectives of the global conferences of the United Nations that address various aspects of economic, social and cultural development, particularly poverty eradication,

Taking note, in that regard, of the fact that the 2005 World Summit recognized the important role that science and technology play in promoting sustainable development,

Having considered the report of the Committee on the Peaceful Uses of Outer Space on the work of its fifty-third session,

1. *Endorses* the report of the Committee on the Peaceful Uses of Outer Space on the work of its fifty-third session;

2. *Agrees* that the Committee on the Peaceful Uses of Outer Space, at its fifty-fourth session, should consider the substantive items recommended by the Committee at its fifty-third session, taking into account the concerns of all countries, in particular those of developing countries;

3. *Notes* that, at its forty-ninth session, the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space continued its work, as mandated by the General Assembly in its resolution 64/86;

4. *Agrees* that the Legal Subcommittee, at its fiftieth session, should consider the substantive items and reconvene the working groups recommended by the Committee, taking into account the concerns of all countries, in particular those of developing countries;

5. *Urges* States that have not yet become parties to the international treaties governing the uses of outer space to give consideration to ratifying or acceding to those treaties in accordance with their domestic law, as well as incorporating them in their national legislation;

6. *Notes* that, at its forty-seventh session, the Scientific and Technical Subcommittee of the Committee on the Peaceful Uses of Outer Space continued its work, as mandated by the General Assembly in its resolution 64/86;

7. *Agrees* that the Scientific and Technical Subcommittee, at its forty-eighth session, should consider the substantive items and reconvene the working groups recommended by the Committee, taking into account the concerns of all countries, in particular those of developing countries;

8. *Notes with appreciation* that some States are already implementing space debris mitigation measures on a voluntary basis, through national mechanisms and consistent with the Space Debris Mitigation Guidelines of the Inter-Agency Space Debris Coordination Committee and with the Space Debris Mitigation Guidelines of the Committee on the Peaceful Uses of Outer Space, endorsed by the General Assembly in its resolution 62/217;

9. *Invites* other States to implement, through relevant national mechanisms, the Space Debris Mitigation Guidelines of the Committee on the Peaceful Uses of Outer Space;

10. *Considers* that it is essential that States pay more attention to the problem of collisions of space objects, including those with nuclear power sources, with space debris, and other aspects of space debris, calls for the continuation of national research on this question, for the development of improved technology for the monitoring of space debris and for the compilation and dissemination of data on space debris, also considers that, to the extent possible, information thereon should be provided to the Scientific and Technical Subcommittee, and agrees that international cooperation is needed to expand appropriate and affordable strategies to minimize the impact of space debris on future space missions;

11. *Urges* all States, in particular those with major space capabilities, to contribute actively to the goal of preventing an arms race in outer space as an essential condition for the promotion of international cooperation in the exploration and use of outer space for peaceful purposes;

12. *Endorses* the United Nations Programme on Space Applications for 2011, as proposed to the Committee by the Expert on Space Applications and endorsed by the Committee;

13. *Welcomes* the progress made by the International Committee on Global Navigation Satellite Systems towards achieving compatibility and interoperability among global and regional space-based positioning, navigation and timing systems and in the promotion of the use of global navigation satellite systems and their integration into national infrastructure, particularly in developing countries, and notes with satisfaction that the International Committee held its fifth meeting in Turin, Italy, from 18 to 22 October 2010, which was jointly organized by Italy and the European Commission;

14. *Notes with satisfaction* the progress made within the framework of the United Nations Platform for Space-based Information for Disaster Management and Emergency Response (UN-SPIDER) in the implementation of the work plan of the UN-SPIDER programme for the biennium 2010–2011, in particular the work of the UN-SPIDER office in Bonn, Germany, which is establishing a systematic compilation of relevant information with respect to disasters and making it accessible to all end-users, as well as the work of the UN-SPIDER staff in Vienna who are coordinating all the programme activities, including the work of the regional support offices, and encourages Member States to provide all necessary support, on a voluntary basis, to

UN-SPIDER, including financial support, to enable it to carry out the workplan;

15. *Welcomes with appreciation* the signing of a host country agreement on 17 June 2010 by the Government of China and the Office for Outer Space Affairs of the Secretariat for the establishment of the UN-SPIDER Beijing office, and welcomes the fact that, in accordance with General Assembly resolution 61/110, regional support offices have been established in several countries to support the implementation of the activities of the UN-SPIDER programme;

16. *Agrees* that the Office for Outer Space Affairs should ensure, within existing resources, the coordination of the UN-SPIDER Space Aid framework with mechanisms and initiatives that are making space-based information available to support responses to emergency events, thus avoiding duplication of efforts;

17. *Notes with appreciation* that the African regional centres for space science and technology education in the French and English languages, located in Morocco and Nigeria, respectively, as well as the Centre for Space Science and Technology Education in Asia and the Pacific and the Regional Centre for Space Science and Technology Education for Latin America and the Caribbean, affiliated to the United Nations, have continued their education programmes in 2010, and agrees that the regional centres should continue to report to the Committee on their activities;

18. *Emphasizes* that regional and interregional cooperation in the field of space activities is essential to strengthen the peaceful uses of outer space, assist States in the development of their space capabilities and contribute to the achievement of the goals of the United Nations Millennium Declaration and to that end fosters interregional dialogue on space matters between Member States;

19. *Recognizes*, in this regard, the important role played by conferences and other mechanisms in strengthening regional and international cooperation among States, such as the African Leadership Conference on Space Science and Technology for Sustainable Development, the Asia-Pacific Regional Space Agency Forum, the Asia-Pacific Space Cooperation Organization and the Space Conference of the Americas;

20. *Notes with appreciation* that since the adoption of the Declaration of San Francisco de Quito by the Fifth Space Conference of the Americas in July 2006, more States in the Latin American and Caribbean region have set up national space entities of a civilian nature, thus laying the foundation for enhanced regional cooperation in the peaceful uses of outer space, and recalls that in the Declaration, States in the Latin American and Caribbean region were invited to, inter alia, "set up national space entities to lay the foundation for a regional entity for cooperation";

21. *Welcomes with appreciation* the organization by the Government of Mexico of the Sixth Space Conference of the Americas, to be held in Pachuca, Mexico, from 15 to 19 November 2010, and notes with satisfaction that the proposed results of the Conference will be aimed towards strengthening the participation of the academic, public and private sectors, as well as youth and non-governmental organizations, in regional and international programmes and projects using space science and technology to support the economic, social, cultural and scientific development of the region;

22. *Urges* Member States and invites international organizations to participate actively in the four commit-

tees that will meet during the Sixth Space Conference of the Americas;

23. *Emphasizes* the need to increase the benefits of space technology and its applications and to contribute to an orderly growth of space activities favourable to sustained economic growth and sustainable development in all countries, including mitigation of the consequences of disasters, in particular in the developing countries;

24. *Notes* that space science and technology and their applications make important contributions to economic, social and cultural development and welfare, as indicated in the resolution entitled "The Space Millennium: Vienna Declaration on Space and Human Development", its resolution 59/2 and the Plan of Action of the Committee on the Peaceful Uses of Outer Space on the implementation of the recommendations of the Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space (UNISPACE III);

25. *Notes with satisfaction* that a number of the recommendations set out in the Plan of Action have been implemented and that satisfactory progress is being made in implementing the outstanding recommendations, and that Member States continue to contribute to the implementation of the recommendations of UNISPACE III through national and regional activities and by supporting and participating in the programmes established in response to those recommendations;

26. *Urges* all Member States to continue to contribute to the Trust Fund for the United Nations Programme on Space Applications to enhance the capacity of the Office for Outer Space Affairs to provide technical and legal advisory services in accordance with the Plan of Action, while maintaining the priority thematic areas agreed by the Committee;

27. *Reiterates* that the benefits of space technology and its applications should continue to be brought to the attention, in particular, of the major United Nations conferences and summits for economic, social and cultural development and related fields and that the use of space technology should be promoted towards achieving the objectives of those conferences and summits and for implementing the United Nations Millennium Declaration;

28. *Notes with satisfaction* that the working paper by the Chair of the Committee on the Peaceful Uses of Outer Space for the period 2008–2009 entitled "Towards a United Nations space policy" will be considered by the Committee at its fifty-fourth session;

29. *Welcomes* the increased efforts to strengthen further the Inter-Agency Meeting on Outer Space Activities, notes with satisfaction that the open informal meetings, held in conjunction with the annual sessions of the Inter-Agency Meeting on Outer Space Activities, provide a constructive mechanism for an active dialogue between the entities of the United Nations system and Member States, and encourages entities of the United Nations system to participate fully in the work of the Inter-Agency Meeting;

30. *Urges* entities of the United Nations system, particularly those participating in the Inter-Agency Meeting on Outer Space Activities, to continue to examine, in cooperation with the Committee, how space science and technology and their applications could contribute to implementing the United Nations Millennium Declaration on the development agenda, particularly in the areas relat-

ing to, inter alia, food security and increasing opportunities for education;

31. *Agrees* that the Director of the Office for Outer Space Affairs should continue to participate in the sessions of the Commission on Sustainable Development to raise awareness and promote the benefits of space science and technology for sustainable development;

32. *Calls upon* the United Nations University and other institutions of the same nature, within the framework of their mandates, to provide training and to carry out research in the areas of international space law and, in particular, matters relating to disasters and emergencies;

33. *Requests* the Economic Commission for Latin America and the Caribbean and other relevant regional organizations to offer the assistance necessary so that countries can carry out recommendations of regional conferences;

34. *Requests* the Committee to continue to consider, as a matter of priority, ways and means of maintaining outer space for peaceful purposes and to report thereon to the General Assembly at its sixty-sixth session, and agrees that during its consideration of the matter the Committee could continue to consider ways to promote regional and interregional cooperation based on experiences stemming from the Space Conferences of the Americas, the African Leadership Conferences on Space Science and Technology for Sustainable Development and the role space technology could play in the implementation of recommendations of the World Summit on Sustainable Development;

35. *Invites* the Committee to consider how it can contribute to the objectives of the United Nations Conference on Sustainable Development, to be held in Rio de Janeiro, Brazil, in 2012;

36. *Notes* that, in accordance with the agreement reached by the Committee at its forty-sixth session on the measures relating to the future composition of the bureaux of the Committee and its subsidiary bodies, on the basis of the measures relating to the working methods of the Committee and its subsidiary bodies, the Group of Asian States, the Group of Latin American and Caribbean States and the Group of Western European and Other States nominated their candidates for the offices of Chair of the Committee, Chair of the Scientific and Technical Subcommittee and First Vice-Chair of the Committee, respectively, for the period 2012–2013;

37. *Urges* the Group of African States to nominate its candidate for the office of Chair of the Legal Subcommittee and the Group of Eastern European States to nominate its candidate for the office of Second Vice-Chair/Rapporteur of the Committee, for the period 2012–2013, before the next meeting of those bodies;

38. *Agrees* that, upon the nomination of the candidate of the Group of African States and the candidate of the Group of Eastern European States, the Committee and its subsidiary bodies should elect their officers;

39. *Decides* that Tunisia shall become a member of the Committee;

40. *Endorses* the decision of the Committee to grant permanent observer status to the International Association for the Advancement of Space Safety;

41. *Notes* that each of the regional groups has the responsibility for actively promoting the participation in the work of the Committee and its subsidiary bodies of the

member States of the Committee that are also members of the respective regional groups, and agrees that the regional groups should consider this Committee-related matter among their members;

42. *Notes with satisfaction* that a panel discussion on space and emergencies was held at United Nations Headquarters on 12 October 2010, and agrees that a panel discussion should be held at the sixty-sixth session of the General Assembly on a topic to be selected by the Committee, taking into account the panel discussions held on climate change, food security, global health, and emergencies;

43. *Requests* the entities of the United Nations system, other international organizations and the Secretary-General to continue and, where appropriate, to enhance their cooperation with the Committee and to provide it with reports on the issues dealt with in the work of the Committee and its subsidiary bodies, and to address the issues covered by the panel discussions held in conjunction with sessions of the General Assembly;

44. *Welcomes* the fact that the Committee will celebrate at its fifty-fourth session the fiftieth anniversary of the Committee and the fiftieth anniversary of human space flight.

Effects of atomic radiation

On 18 May [A/64/796], the Chair of the United Nations Scientific Committee on the Effects of Atomic Radiation informed the President of the General Assembly that due to the volcanic eruptions in Iceland in April, which caused flight disruptions preventing most of the meeting's attendees from reaching Vienna for the scheduled session [YUN 2009, p. 607], the Committee's fifty-seventh session had been postponed to 16–20 August. As a result, the Committee would report its conclusions in response to paragraph 13 of resolution 64/85 [ibid., p. 608] after the rescheduled session (see below).

On 29 June, the General Assembly deferred consideration of the report of the fifty-seventh session of the Committee until the main part of its sixty-fifth (2010) session (**decision 64/559**).

Report of Scientific Committee. At its fifty-seventh session (Vienna, 16–20 August) [A/65/46], the 21-member United Nations Scientific Committee on the Effects of Atomic Radiation discussed the progress in publishing the report with scientific annexes it had approved in 2008 [YUN 2008, p. 694], entitled *Sources, effects and risks of ionizing radiation*. Expressing disappointment that volume I was not published until July and that volume II had not been published, the Committee noted that delays were traceable in part to inadequate staffing and lack of funding. The Committee developed and approved for submission to the General Assembly a scientific report summarizing low-dose radiation effects on health, including a synthesis of the Committee's findings on the mechanisms of radiation actions at low doses. It also approved a

strategy to improve data collection, analysis and dissemination, which was based on the development of electronic solutions, targeted specific countries, and entailed close collaboration with other networks, in particular those of the International Atomic Energy Agency (IAEA) and the World Health Organization (WHO). The Committee suggested that the Assembly encourage Member States, UN system entities and other organizations to provide further data about doses, effects and risks from various radiation sources, which would help in the preparation of future reports to the Assembly; and encourage IAEA, WHO and other organizations to collaborate with the Committee secretariat to establish and coordinate arrangements for the periodic collection and exchange of data on radiation exposures of the general public, workers and, in particular, medical patients. The Committee reviewed plans for conducting work on medical radiation exposures, the biological effects of selected internal emitters, enhanced exposures to natural sources of radiation due to human activities, and the development of a knowledge base on radiation levels and effects.

In response to paragraph 13 of resolution 64/85, the Committee discussed and reported [A/65/46/Add.1] on how its current, as well as a potentially revised, membership could best support its work. The Committee noted that it considered the current membership to be of an appropriate size, but also that the participation of scientists of some of the six countries expressing interest in becoming members [YUN 2007, p. 645], especially in targeted subject areas, would be beneficial to its work. Concerns were raised about a potentially large membership increase, including the possibility of compromised working arrangements and decreased efficiency; restrictions that would become necessary to limit the size of delegations and therefore limit the depth and breadth of expertise; increased workload for the secretariat; and increased financial requirements for operations. The Committee had developed ideas for mechanisms to improve its ability to access expertise in non-member countries. Those included engaging experts to assist in developing session documents; inviting experts as observers for specific agenda items; and establishing bilateral arrangements between members of the Committee and partners in other countries.

GENERAL ASSEMBLY ACTION

On 10 December [meeting 62], the General Assembly, on the recommendation of the Fourth Committee [A/65/420], adopted **resolution 65/96** without vote [agenda item 49].

Effects of atomic radiation

The General Assembly,

Recalling its resolution 913(X) of 3 December 1955, by which it established the United Nations Scientific Commit-

tee on the Effects of Atomic Radiation, and its subsequent resolutions on the subject, in which, inter alia, it requested the Scientific Committee to continue its work,

Concerned about the potentially harmful effects on present and future generations resulting from the levels of radiation to which mankind and the environment are exposed,

Conscious of the continuing need to examine and compile information about atomic and ionizing radiation and to analyse its effects on mankind and the environment, and conscious also of the increased volume, complexity and diversity of that information,

Taking note with appreciation of the work of the Scientific Committee, and noting the letters from its Chair to the President of the General Assembly as well as the report on its fifty-seventh session,

Reaffirming the desirability of the Scientific Committee continuing its work, and welcoming the increased commitment of States members of the Scientific Committee,

Emphasizing the vital need for sufficient, assured and predictable funding, as well as efficient management, of the work of the secretariat of the Scientific Committee to arrange the annual sessions and coordinate the development of documents based on scientific reviews from Member States of the sources of ionizing radiation and its effects on human health and the environment,

Acknowledging that Belarus, Finland, Pakistan, the Republic of Korea, Spain and Ukraine had informed the President of the General Assembly before 28 February 2007, in accordance with paragraph 14 of Assembly resolution 61/109 of 14 December 2006, of their desire to become members of the Scientific Committee,

Welcoming the attendance of Belarus, Finland, Pakistan, the Republic of Korea, Spain and Ukraine as observers at the fifty-sixth and fifty-seventh sessions of the Scientific Committee,

Recalling the comprehensive report of the Secretary-General on the financial and administrative implications of increased membership of the Scientific Committee, staffing of its professional secretariat, and methods to ensure sufficient, assured and predictable funding,

Welcoming the establishment of a new P-4 post for the secretariat of the Scientific Committee, noting that staffing was one of the points that had to be addressed in anticipation of a possible increase in membership, and noting also that such resources were necessary to support the work of the Scientific Committee,

Noting that the fifty-seventh session of the Scientific Committee had to be unavoidably postponed, inter alia, as a result of the worldwide flight disruptions following volcanic eruptions in Iceland in April 2010, and recognizing the important work done by the secretariat to regain the lost time by preparing additional detailed documentation of a high scientific quality for the rescheduled fifty-seventh session,

Recalling its direction, most recently in paragraph 13 of its resolution 64/85 of 10 December 2009, that the Scientific Committee, together with the observer countries, continue its reflection on how its current, as well as potentially revised, membership could best support its work,

1. *Commends* the United Nations Scientific Committee on the Effects of Atomic Radiation for the valuable contribution it has been making since its inception to wider knowledge and understanding of the levels, effects and risks

of ionizing radiation, and for fulfilling its original mandate with scientific authority and independence of judgement;

2. *Reaffirms* the decision to maintain the present functions and independent role of the Scientific Committee;

3. *Requests* the Scientific Committee to continue its work, including its important activities to increase knowledge of the levels, effects and risks of ionizing radiation from all sources and to report thereon to the General Assembly at its sixty-sixth session;

4. *Endorses* the intentions and plans of the Scientific Committee for conducting its present programme of work of scientific review and assessment on behalf of the General Assembly, encourages the Scientific Committee at its earliest convenience to submit the related reports, including on assessments of levels of ionizing radiation from electrical energy production, as well as on the effects on human health and the environment, which shall include the submission of the report requested by the Assembly on the attribution of health effects due to radiation exposure, and requests the Scientific Committee to submit plans for its ongoing programme of work to the Assembly at its sixty-sixth session;

5. *Calls upon* the Secretariat to facilitate the timely publication of the reports of the Scientific Committee, inter alia, by streamlining internal procedures as necessary;

6. *Re-emphasizes* the need for the Scientific Committee to hold regular sessions on an annual basis so that its report can reflect the latest developments and findings in the field of ionizing radiation and thereby provide updated information for dissemination among all States;

7. *Invites* the Scientific Committee to continue its consultations with scientists and experts from interested Member States in the process of preparing its future scientific reports, and requests the Secretariat to facilitate such consultations;

8. *Welcomes*, in this context, the readiness of Member States to provide the Scientific Committee with relevant information on the effects of ionizing radiation in affected areas, and invites the Scientific Committee to analyse and give due consideration to such information, particularly in the light of its own findings;

9. *Also welcomes* the Scientific Committee's new strategy to improve data collection, encourages in this regard Member States, the organizations of the United Nations system and non-governmental organizations concerned to provide further relevant data about doses, effects and risks from various sources of radiation, which would greatly help in the preparation of future reports of the Scientific Committee to the General Assembly, and further encourages the International Atomic Energy Agency, the World Health Organization and other relevant organizations to establish and coordinate with the secretariat the arrangements for periodic collection and exchange of data on radiation exposures of workers, the general public, and, in particular, medical patients;

10. *Requests* the United Nations Environment Programme to continue providing support for the effective conduct of the work of the Scientific Committee and for the dissemination of its findings to the General Assembly, the scientific community and the public;

11. *Urges* the United Nations Environment Programme to continue to strengthen the funding of the Scientific Committee, pursuant to paragraph 13 of General Assembly resolution 63/89 of 5 December 2008 and paragraph 12

of Assembly resolution 64/85 of 10 December 2009, and encourages Member States to consider making voluntary contributions to the general trust fund established by the Executive Director of the United Nations Environment Programme to support the work of the Scientific Committee;

12. *Expresses its satisfaction* at the prompt reaction of the secretariat of the Scientific Committee in overcoming the unexpected and unavoidable postponement of the fifty-seventh session of the Scientific Committee, inter alia, by preparing detailed documentation of a high scientific quality;

13. *Invites* Belarus, Finland, Pakistan, the Republic of Korea, Spain and Ukraine to continue the practice, started in 2007, by designating one scientist to attend, as an observer, the fifty-eighth session of the Scientific Committee, and requests the Secretary-General to prepare a report to be submitted to the General Assembly at its sixty-sixth session on the objective criteria and indicators to be equitably applied, taking into account all previous resolutions of the General Assembly on the Scientific Committee, to determine membership that would best support the essential work of the Scientific Committee, and also requests the Secretary-General to consider the financial implications of increased membership, taking into account documents A/64/6 (Sect. 14) and A/64/6/Add.1;

14. *Requests* the Secretary-General to report to the General Assembly, within existing resources, at its sixty-sixth session, regarding the effects of atomic radiation in the Republic of the Marshall Islands, taking into account analysis by recognized experts, including the Scientific Committee, and previously published studies on the topic.

Information security

In response to General Assembly resolution 64/25 [YUN 2009, p. 609], the Secretary-General in July issued a report [A/65/154] transmitting the views of seven Members States on their general appreciation of issues of information security; national efforts to strengthen information security and promote international cooperation in that field; the content of international concepts aimed at strengthening the security of global information and telecommunications systems; and possible measures the international community could take to strengthen global information security.

Group of Governmental Experts. The Group of Governmental Experts on Developments in the Field of Information and Telecommunications in the Context of International Security, established by the Secretary-General in 2009 pursuant to General Assembly resolution 60/45 [YUN 2005, p. 695], held its second (New York, 11–15 January), third (Geneva, 21–25 June) and fourth (New York, 12–16 July) sessions. The Secretary-General reported on the Group's activities in July [A/65/201]. The Group studied existing and potential threats in the sphere of information security and possible cooperative measures to address them, as well as strengthening the security of

global information and telecommunications systems. It took into account replies from Member States in response to Assembly resolution 63/37 [YUN 2008, p. 696] and earlier resolutions on the topic, as well as contributions and background papers submitted by its members. The Group recommended dialogue among States to discuss norms pertaining to State use of information and communications technologies (ICTs); confidence-building and risk reduction measures to address the implications of State use of ICTs, including exchanges of national views on the use of ICTs in conflict; information exchanges on national legislation and national ICT security strategies, technologies, policies and best practices; the identification of measures to support capacity-building in less developed countries; and finding possibilities to elaborate common terms and definitions relevant to Assembly resolution 64/25 [YUN 2009, p. 609].

GENERAL ASSEMBLY ACTION

On 8 December [meeting 60], the General Assembly, on the recommendation of the First (Disarmament and International Security) Committee [A/65/405], adopted **resolution 65/41** without vote [agenda item 92].

Developments in the field of information and telecommunications in the context of international security

The General Assembly,

Recalling its resolutions 53/70 of 4 December 1998, 54/49 of 1 December 1999, 55/28 of 20 November 2000, 56/19 of 29 November 2001, 57/53 of 22 November 2002, 58/32 of 8 December 2003, 59/61 of 3 December 2004, 60/45 of 8 December 2005, 61/54 of 6 December 2006, 62/17 of 5 December 2007, 63/37 of 2 December 2008 and 64/25 of 2 December 2009,

Recalling also its resolutions on the role of science and technology in the context of international security, in which, inter alia, it recognized that scientific and technological developments could have both civilian and military applications and that progress in science and technology for civilian applications needed to be maintained and encouraged,

Noting that considerable progress has been achieved in developing and applying the latest information technologies and means of telecommunication,

Affirming that it sees in this process the broadest positive opportunities for the further development of civilization, the expansion of opportunities for cooperation for the common good of all States, the enhancement of the creative potential of humankind and additional improvements in the circulation of information in the global community,

Recalling, in this connection, the approaches and principles outlined at the Information Society and Development Conference, held in Midrand, South Africa, from 13 to 15 May 1996,

Bearing in mind the results of the Ministerial Conference on Terrorism, held in Paris on 30 July 1996, and the recommendations that it made,

Bearing in mind also the results of the World Summit on the Information Society, held in Geneva from 10 to 12 December 2003 (first phase) and in Tunis from 16 to 18 November 2005 (second phase),

Noting that the dissemination and use of information technologies and means affect the interests of the entire international community and that optimum effectiveness is enhanced by broad international cooperation,

Expressing concern that these technologies and means can potentially be used for purposes that are inconsistent with the objectives of maintaining international stability and security and may adversely affect the integrity of the infrastructure of States to the detriment of their security in both civil and military fields,

Considering that it is necessary to prevent the use of information resources or technologies for criminal or terrorist purposes,

Noting the contribution of those Member States that have submitted their assessments on issues of information security to the Secretary-General pursuant to paragraphs 1 to 3 of resolutions 53/70, 54/49, 55/28, 56/19, 57/53, 58/32, 59/61, 60/45, 61/54, 62/17, 63/37 and 64/25,

Taking note of the reports of the Secretary-General containing those assessments,

Welcoming the initiative taken by the Secretariat and the United Nations Institute for Disarmament Research in convening international meetings of experts in Geneva in August 1999 and April 2008 on developments in the field of information and telecommunications in the context of international security, as well as the results of those meetings,

Considering that the assessments of the Member States contained in the reports of the Secretary-General and the international meetings of experts have contributed to a better understanding of the substance of issues of international information security and related notions,

Bearing in mind that the Secretary-General, in fulfilment of resolution 60/45, established in 2009, on the basis of equitable geographical distribution, a group of governmental experts, which, in accordance with its mandate, considered existing and potential threats in the sphere of information security and possible cooperative measures to address them and conducted a study on relevant international concepts aimed at strengthening the security of global information and telecommunications systems,

Welcoming the effective work of the Group of Governmental Experts on Developments in the Field of Information and Telecommunications in the Context of International Security and the relevant outcome report transmitted by the Secretary-General,

Taking note of the assessments and recommendations contained in the report of the Group of Governmental Experts,

1. *Calls upon* Member States to promote further at multilateral levels the consideration of existing and potential threats in the field of information security, as well as possible strategies to address the threats emerging in this field, consistent with the need to preserve the free flow of information;

2. *Considers* that the purpose of such strategies could be served through further examination of relevant international concepts aimed at strengthening the security of global information and telecommunications systems;

3. *Invites* all Member States, taking into account the assessments and recommendations contained in the report of the Group of Governmental Experts on Developments in the Field of Information and Telecommunications in the Context of International Security, to continue to inform the Secretary-General of their views and assessments on the following questions:

(a) General appreciation of the issues of information security;

(b) Efforts taken at the national level to strengthen information security and promote international cooperation in this field;

(c) The content of the concepts mentioned in paragraph 2 above;

(d) Possible measures that could be taken by the international community to strengthen information security at the global level;

4. *Requests* the Secretary-General, with the assistance of a group of governmental experts, to be established in 2012 on the basis of equitable geographical distribution, taking into account the assessments and recommendations contained in the above-mentioned report, to continue to study existing and potential threats in the sphere of information security and possible cooperative measures to address them, as well as the concepts referred to in paragraph 2 above, and to submit a report on the results of this study to the Assembly at its sixty-eighth session;

5. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "Developments in the field of information and telecommunications in the context of international security".

Information

UN public information

The General Assembly's Committee on Information, at its thirty-second session (New York, 26 April–7 May) [A/65/21], continued to consider UN information policies and activities, and to evaluate and follow up on efforts made and progress achieved in information and communications.

The Committee had before it three reports of the Secretary-General issued in February on activities of the Department of Public Information (DPI) from July 2009 to February 2010, which addressed the following areas: strategic communications services [A/AC.198/2010/2], with a review of communication campaigns and UN information centre activities; news services [A/AC.198/2010/3], with a summary of news products, activities and services; and outreach services [A/AC.198/2010/4], with a presentation of the Department's work with civil society groups, Member States, young people and the general public.

The Committee held a general debate (26–28 April), and on 7 May adopted two draft resolutions, which were submitted to the General Assembly.

DPI activities

In response to General Assembly resolution 64/96 B [YUN 2009, p. 611], the Secretary-General in August submitted a report [A/65/277 & Corr.1] on questions relating to information, covering DPI activities since his February reports to the Committee on Information.

DPI strategic communications services built awareness for the High-level Plenary Meeting on the Millennium Development Goals (MDGs) (see p. 813) by coordinating a system-wide campaign that produced information materials and developed a website in six languages featuring success stories and encouraging citizens to get involved in attaining the Goals. Additionally, UN system partners took advantage of the MDG communications opportunities presented by the 2010 FIFA World Cup in South Africa. Working with the UN country team in South Africa and the United Nations Information Centre (UNIC) Pretoria, DPI promoted a song and music video, *8 Goals for Africa*, featuring 10 top African singers and musicians. The music video was screened at fan parks across South Africa during the World Cup and the song was played at the closing concert. Campaigns and activities promoting the MDGs were also led by UNICs in Beirut, Brussels, Cairo, Jakarta, Moscow, Rabat and Tehran. By producing press and information materials and/or developing and launching websites, DPI provided communications support to the Assembly's creation of UN-Women; the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (New York, 3–28 May); International Women's Day; and the 15-year review of the implementation of the Beijing Declaration and Platform for Action, undertaken by the Commission on the Status of Women. Women's issues were further promoted by UNICs in Azerbaijan, Burundi, Egypt and Sri Lanka through the organization of meetings and forums on themes addressing gender equality. For the first observance of Nelson Mandela International Day (18 July), DPI organized activities at UN Headquarters, including a film screening, the production of a poster and booklet, and the display of commemorative audiovisual products as part of an informal plenary meeting of the Assembly. Social media were incorporated into the campaign, and the official website featured interactive elements, including a quiz on apartheid and the United Nations. UNICs in 15 countries organized events such as film screenings, exhibitions, dance, theatre and readings. The annual UN Headquarters observance of the International Day of United Nations Peacekeepers (29 May) honoured the 96 peacekeeping personnel who lost their lives in Haiti during the 12 January earthquake (see

p. 320) and paid tribute to those continuing to serve in Haiti. DPI partnered with the Department of Peacekeeping Operations to create the “Haiti Standing” multimedia exhibit and website archiving project, which highlighted not only the 12 January tragedy, but also the recovery efforts by Haitians and the United Nations. DPI continued raising global support for the New Partnership for Africa’s Development Planning and Coordinating Agency through the quarterly magazine and online edition of *Africa Renewal/Afrique renouveau*. Twenty-six short feature articles on the Agency were published in 41 countries—323 times in English, French and Swahili media between February and June.

DPI outreach services and programmes included the sixty-third annual United Nations Department of Public Information/Non-Governmental Organizations (NGOs) Conference (Melbourne, Australia, 30 August–1 September). Entitled “Advance global health: achieve the Millennium Development Goals (MDGs)”, the Conference welcomed an unprecedented number of NGOs from Asia and the Pacific. The Department also organized the second annual Global Model United Nations conference for university students (Kuala Lumpur, Malaysia, 14–18 August) on the theme “Towards an alliance of civilizations: building bridges to achieve peace and development”. In partnership with the United States Holocaust Memorial Museum, DPI held a student video conference in Spanish with UNICs in Latin America on 21 April. UNICs in Asunción, Bogotá, Buenos Aires, La Paz, Lima, Mexico City and Panama City brought together 250 students for a briefing on the Holocaust and to hear the personal testimony of a Holocaust survivor. In March, the Holocaust Programme partnered with the Anne Frank Center USA to launch the “Messages to Anne Frank” Twitter campaign. The Academic Impact initiative [YUN 2009, p. 618] continued to expand, with some 300 universities from 60 countries having joined the programme. For greater efficiency in sales and marketing, DPI focused on digital initiatives, including the June launch of iPhone applications for popular UN publications. Such publications were also made available for mainstream eBook devices.

Communication. On 16 September [A/65/525], Australia transmitted the declaration “Advance global health: achieve the Millennium Development Goals”, adopted on 1 September at the sixty-third annual DPI/NGO Conference in Melbourne.

UN website, multilingualism and accessibility

In the context of the 2009 redesign of the UN website’s architecture to address the challenges posed by the multilingual nature of its content, DPI focused on improving its ability to measure and analyse the

website’s user behaviour. The use of Google Analytics on top-layer pages within the website’s new language directories enabled more efficient tracking of site usage, as well as better analysis of usage by language. Between January and May, the Google Analytics code was inserted in over 500,000 pages across the site. The production of both new and updated web pages was helped by pro bono translation partnerships with academic institutions in Belarus, China and Spain. DPI continued efforts to enlist the support of an institution of higher learning for pro bono translations into Arabic. A similar arrangement with the United Nations Volunteers programme had increased the volume of high-quality translations into French, an experience the Department planned to build upon.

Providing assistance to offices in posting web pages accessible by persons with disabilities remained a key priority for DPI, as it worked to ensure that its recently updated web accessibility guidelines were made widely available to promote compliance. The guidelines received positive feedback from the participants of an experience-sharing workshop (Geneva, 2–5 February) organized by the International Telecommunication Union and the World Intellectual Property Organization that brought together 180 representatives from 32 organizations.

Radio, television, video and photo services

UN Radio launched two special series on topics of global interest: *Project 15*, which looked at gender equality 15 years after the Beijing World Conference on Women [YUN 1995, p. 1168] by producing stories through the eyes of 15-year-old girls around the world, and *The Census*, which highlighted the 2010 round of censuses and the role of the United Nations in collecting and analysing data and determining progress in meeting the MDGs. Materials for the two series were produced in the six official UN languages, in addition to Kiswahili and Portuguese for *Project 15*. To expand the reach of its programming in other languages (Bahasa Indonesia, Bangla, French-Creole, Hindi, Urdu), UN Radio started revamping the production of its weekly features to include local materials on UN activities in the field. The effort, which began with Bahasa Indonesia, would result in a production arrangement of closer partnership among UNICs, UN field offices and UN Radio in New York. As a result of efforts to expand the range of broadcast and web-based outlets receiving UN Radio programmes, 37 new partner stations came on board.

Among new ventures, UN Television’s partnership with the Economic and Social Council, the United Nations Population Fund (UNFPA) and the United Nations Educational, Scientific and Cultural Organization (UNESCO) led to the production of *Face to Face*,

a television debate on the topic “Women’s empowerment, development cooperation and culture”. The Web-based UNifeed television news service broke all records of “pickups” by international broadcasters during the aftermath of the earthquake in Haiti. Following the disaster, UNifeed distributed 155 stories, including 27 web-only reports. DPI monitoring of UNifeed pickups showed that the stories were broadcast in part or in whole at least 10,538 times, with the heaviest usage in the United States. The Department took steps to improve access to UN Television’s video material via YouTube, in part by paying greater attention to the selection of videos for posting and making their format and presentation more appealing. As at June, the more than 1,335 videos featured on YouTube’s UN Channel had received nearly 1.7 million views.

Use of the UN photo website remained high, with 37,199 downloads of high-resolution images from February to June. To expand the use of its products, UN Photo took advantage of the opportunities presented by new media sites such as Flickr, Facebook and Twitter. As at 31 July, the UN Flickr page had recorded over 462,000 views.

Library and knowledge services

The Dag Hammarskjöld Library continued to digitize major General Assembly documents in English, French and Spanish, from the forty-second (1987) to forty-seventh (1992) sessions. Collaboration was ongoing with the Library of the United Nations Office at Geneva, which had been digitizing Arabic, Chinese and Russian documents. DPI further strengthened its depository library programme, focusing on information outreach and the roles for libraries as UN partners. In April, a workshop entitled “Creating partnerships with libraries in China” was co-organized by the Dag Hammarskjöld Library and the National Library of China. Some 50 participants from 26 libraries in China took part.

UN information centres

The UNIC network, comprising 63 information centres, services and information components around the world, served as the DPI field presence. In addition to traditional partners such as academic institutions, NGOs, media and government offices, several UNICS engaged new partners in their activities, including museums. In Argentina, UNIC Buenos Aires carried out a communications campaign with the Buenos Aires Shoah Museum (Museo del Holocausto Buenos Aires) to mark the 2010 International Day of Commemoration in Memory of the Victims of Holocaust. In Austria, the United Nations Information Service Vienna assisted the Museum of Mili-

tary History in Vienna with a major exhibit (June–November) to mark 50 years of Austrian participation in UN peacekeeping, as well as a joint special exhibit entitled “Women in Peacekeeping” that opened in October. An increasing number of UNICS were using new media platforms to disseminate information on the work of the Organization, including in local languages. Sixteen UNICS had Facebook accounts, 11 had Twitter accounts and 6 had YouTube accounts. UNICS produced information in more than 40 languages and maintained websites in 29 local languages. Thirty-four UNICS produced their own newsletters and bulletins in 17 local languages. To assist UNIC staff in improving their web-writing skills, DPI and the Office of Human Resources Management organized a long-distance learning course entitled “Writing for the Web”.

GENERAL ASSEMBLY ACTION

On 10 December [meeting 62], the General Assembly, on the recommendation of the Fourth Committee [A/65/425], adopted **resolution 65/107 A and B** without vote [agenda item 54].

Questions relating to information

A

Information in the service of humanity

The General Assembly,

Taking note of the comprehensive and important report of the Committee on Information,

Taking note also of the report of the Secretary-General on questions relating to information,

Urges all countries, organizations of the United Nations system as a whole and all others concerned, reaffirming their commitment to the principles of the Charter of the United Nations and to the principles of freedom of the press and freedom of information, as well as to those of the independence, pluralism and diversity of the media, deeply concerned by the disparities existing between developed and developing countries and the consequences of every kind arising from those disparities that affect the capability of the public, private or other media and individuals in developing countries to disseminate information and communicate their views and their cultural and ethical values through endogenous cultural production, as well as to ensure the diversity of sources and their free access to information, and recognizing the call in this context for what in the United Nations and at various international forums has been termed “a new world information and communication order, seen as an evolving and continuous process”:

(a) To cooperate and interact with a view to reducing existing disparities in information flows at all levels by increasing assistance for the development of communications infrastructures and capabilities in developing countries, with due regard for their needs and the priorities attached to such areas by those countries, and in order to enable them and the public, private or other media in developing countries to develop their own information and communications policies freely and independently and increase the participation of media and individuals

in the communication process, and to ensure a free flow of information at all levels;

(b) To ensure for journalists the free and effective performance of their professional tasks and condemn resolutely all attacks against them;

(c) To provide support for the continuation and strengthening of practical training programmes for broadcasters and journalists from public, private and other media in developing countries;

(d) To enhance regional efforts and cooperation among developing countries, as well as cooperation between developed and developing countries, to strengthen communications capacities and to improve the media infrastructure and communications technology in the developing countries, especially in the areas of training and dissemination of information;

(e) To aim at, in addition to bilateral cooperation, providing all possible support and assistance to the developing countries and their media, public, private or other, with due regard to their interests and needs in the field of information and to action already adopted within the United Nations system, including:

(i) The development of the human and technical resources that are indispensable for the improvement of information and communications systems in developing countries and support for the continuation and strengthening of practical training programmes, such as those already operating under both public and private auspices throughout the developing world;

(ii) The creation of conditions that will enable developing countries and their media, public, private or other, to have, by using their national and regional resources, the communications technology suited to their national needs, as well as the necessary programme material, especially for radio and television broadcasting;

(iii) Assistance in establishing and promoting telecommunication links at the subregional, regional and interregional levels, especially among developing countries;

(iv) The facilitation, as appropriate, of access by the developing countries to advanced communications technology available on the open market;

(f) To provide full support for the International Programme for the Development of Communication of the United Nations Educational, Scientific and Cultural Organization, which should support both public and private media.

B

United Nations public information policies and activities

The General Assembly,

Emphasizing that the Committee on Information is its main subsidiary body mandated to make recommendations to it relating to the work of the Department of Public Information of the Secretariat,

Emphasizing also that the contents of public information and communications should be placed at the heart of the strategic management of the United Nations and that a culture of communications and transparency should permeate all levels of the Organization, as a means of fully informing the peoples of the world of the aims and activities of the United Nations,

in accordance with the purposes and principles enshrined in the Charter of the United Nations, in order to create broad-based global support for the United Nations,

Stressing that the primary mission of the Department of Public Information is to provide, through its outreach activities, accurate, impartial, comprehensive, balanced, timely and relevant information to the public on the tasks and responsibilities of the United Nations in order to strengthen international support for the activities of the Organization with the greatest transparency,

Recalling the comprehensive review of the work of the Department of Public Information, requested by the General Assembly in its resolution 56/253 of 24 December 2001, as well as the report of the Secretary-General entitled "Strengthening of the United Nations: an agenda for further change" and Assembly resolutions 57/300 of 20 December 2002 and 60/109 B of 8 December 2005, which provided an opportunity to take due steps to enhance the efficiency and effectiveness of the Department and to maximize the use of its resources,

Expressing concern that the gap in information and communications technology between the developed and the developing countries has continued to widen and that vast segments of the population in developing countries are not benefiting from the present information and communications technologies, and, in this regard, underlining the necessity of rectifying the imbalances in the present development of information and communications technologies in order to make it more just, equitable and effective,

Recognizing that developments in information and communications technologies open vast new opportunities for economic growth and social development and can play an important role in the eradication of poverty in developing countries, and, at the same time, emphasizing that the development of these technologies poses challenges and risks and could lead to the further widening of disparities between and within countries,

Recalling its resolution 63/306 of 9 September 2009 on multilingualism, and emphasizing the importance of making appropriate use of the official languages of the United Nations in the activities of the Department of Public Information, with the aim of eliminating the disparity between the use of English and the five other official languages,

I

Introduction

1. *Reaffirms* its resolution 13(I) of 13 February 1946, in which it established the Department of Public Information, with a view to promoting to the greatest possible extent an informed understanding of the work and purposes of the United Nations among the peoples of the world, and all other relevant resolutions of the General Assembly related to the activities of the Department, and requests the Secretary-General, in respect of the public information policies and activities of the United Nations, to continue to implement fully the recommendations contained in paragraph 2 of its resolution 48/44 B of 10 December 1993 and other mandates as established by the Assembly;

2. *Also reaffirms* that the United Nations remains the indispensable foundation of a peaceful and just world and that its voice must be heard in a clear and effective manner, and emphasizes the essential role of the Department of Public Information in this context;

3. *Stresses* the importance of the provision of clear, timely, accurate and comprehensive information by the Secretariat to Member States, upon their request, within the framework of existing mandates and procedures;

4. *Reaffirms* the central role of the Committee on Information in United Nations public information policies and activities, including the prioritization of those activities, and decides that recommendations relating to the programme of the Department of Public Information shall originate, to the extent possible, in the Committee and shall be considered by the Committee;

5. *Requests* the Department of Public Information, following the priorities laid down by the General Assembly in its resolution 63/247 of 24 December 2008, and guided by the United Nations Millennium Declaration and recalling the 2005 World Summit Outcome, to pay particular attention to peace and security, development and human rights and to major issues such as the eradication of poverty, including the global food crisis, conflict prevention, sustainable development, the HIV/AIDS epidemic, combating terrorism in all its forms and manifestations and the needs of the African continent;

6. *Also requests* the Department of Public Information to pay particular attention to progress in implementing the internationally agreed development goals, including those contained in the Millennium Declaration, and the outcomes of the major related United Nations summits and conferences in carrying out its activities, and calls upon the Department to play an active role in raising public awareness of the world financial and economic crisis and its impact on development, including the achievement of the Millennium Development Goals;

7. *Further requests* the Department of Public Information and its network of United Nations information centres to play an active role in raising public awareness of the global challenge of climate change, and encourages the Department to pay particular attention to the actions taken in the framework of the United Nations Framework Convention on Climate Change, in accordance with the principles of common but differentiated responsibilities, especially in the context of the Conference of the Parties and of the Meetings of the Parties to the Kyoto Protocol held in Copenhagen from 7 to 19 December 2009, and to be held in Cancun, Mexico, from 29 November to 10 December 2010;

8. *Reaffirms* the need to enhance the technological infrastructure of the Department of Public Information on a continuous basis in order to widen its outreach and to continue to improve the United Nations website;

II

General activities of the Department of Public Information

9. *Takes note* of the reports of the Secretary-General on the activities of the Department of Public Information;

10. *Requests* the Department of Public Information to maintain its commitment to a culture of evaluation and to continue to evaluate its products and activities with the objective of enhancing their effectiveness, and to continue to cooperate and coordinate with Member States and the Office of Internal Oversight Services of the Secretariat;

11. *Reaffirms* the importance of more effective coordination between the Department of Public Information and the Office of the Spokesperson for the Secretary-General,

and requests the Secretary-General to ensure consistency in the messages of the Organization;

12. *Notes* the efforts of the Department of Public Information to continue to publicize the work and decisions of the General Assembly, and requests the Department to continue to enhance its working relationship with the Office of the President of the General Assembly;

13. *Encourages* continued collaboration between the Department of Public Information and the United Nations Educational, Scientific and Cultural Organization in the promotion of culture and in the fields of education and communication, bridging the existing gap between the developed and the developing countries;

14. *Notes with appreciation* the efforts of the Department of Public Information to work at the local level with other organizations and bodies of the United Nations system to enhance the coordination of their communications activities, and requests the Secretary-General to report to the Committee on Information at its thirty-third session on progress achieved in this regard and on the activities of the United Nations Communications Group;

15. *Reaffirms* that the Department of Public Information must prioritize its work programme, while respecting existing mandates and in line with regulation 5.6 of the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation, to focus its message and better concentrate its efforts and to match its programmes with the needs of its target audiences, on the basis of improved feedback and evaluation mechanisms;

16. *Requests* the Secretary-General to continue to exert all efforts to ensure that publications and other information services of the Secretariat, including the United Nations website and the United Nations News Service, contain comprehensive, balanced, objective and equitable information in all official languages about the issues before the Organization and that they maintain editorial independence, impartiality, accuracy and full consistency with resolutions and decisions of the General Assembly;

17. *Requests* the Department of Public Information and content-providing offices of the Secretariat to ensure that United Nations publications are produced in a cost-effective and environmentally friendly manner and to continue to coordinate closely with all other entities, including all other departments of the Secretariat and funds and programmes of the United Nations system, in order to avoid duplication, within their respective mandates, in the issuance of United Nations publications;

18. *Emphasizes* that the Department of Public Information should maintain and improve its activities in the areas of special interest to developing countries and, where appropriate, other countries with special needs, and that the activities of the Department should contribute to bridging the existing gap between the developing and the developed countries in the crucial field of public information and communications;

19. *Notes* the issuance of daily press releases, and reiterates its request to the Department of Public Information to continue to improve their production process, keeping in mind the views expressed by Member States, including their views on expanding them to the other official lan-

guages, among others, through cost-neutral cooperative arrangements with academic institutions;

Multilingualism and public information

20. *Emphasizes* the importance of making appropriate use and ensuring equitable treatment of all the official languages of the United Nations in all the activities of the Department of Public Information, including in presentations to the Committee on Information, with the aim of eliminating the disparity between the use of English and the five other official languages;

21. *Reiterates its request* to the Secretary-General to ensure that the Department of Public Information has appropriate staffing capacity in all the official languages of the United Nations to undertake all its activities and to include this aspect in future programme budget proposals for the Department, bearing in mind the principle of parity of all six official languages, while respecting the workload in each official language;

22. *Welcomes* the ongoing efforts of the Department of Public Information to enhance multilingualism in all its activities, and stresses the importance of ensuring that the texts of all new public United Nations documents in all six official languages, information materials and all older United Nations documents are made available through the United Nations website and are accessible to Member States without delay, and further stresses the importance of fully implementing its resolution 63/306;

Bridging the digital divide

23. *Recalls with satisfaction* its resolution 60/252 of 27 March 2006, in which it endorsed the Tunis Commitment and the Tunis Agenda for the Information Society, as adopted at the second phase of the World Summit on the Information Society, held in Tunis from 16 to 18 November 2005, and proclaimed 17 May annual World Information Society Day, recalls the adoption of the Declaration of Principles and the Plan of Action at the first phase of the World Summit on the Information Society, held in Geneva from 10 to 12 December 2003, and in this regard requests the Department of Public Information to contribute to the celebration of this event and to play a role in raising awareness of the possibilities that the use of the Internet and other information and communications technologies can bring to societies and economies, as well as of ways to bridge the digital divide;

24. *Calls upon* the Department of Public Information to contribute to raising the awareness of the international community of the importance of the implementation of the outcome documents of the World Summit on the Information Society;

Network of United Nations information centres

25. *Emphasizes* the importance of the network of United Nations information centres in enhancing the public image of the United Nations and in disseminating messages on the United Nations to local populations, especially in developing countries;

26. *Welcomes* the work done by the network of United Nations information centres in favour of the publication of United Nations information materials and the translation of important documents into languages other than the official languages of the United Nations, encourages the network of United Nations information centres to

continue to develop web pages in local languages, and the Department of Public Information to provide necessary resources and technical facilities, with a view to reaching the widest possible spectrum of audiences and extending the United Nations message to all the corners of the world in order to strengthen international support for the activities of the Organization, and encourages the continuation of efforts in this regard;

27. *Stresses* the importance of rationalizing the network of United Nations information centres, and, in this regard, requests the Secretary-General to continue to make proposals in this direction, including through the redeployment of resources where necessary, and to report to the Committee on Information at its successive sessions;

28. *Reaffirms* that the rationalization of United Nations information centres must be carried out on a case-by-case basis in consultation with all concerned Member States in which existing information centres are located, the countries served by those information centres and other interested countries in the region, taking into consideration the distinctive characteristics of each region;

29. *Recognizes* that the network of United Nations information centres, especially in developing countries, should continue to enhance its impact and activities, including through strategic communications support, and calls upon the Secretary-General to report on the implementation of this approach to the Committee on Information at its successive sessions;

30. *Encourages* the Department of Public Information, through the information centres, to strengthen its cooperation with all other United Nations entities at the country level, in order to enhance coherence in communications and to avoid duplication of work;

31. *Stresses* the importance of taking into account the special needs and requirements of developing countries in the field of information and communications technology for the effective flow of information in those countries;

32. *Also stresses* that the Department of Public Information, through the network of United Nations information centres, should continue to promote public awareness of and mobilize support for the work of the United Nations at the local level, bearing in mind that information in local languages has the strongest impact on local populations;

33. *Further stresses* the importance of efforts to strengthen the outreach activities of the United Nations to those Member States remaining outside the network of United Nations information centres, and encourages the Secretary-General, within the context of rationalization, to extend the services of the network of United Nations information centres to those Member States;

34. *Stresses* that the Department of Public Information should continue to review the allocation of both staff and financial resources to the United Nations information centres in developing countries, emphasizing the needs of the least developed countries;

35. *Takes note* of the proposal by the Secretary-General to work closely with the Governments concerned to explore the possibility of identifying rent-free premises, while taking into account the economic condition of the host countries and bearing in mind that such support should not be a substitute for the full allocation of financial resources for the information centres in the context of the programme budget of the

United Nations, and encourages host countries to respond to the needs of the United Nations information centres;

36. *Also takes note* of the strengthening of the information centres in Cairo, Mexico City and Pretoria, and encourages the Secretary-General to explore the strengthening of other centres, especially in Africa, in cooperation with the Member States concerned and within existing resources;

37. *Welcomes* General Assembly resolution 64/243 of 24 December 2009, in which the Assembly requested the Secretary-General to establish a United Nations information centre in Luanda as a contribution towards addressing the needs of Portuguese-speaking African countries, reiterates its request to the Secretary-General, in coordination with the Government of Angola, to take the measures necessary for the prompt establishment of the information centre, and requests the Secretary-General to report to the Committee on Information at its thirty-third session on the progress made in this regard;

38. *Encourages* the Secretary-General, when appointing directors to the United Nations information centres, to fully consider, inter alia, the experience of candidates in the field of information and communications technology, as one of the highly desirable appointment criteria;

III

Strategic communications services

39. *Reaffirms* the role of the strategic communications services in devising and disseminating United Nations messages by developing communications strategies, in close collaboration with the substantive departments, United Nations funds and programmes and the specialized agencies, in full compliance with their legislative mandates;

Promotional campaigns

40. *Appreciates* the work of the Department of Public Information in promoting, through its campaigns, issues of importance to the international community, such as the United Nations Millennium Declaration and the progress made in implementing the internationally agreed development goals, United Nations reform, the eradication of poverty, conflict prevention, peacekeeping, peacebuilding, sustainable development, disarmament, decolonization, human rights, including the rights of women and children and of persons with disabilities, strategic coordination in humanitarian relief, especially in natural disasters and other crises, HIV/AIDS, malaria, tuberculosis and other diseases, the needs of the African continent, combating terrorism in all its forms and manifestations, dialogue among civilizations, the culture of peace and tolerance and the consequences of the Chernobyl disaster, as well as prevention of genocide, and requests the Department, in cooperation with the countries concerned and with the relevant organizations and bodies of the United Nations system, to continue to take appropriate measures to enhance world public awareness on all these issues;

41. *Commends* the role of the Department of Public Information in observing the annual International Day of Remembrance of the Victims of Slavery and the Transatlantic Slave Trade, and looks forward to its further work in promoting the establishment of the permanent memorial to the victims of slavery and the transatlantic slave trade;

42. *Stresses* the need to continue the renewed emphasis in support of Africa's development, in particular by the Department of Public Information, in order to promote awareness in the international community of the nature of the critical economic and social situation in Africa and of the priorities of the New Partnership for Africa's Development;

43. *Recalls* its resolution 64/253 of 23 February 2010, in which it recognized 21 March as the International Day of Nowruz and, inter alia, invited interested Member States, the United Nations and interested international and regional organizations, as well as non-governmental organizations, to participate in events organized by States where Nowruz is celebrated, and in this regard requests the Department of Public Information, while ensuring the pertinence and relevance of subjects for promotional campaigns under this issue, to contribute to the celebration of Nowruz and to play a role in raising awareness of this event within existing resources;

44. *Requests* the Department of Public Information to raise awareness of 21 February as International Mother Language Day, which is being observed by the United Nations Educational, Scientific and Cultural Organization and Member States throughout the world in a befitting manner;

45. *Recalls* its resolution 64/236 of 24 December 2009, in which it decided to organize, in 2012, the United Nations Conference on Sustainable Development, and in this context requests the Department of Public Information and its network of United Nations information centres to take appropriate measures to raise awareness of and disseminate information on the Conference and relevant sustainable development issues;

46. *Also recalls* its resolution 64/13 of 10 November 2009, in which it designated 18 July as Nelson Mandela International Day and invited all Member States and organizations of the United Nations system to observe the Day in an appropriate manner, and in this regard, requests the Department of Public Information to contribute to creation of awareness, promotion and observance by the United Nations of the Day within existing resources;

47. *Requests* the Department of Public Information and its network of United Nations information centres to raise awareness and disseminate information within existing resources on the commemoration of the fiftieth anniversary of the adoption of General Assembly resolution 1514(XV) of 14 December 1960 on the Declaration on the Granting of Independence to Colonial Countries and Peoples;

48. *Also requests* the Department of Public Information and its network of United Nations information centres, in the context of General Assembly resolution 64/137 of 18 December 2009, to raise awareness on issues related to women and peace and security, within existing resources;

Role of the Department of Public Information in United Nations peacekeeping operations

49. *Requests* the Secretariat to continue to ensure the involvement of the Department of Public Information from the planning stage of future peacekeeping operations through interdepartmental consultations and coordination with other departments of the Secretariat, in particular with the Department of Peacekeeping Operations and the Department of Field Support;

50. *Requests* the Department of Public Information, the Department of Peacekeeping Operations and the Department of Field Support to continue their cooperation in raising awareness of the new realities, far-reaching successes and challenges faced by peacekeeping operations, especially multidimensional and complex ones, and the recent surge in United Nations peacekeeping activities, and welcomes efforts by the three Departments to develop and implement a comprehensive communications strategy on current challenges facing United Nations peacekeeping;

51. *Stresses* the importance of enhancing the public information capacity of the Department of Public Information in the field of peacekeeping operations and its role, in close cooperation with the Department of Peacekeeping Operations and the Department of Field Support, in the process of selecting public information staff for United Nations peacekeeping operations or missions, and in this regard, invites the Department of Public Information to second public information staff who have the skills necessary to fulfil the tasks of the operations or missions, taking into account the principle of equitable geographical distribution in accordance with Chapter XV, Article 101, paragraph 3, of the Charter of the United Nations, and to consider views expressed, especially by host countries, when appropriate, in this regard;

52. *Emphasizes* the importance of the peacekeeping gateway on the United Nations website, and requests the Department of Public Information to continue its efforts in supporting the peacekeeping missions to further develop their websites;

53. *Requests* the Department of Public Information and the Department of Peacekeeping Operations to continue to cooperate in implementing an effective outreach programme to explain the zero-tolerance policy of the Organization regarding sexual exploitation and abuse and to inform the public of the outcome of all such cases involving peacekeeping personnel, including cases where allegations are ultimately found to be legally unproven, and also to inform the public of the adoption by the General Assembly of the United Nations Comprehensive Strategy on Assistance and Support to Victims of Sexual Exploitation and Abuse by United Nations Staff and Related Personnel;

Role of the Department of Public Information in strengthening dialogue among civilizations and the culture of peace as means of enhancing understanding among nations

54. *Recalls* its resolutions on dialogue among civilizations and the culture of peace, and requests the Department of Public Information, while ensuring the pertinence and relevance of subjects for promotional campaigns under this issue, to continue to provide the support necessary for the dissemination of information pertaining to dialogue among civilizations and the culture of peace, as well as the initiative on the Alliance of Civilizations, and to take due steps in fostering the culture of dialogue among civilizations and promoting cultural understanding, tolerance, respect for and freedom of religion or belief and effective enjoyment by all of all human rights and civil, political, economic, social and cultural rights, including the right to development;

55. *Invites* the United Nations system, especially the Department of Public Information, to continue to encourage and facilitate dialogue among civilizations and to formulate ways and means to promote dialogue among civilizations in the activities of the United Nations in various fields, taking into account the Programme of Action of the Global Agenda for Dialogue among Civilizations, and in this regard, looks forward to the report of the Secretary-General requested by the General Assembly in its resolution 60/4 of 20 October 2005, and also welcomes the decision of the President of the General Assembly at its sixty-fourth session to hold an informal thematic debate on this issue in 2010;

56. *Recognizes* the achievements of the Alliance of Civilizations and the efforts made by the High Representative of the Secretary-General for the Alliance of Civilizations, which were welcomed by the General Assembly in its resolution 64/14 of 10 November 2009, takes note of the broad range of initiatives and partnerships in the areas of youth, education, the media and migration launched at the third Alliance of Civilizations Forum, held in Rio de Janeiro, Brazil, on 28 and 29 May 2010, and welcomes the continued support of the Department of Public Information for the work of the Alliance of Civilizations, including its ongoing projects;

IV

News services

57. *Stresses* that the central objective of the news services implemented by the Department of Public Information is the timely delivery of accurate, objective and balanced news and information emanating from the United Nations system in all four mass media, namely, print, radio, television and the Internet, to the media and other audiences worldwide, with the overall emphasis on multilingualism, and reiterates its request to the Department to ensure that all news-breaking stories and news alerts are accurate, impartial and free of bias;

58. *Emphasizes* the importance of the Department of Public Information continuing to draw the attention of world media to stories that do not obtain prominent coverage, through the initiative entitled “10 Stories the World Should Hear More About” and through video and audio coverage by United Nations Television and United Nations Radio;

Traditional means of communication

59. *Welcomes* the initiative of United Nations Radio, which remains one of the most effective and far-reaching traditional media available to the Department of Public Information and an important instrument in United Nations activities, to enhance its live radio broadcasting service by making more frequently updated reports in all six official languages and features available to broadcasters on a daily basis on all United Nations activities, and requests the Secretary-General to continue to make every effort to achieve parity in the six official languages in United Nations Radio productions;

60. *Also welcomes* the ongoing efforts being made by the Department of Public Information to disseminate programmes directly to broadcasting stations all over the world in the six official languages, with the addition of Portuguese and Kiswahili, as well as in other languages where possible;

61. *Requests* the Department of Public Information to continue building partnerships with local, national and regional broadcasters to extend the United Nations message to all the corners of the world in an accurate and impartial way, and requests the Radio and Television Service of the Department to continue to take full advantage of the technological infrastructure made available in recent years;

United Nations website

62. *Reaffirms* that the United Nations website is an essential tool for the media, non-governmental organizations, educational institutions, Member States and the general public, and in this regard, reiterates the continued need for efforts by the Department of Public Information to maintain and improve it;

63. *Recognizes* the efforts made by the Department of Public Information to implement the basic accessibility requirements for persons with disabilities to access the United Nations website, and calls upon the Department to continue to work towards compliance with accessibility requirements on all new and updated pages of the website, with the aim of ensuring its accessibility for persons with different kinds of disabilities;

64. *Takes note* of the fact that the multilingual development and enrichment of the United Nations website has improved, and in this regard, requests the Department of Public Information, in coordination with content-providing offices, to further improve the actions taken to achieve full parity among the six official languages on the United Nations website, and especially reiterates its request to the Secretary-General to ensure the adequate distribution of financial and human resources within the Department allocated to the United Nations website among all official languages, taking into consideration the specificity of each official language;

65. *Recognizes* the cooperative arrangements undertaken by the Department of Public Information with academic institutions to increase the number of web pages available in some official languages, and reiterates its urgent request to the Secretary-General to extend those arrangements to all the official languages of the United Nations;

66. *Recalls* paragraph 74 of its resolution 60/109 B, and in this regard, reiterates that all content-providing offices in the Secretariat should continue their efforts to translate into all official languages all English-language materials and databases posted on the United Nations website and to make them available on the respective language websites in the most practical, efficient and cost-effective manner;

67. *Requests* the Secretary-General to continue to take full advantage of new developments in information technology in order to improve, in a cost-effective manner, the expeditious dissemination of information on the United Nations, in accordance with the priorities established by the General Assembly in its resolutions and taking into account the linguistic diversity of the Organization, welcomes the continuing growth in the popularity of the e-mail news alerts service provided by the Department of Public Information on the United Nations News Centre portal in English and French, and encourages the Department to consult with the Office of Information and Communications Technology and to explore, as a matter of priority,

ways of upgrading the technical capabilities of the service and providing it in all official languages;

68. *Recognizes* that some official languages use non-Latin and bidirectional scripts and that technological infrastructures and supportive applications in the United Nations are based on Latin script, which leads to difficulties in processing non-Latin and bidirectional scripts, and urges the Office of Information and Communications Technology to further collaborate with the Department of Public Information and to continue its efforts to ensure that technological infrastructures and supportive applications in the United Nations fully support Latin, non-Latin and bidirectional scripts in order to enhance the equality of all official languages on the United Nations website;

V

Library services

69. *Calls upon* the Department of Public Information to continue to lead the Steering Committee for the Modernization and Integrated Management of United Nations Libraries, and further commends the steps taken by the Dag Hammarskjöld Library and the other member libraries of the Steering Committee to align their activities, services and outputs more closely with the goals, objectives and operational priorities of the Organization;

70. *Reiterates* the need to maintain a multilingual collection of books, periodicals and other materials in hard copy, accessible to Member States, ensuring that the Library continues to be a broadly accessible resource for information about the United Nations and its activities;

71. *Calls upon* the Department of Public Information, recognizing the importance of audio-visual archives in preserving our common heritage, to continue to examine its policies and activities regarding the durable preservation of its radio, television, film and photographic archives and to take action in ensuring that the archives are preserved and are accessible, including in the context of the construction work of the capital master plan within the overall budget of the plan;

72. *Takes note* of the initiative taken by the Dag Hammarskjöld Library, in its capacity as the focal point, to expand the scope of the regional training and knowledge-sharing workshops organized for the depository libraries in developing countries to include outreach in their activities;

73. *Acknowledges* the role of the Dag Hammarskjöld Library in enhancing knowledge-sharing and networking activities to ensure access to the vast store of United Nations knowledge for delegates, permanent missions of Member States, the Secretariat, researchers and depository libraries worldwide;

VI

Outreach services

74. *Also acknowledges* that the outreach services provided by the Department of Public Information continue to work towards promoting awareness of the role and work of the United Nations;

75. *Welcomes* the educational outreach activities of the Department of Public Information, through the United Nations Works programme and the Global Teaching and Learning Project, to reach educators and young people worldwide via a range of multimedia platforms, and encour-

ages the United Nations Works programme to continue to develop further its partnerships with global media networks and celebrity advocates and the Global Teaching and Learning Project to further expand its activities to teachers and students in primary, intermediate and secondary schools;

76. *Notes* the importance of the continued implementation by the Department of Public Information of the ongoing programme for broadcasters and journalists from developing countries and countries with economies in transition, as mandated by the General Assembly, and requests the Department to consider how best to maximize the benefits derived from the programme by extending, inter alia, its duration and the number of its participants;

77. *Welcomes* the movement towards educational outreach and the orientation of the *UN Chronicle*, both print and online editions, and to this end, encourages the *UN Chronicle* to continue to develop co-publishing partnerships, collaborative educational activities and events with civil society organizations and institutions of higher learning;

78. *Requests* the Department of Public Information to continue the publication of the *UN Chronicle* with a view to improving it further within existing resources and to report to the Committee on Information at its thirty-third session on progress in this matter, and reiterates its request to submit options for publishing the *UN Chronicle* in all six official languages;

79. *Takes note* of the efforts undertaken by the Department of Public Information in organizing exhibitions on important United Nations-related issues, within existing mandates, at United Nations Headquarters and at other United Nations offices as a useful tool for reaching out to the general public, reaffirms the important role that guided tours play as a means of reaching out to the general public, and requests the Secretary-General to continue his efforts to ensure that the guided tours provided at United Nations Headquarters and other United Nations duty stations are consistently available, in accordance with their income-generating nature, in particular in all the United Nations official languages;

80. *Also takes note* of the ongoing efforts of the Department of Public Information to strengthen its role as a focal point for two-way interaction with civil society relating to the priorities and concerns of the Organization identified by Member States;

81. *Commends*, in a spirit of cooperation, the United Nations Correspondents Association for its ongoing activities and for its Dag Hammarskjöld Memorial Scholarship Fund, which sponsors journalists from developing countries to come to United Nations Headquarters and report on the activities during the General Assembly, and further encourages the international community to continue its financial support for the Fund;

82. *Expresses its appreciation* for the efforts and contribution of United Nations Messengers of Peace, Goodwill Ambassadors and other advocates to promote the work of the United Nations and to enhance international public

awareness of its priorities and concerns, and calls upon the Department of Public Information to continue to involve them in its communications and media strategies and outreach activities;

VII

Final remarks

83. *Requests* the Secretary-General to report to the Committee on Information at its thirty-third session and to the General Assembly at its sixty-sixth session on the activities of the Department of Public Information and on the implementation of all recommendations and requests contained in the present resolution;

84. *Also requests* the Secretary-General to make every effort to ensure that the level of services provided by the Department of Public Information is maintained throughout the period of the implementation of the capital master plan;

85. *Takes note* of the initiative taken by the Department of Public Information, in cooperation with the Department of Safety and Security and the Protocol and Liaison Service, during the general debate of the sixty-third session of the General Assembly, to issue special identification stickers to press officers of Member States to enable them to escort media covering the visits of high-level officials to restricted areas, and strongly urges the Secretary-General to continue to improve this practice by acceding to the request by Member States to provide the needed number of additional passes to press officers of Member States to allow their access to all areas that are deemed restricted, in order to effectively and comprehensively report on high-level meetings that include officials of delegations of Member States;

86. *Requests* the Committee on Information to report to the General Assembly at its sixty-sixth session;

87. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "Questions relating to information".

UN Communications Group

The United Nations Communications Group, which had evolved into a communication platform for the entire UN system since its establishment in 2002 [YUN 2002, p. 589], held its ninth annual meeting (Shanghai, China, 17–18 June). The Group discussed common priority issues and adopted recommendations aimed at advancing a coordinated and coherent approach to UN information. Topics included the continued need for key messages and guidance on selected UN system initiatives and on crises; how public opinion polling could inform UN communications; UN strategic communications on climate change; showcasing of MDG success stories in Member States; and DPI-coordinated draft guidelines on new media for UN system partners.

PART TWO

Human rights

Promotion of human rights

Efforts to promote human rights continued to build incrementally in 2010. The Human Rights Council examined the human rights record of 48 Member States through the universal periodic review mechanism, designed to assess the human rights record of all States every four years. A variety of recommendations were made during the reviews, ranging from calls for ratification of human rights treaties, enactment of national legislation and deepened cooperation with human rights mechanisms to specific action and measures at the national level.

The Human Rights Council Advisory Committee, which provided expertise to the Council, held its fourth and fifth sessions and submitted 10 recommendations, while the Council's complaint procedure, which consisted of the Working Group on Communications and the Working Group on Situations, addressed consistent patterns of gross and reliably attested human rights violations throughout the world.

During the year, the Council held three regular sessions (thirteenth, fourteenth and fifteenth), as well as two special sessions (thirteenth and fourteenth) that focused on a human rights approach to the earthquake recovery in Haiti and on the human rights situation in Côte d'Ivoire. Human rights were also promoted through the work of the treaty bodies—committees of experts monitoring States parties' compliance with the legally binding human rights treaties.

The Office of the High Commissioner for Human Rights provided support to the work of the Council and its mechanisms, including the treaty bodies and the special procedures. The Office strengthened its country engagement and expanded its presence at the country and regional levels.

The Council in March established an open-ended intergovernmental working group with the mandate of negotiating, finalizing and submitting to the Council the draft UN declaration on human rights education and training. In September, the Council adopted the plan of action for the second phase (2010–2014) of the World Programme for Human Rights Education.

The General Assembly in December took note of the draft programme of activities for the International Year for People of African Descent, 2011, and invited Member States to support the activities for the Year.

The International Convention for the Protection of All Persons from Enforced Disappearance entered into force in December. The General Assembly declared 30 August the International Day of the Victims of Enforced Disappearances.

UN machinery

Human Rights Council

Council sessions

During the year, the Human Rights Council held its thirteenth (1–26 March) [A/HRC/13/56], fourteenth (31 May–18 June) [A/HRC/14/37] and fifteenth (13 September–1 October) [A/HRC/15/60] regular sessions. The Council also held two special sessions: its thirteenth (27–28 January) [A/HRC/S-13/2 & Corr.1] on a human rights approach to the Haiti earthquake recovery (see p. 771); and fourteenth (23 December) [A/HRC/S-14/1] on the situation of human rights in Côte d'Ivoire since the November elections in the country (see p. 766). All sessions were held in Geneva.

The Council adopted 72 resolutions, 53 decisions and three president's statements. It brought to the attention of the General Assembly seven resolutions for its consideration and possible action. The resolutions, decisions and President's statements adopted at the Council's 2010 sessions were contained in its reports to the Assembly [A/65/53 & Corr.1 & Add.1].

The General Assembly addressed revised estimates resulting from resolutions and decisions adopted by the Council in section IX of **resolution 65/259** of 24 December (see p. 1429).

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third (Social, Humanitarian and Cultural) Committee [A/65/451], adopted **resolution 65/195** by recorded vote (123-1-55) [agenda item 63].

Report of the Human Rights Council

The General Assembly,

Having considered the recommendations contained in the report of the Human Rights Council and the addendum thereto,

Takes note of the report of the Human Rights Council and the addendum thereto, and acknowledges the recommendations contained therein.

RECORDED VOTE ON RESOLUTION 65/195:

In favour: Afghanistan, Algeria, Antigua and Barbuda, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Republic of Korea, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel.

Abstaining: Albania, Andorra, Argentina, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mexico, Monaco, Montenegro, Netherlands, New Zealand, Norway, Panama, Poland, Portugal, Republic of Moldova, Romania, Samoa, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Tonga, Ukraine, United Kingdom, United States, Uruguay.

On 24 December, the General Assembly decided that the agenda item on the report of the Human Rights Council would remain for consideration during its resumed sixty-fifth (2011) session (**decision 65/544**).

Election of Council members

On 13 May, by **decision 64/421**, the General Assembly, in accordance with resolution 60/251 [YUN 2006, p. 757], elected the following 14 countries as members of the Human Rights Council for a three-year term of office beginning on 19 June: Angola, Ecuador, Guatemala, the Libyan Arab Jamahiriya, Malaysia, Maldives, Mauritania, Moldova, Poland, Qatar, Spain, Switzerland, Thailand and Uganda. They would fill the vacancies occurring on the expiration of the terms of office of Angola, Bolivia, Bosnia and Herzegovina, Egypt, India, Indonesia, Italy, Madagascar, the Netherlands, Nicaragua, the Philippines, Qatar, Slovenia and South Africa.

On 24 December, the Assembly decided that the item on the election of 15 members of the Council would remain for consideration during its sixty-fifth (2011) session (**decision 65/544**).

Universal periodic review

The Human Rights Council established the universal periodic review (UPR) [YUN 2007, p. 663] as an instrument for assessing every four years the human rights records of all Member States. Each review, conducted by the Working Group on the UPR, was facilitated by groups of three States, or "troikas", acting as rapporteurs.

Working Group sessions. The Working Group on the UPR, made up of the 47 Council members, held its seventh (8–19 February) [A/HRC/14/37], eighth (3–14 May) [A/HRC/15/60] and ninth (1–12 November) [A/HRC/16/2] sessions in Geneva. It reviewed 48 countries in the order of consideration determined by the Council in 2007 [YUN 2007, p. 663]. As provided for in Council resolution 5/1 [ibid.], the review was based on a national report prepared by the State under review; a compilation by the Office of the High Commissioner for Human Rights (OHCHR) of information about the human rights situation in the State concerned, as reported by treaty bodies and special procedures; and a summary by OHCHR of credible information from other stakeholders, including non-governmental organizations (NGOs).

At its seventh session, the Working Group considered and adopted reports on Qatar [A/HRC/14/2], Nicaragua [A/HRC/14/3], Italy [A/HRC/14/4], Kazakhstan [A/HRC/14/10], Slovenia [A/HRC/14/15], Bolivia [A/HRC/14/7], Fiji [A/HRC/14/8], San Marino [A/HRC/14/9], El Salvador [A/HRC/14/5], Angola [A/HRC/14/11], Iran [A/HRC/14/12], Madagascar [A/HRC/14/13], Iraq [A/HRC/14/14], the Gambia [A/HRC/14/6], Egypt [A/HRC/14/17] and Bosnia and Herzegovina [A/HRC/14/16]. The reports summarized the presentation by the State under review; the interactive dialogue in the Working Group between State and Council; the response by the State; and the conclusions on and/or recommendations to the State under review. The outcome of the review comprised the report of the Working Group and the views of the State under review about the recommendations and/or conclusions, as well as its voluntary commitments and its replies to questions or issues that were not sufficiently addressed during the interactive dialogue.

Responses were submitted by Qatar [A/HRC/14/2/Add.1], Italy [A/HRC/14/4/Add.1], Kazakhstan [A/HRC/14/10/Add.1], Slovenia [A/HRC/14/15/Add.1], Bolivia [A/HRC/14/7/Add.1], Fiji [A/HRC/14/8/Add.1], San Marino [A/HRC/14/9/Add.1], El Salvador [A/HRC/14/5/Add.1], Iran [A/HRC/14/12/Add.1 & Corr.1], Madagascar [A/HRC/14/13/Add.1], Iraq [A/HRC/14/14/Add.1], Egypt [A/HRC/14/17/Add.1] and Bosnia and Herzegovina [A/HRC/14/16/Add.1].

At its eighth session, the Working Group considered and adopted reports on Kyrgyzstan [A/HRC/15/2],

Guinea [A/HRC/15/4], the Lao People's Democratic Republic [A/HRC/15/5], Spain [A/HRC/15/6], Lesotho [A/HRC/15/7], Kenya [A/HRC/15/8], Armenia [A/HRC/15/9], Sweden [A/HRC/15/11], Grenada [A/HRC/15/12], Turkey [A/HRC/15/13], Guyana [A/HRC/15/14], Kuwait [A/HRC/15/15], Belarus [A/HRC/15/16], Kiribati [A/HRC/15/3] and Guinea-Bissau [A/HRC/15/10].

Responses were submitted by Guinea [A/HRC/15/4/Add.1], the Lao People's Democratic Republic [A/HRC/15/5/Add.1], Spain [A/HRC/15/6/Add.1], Lesotho [A/HRC/15/7/Add.1], Armenia [A/HRC/15/9/Add.1], Sweden [A/HRC/15/11/Add.1], Turkey [A/HRC/15/13/Add.1], Guyana [A/HRC/15/14/Add.1], Kuwait [A/HRC/15/15/Add.1], Belarus [A/HRC/15/16/Add.1], Kiribati [A/HRC/15/3/Add.1] and Guinea-Bissau [A/HRC/15/10/Add.1].

At its ninth session, the Working Group considered and adopted reports on Liberia [A/HRC/16/3], Malawi [A/HRC/16/4], Mongolia [A/HRC/16/5], Panama [A/HRC/16/6], Maldives [A/HRC/16/7], Andorra [A/HRC/16/8], Bulgaria [A/HRC/16/9], Honduras [A/HRC/16/10], Lebanon [A/HRC/16/18], Marshall Islands [A/HRC/16/12], Croatia [A/HRC/16/13], Jamaica [A/HRC/16/14], Micronesia [A/HRC/16/16], Mauritania [A/HRC/16/17] and the United States [A/HRC/16/11]. The Council decided to postpone discussion of the review outcome of the Libyan Arab Jamahiriya until its seventeenth (2011) session.

Responses were submitted by Liberia [A/HRC/16/3/Add.1], Panama [A/HRC/16/6/Add.1], Maldives [A/HRC/16/7/Add.1], Andorra [A/HRC/16/8/Add.1], Bulgaria [A/HRC/16/9/Add.1], Marshall Islands [A/HRC/16/12/Add.1], Croatia [A/HRC/16/13/Add.1], Jamaica [A/HRC/16/14/Add.1], Micronesia [A/HRC/16/16/Add.1], Mauritania [A/HRC/16/17/Add.1] and the United States [A/HRC/16/11/Add.1].

Human Rights Council action. At its thirteenth session [A/HRC/13/56], the Council considered the outcome of the reviews conducted during the sixth session of the Working Group [YUN 2009, p. 625]. The Council adopted, through standardized decisions, the outcomes of the reviews on Eritrea [dec. 13/101], Cyprus [dec. 13/102], the Dominican Republic [dec. 13/103], Cambodia [dec. 13/104], Norway [dec. 13/105], Albania [dec. 13/106], the Democratic Republic of the Congo [dec. 13/107], Côte d'Ivoire [dec. 13/108], Portugal [dec. 13/109], Bhutan [dec. 13/110], Dominica [dec. 13/111], the Democratic People's Republic of Korea [dec. 13/112], Brunei Darussalam [dec. 13/113], Costa Rica [dec. 13/114], Equatorial Guinea [dec. 13/115] and Ethiopia [dec. 13/116].

At its fourteenth session [A/HRC/14/37], the Council considered the outcome of the reviews conducted during the seventh session of the Working Group.

The Council adopted the outcomes of the reviews of Qatar [dec. 14/101], Nicaragua [dec. 14/102], Italy [dec. 14/103], Kazakhstan [dec. 14/104], Slovenia [dec. 14/105], Bolivia [dec. 14/106], Fiji [dec. 14/107], San Marino [dec. 14/108], El Salvador [dec. 14/109], Angola [dec. 14/110], Iran [dec. 14/111], Madagascar [dec. 14/112], Iraq [dec. 14/113], the Gambia [dec. 14/114], Egypt [dec. 14/115] and Bosnia and Herzegovina [dec. 14/116].

At its fifteenth session [A/HRC/15/60], the Council considered the outcome of the reviews conducted during the eighth session of the Working Group. The Council adopted the outcomes of the reviews of Kyrgyzstan [dec. 15/101], Guinea [dec. 15/102], the Lao People's Democratic Republic [dec. 15/103], Spain [dec. 15/104], Lesotho [dec. 15/105], Kenya [dec. 15/106], Armenia [dec. 15/107], Sweden [dec. 15/108], Grenada [dec. 15/109], Turkey [dec. 15/110], Guyana [dec. 15/111], Kuwait [dec. 15/112], Belarus [dec. 15/113], Guinea-Bissau [dec. 15/114] and Kiribati [dec. 15/115].

Reports of High Commissioner. In her annual report [A/65/36], the United Nations High Commissioner for Human Rights, Navanethem Pillay, noted that following their review, several Governments amended legislation or practices and adopted new policies, programmes and measures aimed at improving the human rights situation. In a further report [A/HRC/16/20], she noted that as at 31 December, 143 out of 192 States had been reviewed under the UPR process, with all States under review participating and their peers being fully engaged at the various stages of the process. The 100 per cent participation rate should be commended.

Human Rights Council Advisory Committee

The Human Rights Council Advisory Committee, a think-tank for the Council composed of 18 experts serving in their personal capacity, held its fourth (25–29 January) [A/HRC/AC/4/4] and fifth (2–6 August) [A/HRC/AC/5/3] sessions in Geneva. At its fourth session, the Committee adopted six recommendations to be submitted to the Council on: the draft set of principles and guidelines for the elimination of discrimination against persons affected by leprosy and their family members; the draft UN declaration on human rights education and training; a preliminary study on discrimination in the context of the right to food; human rights of older persons; missing persons; and the protection of the human rights of civilians in armed conflict. The Committee endorsed the draft declaration on human rights education and training [rec. 4/2]. Pursuant to a Council request [YUN 2008, p. 796], the Committee decided [rec. 4/5] to submit to the Council a progress report [A/HRC/14/42] on best practices on the issue of missing persons.

At its fifth session, the Advisory Committee adopted four recommendations on: the draft set of principles and guidelines for the elimination of discrimination against persons affected by leprosy and their family members; the study on discrimination in the context of the right to food; the drafting group on the promotion of the right of peoples to peace; and the drafting group on the enhancement of international cooperation in the field of human rights. The Committee endorsed the set of principles and guidelines for the elimination of discrimination against persons affected by leprosy and their family members [rec. 5/3].

On 26 March [A/65/53 (PRST/13/1)], the Council took note of the reports of the Committee on its third [YUN 2009, p. 626] and fourth sessions.

Human Rights Council action. On 24 March [A/65/53 (res. 13/4)], the Council requested the Advisory Committee to continue to work on the issue of discrimination in the context of the right to food and, in that regard, to undertake a preliminary study on ways and means to advance the rights of people working in rural areas, in particular smallholders engaged in the production of food and other agricultural products, and to report to the Council's sixteenth (2011) session.

On 17 June [dec. 14/118], the Council requested the Committee to finalize the study on best practices in the matter of missing persons and to submit it to the Council at its sixteenth session.

Complaint procedure

The complaint procedure of the Human Rights Council comprised the Working Group on Communications, which examined communications of alleged violations and assessed their merits, and the Working Group on Situations, which, on the recommendation of the Working Group on Communications, reported to the Council on consistent patterns of gross violations and recommended a course of action.

Working Group on Communications. The five-member Working Group on Communications held its sixth (12–16 April) [A/HRC/WG.5/6/R.2] and seventh (30 August–3 September) [A/HRC/WG.5/7/R.2] sessions in Geneva.

At its sixth session, the Working Group considered 40 files of communications concerning 25 countries. That included 24 new files containing communications and Government replies thereto in relation to 16 countries. A total of 18 replies to 16 files were received from Governments in relation to the communications. The Working Group also examined 16 files related to communications concerning 11 countries which, at its fifth session [YUN 2009, p. 627], it had decided to keep under review. A total of 27 replies were

received from concerned Governments in relation to those communications.

The Working Group adopted 40 decisions. Decisions were taken on all the 24 new files registered under the complaint procedure between May and December 2009, as well as on 16 files of communications that had been kept under review from the fifth session. The Working Group decided to transmit files relating to three countries (Colombia, Nepal, Somalia) to the Working Group on Situations. It decided to keep under review until its next session 13 files relating to 10 countries (Bangladesh, Germany, India, Iraq, Lao People's Democratic Republic, Syrian Arab Republic, Turkmenistan, United States, Viet Nam, Zimbabwe), and requested further information from the Governments concerned. The Working Group postponed consideration of communications relating to two countries (Kyrgyzstan, Mexico). The consideration of 20 files relating to 13 countries (Austria, Canada, China, Czech Republic, India, Iran, Nepal, Republic of Korea, Russian Federation, Sudan, Switzerland, Ukraine, United States) was discontinued. The Working Group received Government replies to 31 of the 40 files before it.

At its seventh session, the Working Group considered 25 files of communications concerning 18 countries. That included 10 new files containing communications and Government replies thereto in relation to eight countries. A total of 10 replies relating to nine files were received from Governments in relation to the communications. The Working Group examined 13 files related to communications concerning 10 countries which it had decided to keep under review from the sixth session. In relation to those communications, the Group had received 22 replies from Governments. The Working Group also had before it two files related to communications on two countries, the consideration of which, at its previous session, the Group had postponed. Five replies had been received from concerned Governments in relation to those communications.

The Working Group adopted 25 decisions. Decisions were taken on all 10 new files registered between January and May 2010, as well as on all 13 files of communications that had been kept under review and the two files of postponed communications. The Working Group transmitted two files relating to two countries (Iraq, Zimbabwe) to the Working Group on Situations. It kept under review until its next session 10 files relating to nine countries (Bangladesh, Egypt, Iraq, Kyrgyzstan, Lao People's Democratic Republic, Mexico, Nigeria, Syrian Arab Republic, Turkmenistan) and requested further information from the Governments concerned. Consideration was postponed on three files relating to two countries (Colombia, United States). Consideration of 10 files relating to seven countries was discontinued (Cuba, Germany,

India, Iran, Ukraine, United States, Viet Nam). The Working Group received Government replies to 22 of the 25 files before it.

Working Group on Situations. The five-member Working Group on Situations held its fifth (25–28 January) [A/HRC/13/R.1] and sixth (22–24 June) [A/HRC/15/R.1] sessions in Geneva.

At its fifth session, the Working Group had before it dossiers relating to the human rights situation in Cambodia, the Democratic Republic of the Congo, the Gambia, Iraq, Nigeria, the Philippines and Tajikistan. The material consisted of communications, Government replies and observations thereon. The Working Group decided to keep under review cases concerning the Gambia, Iraq, Nigeria, the Philippines and Tajikistan, and dismissed cases concerning Cambodia and Nigeria. The Group postponed the consideration of cases relating to the Democratic Republic of the Congo, regretting that no reply had been received from the Government.

At its sixth session, the Working Group had before it dossiers relating to the human rights situation in Colombia, the Democratic Republic of the Congo, the Gambia, Iraq, Nepal, Nigeria, the Philippines, Somalia and Tajikistan. The Working Group decided to keep under review cases concerning Colombia, the Gambia, Iraq, Nepal, Nigeria, Somalia and Tajikistan, and dismissed cases related to Colombia and the Philippines. It postponed consideration of cases concerning the Democratic Republic of the Congo, regretting that no reply had been received from the Government.

Human Rights Council action. In March [A/HRC/13/56], the Council held two closed meetings of the complaint procedure. It examined the human rights situation in Guinea and decided to discontinue considering the situation in the country.

Working group on Council review

The open-ended intergovernmental working group on the review of the work and functioning of the Human Rights Council held its first session (Geneva, 25–29 October) [A/HRC/WG.8/2/1], which marked the formal launch of the review process in Geneva. The Council had established the working group in 2009 [A/HRC/12/50 (res. 12/1)] with the mandate to review the Council's work and functioning. The Council had also decided that the working group should hold two sessions in Geneva; requested the Council President to chair the working group; and requested the working group to report to the Council's seventeenth (2011) session.

The Council President in 2010 convened three rounds of informal consultations to delineate the process and modalities of the review. In September,

during the Council's fifteenth session [A/HRC/15/60], the President presented an oral progress report and informed the membership of the joint understanding reached with the President of the General Assembly on the coordination of the review processes of the Council and the Assembly.

At the end of the first session, the President circulated a compilation of States' proposals and a list of non-State observer contributions, annexed to the report of the session. The President, on 29 October, appointed five facilitators to carry forward the review, addressing issues relating to the UPR; the special procedures; the Human Rights Council Advisory Committee, the complaint procedure and other subsidiary bodies; the agenda and the framework for a programme of work; and the methods of work and rules of procedure.

Work of the Council

Report of Secretary-General. In a September report [A/HRC/15/17] submitted pursuant to a Council resolution [YUN 2009, p. 624] on improving conference and secretariat services for the Council, the Secretary-General noted that the Council required significantly more support than its predecessor, the Commission on Human Rights. As a result, the level of Council staffing would be revisited in the context of the budget preparation for the biennium 2012–2013 to ensure that the Council would benefit from the level of staffing actually required.

Office of the High Commissioner for Human Rights

Reports of High Commissioner. In her annual report to the General Assembly [A/65/36] covering activities since the previous report [YUN 2009, p. 627], the High Commissioner said that in the last 12 months, the OHCHR rapid-response capacity provided support to a number of ad hoc independent fact-finding bodies. The United Nations Fact-Finding Mission on the Gaza Conflict [YUN 2009, p. 783], established pursuant to Human Rights Council resolution S-9/1, ended its work in October 2009 and submitted a report to the Council [ibid., p. 783]. The Commission of Inquiry for Guinea, established in October 2009 by the Secretary-General, submitted its report, which was transmitted to the Security Council [ibid., p. 230]. In June 2010, a committee of three independent experts established by Human Rights Council resolution 13/9 (see p. 787) began its work to monitor Israeli and Palestinian investigations into the serious violations of international humanitarian and human rights law reported by the Fact-Finding Mission on the Gaza Conflict. In accordance with Council resolution 14/1 (see p. 786), the Council President, on 23 July,

appointed an independent international fact-finding mission to investigate violations of international law resulting from the attacks by Israeli forces against a humanitarian boat convoy.

In addition, the Office fielded rapid-response missions or mobilized surge capacity in support of its own field presences and/or UN country teams: in Honduras following the coup d'état of June 2009; in Madagascar to provide technical assistance in the wake of the political crisis of the summer of 2009; in Gabon to monitor the human rights situation during the presidential elections of September 2009; in Iraq to temporarily assist the human rights component of the United Nations Assistance Mission for Iraq; in Haiti to assume the lead of the protection cluster dealing with the aftermath of the earthquake of January 2010 (see p. 320) and to support the work of the Human Rights Section of the United Nations Stabilization Mission in Haiti (MINUSTAH); in Togo in February 2010 and in Guinea in June 2010 to monitor the human rights situation during the elections; and in Kyrgyzstan in the context of the violence in the southern provinces in June 2010.

The Office provided advice to Member States on the establishment and responsibilities of national human rights institutions and consolidated partnerships to maximize support for those institutions. It developed synergies with regional and intergovernmental organizations in addressing critical human rights issues.

The Office continued to work under the six thematic priorities of the strategic management plan for 2010–2011, namely: countering discrimination; combating impunity and strengthening accountability, the rule of law and democratic societies; pursuing economic, social and cultural rights and combating inequalities and poverty, including in the context of the economic, food and climate crises; protecting human rights in the context of migration; protecting human rights in situations of armed conflict, violence and insecurity; and strengthening human rights mechanisms and the development of international human rights law.

The General Assembly took note of the report on 21 December (**decision 65/536**).

In her annual report to the Human Rights Council [A/HRC/16/20] on the activities of OHCHR in 2010, the High Commissioner focused on the implementation of the six thematic priorities for 2010–2011. As at December, OHCHR had 56 field presences: 12 regional presences, of which 5 had gender advisers, 12 country offices, 15 human rights components in UN peace missions, and 17 human rights advisers in UN country teams. An OHCHR country office was inaugurated in Guinea in August, and the country office in Mauritania started functioning in December. OHCHR staff undertook over 20 missions to offer assistance and support to Governments, parliaments, UN country

teams, field presences and civil society on rights such as the right to the highest attainable standard of physical and mental health, adequate housing, adequate food, education, social security and cultural rights, and on the legal protection and justiciability of economic, social and cultural rights.

OHCHR developed a comprehensive strategy to support the Human Rights Section of MINUSTAH to respond to the protection crisis that erupted as a result of the earthquake in Haiti. Fifteen staff members were deployed over a period of six months to monitor the human rights situation in camps for internally displaced persons and to lead MINUSTAH's Protection Cluster.

The High Commissioner noted that human rights work was a collective effort in a historic movement, and strategic priorities were long-term. OHCHR would continue its work against the background of an untenable financial situation stemming from the gap between increased requests for mandated activities, zero growth of the regular budget and shrinking extrabudgetary resources.

Composition of staff

Report of High Commissioner. As requested by the Human Rights Council [YUN 2009, p. 629], the High Commissioner reported in January [A/HRC/13/18] on the composition of OHCHR staff and efforts to correct the imbalance in the geographical composition of the staff. According to the report, as at 31 December 2009, OHCHR had 471 staff members in the Professional category and above: 253 from Western Europe and other States, 65 from Africa, 64 from Asia, 62 from Latin America and the Caribbean and 27 from Eastern Europe. Noticeable and sustained progress had been achieved towards increasing geographical diversity; however, OHCHR remained attentive to the need to maintain the emphasis on the broadest possible geographical diversity of its staff, and would continue its efforts.

Human Rights Council action. On 24 March [A/65/53 (res. 13/1)], by a recorded vote of 31 to 12, with 3 abstentions, the Council expressed its concern at the fact that, despite the measures taken by OHCHR, the imbalance in the geographical representation of its composition continued to be prominent, and that a single region occupied more posts in both the professional and technical categories, as well as the permanent and temporary categories, than the other four regions combined. The Council also welcomed the efforts made towards achieving a gender balance in the composition of the staff, and encouraged the General Assembly to consider further measures for promoting desirable ranges of geographical balance in OHCHR. The High Commissioner was requested to report to the Council's sixteenth (2011) session.

Joint workplan

A report of the Secretary-General issued in November [A/HRC/16/33] reviewed the cooperation between OHCHR and the Division for the Advancement of Women, part of the newly established United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women). It also indicated a commitment to strengthen cooperation between OHCHR and UN-Women.

Other aspects

Role of prevention

Human Rights Council action. On 17 June [A/65/53 (res. 14/5)], the Council stressed the importance of effective preventive measures as part of overall strategies for human rights promotion and protection; requested OHCHR to consult States, national human rights institutions, civil society and other stakeholders on the conceptual and practical dimensions of prevention with regard to human rights promotion and protection, and to publish the responses on the OHCHR website; and requested OHCHR to convene a workshop, based on those consultations, on the role of prevention in human rights promotion and protection and to present a summary of the workshop proceedings to the Council's eighteenth (2011) session.

Human rights instruments

In 2010, eight UN human rights instruments were in force with expert bodies monitoring their implementation. Those instruments and their treaty bodies were: the 1965 International Convention on the Elimination of All Forms of Racial Discrimination [YUN 1965, p. 440, GA res. 2106 A (XX)] (Committee on the Elimination of Racial Discrimination); the 1966 International Covenant on Civil and Political Rights and the Optional Protocol thereto [YUN 1966, p. 423, GA res. 2200 A (XXI)] and the Second Optional Protocol aiming at the abolition of the death penalty [YUN 1989, p. 484, GA res. 44/128] (Human Rights Committee); the 1966 International Covenant on Economic, Social and Cultural Rights [YUN 1966, p. 419, GA res. 2200 A (XXI)] and the Optional Protocol thereto [YUN 2008, p. 729, GA res. 63/117] (Committee on Economic, Social and Cultural Rights); the 1979 Convention on the Elimination of All Forms of Discrimination against Women [YUN 1979, p. 895, GA res. 34/180] and Optional Protocol thereto [YUN 1999, p. 1100, GA res. 54/4] (Committee on the Elimination of Discrimination against Women); the 1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treat-

ment or Punishment [YUN 1984, p. 813, GA res. 39/46] and the 2002 Optional Protocol thereto [YUN 2002, p. 631, GA res. 57/199] (Committee against Torture and Subcommittee on Prevention of Torture); the 1989 Convention on the Rights of the Child [YUN 1989, p. 560, GA res. 44/25] and the Optional Protocols on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography [YUN 2000, pp. 616 & 618, GA res. 54/263] (Committee on the Rights of the Child); the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families [YUN 1990, p. 594, GA res. 45/158] (Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families); and the 2006 Convention on the Rights of Persons with Disabilities and its Optional Protocol [YUN 2006, p. 785, GA res. 61/106] (Committee on the Rights of Persons with Disabilities).

The 2006 International Convention for the Protection of All Persons from Enforced Disappearance [ibid., p. 800, GA res. 61/177] provided for the establishment of a Committee on Enforced Disappearances, which would monitor the implementation of the Convention upon its entry into force. The 1948 Convention on the Prevention and Punishment of the Crime of Genocide [YUN 1948–49, p. 959, GA res. 260 A (III)] did not establish a treaty body, but the mandate of the Office of the Special Adviser on the Prevention of Genocide [YUN 2004, p. 730] included collecting information on situations where there might be a risk of genocide, war crimes, ethnic cleansing and crimes against humanity; alerting relevant actors where such a risk existed; and advocating and mobilizing for appropriate action.

The General Assembly addressed revised estimates resulting from the increase in the membership of three human rights committees in sections VIII, X and XI of **resolution 65/259** of 24 December (see p. 1432).

Effective implementation of international human rights instruments

Report of Secretary-General. Pursuant to Human Rights Council resolution 9/8 [YUN 2008, p. 725], the Secretary-General submitted a report [A/HRC/16/32] which reviewed developments in the effective implementation of international human rights instruments, including recommendations for improving, harmonizing and reforming the treaty body system. In 2010, human rights treaty bodies held 21 sessions amounting to 68 weeks in Geneva and New York, during which 138 State party reports were reviewed in plenary sessions. The Committee on the Elimination of Discrimination against Women

held one additional session in October, the Committee on the Rights of the Child held its three sessions in parallel chambers and the Committee on the Elimination of Racial Discrimination extended its sessions by one week to address the backlog of reports awaiting review. Treaty bodies during 2010 received 147 State party reports, including 13 common core documents.

The treaty bodies continued their work on finalizing treaty-specific reporting guidelines to complement the guidelines for the common core document. The Committee on the Rights of the Child and the Human Rights Committee adopted their treaty-specific reporting guidelines. The Committee on the Rights of Persons with Disabilities adopted its rules of procedures and the Committee against Torture adopted its amended rules of procedure. Treaty bodies continued to develop and implement new working methods.

The Secretariat and the treaty bodies examined some 11,600 items of correspondence, and registered over 150 new individual complaints received by the treaty bodies. The Human Rights Committee, the Committee against Torture, the Committee on the Elimination of Racial Discrimination and the Committee on the Elimination of Discrimination against Women examined and adopted final decisions on some 110 communications. They issued over 55 requests for interim measures of protection in cases where lack of such protection might lead to irreparable harm for the petitioners. They also followed up on over 60 decisions in which violations of the International Covenant on Civil and Political Rights, the Convention against Torture or the Convention on the Elimination of Discrimination against Women had been found.

Note by Secretary-General. Pursuant to General Assembly resolutions 63/243 [YUN 2008, p. 734] and 63/244 [ibid., p. 738], the Secretary-General transmitted to the Assembly an August report [A/65/317] by OHCHR which contained an evaluation of the use of additional meeting time by the human rights treaty bodies, taking into account a more comprehensive approach to the backlog of those bodies and the increasing number of reports of States parties.

The General Assembly took note of that note on 21 December (**decision 65/536**).

Convention against racial discrimination

Accessions and ratifications

As at 31 December, the number of parties to the International Convention on the Elimination of All Forms of Racial Discrimination, adopted by the General Assembly in resolution 2106 A (XX) [YUN 1965, p. 440], stood at 174, with Guinea-Bissau becoming a party during the year.

The amendment to article 8 of the Convention, regarding the financing of the Committee on the Elimination of Racial Discrimination [YUN 1992, p. 714], had been accepted by 43 States parties as at 31 December. The amendment would enter into force when accepted by a two-thirds majority of States parties, comprising approximately 116 of the 174 States parties to the Convention. The Secretary-General reported on the status of the Convention as at 15 August [A/65/292].

In August [A/65/312], the Secretary-General reported that outstanding States parties' arrears to the Committee as at 30 June totalled \$121,216.13. A number of States parties were in arrears as a result of the non-payment of previous assessments. Financing for the annual sessions of the Committee in 2009 and 2010 was provided from the regular budget, in accordance with General Assembly resolution 47/111 [YUN 1992, p. 769].

Implementation

Monitoring body. The Committee on the Elimination of Racial Discrimination, established under article 8 of the Convention, held its seventy-sixth (15 February–12 March) and seventy-seventh (2–27 August) sessions in Geneva [A/65/18]. It considered reports submitted by 22 countries (Argentina, Australia, Bosnia and Herzegovina, Cambodia, Cameroon, Denmark, El Salvador, Estonia, France, Guatemala, Iceland, Iran, Japan, Kazakhstan, Monaco, Morocco, Netherlands, Panama, Romania, Slovakia, Slovenia, Uzbekistan) and adopted concluding observations on them.

With regard to the Convention's implementation by States parties whose reports were seriously overdue, the Committee noted that 23 States were at least 10 years late in submitting their reports, and 24 were at least 5 years late. At its seventy-sixth session, the Committee decided to postpone the scheduled review of the Convention's implementation in Uruguay as the State party had submitted its report prior to that session. The Committee also decided to postpone the review scheduled in respect to Jordan, Malta and the Niger in the light of a commitment received from them to finalize their report. The report of Malta was submitted prior to the seventy-seventh session.

Under article 14 of the Convention, the Committee considered communications from individuals or groups claiming violation by a State party of their rights as enumerated in the Convention. Fifty-four States parties had recognized the Committee's competence to do so.

Pursuant to article 15 of the Convention, which empowered the Committee to consider petitions, reports and other information relating to Trust and

Non-Self-Governing Territories, the Committee noted, as it had in the past, the difficulty in fulfilling its functions in that regard, owing to the scant information relating to the Convention's principles and objectives in the reports received.

The Committee considered a number of situations under its early warning and urgent action procedure, including situations in Australia, Botswana, Brazil, Cameroon, Colombia, Costa Rica, India, the Lao People's Democratic Republic, Kyrgyzstan, the Niger, Nigeria, Paraguay, Peru, the Philippines, Slovakia and the United Kingdom. The Committee adopted decisions on Kyrgyzstan and Nigeria. It also decided to send letters to the Council of Europe and the European Union expressing its concern regarding the resurgence of racism against Roma in several European States, in particular mass expulsions and limitations on their right to free movement.

(For information on the Organization's activities to combat racial discrimination, see p. 664.)

Complementary standards

Human Rights Council actions. On 25 March [A/65/53 (res. 13/18)], the Council took note of the report of the Chairperson-Rapporteur of the Ad Hoc Committee on the Elaboration of Complementary Standards and noted the views expressed during the second session of the Ad Hoc Committee [YUN 2009, p. 632]. It decided the Ad Hoc Committee's third session would be held from 29 November to 10 December. The Ad Hoc Committee was established by the Council in 2006 [YUN 2006, p. 774] to elaborate complementary standards to the Convention in the form of a convention or additional protocol(s), fill gaps in the treaty, and provide new normative standards for combating racism, racial discrimination, xenophobia and related intolerance.

Committee session. The Secretary-General subsequently informed the Human Rights Council [A/HRC/16/65] that the Ad Hoc Committee, during its second meeting on 22 November, decided to adjourn its third session, and would resume its work from 11 to 21 April 2011.

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third Committee [A/65/454 & Corr.1], adopted **resolution 65/200** without vote [agenda item 66 (a)].

International Convention on the Elimination of All Forms of Racial Discrimination

The General Assembly,

Recalling its previous resolutions on the International Convention on the Elimination of All Forms of Racial

Discrimination, most recently resolution 63/243 of 24 December 2008,

Bearing in mind the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993, in particular section II.B of the Declaration, relating to equality, dignity and tolerance,

Reiterating the need to intensify the struggle to eliminate all forms of racism, racial discrimination, xenophobia and related intolerance throughout the world,

Reiterating also the importance of the Convention, which is one of the most widely accepted human rights instruments adopted under the auspices of the United Nations,

Reaffirming that universal adherence to and full implementation of the Convention are of paramount importance for promoting equality and non-discrimination in the world, as stated in the Durban Declaration and Programme of Action, adopted by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance on 8 September 2001,

Mindful of the importance of the contributions of the Committee on the Elimination of Racial Discrimination to the effective implementation of the Convention and to the efforts of the United Nations to combat racism, racial discrimination, xenophobia and related intolerance,

Emphasizing the obligation of all States parties to the Convention to take legislative, judicial and other measures to secure full implementation of the provisions of the Convention,

Recalling its resolution 47/111 of 16 December 1992, in which it welcomed the decision, taken on 15 January 1992 by the Fourteenth Meeting of States Parties to the International Convention on the Elimination of All Forms of Racial Discrimination, to amend paragraph 6 of article 8 of the Convention and to add a new paragraph, as paragraph 7 of article 8, with a view to providing for the financing of the Committee from the regular budget of the United Nations, and reiterating its deep concern that the amendment to the Convention has not yet entered into force,

Stressing the importance of enabling the Committee to function smoothly and to have all necessary facilities for the effective performance of its functions under the Convention,

Recalling its resolution 63/243, in which the General Assembly decided to authorize the Committee to meet for an additional week per session, as a temporary measure, with effect from August 2009, until 2011, and noting that the additional meeting time has allowed the Committee to reduce the backlog of reports pending consideration,

Taking note of the note by the Secretary-General on the evaluation of the use of additional meeting time by the human rights treaty bodies, the increasing workload of the treaty bodies and the increasing number of requests from them for more meeting time,

I

Reports of the Committee on the Elimination of Racial Discrimination

1. *Takes note* of the reports of the Committee on the Elimination of Racial Discrimination on its seventy-fourth and seventy-fifth and its seventy-sixth and seventy-seventh sessions;

2. *Commends* the Committee for its contributions to the effective implementation of the International Convention on the Elimination of All Forms of Racial Discrimination, especially through the examination of reports under article 9 of the Convention, action on communications under article 14 of the Convention and thematic discussions, which contribute to the prevention and elimination of racism, racial discrimination, xenophobia and related intolerance;

3. *Calls upon* States parties to fulfil their obligation, under article 9, paragraph 1, of the Convention, to submit their periodic reports on measures taken to implement the Convention in due time;

4. *Expresses its concern* at the fact that a great number of reports, in particular initial reports, are overdue and continue to be overdue, which constitutes an obstacle to the full implementation of the Convention;

5. *Encourages* States parties to the Convention whose reports are seriously overdue to avail themselves of the advisory services and technical assistance that the Office of the United Nations High Commissioner for Human Rights can provide, upon their request, for the preparation of the reports;

6. *Reiterates* that States parties, in line with article 8 of the Convention, should take into account, in their nomination of members to the Committee, that the Committee shall be composed of persons of high moral standing and acknowledged impartiality, who shall serve in their personal capacity, and that consideration shall be given to equitable geographical distribution and to the representation of the different forms of civilization as well as of the principal legal systems, and encourages States parties to give due regard to the nomination of persons having legal experience, as well as recognized competence in the field of human rights, and to the equal representation of women and men;

7. *Encourages* the Committee to continue to cooperate and exchange information with United Nations bodies and mechanisms, in particular the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and other relevant mechanisms of the Human Rights Council, as well as with intergovernmental and non-governmental organizations;

8. *Encourages* States parties to the Convention to continue to include a gender perspective in their reports to the Committee, and invites the Committee to take into account a gender perspective in the implementation of its mandate;

9. *Also encourages* States parties to the Convention to include information on measures to prevent and combat racism, racial discrimination, xenophobia and related intolerance in their national reports to the universal periodic review mechanism of the Human Rights Council, and strongly encourages States parties to recognize those recommendations of the universal periodic review mechanism that originate from treaty body recommendations and treat them appropriately;

10. *Notes with appreciation* the engagement of the Committee in the follow-up to the Durban Declaration and Programme of Action;

11. *Expresses its appreciation* for the efforts made so far by the Committee to improve the efficiency of its working methods, including with a view to further harmonizing the working methods of the treaty bodies, and encourages the Committee to continue its activities in this regard;

12. *Welcomes*, in this regard, measures taken by the Committee to follow up on its concluding observations and recommendations, such as the appointment of a follow-up coordinator and the adoption of the guidelines on follow-up;

13. *Encourages* the continued participation of members of the Committee in the annual inter-committee meetings and meetings of chairpersons of the human rights treaty bodies, especially with a view to a more coordinated approach to the activities of the treaty body system and standardized reporting as well as to solving the problem of the backlog of reports of States parties in an effective manner, including by identifying efficiencies and maximizing the use of their resources as well as learning and sharing best practices and experiences in this regard;

14. *Notes* the persistent backlog of reports of States parties awaiting consideration, which prevents the Committee from considering the periodic reports of States parties in a timely manner and without undue delay, as well as the request of the Committee that the General Assembly approve one additional week of meeting time per session, starting in 2012;

15. *Decides* to extend the authorization to the Committee to meet for an additional week per session, as a temporary measure, in 2012, in order to address the backlog of reports of States parties and individual complaints awaiting consideration;

16. *Requests* the Secretary-General to submit to the General Assembly at its sixty-sixth session concrete and tailored proposals on the human rights treaty bodies, including the Committee on the Elimination of Racial Discrimination, building on the work of the Secretary-General pursuant to Human Rights Council resolution 9/8 of 24 September 2008 and of the treaty bodies in this regard, to improve their effectiveness and to identify efficiencies in their working methods and resource requirements in order better to manage their workloads, bearing in mind budgetary constraints and taking account of the varying burdens on each treaty body;

II

Financial situation of the Committee on the Elimination of Racial Discrimination

17. *Takes note* of the report of the Secretary-General on the financial situation of the Committee on the Elimination of Racial Discrimination;

18. *Expresses its profound concern* at the fact that a number of States parties to the International Convention on the Elimination of All Forms of Racial Discrimination have still not fulfilled their financial obligations, as shown in the report of the Secretary-General, and strongly appeals to all States parties that are in arrears to fulfil their outstanding financial obligations under article 8, paragraph 6, of the Convention;

19. *Strongly urges* States parties to the Convention to accelerate their domestic ratification procedures with regard to the amendment to the Convention concerning the financing of the Committee and to notify the Secretary-General expeditiously in writing of their agreement to the amendment, as decided upon at the Fourteenth Meeting of States Parties to the International Convention on the Elimination of All Forms of Racial Discrimination on

15 January 1992, endorsed by the General Assembly in its resolution 47/111 and further reiterated at the Sixteenth Meeting of States Parties on 16 January 1996;

20. *Requests* the Secretary-General to continue to ensure adequate financial arrangements and to provide the necessary support, including an adequate level of Secretariat assistance, in order to ensure the functioning of the Committee and to enable it to cope with its increasing amount of work;

21. *Also requests* the Secretary-General to invite those States parties to the Convention that are in arrears to pay the amounts in arrears, and to report thereon to the General Assembly at its sixty-seventh session;

III

Status of the International Convention on the Elimination of All Forms of Racial Discrimination

22. *Recalls* the forty-fifth anniversary of the adoption of the International Convention on the Elimination of All Forms of Racial Discrimination, and takes this opportunity to reiterate the call for the universal ratification and effective implementation of the Convention by all States parties to eliminate all forms of racial discrimination;

23. *Takes note* of the report of the Secretary-General on the status of the Convention;

24. *Expresses its satisfaction* at the number of States that have ratified or acceded to the Convention, which now stands at one hundred and seventy-four;

25. *Urges* States parties to comply fully with their obligations under the Convention and to take into consideration the concluding observations and general recommendations of the Committee on the Elimination of Racial Discrimination;

26. *Reaffirms its conviction* that ratification of or accession to the Convention on a universal basis and the implementation of its provisions are necessary for the effectiveness of the fight against racism, racial discrimination, xenophobia and related intolerance and for the implementation of the commitments undertaken under the Durban Declaration and Programme of Action, and expresses its disappointment that universal ratification of the Convention was not achieved by the targeted date of 2005;

27. *Urges* States to limit the extent of any reservation they lodge to the Convention and to formulate any reservation as precisely and narrowly as possible in order to ensure that no reservation is incompatible with the object and purpose of the Convention, to review their reservations on a regular basis with a view to withdrawing them, and to withdraw reservations that are contrary to the object and purpose of the Convention;

28. *Notes* that the number of States parties to the Convention that have made the declaration provided for in article 14 of the Convention now stands at fifty-four, and requests States parties that have not yet done so to consider making that declaration;

29. *Invites* the Chair of the Committee to present an oral report on the work of the Committee and to engage in an interactive dialogue with the General Assembly at its sixty-seventh session under the item entitled "Elimination of racism, racial discrimination, xenophobia and related intolerance";

30. *Decides* to consider, at its sixty-seventh session, under the item entitled "Elimination of racism, racial discrimination, xenophobia and related intolerance", the reports of the Committee on its seventy-eighth and seventy-ninth and its eightieth and eighty-first sessions, the report of the Secretary-General on the financial situation of the Committee and the report of the Secretary-General on the status of the Convention.

Covenant on civil and political rights and optional protocols

Accessions and ratifications

As at 31 December, parties to the International Covenant on Civil and Political Rights and the Optional Protocol thereto, adopted by the General Assembly in resolution 2200 A (XXI) [YUN 1966, p. 423], numbered 167 and 113, respectively. During the year, Guinea-Bissau and Pakistan became parties to the Covenant.

The Second Optional Protocol, aimed at the abolition of the death penalty and adopted by the Assembly in resolution 44/128 [YUN 1989, p. 484], was acceded to by Kyrgyzstan during the year, bringing the number of States parties to that Protocol to 73 as at 31 December.

Implementation

Monitoring body. The Human Rights Committee, established under article 28 of the Covenant, held three sessions in 2010: its ninety-eighth (New York, 8–26 March); ninety-ninth (Geneva, 12–30 July) [A/65/40, Vol. I]; and 100th (Geneva, 11–29 October) [A/66/40, Vol. I]. It considered reports submitted under article 40 from 13 States (Argentina, Belgium, Cameroon, Colombia, El Salvador, Estonia, Hungary, Israel, Jordan, Mexico, New Zealand, Poland, Uzbekistan) and adopted concluding observations on them.

The Committee adopted views on communications from individuals alleging violations of their rights under the Covenant, and decided that other such communications were inadmissible. Those views and decisions were annexed to the Committee's reports [A/65/40, Vol. II; A/66/40, Vol. II].

The Committee continued work on draft General Comment No. 34 on article 19 of the Covenant (freedom of opinion and expression), which would replace General Comment No. 10 (1983). The Committee completed the first reading of the draft general comment during the 100th session, following which it posted the draft general comment on the OHCHR website and requested comments from stakeholders. Several comments were received from States parties, national human rights institutions, international and national human rights NGOs and academics.

Pursuant to article 4 of the Covenant, certain States parties notified other States parties, through the intermediary of the Secretary-General, of derogations of certain obligations under the Covenant due to public emergency. Peru, on 6 January, 9 April, 6 and 21 May, 11 and 30 August, 16 September and 1 November, notified the other States parties that it had extended or declared a state of emergency in different provinces and parts of the country, during which certain rights covered by the Covenant would be suspended. On 8 February, 30 March, 2 August and 27 December, Guatemala notified the other States parties that it had extended or declared a state of emergency in different parts of the country. Chile, on 23 March, notified the other States parties that it had declared a state of emergency in different parts of the country affected by the earthquake. Thailand, on 14 April, and Paraguay, on 27 April, notified the other States parties that they had declared a state of emergency in different parts of the respective country; Thailand terminated those measures on 22 December. Jamaica, on 1 June, notified the other States parties that it had declared a state of emergency on the island; on 30 June, it gave notice that the state of emergency had been extended for 28 days. Sri Lanka, on 23 June, notified the other States parties of the termination of derogations under the Covenant following the repeal of emergency regulations promulgated in August 2005. Colombia, on 24 August, notified the other States parties that it had partially amended previous decrees declaring a state of emergency.

The General Assembly, on 21 December, took note of the Committee's report on its ninety-seventh [YUN 2009, p. 632] to ninety-ninth sessions (**decision 65/536**).

(For information on the Organization's efforts to protect civil and political rights, see p. 664.)

Covenant on economic, social and cultural rights and optional protocol

Accessions and ratifications

As at 31 December, there were 160 parties to the International Covenant on Economic, Social and Cultural Rights, adopted by the General Assembly in resolution 2200 A (XXI) [YUN 1966, p. 419].

The Optional Protocol to the Covenant, adopted by the Assembly in resolution 63/117 [YUN 2008, p. 729], established a procedure of individual communications for cases of alleged violations of economic, social and cultural rights. The Protocol would enter into force when ratified by 10 States. Three Member States (Ecuador, Mongolia, Spain) were the first to ratify the treaty in 2010.

Implementation

Monitoring body. The Committee on Economic, Social and Cultural Rights held its forty-fourth (3–21 May) and forty-fifth (1–19 November) sessions in Geneva [E/2011/22]. Its pre-sessional working group met in Geneva from 25 to 28 May and from 22 to 26 November to identify issues to be discussed with reporting States. The Committee examined reports submitted under articles 16 and 17 of the Covenant by Afghanistan, Algeria, Colombia, the Dominican Republic, Kazakhstan, Mauritius, the Netherlands, Sri Lanka, Switzerland and Uruguay, and adopted concluding observations on them. On 19 November, the Committee adopted a statement on the right to sanitation.

The Economic and Social Council, on 22 July, deferred its consideration of the draft decision contained in the report of the Committee on its forty-second and forty-third sessions [YUN 2009, p. 633] until a later date (**decision 2010/247**).

In August, the Secretary-General submitted a note [A/65/317] on the evaluation of the use of additional meeting time by the human rights treaty bodies, the increasing workload of those bodies and the increasing number of requests from them for more meeting time.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 14 December [meeting 51], the Economic and Social Council adopted **resolution 2010/37** [draft: E/2010/L.43] without vote [agenda item 14 (g)].

Report of the Committee on Economic, Social and Cultural Rights on its forty-second and forty-third sessions

The Economic and Social Council,

Having considered the report of the Committee on Economic, Social and Cultural Rights on its forty-second and forty-third sessions, and the request contained therein for an additional session of the Committee, followed by pre-sessional working groups of one week's duration, in Geneva, in both 2011 and 2012,

Concerned at the persistent backlog of reports of State parties awaiting consideration, and that the existing working methods and meeting arrangements for the Committee no longer permit it to fully discharge its responsibilities under the International Covenant on Economic, Social and Cultural Rights and Economic and Social Council resolution 1985/17 of 28 May 1985 in an efficient and timely manner, and recognizing that the entry into force of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights would increase the workload of the Committee,

Taking note of the note submitted by the Secretary-General to the General Assembly at its sixty-fifth session on the evaluation of the use of additional meeting time by the human rights treaty bodies, the increasing workload of the

treaty bodies and the increasing number of requests from them for more meeting time,

1. *Requests* the Committee on Economic, Social and Cultural Rights to improve the efficiency of its working methods, including with a view to further harmonizing its working methods with the other treaty bodies, and, in the light of its activities in this regard, requests the Chair of the Committee to report to the Economic and Social Council at its substantive session in July 2011 on the steps taken by the Committee to improve its efficiency, to allow the Council to make a decision on means to address the Committee's backlog of State party reports, including, if necessary, through the granting of additional time as a temporary measure;

2. *Requests* the Secretary-General to include in the report to be submitted to the General Assembly at its sixty-sixth session concrete and tailored proposals on the human rights treaty bodies, including the Committee on Economic, Social and Cultural Rights, building on the work of the Secretary-General pursuant to Human Rights Council resolution 9/8 of 24 September 2008 and of the treaty bodies in this regard, to improve their effectiveness and to identify efficiencies in their working methods and resource requirements in order to better manage their workloads, bearing in mind budgetary constraints and taking account of the varying burdens on each treaty body.

(For information on the Organization's efforts to protect economic, social and cultural rights, see p. 664.)

Convention on elimination of discrimination against women and optional protocol

(On the status of the Convention and Optional Protocol, see p. 1176. On the Special Rapporteur on violence against women, its causes and consequences, see p. 751.)

Convention against torture

Accessions and ratifications

As at 31 December, 147 States were parties to the 1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted by the General Assembly in resolution 39/46 [YUN 1984, p. 813]. Pakistan ratified the Convention during the year.

States parties to the Optional Protocol to the Convention establishing an international inspection system for places of detention, adopted by the Assembly in resolution 57/199 [YUN 2002, p. 631] and entering into force in 2006 [YUN 2006, p. 776], rose to 57, with Burkina Faso, the Democratic Republic of the Congo, Ecuador, Gabon, Luxembourg, the Netherlands and Togo becoming parties during the year.

As at 14 May, 56 parties had made the required declarations under articles 21 and 22, which recognized the competence of the Committee against Torture to receive and consider communications by which a State party claimed that another party was not fulfilling its obligations under the Convention, and from or on behalf of individuals who claimed to be victims of a violation of the Convention's provisions by a State party. Four parties had made the declaration under article 21, concerning inter-State communications, bringing the number of declarations under that article to 60, while eight had done so under article 22, concerning individual communications, bringing the total under that article to 64.

Amendments to articles 17 and 18, adopted in 1992 [YUN 1992, p. 735], had been accepted by 28 States parties as at year's end.

Implementation

Monitoring body. During the year, the Committee against Torture, established as a monitoring body under the Convention, held its forty-fourth (26 April–14 May) [A/65/44] and forty-fifth (1–19 November) [A/66/44] sessions in Geneva. Under article 19 of the Convention, it considered reports submitted by 14 countries (Austria, Bosnia and Herzegovina, Cambodia, Cameroon, Ecuador, Ethiopia, France, Jordan, Liechtenstein, Mongolia, Switzerland, Syrian Arab Republic, Turkey, Yemen) and adopted concluding observations on them.

The Committee continued, in accordance with article 20, to study reliable information that appeared to contain well-founded indications that torture was systematically practiced in a State party. The Rapporteur on article 20 encouraged States parties on which enquiries had been conducted to implement the Committee's related recommendations. Under article 22, the Committee considered communications submitted by individuals claiming that their rights under the Convention had been violated by a State party and who had exhausted all available domestic remedies.

On 21 December, the General Assembly took note of the Committee's report on its forty-third [YUN 2009, p. 635] and forty-fourth sessions (**decision 65/536**).

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third Committee [A/65/456/Add.1], adopted **resolution 65/204** without vote [agenda item 68 (a)].

Committee against Torture

The General Assembly,

Recalling the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,

Welcoming the work of the Committee against Torture,

Regretting the persistent backlog of reports of States parties and individual communications awaiting consideration, which prevents the Committee from considering reports and communications in a timely manner and without undue delay,

Noting the request of the Committee that the General Assembly authorize an extension of its meeting time,

Noting also that the Committee has only ten members and currently only meets for two sessions of three weeks a year,

Noting further that the estimated budgetary requirements of the requested extension of meeting time will be met within the programme budget approved for the biennium 2010–2011 and will be further dealt with in the context of the proposed programme budget for the biennium 2012–2013, while bearing in mind the need to make the best possible use of resources,

Taking note of the note by the Secretary-General on the evaluation of the use of additional meeting time by the human rights treaty bodies, the increasing workload of the treaty bodies and the increasing number of requests from them for more meeting time,

1. *Expresses its appreciation* for the efforts made so far by the Committee against Torture to improve the efficiency of its working methods, including with a view to further harmonizing the working methods of the treaty bodies, and encourages the Committee to continue its activities in this regard;

2. *Decides* to authorize the Committee to meet for an additional week per session as a temporary measure, with effect from May 2011 until the end of November 2012, in order to address the backlog of reports of States parties and individual complaints awaiting consideration;

3. *Requests* the Secretary-General to submit to the General Assembly at its sixty-sixth session concrete and tailored proposals on the human rights treaty bodies, including the Committee against Torture, building on the work of the Secretary-General pursuant to Human Rights Council resolution 9/8 of 24 September 2008 and of the treaty bodies in this regard, to improve their effectiveness and to identify efficiencies in their working methods and resource requirements in order to better manage their workloads, bearing in mind budgetary constraints and taking account of the varying burdens on each treaty body.

Subcommittee on Prevention. The Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Subcommittee on Prevention), established in 2006 [YUN 2006, p. 776] to carry out the functions laid down in the Optional Protocol adopted by resolution 57/199 [YUN 2002, p. 631], held its tenth (22–26 February) [CAT/C/44/2], eleventh (21–25 June) and twelfth (15–19 November) [CAT/C/46/2] plenary sessions in Geneva. The mandate of the Subcommittee was to visit places where persons were or might be deprived of liberty and make recommendations to States parties on their protection; assist States parties in establishing national preventive mechanisms; provide support to such mechanisms; and co-operate with UN and other bodies in preventing ill-treatment.

In 2010, the Subcommittee visited Lebanon (24 May–3 June), Bolivia (30 August–8 September),

Paraguay (13–15 September) [CAT/OP/PRY/2] and Liberia (6–13 December). The visits were followed by the submission of a confidential report to the Governments in question, which included recommendations. Paraguay, in June [CAT/OP/PRY/1/Add.1], submitted its comment relating to the Subcommittee's visit in 2009 [YUN 2009, p. 636].

The fourth annual report of the Subcommittee [CAT/C/46/2] covered its activities from April to December 2010.

Special Fund. In August [A/65/381], the Secretary-General reported on the Special Fund established pursuant to article 26 of the Optional Protocol to the Convention against Torture. The Fund was established to help finance the implementation of the recommendations made by the Subcommittee on Prevention following a visit to a State party to the Optional Protocol, as well as education programmes of national preventive mechanisms. In 2008–2009, contributions had been received from the Czech Republic (\$10,000), the Maldives (\$5,000) and Spain (\$55,492.54). The General Assembly took note of the report on 21 December (**decision 65/536**).

Convention on the Rights of the Child

Accessions and ratifications

As at 31 December, the number of States parties to the 1989 Convention on the Rights of the Child, adopted by the General Assembly in resolution 44/25 [YUN 1989, p. 560], stood at 193. States parties to the Optional Protocol to the Convention on the involvement of children in armed conflict, adopted by Assembly resolution 54/263 [YUN 2000, p. 615], rose to 139, with the Congo, Cyprus, Gabon, Georgia, Guyana, Hungary, Malawi and Seychelles becoming parties during the year.

The Optional Protocol to the Convention on the sale of children, child prostitution and child pornography, also adopted by resolution 54/263, had 142 States parties, with the Gambia, Guinea-Bissau, Guyana, Hungary, Malta, Nigeria and Saudi Arabia becoming parties in 2010.

The Secretary-General reported on the status of the Convention and its Optional Protocols as at 1 July [A/65/206].

On 30 July, by **resolution 64/293**, the General Assembly adopted the United Nations Global Plan of Action to Combat Trafficking in Persons (see p. 1111).

Implementation

Monitoring body. In 2010, the Committee on the Rights of the Child held its fifty-third (11–29 January) [A/65/41], fifty-fourth (25 May–11 June)

and fifty-fifth (13 September–1 October) [A/67/41] sessions, all in Geneva.

Under article 44 of the Convention, the Committee considered initial or periodic reports submitted by 26 countries (Angola, Argentina, Belgium, Burkina Faso, Burundi, Cameroon, Ecuador, El Salvador, Estonia, Grenada, Guatemala, Israel, Japan, Liechtenstein, the former Yugoslav Republic of Macedonia, Mongolia, Montenegro, Nicaragua, Nigeria, Norway, Paraguay, Spain, Sri Lanka, Sudan, Tajikistan, Tunisia) and adopted concluding observations on them.

As decided at its fifty-second session [YUN 2009, p. 636], the Committee did not hold a day of general discussion in 2010 due to the increasing backlog of reports pending consideration.

The Economic and Social Council, on 23 July, took note of the report of the Committee on its fifty-third session (**decision 2010/258**). The General Assembly took note of that report on 21 December (**decision 65/534**).

Optional protocol on communications. On 24 March [A/65/53 (res. 13/3)], the Council extended the mandate of the Open-ended Working Group it established in 2009 [YUN 2009, p. 637] until the seventeenth (2011) session of the Council. It mandated the Working Group to elaborate an optional protocol to the Convention on the Rights of the Child to provide a communications procedure, and requested the Chairperson of the Working Group to prepare a proposal for a draft optional protocol, taking into account the views expressed and inputs provided during the first session of the Working Group in December 2009 [ibid.].

(For information on the Organization's efforts to protect the rights of the child, see p. 754.)

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third Committee [A/65/452], adopted **resolution 65/197** without vote [agenda item 64 (a)].

Rights of the child

The General Assembly,

Reaffirming all its previous resolutions on the rights of the child in their entirety, the most recent of which is resolution 64/146 of 18 December 2009,

Emphasizing that the Convention on the Rights of the Child constitutes the standard in the promotion and protection of the rights of the child, and bearing in mind the importance of the Optional Protocols to the Convention, calling for their universal ratification, as well as that of other human rights instruments,

Recalling the Convention on the Rights of Persons with Disabilities, the International Convention for the Protection of All Persons from Enforced Disappearance and the

International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,

Reaffirming that the general principles of, inter alia, the best interests of the child, non-discrimination, participation and survival and development provide the framework for all actions concerning children, including adolescents,

Reaffirming also the Vienna Declaration and Programme of Action, the United Nations Millennium Declaration and the outcome document of the twenty-seventh special session of the General Assembly on children, entitled "A world fit for children", and recalling the Copenhagen Declaration on Social Development and the Programme of Action, the Dakar Framework for Action adopted at the World Education Forum, the Declaration on Social Progress and Development, the Universal Declaration on the Eradication of Hunger and Malnutrition, the Declaration on the Right to Development and the Declaration of the commemorative high-level plenary meeting devoted to the follow-up to the outcome of the special session on children, held in New York from 11 to 13 December 2007, as well as the outcome document of the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals, held in New York from 20 to 22 September 2010,

Taking note with appreciation of the reports of the Secretary-General on progress made towards achieving the commitments set out in the outcome document of the twenty-seventh special session of the General Assembly and on the status of the Convention on the Rights of the Child and the issues addressed in Assembly resolution 64/146, as well as the report of the Special Representative of the Secretary-General on Violence against Children and the report of the Special Representative of the Secretary-General for Children and Armed Conflict, whose recommendations should be carefully studied, taking fully into account the views of Member States, and taking note of the report of the Secretary-General on children and armed conflict,

Acknowledging the important role played by national governmental structures for children, including, where they exist, ministries and institutions in charge of child, family and youth issues and independent ombudspersons for children or other national institutions for the promotion and protection of the rights of the child,

Recognizing the positive contribution of early childhood care and education programmes to the outcomes of schooling and to children's development to their fullest potential,

Recognizing also that the family has the primary responsibility for the nurturing and protection of children and that children, for the full and harmonious development of their personality, should grow up in a family environment and in an atmosphere of happiness, love and understanding,

Taking note with appreciation of the work to promote and protect the rights of the child carried out by all relevant organs, bodies, entities and organizations of the United Nations system, within their respective mandates, and relevant mandate holders and special procedures of the United Nations, as well as relevant regional organizations, where appropriate, and intergovernmental organizations, and recognizing the valuable role of civil society, including non-governmental organizations,

Profoundly concerned that the situation of children in many parts of the world has been negatively impacted by the world financial and economic crisis, and reaffirming that eradicating poverty continues to be the greatest global

challenge facing the world today, recognizing its impact beyond the socio-economic context,

Profoundly concerned also that the situation of children in many parts of the world remains critical, in an increasingly globalized environment, as a result of the persistence of poverty, social inequality, inadequate social and economic conditions, pandemics, in particular HIV/AIDS, malaria and tuberculosis, lack of access to safe drinking water and sanitation, environmental damage, natural disasters, armed conflict, foreign occupation, displacement, violence, terrorism, abuse, trafficking in children and their organs, all forms of exploitation, commercial sexual exploitation of children, child prostitution, child pornography and child sex tourism, neglect, illiteracy, hunger, intolerance, discrimination, racism, xenophobia, gender inequality, disability and inadequate legal protection, and convinced that urgent and effective national and international action is called for,

Deeply concerned that, globally, 8.1 million children under five years of age died from preventable causes in 2009, and that in developing countries more than a third of the children under five years of age suffer from stunting and a quarter suffer from underweight and severe malnutrition before they enter primary school, with, in some cases, irreparable damage to their cognitive development and long-term impacts on their physical health and development,

Taking note of the Global Strategy for Women's and Children's Health, launched by the Secretary-General on 22 September 2010,

Gravely concerned about the devastating impact of some of the recent natural disasters, including on children, reaffirming the importance of providing speedy, sustainable and adequate humanitarian assistance in support of relief, early recovery, rehabilitation, reconstruction and development efforts of the affected countries, and reaffirming also the importance of ensuring that human rights in general, and child rights in particular, are mainstreamed into these efforts,

Recalling its resolution 64/290 of 9 July 2010 on the right to education in emergency situations,

Welcoming the adoption of the United Nations Global Plan of Action to Combat Trafficking in Persons, stressing the need for its full and effective implementation, and expressing the view that it will, inter alia, contribute to the promotion and protection of the rights of children, enhance cooperation and better coordination of efforts in fighting trafficking in persons and promote increased ratification and full implementation of the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,

I

Implementation of the Convention on the Rights of the Child and the Optional Protocols thereto

1. *Reaffirms* paragraphs 1 to 8 of its resolution 63/241 of 24 December 2008, and urges States that have not yet done so to become parties to the Convention on the Rights of the Child and the Optional Protocols thereto as a matter of priority and to implement them fully;

2. *Commemorates* the tenth anniversary of the adoption of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and the Optional Protocol on the involvement of children in armed conflict, welcomes the efforts of the Secretary-General to promote the universal ratification of the Optional Protocols, and takes this opportunity to call for the effective implementation of the Convention and the Optional Protocols by States parties to ensure that all children may fully enjoy all their human rights and fundamental freedoms;

3. *Calls upon* States parties to withdraw reservations that are incompatible with the object and purpose of the Convention or the Optional Protocols thereto and to consider reviewing regularly other reservations with a view to withdrawing them in accordance with the Vienna Declaration and Programme of Action;

4. *Encourages* States parties, in implementing the provisions of the Convention and the Optional Protocols thereto, to take duly into account the recommendations, observations and general comments of the Committee on the Rights of the Child, including, inter alia, general comment No. 7 (2005) on implementing child rights in early childhood;

5. *Welcomes* actions of the Committee to monitor the implementation by States parties of the Convention, and notes with appreciation its actions to follow up on its concluding observations and recommendations, and in this regard underlines, in particular, the regional workshops and the participation of the Committee in national-level initiatives;

6. *Takes note* of the process of the elaboration of an optional protocol to the Convention on the Rights of the Child to provide a communication procedure complementary to the reporting procedure under the Convention on the Rights of the Child;

II

Promotion and protection of the rights of the child and non-discrimination against children

Non-discrimination

7. *Reaffirms* paragraphs 9 to 11 of its resolution 63/241, and calls upon States to ensure the enjoyment by children of all their civil, cultural, economic, political and social rights without discrimination of any kind;

Registration, family relations and adoption or other forms of alternative care

8. *Also reaffirms* paragraphs 12 to 16 of its resolution 63/241, and urges all States parties to intensify their efforts to comply with their obligations under the Convention on the Rights of the Child to protect children in matters relating to registration, family relations and adoption or other forms of alternative care, and, in cases of international parental or familial child abduction, encourages States to facilitate, inter alia, the return of the child to the country in which he or she resided immediately before the removal or retention;

9. *Welcomes* the Guidelines for the Alternative Care of Children, contained in the annex to its resolution 64/142 of 18 December 2009, as a set of orientations to help to inform policy and practice, and encourages States to take them into account;

Economic and social well-being of children, eradication of poverty, right to education, right to enjoyment of the highest attainable standard of physical and mental health and right to food

10. *Reaffirms* paragraphs 17 to 26 of its resolution 63/241, paragraphs 42 to 52 of its resolution 61/146 of 19 December 2006, on the theme of children and poverty, and paragraphs 37 to 42 of its resolution 60/231 of 23 December 2005, on the theme of children living with or affected by HIV/AIDS, and calls upon all States and the international community to create an environment in which the well-being of the child is ensured, including by strengthening international cooperation in this field and by implementing their previous commitments relating to poverty eradication, the right to education, and measures to promote human rights education, in accordance with the evolving capacities of the child, the right to the enjoyment of the highest attainable standard of physical and mental health, including efforts to address the situation of children living with or affected by HIV/AIDS and to eliminate mother-to-child transmission of HIV, the right to food for all and the right to an adequate standard of living, including housing and clothing;

11. *Recognizes* the threat to the achievement of the internationally agreed development goals, including the Millennium Development Goals, posed by the global financial and economic crisis, which is connected to multiple, interrelated global crises and challenges, such as the food crisis and continuing food insecurity, volatile energy and commodity prices and climate change, and calls upon States to address, in their response to these crises, any impact on the full enjoyment of the rights of children;

Elimination of violence against children

12. *Reaffirms* paragraphs 27 to 32 of its resolution 63/241 and paragraphs 47 to 62 of its resolution 62/141 of 18 December 2007, on the theme of elimination of violence against children, condemns all forms of violence against children, and urges all States to implement the measures set out in paragraph 27 of its resolution 63/241;

13. *Encourages* all States, requests United Nations entities and agencies, and invites regional organizations and civil society, including non-governmental organizations, to cooperate with the Special Representative of the Secretary-General on Violence against Children and to provide support, including financial support, to her for the effective and independent performance of her mandate, as set out in resolution 62/141, and in promoting the further implementation of the recommendations of the United Nations study on violence against children, while promoting and ensuring country ownership and national plans and programmes in this regard, and calls upon States and institutions concerned, and invites the private sector, to provide voluntary contributions for that purpose;

14. *Notes with appreciation* the consolidated partnerships promoted by the Special Representative of the Secretary-General on Violence against Children, in coordination with national Governments, United Nations agencies, human rights bodies and mechanisms and representatives of civil society and with the participation of children, as well as the organization of an expert consultation on child-sensitive counselling, complaint and reporting mechanisms, held in Geneva on 30 September and 1 October 2010;

15. *Recalls* Human Rights Council resolution 13/20 of 26 March 2010 entitled “Rights of the child: the fight against sexual violence against children”;

Promoting and protecting the rights of children, including children in particularly difficult situations

16. *Reaffirms* paragraphs 34 to 42 of its resolution 63/241, and calls upon all States to promote and protect all human rights of all children in particularly difficult situations and to implement programmes and measures that provide them with special protection and assistance, including access to health care, education and social services, as well as, where appropriate and feasible, voluntary repatriation, reintegration, family tracing and family reunification, in particular for children who are unaccompanied, and to ensure that the best interests of the child are accorded primary consideration;

Children alleged to have infringed or recognized as having infringed penal law and children of persons alleged to have infringed or recognized as having infringed penal law

17. *Also reaffirms* paragraphs 43 to 47 of its resolution 63/241, and calls upon all States to respect and protect the rights of children alleged to have infringed or recognized as having infringed penal law, as well as children of persons alleged to have infringed or recognized as having infringed penal law;

Prevention and eradication of the sale of children, child prostitution and child pornography

18. *Further reaffirms* paragraphs 48 to 50 of its resolution 63/241, and calls upon all States to prevent, criminalize, prosecute and punish all forms of the sale of children, including for the purposes of the transfer of organs of the child for profit, child slavery, commercial sexual exploitation of children, child prostitution and child pornography, with the aim of eradicating those practices and the use of the Internet and other information and communications technologies for these purposes, to combat the existence of a market that encourages such criminal practices and take measures to eliminate the demand that fosters them, as well as to address the needs of victims effectively and take effective measures against the criminalization of children who are victims of exploitation;

19. *Calls upon* all States to develop and implement programmes and policies to protect children from abuse, commercial sexual exploitation, child prostitution, child pornography, child sex tourism and child abduction, and calls upon States to implement strategies to locate and assist all children subject to these violations;

20. *Also calls upon* all States to enact and enforce necessary legislative or other measures, in cooperation with relevant stakeholders, to prevent the distribution over the Internet and in all other media of child pornography, including depictions of child sexual abuse, ensuring that adequate mechanisms are in place to enable the reporting and removal of such material and that its creators, distributors and collectors are prosecuted as appropriate;

Children affected by armed conflict

21. *Reaffirms* paragraphs 51 to 63 of its resolution 63/241, condemns in the strongest terms all violations and abuses committed against children affected by armed con-

flict, and in this regard urges all States and other parties to armed conflict that are engaged, in contravention of applicable international law, including humanitarian law, in the recruitment and use of children, in patterns of killing and maiming of children and/or rape and other sexual violence against children, as well as in all other violations and abuses against children, to take time-bound and effective measures to end them, and urges all States, United Nations agencies, funds and programmes, other relevant international and regional organizations and civil society to continue to give serious attention to, and to protect and assist child victims of, all violations and abuses committed against children in situations of armed conflict, in accordance with international humanitarian law, including the First to Fourth Geneva Conventions;

22. *Also reaffirms* the essential roles of the General Assembly, the Economic and Social Council and the Human Rights Council for the promotion and protection of the rights and welfare of children, including children affected by armed conflict, notes the increasing role played by the Security Council in ensuring protection for children affected by armed conflict, and also notes the activities undertaken by the Peacebuilding Commission, within its mandate, in areas that promote and contribute to the enjoyment of the rights and welfare of children;

23. *Notes with appreciation* the steps taken regarding Security Council resolutions 1539(2004) of 22 April 2004, 1612(2005) of 26 July 2005 and 1882(2009) of 4 August 2009 and the efforts of the Secretary-General to implement the monitoring and reporting mechanism on children and armed conflict in accordance with those resolutions, with the participation of and in cooperation with national Governments and relevant United Nations and civil society actors, including at the country level, requests the Secretary-General to ensure that information collected and communicated by the monitoring and reporting mechanism is accurate, objective, reliable and verifiable, and in this regard encourages the work and the deployment, as appropriate, of United Nations child protection advisers in peacekeeping operations and political and peacebuilding missions;

Child labour

24. *Reaffirms* paragraphs 64 to 80 of its resolution 63/241, on the theme of child labour, and calls upon all States to translate into concrete action their commitment to the progressive and effective elimination of child labour that is likely to be hazardous or to interfere with the child's education or to be harmful to the child's health or physical, mental, spiritual, moral or social development, and to eliminate immediately the worst forms of child labour;

25. *Notes with interest* the outcome of the Hague Global Child Labour Conference, including the Road Map for Achieving the Elimination of the Worst Forms of Child Labour by 2016;

26. *Calls upon* all States to take into account the report of the Director-General of the International Labour Organization entitled "Accelerating action against child labour";

The right of the child to express his or her views freely in all matters affecting him or her

27. *Reaffirms* paragraphs 24 to 33 of its resolution 64/146, recognizing the right of the child to express his

or her views freely in all matters affecting him or her and giving those views due weight in accordance with his or her age and maturity, and urges all States to implement the measures set out in paragraph 33 of its resolution 64/146;

III

Implementing child rights in early childhood

28. *Recognizes* that early childhood encompasses all stages of a young child's life until and during his or her transition to school;

29. *Reaffirms* that the child is the holder of all rights enshrined in the Convention on the Rights of the Child and that early childhood is a critical phase for the realization of these rights;

30. *Recognizes* that parents and, when applicable, legal guardians and members of the extended family have the primary responsibility for the protection, upbringing and development of children, including in early childhood, and that the State and the community as a whole should provide appropriate support and assistance to parents, families, legal guardians and other caregivers;

31. *Reiterates* that all States should continue to make their best efforts to ensure the recognition of the principle that both parents have common responsibilities for the upbringing and development of their children;

32. *Also reiterates* that all public and private institutions, as well as all those responsible for the care or protection of children, should respect children's rights, including during early childhood, taking into account the best interests of the child;

33. *Recognizes* that the full realization of children's rights requires the adoption and implementation of comprehensive policies and programmes at the national and local levels for all children, including specific programmes for early childhood;

34. *Also recognizes* that, during early childhood, children have particular physical and emotional requirements and are especially dependent on parents and, when applicable, legal guardians and other caregivers to offer protection, and are more vulnerable to disease, trauma and violence, including neglect, injury, maltreatment and abuse, including physical and mental violence, and other obstacles to their development, and are entitled to special protection measures and the opportunity to progressively exercise their rights in a manner consistent with their evolving capacities;

35. *Reaffirms* that the eradication of poverty is essential to the achievement of all the Millennium Development Goals and to the full realization of the rights of all children, including in early childhood, and expresses deep concern that malnutrition and preventable diseases continue to be major obstacles to the realization of rights in early childhood, in particular the right to life and the right to food, and to the ability of the child to develop, and also recognizes the need to reduce child mortality and ensure comprehensive child development;

36. *Emphasizes* that good maternal health, including physical and mental health, nutrition and education are essential for the full realization of all rights of the child, including in early childhood, for the survival of children and their ability to develop and to reach their full potential;

37. *Recognizes* that discrimination against and exploitation of children, including in early childhood, harm their

quality of life and may reduce their survival prospects, and calls upon States to take all appropriate measures to ensure that the child is protected against all forms of discrimination and exploitation;

38. *Also recognizes* that, in ensuring the exercise by children, including in early childhood, of their rights, States shall respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community, as provided for by local custom, legal guardians or other persons legally responsible for the child to provide, in a manner consistent with the age, maturity and evolving capacities of the child, appropriate direction and guidance;

39. *Further recognizes* that a child who is temporarily or permanently deprived of his or her family environment, or in whose own best interest cannot be allowed to remain in that environment, is entitled to special protection and assistance provided by the State, and calls upon States to ensure adequate alternative care for such a child in accordance with their national laws, preferably in the form of family-based care;

40. *Recognizes* that the right to education is closely linked to the maximum development of the child and that the goal of formal and non-formal education shall be to empower the child, including in early childhood, by developing his or her skills, ability to learn, self-esteem and self-confidence, and that this must be achieved in ways that enable children to learn through play and experience and reflect the rights and inherent human dignity of the child;

41. *Acknowledges* the need to enhance efforts aimed at expanding and improving comprehensive early childhood care and education, as determined in goal 1 of Education for All, especially for the most vulnerable and disadvantaged children, taking into account the evidence that good-quality early childhood care and education, both in the family and in more structured programmes, have a positive impact on the survival, growth and development of children and on their ability to learn;

42. *Welcomes* the first World Conference on Early Childhood Care and Education, held in Moscow from 27 to 29 September 2010, convened by the United Nations Educational, Scientific and Cultural Organization, and encourages Member States to study its outcomes and recommendations;

43. *Calls upon* all States to include, within the overall context of policies and programmes for all children within their jurisdiction, appropriate provisions for the realization of the rights of children in early childhood, in particular:

(a) To ensure that the rights of the child are fully respected, especially in early childhood, without discrimination on any grounds, including by adopting and/or continuing to implement regulations and measures that ensure the full realization of all their rights;

(b) To provide special support and assistance to children in early childhood who are suffering from discrimination or living under especially difficult circumstances, in order to ensure their physical and psychological recovery and social integration and the full realization of their rights within an environment that encourages dignity and self-respect;

(c) To adopt, implement and strengthen appropriate policies aimed at ensuring universal access to quality and affordable services, especially health, nutrition, education,

welfare, social protection, safe drinking water and sanitation and other services that are essential for the child's well-being, and, in this regard, to pay particular attention to the most vulnerable children and those living under especially difficult circumstances;

(d) To strengthen efforts towards poverty eradication, including for families with children in early childhood, so as to help to ensure the realization of their right to an adequate standard of living;

(e) To take measures to improve prenatal, perinatal and post-natal care for mothers and newborns, reducing infant, child and maternal mortality, such as improving the access to health-care systems, including for sexual and reproductive health, emergency obstetric and newborn care, the distribution and use of insecticide-treated nets, vaccination campaigns, the prevention of mother-to-child transmission of HIV and the strengthening of international cooperation and technical assistance urgently required in developing countries to reduce maternal mortality and morbidity and improve maternal and newborn health;

(f) To strengthen efforts significantly towards the goal of universal access to comprehensive prevention programmes, treatment, care and support to prevent the spread of the HIV epidemic and alleviate and control the detrimental impact of HIV/AIDS on children and including by taking all appropriate measures to prevent mother-to-child transmission of HIV, to provide timely, accurate diagnosis and effective treatment, including antiretroviral therapies and to ensure adequate alternative care and psychosocial support for children who have lost parents or other primary caregivers to HIV/AIDS;

(g) To strengthen national and international efforts to improve the accessibility to and availability of safe, affordable, quality and effective medicines, including innovative and generic, in particular for the treatment of children in early childhood;

(h) To ensure that community and civil society institutions, services and facilities responsible for early childhood comply with national quality standards, especially in the areas of health and social protection, and to develop training programmes to ensure a quality, suitable and well-trained workforce in these areas;

(i) To take all necessary measures to ensure that the child will be registered immediately after birth and will have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by his or her parents, and to implement these rights in accordance with their national law and their obligations under the relevant international instruments in this field;

(j) To make all possible efforts to promote universal access to birth registration, ensuring an effective, flexible and accessible system of registration;

(k) To take appropriate measures to ensure the full realization of the right to education on the basis of equal opportunity for every child, including by providing accessible, free and compulsory primary education directed to the development of the personality, talents and mental and physical abilities of the child to his or her fullest potential, and to improve coordination between primary education, early childhood care and education services to ensure a better transition to primary school;

(l) To develop care and educational networks for early childhood with necessary regulations and appropriate quality, and to ensure that parents, in particular working parents, legal guardians and other caregivers are provided with appropriate support in order for their children to fully benefit from such programmes, especially the poorest, most vulnerable and marginalized children;

(m) To support quality childhood development programmes, accessible to all children, including in early childhood, through home- and community-based programmes;

(n) To promote greater understanding and recognition that childcare is a critical societal function and should be equitably shared between women and men within the family and households;

(o) To promote and expand comprehensive early childhood care and education strategies which acknowledge a key role for parents, legal guardians and the extended family as well as the contribution of organized programmes of early childhood education provided by the State, the community or civil society institutions, including private education institutions;

(p) To consider formulating and implementing, at the appropriate level, comprehensive early childhood care and education policies, to enhance information and training for parents and other caregivers on quality childcare and on understanding their role in children's early education, and to promote training of professionals working in areas related to early childhood education;

(q) To take effective measures to allow indigenous peoples to have non-discriminatory access to all levels and forms of education provided by States, and to promote access for indigenous individuals, particularly children, to education in their own language, when possible, as addressed in the United Nations Declaration on the Rights of Indigenous Peoples;

(r) To ensure that young children with disabilities have equal opportunities to participate fully in education and community life, including the removal of barriers that impede the realization of their rights, and to foster at all levels of the education system, including all children from an early age, an attitude of respect for the rights of persons with disabilities;

(s) To take decisive steps to develop strategies for children, including in early childhood, regarding human rights education, on values such as respect for human dignity, non-discrimination, equality, justice, non-violence, tolerance and peace, at home, in childcare centres and in early education programmes, in order to promote the awareness and empowerment of children with respect to their rights and responsibilities, taking into account the World Programme for Human Rights Education;

(t) To address the root causes preventing children, including in early childhood, from exercising their right to be heard and to be consulted, in accordance with their evolving capacities, on matters affecting them, to inform children, parents, legal guardians, other caregivers and the general public about the rights of the child, and to raise awareness, including through partnerships with civil society, the private sector and the media, while being attentive to their influence on children, of the importance and benefits of the participation of children in society;

(u) To adopt measures to promote and protect the right of the child, including in early childhood, to rest and leisure, and to participate freely in cultural life and the arts,

including measures that allow him or her to engage in play and age-appropriate recreational activities, such as sports;

(v) To strengthen efforts to effectively eliminate child labour which is harmful to the child's health or physical, mental, spiritual, moral or social development;

(w) To develop strategies for the prevention and elimination of all forms of violence against children, including in early childhood, by adopting appropriate policy measures aimed at, *inter alia*, raising awareness, capacity-building for professionals working with and for children, supporting effective parenting programmes, fostering research, collecting data on the incidence of violence against children, including in early childhood, and developing and implementing appropriate national monitoring tools to periodically assess progress;

(x) To take steps to design and implement preventive and comprehensive anti-bullying measures, including in educational settings, that address bullying and peer-directed aggression during early childhood, which could include the training of early childhood educators and family members and also raising awareness of this matter among children;

(y) To develop or enhance early childhood programmes targeted at assisting families facing especially difficult circumstances, including those headed by single parents or children, those living in the most vulnerable and disadvantaged situations and those living in extreme poverty or caring for children with disabilities;

(z) To strengthen efforts to implement programmes for realizing child rights in early childhood with equity, involving the support of international organizations and donor institutions and the private sector, through, *inter alia*, the development of specific early childhood programmes, and to further enhance the efforts of the international community to improve cooperation to assist developing countries in achieving all internationally agreed development goals, including the Millennium Development Goals;

(aa) To develop or enhance programmes to support parents, legal guardians and other caregivers in their child-rearing role through the development of health-care, education and social welfare services, including quality early childhood development programmes, prenatal and post-natal services and social safety programmes for disadvantaged groups;

(bb) To ensure that funding for comprehensive early childhood development programmes is considered during resource allocation in order to ensure their full implementation;

(cc) To provide training, as appropriate, with the aim that early childhood professionals and educators have sufficient skills and knowledge connected to responsive care and stimulation, proper nutrition and health, and that they are sufficiently remunerated and incentivized;

(dd) To develop, strengthen and implement national systems for collecting, monitoring and evaluating disaggregated national data on relevant aspects of early childhood development, including on neonatal, infant and under-five mortality rates;

44. *Calls upon* all Member States, and invites the United Nations system, to strengthen international cooperation to ensure the realization of the rights of the child, including in early childhood, *inter alia*, by supporting national initiatives that give more emphasis to early childhood development, as appropriate;

45. *Calls upon* the relevant entities, funds and programmes of the United Nations system, donor institutions, including the international financial institutions, and bilateral donors to support, inter alia, national initiatives, when requested, including early childhood development programmes, financially and technically, as well as to enhance effective international cooperation and partnership to strengthen knowledge-sharing and capacity-building for early childhood, in terms of policy development, programme development, research and professional training;

IV

Follow-up

46. *Decides:*

(a) To request the Secretary-General to submit to the General Assembly at its sixty-sixth session a comprehensive report on the rights of the child containing information on the status of the Convention on the Rights of the Child and the issues addressed in the present resolution, with a focus on the rights of children with disabilities;

(b) To request the Special Representative of the Secretary-General for Children and Armed Conflict to continue to submit reports to the General Assembly and the Human Rights Council on the activities undertaken in the fulfilment of her mandate, including information on her field visits and on the progress achieved and the challenges remaining on the children and armed conflict agenda;

(c) To request the Special Representative of the Secretary-General on Violence against Children to continue to submit annual reports to the General Assembly and the Human Rights Council on the activities undertaken in the fulfilment of her mandate;

(d) To request the Special Rapporteur on the sale of children, child prostitution and child pornography to continue to submit reports to the General Assembly and the Human Rights Council on the activities undertaken in the fulfilment of her mandate;

(e) To invite the Chair of the Committee on the Rights of the Child to present an oral report on the work of the Committee to the General Assembly at its sixty-sixth session as a way to enhance communication between the Assembly and the Committee;

(f) To continue its consideration of the question at its sixty-sixth session under the item entitled "Promotion and protection of the rights of children", focusing section III of the resolution entitled "Rights of the child" on the rights of children with disabilities.

Convention on migrant workers

Accessions and ratifications

As at 31 December, the number of States parties to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, adopted by the General Assembly in resolution 45/158 [YUN 1990, p. 594] and entering into force in 2003 [YUN 2003, p. 676], rose to 44, with Guyana and Saint Vincent and the Grenadines becoming parties in 2010.

Implementation

Monitoring body. The Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families held its twelfth (26–30 April) [A/65/48] and thirteenth (22 November–3 December) [A/66/48] sessions in Geneva. Under article 74 of the Convention, the Committee considered the reports of Albania, Algeria, Ecuador and Senegal and adopted concluding observations on them. The Committee noted with concern that many initial reports from States parties under article 73 of the Convention, which required them to report on measures taken to give effect to the provisions of the Convention, had not been received. Committee members met informally with representatives of States parties and encouraged them to present their reports.

Pursuant to resolution 64/166 [YUN 2009, p. 670], the Secretary-General in July [A/65/156] provided information on the status of the Convention and on the activities of the Committee.

(For information on the protection of migrants, see p. 675.)

Convention on rights of persons with disabilities

Accessions and ratifications

As at 31 December, the number of States parties to the Convention on the Rights of Persons with Disabilities, adopted by the General Assembly in resolution 61/106 [YUN 2006, p. 785], stood at 97. During the year, the Convention was ratified or acceded to by Armenia, Bosnia and Herzegovina, Canada, Ethiopia, the European Union, France, Latvia, Lithuania, Malaysia, Maldives, Mauritius, Moldova, Nepal, Nigeria, Saint Vincent and the Grenadines, Senegal, Sierra Leone, Slovakia, Ukraine, the United Arab Emirates and Zambia. As at 31 December, the number of States parties to the Optional Protocol, which established an individual complaints mechanism, had increased to 60. During the year, the Protocol was ratified or acceded to by Bosnia and Herzegovina, France, Honduras, Latvia, Lithuania, Nepal, Nicaragua, Nigeria, Saint Vincent and the Grenadines, Slovakia, Turkmenistan and Ukraine.

Implementation

Monitoring body. The Committee on the Rights of Persons with Disabilities held its third (22–26 February) and fourth (4–8 October) [A/66/55] sessions in Geneva. At its third session, the Committee established a working group to follow up on natural disasters and other events that might impact on the situation of persons with disabilities; a working group on article 12, dealing with recognition before the law;

and a working group on article 9, dealing with accessibility. At its fourth session, the Committee established a working group on accessibility to public transportation and on airline policies. In view of an expected dramatic increase in the number of State party reports submitted to it, the Committee requested the General Assembly to approve the holding of two annual sessions of two weeks' duration each to enable it to examine up to four State party reports per session.

Human Rights Council action. On 25 March [A/65/53 (res. 13/11)], the Council encouraged States to maintain or establish domestic frameworks and mechanisms to protect and promote the rights of persons with disabilities; and reaffirmed that civil society, in particular persons with disabilities and their representative organizations, should be involved and participate fully in the monitoring of the Convention. OHCHR was requested to prepare a study to enhance awareness of the role played by international cooperation in support of national efforts for realizing the purpose and objectives of the Convention.

OHCHR study. In December, OHCHR submitted a study [A/HRC/16/38] in response to Human Rights Council resolution 13/11 (see above). The study analysed international cooperation under the Convention, set out examples of international cooperation involving States, international and regional organizations and civil society organizations, and identified challenges to international cooperation.

General Assembly action. On 21 December, by **resolution 65/186** (see p. 1078), the General Assembly urged Member States to promote the realization of the Millennium Development Goals for persons with disabilities by including disability issues and persons with disabilities in national plans and tools designed to contribute to the realization of the Goals.

(For information on persons with disabilities, see p. 1077.)

International convention for protection from enforced disappearance

Entry into force

In 2010, the International Convention for the Protection of All Persons from Enforced Disappearance, adopted by the General Assembly by resolution 61/177 [YUN 2006, p. 800], entered into force after it was ratified or acceded to by 20 countries. As at 31 December, the Convention had 21 parties; Brazil, Iraq and Paraguay became parties during the year.

Pursuant to resolution 64/167 [YUN 2009, p. 643], the Secretary-General, in August, submitted a report [A/65/257] summarizing information on the implementation of the Convention received from 11 Govern-

ments (Argentina, Colombia, Cuba, Finland, Georgia, Guatemala, Japan, Mexico, Paraguay, Slovakia, Switzerland). The report also included information on the activities of OHCHR, the Working Group on Enforced or Involuntary Disappearances (see p. 700), UN bodies and intergovernmental and non-governmental organizations in disseminating information on the Convention and promoting its ratification.

Human Rights Council action. On 18 June [A/65/53 (res. 14/10)], the Council called upon States to consider signing and ratifying the Convention as a matter of priority. It called upon Governments to prevent the occurrence of enforced disappearances, including by ensuring that secret places of detention and interrogation were abolished.

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third Committee [A/65/456/Add.2 (Part II)], adopted **resolution 65/209** without vote [agenda item 68 (b)].

International Convention for the Protection of All Persons from Enforced Disappearance

The General Assembly,

Reaffirming its resolution 61/177 of 20 December 2006, by which it adopted and opened for signature, ratification and accession the International Convention for the Protection of All Persons from Enforced Disappearance,

Recalling its resolution 47/133 of 18 December 1992, by which it adopted the Declaration on the Protection of All Persons from Enforced Disappearances as a body of principles for all States,

Recalling also its resolution 64/167 of 18 December 2009, as well as relevant resolutions adopted by the Human Rights Council, including resolution 14/10 of 18 June 2010, in which the Council took note of the report of the Working Group on Enforced or Involuntary Disappearances and the recommendations contained therein,

Deeply concerned, in particular, by the increase in enforced or involuntary disappearances in various regions of the world, including arrest, detention and abduction, when these are part of or amount to enforced disappearances, and by the growing number of reports concerning harassment, ill-treatment and intimidation of witnesses of disappearances or relatives of persons who have disappeared,

Recalling that the Convention sets out the right of victims to know the truth regarding the circumstances of the enforced disappearance, the progress and results of the investigation and the fate of the disappeared person and sets forth State party obligations to take appropriate measures in this regard,

Acknowledging that acts of enforced disappearance are recognized in the Convention as crimes against humanity, in certain circumstances,

Acknowledging also the valuable work of the International Committee of the Red Cross in promoting compliance with international humanitarian law in this field,

Recognizing that the entry into force of the Convention and its implementation will be a significant contribution to ending impunity and promoting and protecting all human rights for all,

Welcoming the fact that, in recent years, 30 August has been observed in many countries around the world as the International Day of the Victims of Enforced Disappearances,

1. *Welcomes* the adoption of the International Convention for the Protection of All Persons from Enforced Disappearance;

2. *Also welcomes* the fact that eighty-seven States have signed the Convention and twenty-one have ratified or acceded to it, enabling it to enter into force on 23 December 2010, and calls upon States that have not yet done so to consider signing and ratifying or acceding to the Convention as a matter of priority, as well as to consider the option provided for in articles 31 and 32 of the Convention regarding the Committee on Enforced Disappearances;

3. *Further welcomes* the report of the Secretary-General;

4. *Decides* to declare 30 August the International Day of the Victims of Enforced Disappearances, to be observed beginning in 2011, and calls upon Member States, the United Nations system and other international and regional organizations, as well as civil society, to observe this Day;

5. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to continue their intensive efforts to assist States in becoming parties to the Convention, with a view to achieving universal adherence;

6. *Requests* United Nations agencies and organizations, and invites intergovernmental and non-governmental organizations and the Working Group on Enforced or Involuntary Disappearances, to continue making efforts to disseminate information on the Convention, to promote understanding of it, to prepare for its entry into force and to assist States parties in implementing their obligations under this instrument;

7. *Requests* the Secretary-General to submit to the General Assembly at its sixty-sixth session a report on the status of the Convention and the implementation of the present resolution.

Convention on genocide

As at 31 December, 141 States were parties to the 1948 Convention on the Prevention and Punishment of the Crime of Genocide, adopted by the General Assembly in resolution 260 A (III) [YUN 1948–49, p. 959].

Genocide prevention

Report of Secretary-General. The Secretary-General, in July [A/64/864], updated Member States on certain aspects of the responsibility to protect, pursuant to General Assembly resolution 63/308 [YUN 2009, p. 50], in which the Assembly confirmed its intention “to continue its consideration of the responsibility to protect” as called for in the 2005 World Summit Outcome [YUN 2005, p. 62]. The Secretary-General noted

that further development of the concept of responsibility to protect was needed; and that the political dialogue on how best to implement the responsibility to protect was off to a good start, although a number of critical implementation issues would require a continuing conversation among Member States, the UN system and civil society organizations. His Special Adviser on the Prevention of Genocide and his Special Adviser responsible for the conceptual, political and institutional development of the responsibility to protect had distinct but closely related responsibilities. It was essential both to maintain the distinct elements of those two sets of responsibilities and to ensure the close working relationship of the two Special Advisers on the common elements of their activities. In order to save resources, eliminate redundancy and maximize synergies and effectiveness, the Secretary-General suggested considering ways to institutionalize the collaboration between the two Special Advisers, including options for a joint office. When the Special Advisers, based largely on information provided by, and in consultation with, other UN entities, concluded that a situation could result in genocide, war crimes, ethnic cleansing or crimes against humanity, they would provide early warning to the Secretary-General and, through him, to the Security Council and other intergovernmental organs. If the situation persisted, and if national authorities were manifestly failing to protect their populations from those crimes, the Secretary-General would ask the Special Advisers to convene an urgent meeting of key Under-Secretaries-General to identify a range of multilateral policy options, whether by the United Nations or by Chapter VIII of the Charter of the United Nations on regional arrangements, for preventing such mass crimes and for protecting populations.

General aspects

Human rights treaty body system

Meeting of chairpersons. Pursuant to General Assembly resolution 57/202 [YUN 2002, p. 623], the Secretary-General in August submitted to the Assembly the report [A/65/190] on the twenty-second meeting of chairpersons of human rights treaty bodies (Brussels, Belgium, 1–2 July), which considered the follow-up to the recommendations of the twenty-first meeting of chairpersons [YUN 2009, p. 645] and reviewed developments related to the work of the treaty bodies. The chairs also met with institutions of the European Union (EU), the Council of Europe and representatives of civil society organizations and academia to discuss the applicability of the UN human rights treaties to EU actions, and the role of the EU in promoting implementation of and follow-up to the recommendations of UN treaty bodies.

Participants at the eleventh inter-committee meeting of human rights treaty bodies (Geneva, 28–30 June) [A/65/190, annex II] considered how to improve and harmonize the working methods of the treaty bodies and held informal consultations with representatives of 50 States parties. The meeting decided on points of agreement to be transmitted to the twenty-second meeting of chairpersons (see p. 655).

The General Assembly took note of the report on 21 December (**decision 65/536**).

Meeting of special rapporteurs, independent experts and chairpersons. In July [A/HRC/15/44], the High Commissioner transmitted to the Human Rights Council the report of the seventeenth meeting of special rapporteurs/representatives, independent experts and chairpersons of working groups of the Council's special procedures (Geneva, 28 June–2 July). Mandate holders exchanged views with the Deputy High Commissioner, the Council President, the former Council President and members of the Bureau. They held discussions with participants in the eleventh inter-committee meeting of human rights treaty bodies (see above), as well as with representatives of UN entities, OHCHR field presences, NGOs and national human rights institutions. Discussions focused on the independence and effectiveness of the special procedures, the harmonization of the working methods of mandate holders and the approach of the system of special procedures to the Council review (see p. 637). Participants stressed the importance of strengthening the special procedures system through the review and emphasized the importance of according them the possibility to participate in the process as equal partners. They agreed on a proactive role to be assumed by the Coordination Committee and mandate holders in the review process. They also discussed the role of special procedures in early warning and natural disasters, and coordinated follow-up to the work of human rights mechanisms, including special procedures, treaty bodies and the universal periodic review.

Other activities

Strengthening action to promote human rights

International cooperation in the field of human rights

Report of High Commissioner. Pursuant to a request of the Human Rights Council [YUN 2009, p. 647], the High Commissioner submitted a report [A/HRC/13/19 & Add.1] on the enhancement of international cooperation in the field of human rights, which summarized replies received from Algeria, Bahrain,

Burkina Faso, Cyprus, Iraq, Jordan, Monaco, Serbia and Ukraine, as well as from the Holy See, the United Nations Children's Fund, the International Labour Organization, the Jordanian National Centre for Human Rights, the National Human Rights Committee of Qatar, and two NGOs—Cercle de recherche sur les droits et les devoirs de la personne humaine and International Disability Alliance.

Human Rights Council action. On 26 March [A/65/53 (res. 13/23)], the Council took note of the report of the High Commissioner; reaffirmed the importance of international cooperation for human rights promotion and protection; called upon Member States, specialized agencies and intergovernmental organizations to carry out a constructive dialogue for the enhancement of understanding and the promotion and protection of human rights; and requested the Human Rights Council Advisory Committee to explore ways and means to enhance cooperation in the field of human rights and to submit proposals to the Council's nineteenth (2012) session.

OHCHR report. In August, OHCHR reported [A/HRC/15/56 & Corr.1] on the international workshop on enhancing cooperation between international and regional mechanisms for the promotion and protection of human rights (Geneva, 3–4 May), attended by representatives of regional human rights mechanisms in Africa, the Americas and Europe, as well as of subregional mechanisms in Africa. The workshop was held pursuant to a Council request [YUN 2009, p. 650].

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third Committee [A/65/456/Add.2 (Part II)], adopted **resolution 65/218** without vote [agenda item 68 (b)].

Enhancement of international cooperation in the field of human rights

The General Assembly,

Reaffirming its commitment to promoting international cooperation, as set forth in the Charter of the United Nations, in particular Article 1, paragraph 3, as well as relevant provisions of the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993 for enhancing genuine cooperation among Member States in the field of human rights,

Recalling its adoption of the United Nations Millennium Declaration on 8 September 2000 and of its resolution 64/171 of 18 December 2009, Human Rights Council resolution 13/23 of 26 March 2010 and the resolutions of the Commission on Human Rights on the enhancement of international cooperation in the field of human rights,

Recalling also the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held at Durban, South Africa, from 31 August to 8 September 2001, and the Durban Review Conference, held at Geneva from 20 to 24 April 2009, and their role in

the enhancement of international cooperation in the field of human rights,

Recognizing that the enhancement of international cooperation in the field of human rights is essential for the full achievement of the purposes of the United Nations, including the effective promotion and protection of all human rights,

Recognizing also that the promotion and protection of human rights should be based on the principle of cooperation and genuine dialogue and aimed at strengthening the capacity of Member States to comply with their human rights obligations for the benefit of all human beings,

Reaffirming that dialogue among religions, cultures and civilizations in the field of human rights could contribute greatly to the enhancement of international cooperation in this field,

Emphasizing the need for further progress in the promotion and encouragement of respect for human rights and fundamental freedoms through, inter alia, international cooperation,

Underlining the fact that mutual understanding, dialogue, cooperation, transparency and confidence-building are important elements in all activities for the promotion and protection of human rights,

Recalling the adoption of resolution 2000/22 of 18 August 2000, on the promotion of dialogue on human rights issues, by the Subcommission on the Promotion and Protection of Human Rights at its fifty-second session,

1. *Reaffirms* that it is one of the purposes of the United Nations and the responsibility of all Member States to promote, protect and encourage respect for human rights and fundamental freedoms through, inter alia, international cooperation;

2. *Recognizes* that, in addition to their separate responsibilities to their individual societies, States have a collective responsibility to uphold the principles of human dignity, equality and equity at the global level;

3. *Reaffirms* that dialogue among cultures and civilizations facilitates the promotion of a culture of tolerance and respect for diversity, and welcomes in this regard the holding of conferences and meetings at the national, regional and international levels on dialogue among civilizations;

4. *Urges* all actors on the international scene to build an international order based on inclusion, justice, equality and equity, human dignity, mutual understanding and promotion of and respect for cultural diversity and universal human rights, and to reject all doctrines of exclusion based on racism, racial discrimination, xenophobia and related intolerance;

5. *Reaffirms* the importance of the enhancement of international cooperation for the promotion and protection of human rights and for the achievement of the objectives of the fight against racism, racial discrimination, xenophobia and related intolerance;

6. *Considers* that international cooperation in the field of human rights, in conformity with the purposes and principles set out in the Charter of the United Nations and international law, should make an effective and practical contribution to the urgent task of preventing violations of human rights and fundamental freedoms;

7. *Reaffirms* that the promotion, protection and full realization of all human rights and fundamental freedoms should be guided by the principles of universality, non-

selectivity, objectivity and transparency, in a manner consistent with the purposes and principles set out in the Charter;

8. *Emphasizes* the role of international cooperation in support of national efforts and in increasing the capacities of Member States in the field of human rights through, inter alia, the enhancement of their cooperation with human rights mechanisms, including through the provision of technical assistance, upon the request and in accordance with the priorities set by the States concerned;

9. *Calls upon* Member States, the specialized agencies and intergovernmental organizations to continue to carry out a constructive dialogue and consultations for the enhancement of understanding and the promotion and protection of all human rights and fundamental freedoms, and encourages non-governmental organizations to contribute actively to this endeavour;

10. *Invites* States and relevant United Nations human rights mechanisms and procedures to continue to pay attention to the importance of mutual cooperation, understanding and dialogue in ensuring the promotion and protection of all human rights;

11. *Requests* the Secretary-General, in collaboration with the United Nations High Commissioner for Human Rights, to consult States and intergovernmental and non-governmental organizations on ways and means, as well as obstacles and challenges and possible proposals to overcome them, for the enhancement of international cooperation and dialogue in the United Nations human rights machinery, including the Human Rights Council;

12. *Decides* to continue its consideration of the question at its sixty-sixth session.

Advisory services and technical cooperation

Report of Secretary-General. A report of the Secretary-General [A/HRC/16/66] reviewed human rights advisory services and technical cooperation in 2010. Activities in Africa were carried out by the OHCHR country offices in Guinea and Togo; the human rights components of UN peace missions in Côte d'Ivoire, Liberia, Sierra Leone, Somalia and the Sudan; and human rights advisers in the International Conference on the Great Lakes Region (Burundi), Guinea, Kenya, Madagascar, the Niger and Rwanda. Successful cooperation was carried out with regional mechanisms, in particular the African Union, the Southern African Development Community, the Economic Community of West African States and the Intergovernmental Authority on Development.

In the Middle East and North Africa, OHCHR had a field presence in the Occupied Palestinian Territories, where the extent and complexity of the human rights challenges had required a high degree of adaptability on the part of the field presence. An OHCHR office was established in Mauritania in 2010. The deployment of a human rights adviser within the UN country team in Yemen was planned and negotiations were ongoing.

Activities in Asia and the Pacific were carried out by the human rights components of UN peace missions in Afghanistan and Timor-Leste and by human rights advisers in Papua New Guinea and Sri Lanka.

In the Americas, OHCHR helped to review legislation in Bolivia by addressing the anti-discrimination law and provided support to the Government on a human rights-based approach in policy planning. It assisted Ecuador and Nicaragua in developing human rights plans of action. OHCHR also worked in support of administration of justice in Colombia, Guatemala, Mexico, Nicaragua and Panama. The Human Rights Section of the United Nations Stabilization Mission in Haiti suffered fatalities in the January earthquake, which placed enormous stress on the implementation of technical cooperation activities.

In Europe and Central Asia, the field presence in Kosovo was supplemented by human rights advisers in Georgia, Moldova and the Russian Federation. In Kosovo OHCHR had been working with the Organization for Security and Cooperation in Europe, the Council of Europe and the European Union, and had established its reputation as a coordinator of human rights work. In the South Caucasus, OHCHR carried out activities to strengthen national human rights institutions in order to increase local capacity to translate international obligations with regard to human rights protection. In the Russian Federation, steady progress was noted in the first cycle of the OHCHR-facilitated human rights master's programme at leading universities and the OHCHR fellowship programme for indigenous peoples. The second cycle was under way. OHCHR was also instrumental in building the capacity of Moldova's Centre for Human Rights. Following the violence in Kyrgyzstan in June, human rights staff had been deployed to southern Kyrgyzstan for a period of one year. The Regional Office for Europe in Brussels was working on the issue of discrimination and migration as a priority.

Voluntary Fund

During the year, the Board of Trustees of the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights held its thirty-second (22 February–2 March) and thirty-third (4–10 October) sessions in Geneva [A/HRC/16/66]. The Board examined various components of the UN human rights technical cooperation programme supported by the Voluntary Fund and received thematic and regional updates on the implementation of the OHCHR strategic management plan 2010–2011 in the context of the mid-year review, the strategic framework 2012–2013 and the performance monitoring system. As at 23 September, the estimated balance of the Fund was \$17,288,342; total income was \$14,488,580 and total expenditure \$14,384,110.

Regional arrangements

Report of Secretary-General. Pursuant to General Assembly resolution 63/170 [YUN 2008, p. 756], the Secretary-General in September reported [A/65/369] on regional arrangements for the promotion and protection of human rights. He focused on the international workshop (Geneva, 3–4 May) on enhancing cooperation between international and regional human rights mechanisms, organized by OHCHR in compliance with Human Rights Council resolution 12/15 [YUN 2009, p. 650]. Participants included representatives of regional human rights mechanisms in Africa, the Americas and Europe, as well as representatives of subregional mechanisms in Africa and of the Association of Southeast Asian Nations (ASEAN) Intergovernmental Commission on Human Rights. Independent experts from UN treaty bodies and special procedures, as well as representatives of Member States, national human rights institutions, NGOs and academics, also participated in the workshop. The Secretary-General also focused on specific activities undertaken by OHCHR field presences with regional and subregional organizations and their respective human rights mechanisms in Africa, the Arab region, Asia and the Pacific, Europe, and Latin America and the Caribbean.

Asia and the Pacific

As requested by the Human Rights Council on 17 June [A/65/53 (res. 14/8)], the High Commissioner in August reported on the Fifteenth Workshop on Regional Cooperation for the Promotion and Protection of Human Rights in the Asia-Pacific Region (Bangkok, 21–23 April) [A/HRC/15/39], hosted by Thailand and jointly organized with OHCHR. The event was attended by Government representatives from across the region, regional NGOs, national human rights institutions and UN agencies.

The workshop reviewed progress achieved since the Fourteenth Workshop in Bali, Indonesia [YUN 2008, p. 758] in the four areas under the Tehran Framework of Regional Technical Cooperation Programme for Asia and the Pacific, namely: national human rights action plans; national human rights institutions; human rights education; and the right to development and economic, social and cultural rights. Discussions were held on the theme of "Strengthening regional human rights mechanisms by sharing good practices and experiences". Participants reviewed regional and subregional human rights initiatives in the region which opened new possibilities for cooperation. The workshop concluded with the adoption of the Bangkok Action Points, which were annexed to the report.

National institutions

Reports of Secretary-General. In a January report [A/HRC/13/44] on national institutions for the promotion and protection of human rights, the Secretary-General reviewed the activities of OHCHR in 2009 to establish and strengthen national human rights institutions, measures taken by Governments and those institutions in that regard, and cooperation between those institutions and international human rights mechanisms. The report discussed the activities of national human rights institutions on issues such as peace and justice, human rights defenders, migration, business and human rights, rights of persons with disabilities and climate change.

In a subsequent report [A/HRC/16/76], the Secretary-General provided information on the activities undertaken by OHCHR in 2010 to establish and strengthen national human rights institutions, cooperation between those institutions and international human rights mechanisms, as well as OHCHR support to the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights. The report discussed the activities of national human rights institutions on issues such as business and human rights, torture prevention, the rights of migrants and persons in mobility, and the rights of indigenous peoples.

The Secretary-General in January reported [A/HRC/13/45] on the process utilized by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights to accredit national institutions in compliance with the Paris Principles, adopted by the General Assembly in 1993 [YUN 1993, p. 898]. The report reviewed the activities carried out by the International Coordinating Committee's Subcommittee on Accreditation, including the improved accreditation process and the adoption of general observations. In 2009, the Subcommittee reviewed the accreditation status of institutions from Bosnia and Herzegovina, Chad and the Occupied Palestinian Territory. It considered new applications from the institutions of Mauritania, Moldova, Qatar, Sri Lanka, Switzerland, Tunisia and Ukraine, as well as from the Scottish Human Rights Commission, and conducted special reviews of the institutions of Algeria, Ecuador, Greece, Luxembourg, Malaysia and Nepal. As at January 2010, there were 65 national human rights institutions accredited with A status by the International Coordinating Committee, that is, in full compliance with the Paris Principles. Sixteen institutions had a B status (not fully in compliance with the Paris Principles or insufficient information provided); nine institutions had a C status (non-compliance); and two were suspended.

A further report of the Secretary-General [A/HRC/16/77] provided information on the activities

carried out by the Subcommittee on Accreditation in 2010 in considering and reviewing applications for accreditation and in carrying out re-accreditation and accreditation reviews of national human rights institutions. It also contained information on the development of the general observations of the Subcommittee, aimed at a more rigorous but at the same time fairer and more transparent accreditation and review process. An annex to the report listed 67 national institutions that were in compliance with the Paris Principles; 15 institutions not fully in compliance or which had provided insufficient information; 10 institutions that were non-compliant; and 3 institutions that had been suspended.

Role of the Ombudsman and other national institutions

Report of Secretary-General. Pursuant to General Assembly resolution 63/169 [YUN 2008, p. 755], the Secretary-General in September submitted a report [A/65/340] reviewing the activities undertaken by OHCHR from December 2008 to September 2010 to establish and strengthen the independent and autonomous Ombudsman, mediator and other national human rights institutions, and measures taken by Governments in that regard; international and regional support provided to those institutions; technical assistance provided to and on the Ombudsman, mediator and other national human rights institutions; and cooperation between those institutions and regional and international human rights mechanisms. The report reviewed the work of the Ombudsman, mediator and other national human rights institutions in respect of specific thematic issues. The Secretary-General encouraged any association of the Ombudsman, mediator and other national human rights institutions to foster a broad understanding and observance of the Paris Principles among their members; and urged Member States to ensure the implementation of the recommendations emanating from the Ombudsman, mediator and other national human rights institutions.

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third Committee [A/65/456/Add.2 (Part II)], adopted **resolution 65/207** without vote [agenda item 68 (b)].

The role of the Ombudsman, mediator and other national human rights institutions in the promotion and protection of human rights

The General Assembly,

Reaffirming its commitment to the principles and purposes of the Charter of the United Nations and the Universal Declaration of Human Rights,

Recalling the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993, in which the Conference reaffirmed the important and constructive role played by national human rights institutions,

Reaffirming its resolution 63/169 of 18 December 2008 on the role of the Ombudsman, mediator and other national human rights institutions in the promotion and protection of human rights,

Recalling the principles relating to the status of national institutions for the promotion and protection of human rights welcomed by the General Assembly in its resolution 48/134 of 20 December 1993 and annexed thereto,

Reaffirming its previous resolutions on national institutions for the promotion and protection of human rights, in particular resolution 64/161 of 18 December 2009,

Welcoming the rapidly growing interest throughout the world in the creation and strengthening of the Ombudsman, mediator and other national human rights institutions, and recognizing the important role that these institutions can play, in accordance with their mandate, in support of domestic complaint resolution,

Recognizing the role of the existing Ombudsman, whether a male or female, mediator and other national human rights institutions in the promotion and protection of human rights and fundamental freedoms,

Underlining the importance of the autonomy and independence of the Ombudsman, mediator and other national human rights institutions, where they exist, in order to enable them to consider all issues related to the field of their competences,

Considering the role of the Ombudsman, mediator and other national human rights institutions in promoting good governance in public administrations, as well as improving their relations with citizens, and in strengthening the delivery of public services,

Considering also the important role of the existing Ombudsman, mediator and other national human rights institutions in contributing to the effective realization of the rule of law and respect for the principles of justice and equality,

Stressing that these institutions, where they exist, can play an important role in advising the Government with respect to bringing national legislation and national practices in line with their international human rights obligations,

Stressing also the importance of international cooperation in the field of human rights, and recalling the role played by regional and international associations of the Ombudsman, mediator and other national human rights institutions in promoting cooperation and sharing best practices,

Noting with satisfaction the establishment of the Association of Mediterranean Ombudsmen and the active continuing work of the Ibero-American Federation of Ombudsmen, the Association of Ombudsmen and Mediators of la Francophonie, the Asian Ombudsman Association, the African Ombudsman and Mediators Association, the Arab Ombudsman Network, the European Mediation Network Initiative and the International Ombudsman Institute,

1. *Takes note with appreciation* of the report of the Secretary-General;

2. *Encourages* Member States:

(a) To consider the creation or the strengthening of independent and autonomous Ombudsman, mediator and other national human rights institutions;

(b) To develop and conduct, as appropriate, outreach activities at the national level, in collaboration with all relevant stakeholders, in order to raise awareness of the important role of the Ombudsman, mediator and other national human rights institutions;

3. *Recognizes* that, in accordance with the Vienna Declaration and Programme of Action, it is the right of each State to choose the framework for national institutions, including the Ombudsman, mediator and other national human rights institutions, which is best suited to its particular needs at the national level, in order to promote human rights in accordance with international human rights instruments;

4. *Notes* the participation of the Office of the United Nations High Commissioner for Human Rights in the ninth World Conference of the International Ombudsman Institute, held in Stockholm in June 2009, and welcomes the active participation of the Office in all international and regional meetings of the Ombudsman, mediator and other national human rights institutions;

5. *Encourages* the Office of the United Nations High Commissioner for Human Rights, through its advisory services, to develop and support activities dedicated to the existing Ombudsman, mediator and other national human rights institutions and to strengthen their role within national systems for human rights protection;

6. *Encourages* the Ombudsman, mediator and other national human rights institutions, where they exist:

(a) To operate, as appropriate, in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights ("the Paris Principles") and other relevant international instruments, in order to strengthen their independence and autonomy and to enhance their capacity to assist Member States in the promotion and protection of human rights;

(b) To request, in cooperation with the Office of the United Nations High Commissioner for Human Rights, their accreditation by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights, in order to enable them to interact effectively with the relevant human rights bodies of the United Nations system;

7. *Requests* the Secretary-General to report to the General Assembly at its sixty-seventh session on the implementation of the present resolution.

Human rights education

Declaration on human rights education and training

At its fourth session (Geneva, 25–29 January), the Human Rights Council Advisory Committee submitted to the Council a draft declaration on human rights education and training [A/HRC/AC/4/4 (rec. 4/2)] for its consideration at its thirteenth session, as requested by Council resolutions 6/10 [YUN 2007, p. 697] and 10/28 [YUN 2009, p. 653].

Human Rights Council action. Welcoming the submission of the draft declaration, the Council on 25 March [A/65/53 (res. 13/15)] established an open-ended intergovernmental working group with the mandate of negotiating, finalizing and submitting to the Council the draft UN declaration on human rights education and training on the basis of the draft submitted by the Advisory Committee.

World Programme for Human Rights Education

Report of High Commissioner. As requested by the Human Rights Council [YUN 2009, p. 653], the High Commissioner in July submitted to the Council a draft plan of action [A/HRC/15/28] for the second phase (2010–2014) of the World Programme for Human Rights Education [YUN 2004, p. 678], focusing on human rights education for higher education and on human rights training for teachers and educators, civil servants, law enforcement officials and military personnel. OHCHR prepared a draft plan of action in the first quarter of 2010, in consultation with the United Nations Educational, Scientific and Cultural Organization (UNESCO). In April, the draft plan was submitted for review to relevant intergovernmental organizations, in particular UNESCO, and non-governmental actors, including experts and practitioners from accredited national human rights institutions, academic institutions and civil society organizations. OHCHR received 22 replies with comments, which were taken into consideration in the further elaboration of the draft. In May, OHCHR addressed a note to all Governments, inviting them to comment on the draft. The Office reviewed and finalized the draft in light of the replies received as at 28 June from Canada, Italy, Japan, Spain and Switzerland.

Inter-Agency Coordinating Committee on Human Rights Education. Pursuant to Council resolution 12/4 [YUN 2009, p. 653], OHCHR in August transmitted the final evaluation report [A/65/322] of the United Nations Inter-Agency Coordinating Committee on Human Rights Education in the School System on the implementation of the first phase (2005–2009) of the World Programme for Human Rights Education. The report found that the 76 Member States which provided national evaluation reports were taking some measures to integrate human rights education into their school systems. There was notable progress in making human rights education a part of national curricula. There were also a number of national initiatives in terms of policy and action to foster a culture of respect for human rights in daily school life. Gaps in implementation remained, which suggested the need for a more comprehensive and systematic approach at the national level. Accordingly, Member States were encouraged to consolidate progress by continuing implementation of the World Programme.

The General Assembly took note of the report on 21 December (**decision 65/536**).

Human Rights Council action. On 30 September [A/65/53/Add.1 (res. 15/11)], the Council adopted the plan of action for the second phase (2010–2014) of the World Programme for Human Rights Education; called upon national human rights institutions to assist in the implementation of human rights education programmes consistent with the plan of action; and requested OHCHR to prepare a progress report on the implementation of the World Programme and to submit it to the Council at its last session of 2012.

International Year for People of African Descent

Working Group of Experts on People of African Descent. At its ninth session (Geneva, 12–16 April) [A/HRC/14/18], the Working Group of Experts on People of African Descent discussed possible activities in the context of the International Year for People of African Descent, 2011, proclaimed by the General Assembly in its resolution 64/169 [YUN 2009, p. 655].

Report of Secretary-General. Pursuant to General Assembly resolution 64/169, the Secretary-General in August reported [A/65/227 & Add.1] on the draft programme of activities to mark the International Year. Views and recommendations were submitted by eight States (Algeria, Brazil, Colombia, Ecuador, Guatemala, Mexico, United States, Venezuela), as well as by OHCHR, the Committee on the Elimination of Racial Discrimination, the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, the Working Group of Experts on People of African Descent and the UN Department of Public Information.

Human Rights Council action. On 18 June [A/65/53 (res. 14/16)], the Council took note of the report of the Working Group of Experts on People of African Descent on its ninth session (see above), including the recommendation relating to the theme “People of African descent: recognition, justice and development” in the context of the International Year. It decided to convene a panel discussion during the high-level segment of its sixteenth (2011) session focusing on the full enjoyment of the human rights of people of African descent to mark the Year.

GENERAL ASSEMBLY ACTION

On 6 December [meeting 57], the General Assembly, on the recommendation of the Third Committee [A/65/456/Add.2 (Part I)], adopted **resolution 65/36** without vote [agenda item 68 (b)].

Programme of activities for the International Year for People of African Descent

The General Assembly,

Reaffirming the Universal Declaration of Human Rights, which proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind, as well as other relevant international human rights instruments,

Reaffirming also its resolution 64/169 of 18 December 2009, in which it proclaimed the year beginning on 1 January 2011 the International Year for People of African Descent,

Stressing the importance of strengthening national actions and regional and international cooperation for the benefit of people of African descent in relation to their full enjoyment of economic, social, cultural, civil and political rights, their full and equal participation and integration in all political, economic, social and cultural aspects of society, and the promotion of a greater knowledge of and respect for their diverse heritage and culture,

Recalling that, in its resolution 64/169, the General Assembly encouraged Member States and the specialized agencies of the United Nations system, within their respective mandates and existing resources, to identify possible initiatives that could contribute to the success of the Year,

Recalling also the relevant provisions of the outcomes of all major United Nations conferences and summits, in particular the Vienna Declaration and Programme of Action and the Durban Declaration and Programme of Action,

Recalling further Human Rights Council resolution 14/16 of 18 June 2010, and welcoming the decision of the Council to convene a panel discussion during the high-level segment of its sixteenth session focusing on the full enjoyment of the human rights of people of African descent, to mark the Year,

Taking note with appreciation of the report of the Secretary-General on the draft programme of activities for the Year,

Recalling the human suffering of the victims of slavery and the transatlantic slave trade, and of people of African descent in particular, and the lessons, history and consequences of slavery,

Noting the decision adopted by the Assembly of the African Union at its fifteenth ordinary session, held at Kampala from 25 to 27 July 2010, on the convening of the African Diaspora Summit, which will be hosted by South Africa in 2012,

1. *Takes note* of the draft programme of activities for the International Year for People of African Descent;

2. *Welcomes* the ongoing efforts of the Working Group of Experts on People of African Descent, bearing in mind its recommendation on the theme "People of African descent: recognition, justice and development" contained in its report;

3. *Requests* the Secretary-General to establish a voluntary fund for the activities for the Year, to which Member States and all relevant donors are encouraged to contribute;

4. *Also requests* the Secretary-General to close the Year with the convening of a high-level thematic debate on the

achievement of the goals and objectives of the Year, with the participation of the Chair of the Working Group of Experts on People of African Descent, the Chair of the Committee on the Elimination of Racial Discrimination, the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, a representative of people of African descent, civil society and relevant stakeholders;

5. *Invites* Member States to support the implementation of activities for the Year, and to cooperate constructively and decisively to ensure rapid progress and concrete results in the achievement of the objectives of the Year;

6. *Encourages* Member States, donors and other stakeholders to participate in and contribute, on a voluntary basis, to activities related to the Year;

7. *Encourages* the specialized agencies of the United Nations system, within their respective mandates and existing resources, and intergovernmental organizations, as well as civil society, including non-governmental organizations, to develop activities for the Year, taking into account its goals and objectives as well as the draft programme of activities;

8. *Requests* the Secretary-General to launch the Year with an opening day ceremony on 10 December 2010;

9. *Invites* the Office of the United Nations High Commissioner for Human Rights to facilitate and assist in the implementation of activities, in order to continue to contribute to the success of the Year, in collaboration with relevant United Nations entities and bodies;

10. *Requests* the Secretary-General to submit to the General Assembly at its sixty-sixth session a report on progress and the implementation of the present resolution.

Launch of International Year. As requested by the Assembly, the Secretary-General launched the International Year at a ceremony in New York on 10 December, Human Rights Day [SG/SM/13310].

Follow-up to 1993 World Conference

Report of Third Committee. On 1 December, the Third Committee of the General Assembly reported [A/65/456/Add.4] on the implementation of and follow-up to the Vienna Declaration and Programme of Action, adopted at the 1993 World Conference on Human Rights [YUN 1993, p. 908]. It noted that on 17 September, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its sixty-fifth session, under the item entitled "Promotion and protection of human rights", the sub-item entitled "Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action" and to allocate it to the Third Committee. The Third Committee considered the sub-item on 19 October [A/C.3/65/SR.20 & 21]. No proposals were submitted under that sub-item.

The General Assembly took note of the report of the Third Committee on 21 December (**decision 65/537**).

Protection of human rights

In 2010, the United Nations continued to protect human rights worldwide through several mechanisms. Its main organs—the General Assembly, the Security Council and the Economic and Social Council—remained engaged in protecting those rights. The Human Rights Council carried out its task as the central United Nations intergovernmental body responsible for promoting and protecting human rights and fundamental freedoms worldwide. The Council addressed violations, worked to prevent abuses, provided overall policy guidance, monitored the observance of human rights around the world and assisted States in fulfilling their human rights obligations.

Central to human rights protection were the special procedures of the Human Rights Council—independent experts with mandates to investigate, report and advise on human rights from a thematic or country-specific perspective. At the end of 2010, there were 41 special procedures (33 thematic mandates and eight mandates relating to countries or territories) with 61 mandate-holders. Those special rapporteurs, independent experts, working groups and representatives of the Secretary-General served in their personal capacity, were not UN staff members and did not receive financial remuneration.

During the year, special procedures submitted 156 reports to the Human Rights Council, including 58 country visit reports, and 26 reports to the General Assembly. They sent 604 communications to 110 States; 66 per cent of all communications were sent jointly by more than one mandate. Communications covered at least 1,407 individuals, 19 per cent of whom were women. Governments replied to 35 per cent of communications sent in 2010, and 18 per cent of communications were followed up on by mandate-holders. Special procedures issued 232 news releases and public statements on situations of concern, including 24 statements issued jointly by two or more mandate-holders.

Special procedures conducted 67 country visits to 48 States and territories. Seventy-eight countries had extended a standing invitation to special procedures as at 31 December.

The Council in 2010 established two thematic mandates: the Working Group on the issue of discrimination against women in law and in practice, and the Special Rapporteur on the rights to freedom of peaceful assembly and of association.

Human rights were also protected through the network of human rights defenders in individual countries, operating within the framework of the 1998 Declaration on Human Rights Defenders.

Economic, social and cultural rights continued to be a major focus of activity. The General Assembly in July recognized the human right to safe and clean drinking water and sanitation. Also in July, the Assembly adopted a resolution on the right to education in emergency situations.

In December, the General Assembly proclaimed 24 March as the International Day for the Right to the Truth concerning Gross Human Rights Violations and for the Dignity of Victims, and 30 August as the International Day of the Victims of Enforced Disappearances.

Special procedures

Report of High Commissioner. In her annual report to the Human Rights Council [A/HRC/16/20], the United Nations High Commissioner for Human Rights noted the widely acknowledged contribution of the special procedures mandate holders to the Council's work. Interactive dialogues at the Council and General Assembly had allowed mandate holders to highlight human rights concerns requiring follow-up and to provide early warning on situations and emerging trends requiring urgent international attention. She welcomed States issuing standing invitations and the increase of those to 78 during 2010. A hallmark of special procedures mandate holders was their direct access to victims and human rights defenders. In all, there were 41 mandates—including two new mandates on the elimination of discrimination of women in law and in practice, and on the right to freedom of peaceful assembly and association—with 61 mandate holders. One third of mandate holders were women.

Reports of Secretary-General. In response to a Commission on Human Rights request [YUN 2004, p. 648] and a Human Rights Council decision [YUN 2006, p. 760], the Secretary-General submitted reports in February [A/HRC/13/74] and December [A/HRC/16/30] listing special procedures' conclusions and recommendations contained, respectively, in their 2009 reports to the Council's eleventh and twelfth sessions and in their 2010 reports to the Council's thirteenth, fourteenth and fifteenth sessions.

Civil and political rights

Racism and racial discrimination

Follow-up to 2001 World Conference

During the year, efforts continued to implement the Durban Declaration and Programme of Action (DDPA) adopted by the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance [YUN 2001, p. 615].

Intergovernmental Working Group. The Intergovernmental Working Group on the effective implementation of DDPA, established in 2002 [YUN 2002, p. 661] to make recommendations for its implementation and to prepare complementary standards, held its eighth session (Geneva, 11–22 October) [A/HRC/16/64]. The Working Group discussed draft conclusions and recommendations on the protection of children, migration and employment; reviewed progress on the implementation of recommendations adopted at its previous session; and shared experiences, including on good practices, implementation of the International Convention on the Elimination of All Forms of Racial Discrimination, DDPA and the Outcome Document of the 2009 Durban Review Conference [YUN 2009, p. 657]. The tenth anniversary of the adoption of DDPA (2011) was discussed and a discussion on structural discrimination was held. Presentations by experts were followed by interactive discussions. The Working Group adopted conclusions and recommendations on the aforementioned themes.

Working Group on people of African descent. At its ninth session (Geneva, 12–16 April) [A/HRC/14/18], the Working Group of Experts on People of African Descent, established in 2002 [YUN 2002, p. 661] to consider problems of racial discrimination affecting people of African descent, in accordance with DDPA, engaged in a discussion on structural discrimination against people of African descent. It also addressed activities in the context of the International Year for People of African Descent (2011), which was declared by the General Assembly in resolution 64/169 [YUN 2009, p. 655].

Following its mission to the United States (25–29 January) [A/HRC/15/18], the Group issued recommendations on improving the situation of people of African descent in the country. Those included the adoption of an anti-discrimination act; the continuation and enhancement of education initiatives such as magnet and charter schools; the adoption of an employment quota system in the private sector; the use of statistics in court proceedings to demonstrate a prima facie presumption of discrimination; measures to address the disproportionate incarceration rates of people of

African descent; greater consultation with African-American communities concerning urban development projects that affected them; the establishment of a human rights commission with a dependency that would deal specifically with people of African descent; and efforts to ensure to children of African descent all the rights contained within the Convention on the Rights of the Child [YUN 1989, p. 560].

Human Rights Council action. On 18 June [A/65/53 (res. 14/16)], the Council took note of the report of the Working Group of Experts on People of African Descent, including its recommendations, in particular, the theme “People of African descent: recognition, justice and development”, in the context of the International Year. It also decided to dedicate two working days of the Intergovernmental Working Group’s eighth session to prepare for the commemoration of the tenth anniversary of DDPA in 2011 (see above).

On 1 October [A/65/53/Add.1 (dec. 15/117)], the Council decided to hold at its eighteenth (2011) session a panel discussion on the promotion and protection of human rights through tolerance and reconciliation, drawing inspiration from the example of Nelson Mandela for promoting human rights without distinction as to race, colour or national or ethnic origin.

Report of Secretary-General. In response to General Assembly resolution 64/148 [YUN 2009, p. 660], the Secretary-General in September [A/65/377] reported on global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance, and the comprehensive implementation of and follow-up to DDPA. The report summarized contributions on the topic received from 17 countries and four UN entities, and reviewed activities undertaken by UN bodies since the submission of the last report [YUN 2009, p. 658]. It concluded that progress had been made in combating racism and related phenomena, yet measures were needed to reverse the worrisome trends of increasingly hostile racist attitudes and violence.

The General Assembly took note of that report on 21 December (**decision 65/535**).

Combating racism in sports

The General Assembly, in resolution 64/5 [YUN 2009, p. 1076] on the 2010 Fédération Internationale de Football Association (FIFA) World Cup, welcomed the readiness of South Africa to host the event, which would be held for the first time on the African continent, and encouraged Member States to support the World Cup in June 2010, including through stimulating popular attendance.

Human Rights Council action. On 26 March [A/65/53 (res. 13/27)], the Council recognized the shared commitment to a world of sports free from racism, racial discrimination, xenophobia and related intoler-

ance, and called on States to take measures to that end; invited the President of South Africa, the FIFA President and the UN Secretary-General to reinforce the visible theme on non-racism in football at the 2010 World Cup; called on States, the United Nations and sport-related institutions to help initiate and assist in implementing grass-roots initiatives to combat racism and related phenomena in sports; and invited the United Nations Office of Sport for Development and Peace to coordinate and facilitate the engagement of stakeholders.

GENERAL ASSEMBLY ACTION

On 24 December [meeting 73], the General Assembly, on the recommendation of the Third (Social, Humanitarian and Cultural) Committee [A/65/454 & Corr.1], adopted **resolution 65/240** by recorded vote (104-22-33) [agenda item 66 (b)].

Global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

The General Assembly,

Recalling its resolution 52/111 of 12 December 1997, in which it decided to convene the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and its resolutions 56/266 of 27 March 2002, 57/195 of 18 December 2002, 58/160 of 22 December 2003, 59/177 of 20 December 2004 and 60/144 of 16 December 2005, which guided the comprehensive follow-up to and effective implementation of the World Conference, and in this regard underlining the importance of their full and effective implementation,

Recalling also its resolution 64/148 of 18 December 2009, in which it, inter alia, called for the commemoration of the tenth anniversary of the Durban Declaration and Programme of Action adopted by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, which represents an important opportunity for the international community to reaffirm its commitment to the eradication of racism, racial discrimination, xenophobia and related intolerance, including by mobilizing political will at the national, regional and international levels, with a view to achieving concrete results,

Taking note of Human Rights Council decision 3/103 of 8 December 2006, by which, heeding the decision and instruction of the World Conference, the Council established the Ad Hoc Committee of the Human Rights Council on the Elaboration of Complementary Standards, and encouraging the Committee to continue making progress in the discharge of its mandate,

Bearing in mind the responsibility and obligations of the Human Rights Council emanating from the outcome of the Durban Review Conference,

Reiterating that all human beings are born free and equal in dignity and rights and have the potential to contribute constructively to the development and well-being of their societies, and that any doctrine of racial superiority is sci-

entifically false, morally condemnable, socially unjust and dangerous and must be rejected, together with theories that attempt to determine the existence of separate human races,

Convinced that racism, racial discrimination, xenophobia and related intolerance manifest themselves in a differentiated manner for women and girls and may be among the factors leading to a deterioration in their living conditions, poverty, violence, multiple forms of discrimination and the limitation or denial of their human rights, and recognizing the need to integrate a gender perspective into relevant policies, strategies and programmes of action against racism, racial discrimination, xenophobia and related intolerance in order to address multiple forms of discrimination,

Underlining the primacy of political will, international cooperation and adequate funding at the national, regional and international levels needed to address all forms and manifestations of racism, racial discrimination, xenophobia and related intolerance,

Alarmed at the increase in racist violence and xenophobic ideas in many parts of the world, in political circles, in the sphere of public opinion and in society at large as a result, inter alia, of the resurgent activities of associations established on the basis of racist and xenophobic platforms and charters, and the persistent use of those platforms and charters to promote or incite racist ideologies,

Underlining the importance of urgently eliminating continuing and violent trends involving racism and racial discrimination, and conscious that any form of impunity for crimes motivated by racist and xenophobic attitudes plays a role in weakening the rule of law and democracy, tends to encourage the recurrence of such crimes and requires resolute action and cooperation for its eradication,

Acknowledging the centrality of resource mobilization, effective global partnership and international cooperation in the context of paragraphs 157 and 158 of the Durban Programme of Action for the successful realization of commitments undertaken at the World Conference,

Expressing grave concern at the lack of progress made in the implementation of the Durban Declaration and Programme of Action, in particular key paragraphs 157 to 159 of the Programme of Action,

Welcoming the continued commitment of the United Nations High Commissioner for Human Rights to profiling and increasing the visibility of the struggle against racism, racial discrimination, xenophobia and related intolerance, and recognizing the need for the High Commissioner to make this a cross-cutting issue in the activities and programmes of her Office,

Welcoming also the work of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action at its seventh and eighth sessions, held from 5 to 16 October 2009 and from 11 to 22 October 2010, respectively, in particular the recommendation on the commemoration of the tenth anniversary of the adoption of the Durban Declaration and Programme of Action, and looking forward to the consideration by the Human Rights Council of the conclusions and recommendations of the Working Group,

Recognizing the potential of sport as a universal language contributing to the education of people on the values of diversity, tolerance and fairness and as a means to combat racism, racial discrimination, xenophobia and related intolerance,

Welcoming the hosting of the 2010 and 2014 International Federation of Association Football World Cups in South Africa and Brazil, respectively, and stressing the importance of making continuing use of those events to promote understanding, tolerance and peace and to promote and strengthen efforts in the fight against racism, racial discrimination, xenophobia and related intolerance,

I

General principles

1. *Acknowledges* that no derogation from the prohibition of racial discrimination, genocide, the crime of apartheid or slavery is permitted, as defined in the obligations under the relevant human rights instruments;

2. *Expresses its profound concern about and its unequivocal condemnation* of all forms of racism and racial discrimination, including related acts of racially motivated violence, xenophobia and intolerance, as well as propaganda activities and organizations that attempt to justify or promote racism, racial discrimination, xenophobia and related intolerance in any form;

3. *Re-emphasizes* that international cooperation is a key principle in achieving the goal of the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action;

4. *Expresses deep concern* at inadequate responses to emerging and resurgent forms of racism, racial discrimination, xenophobia and related intolerance, and urges States to adopt measures to address those scourges vigorously with a view to preventing their practice and protecting victims;

5. *Underlines* the imperative need to address all the contemporary forms and manifestations of racism, racial discrimination, xenophobia and related intolerance, which include, inter alia, incitement to such hatred, racial profiling and the propagation of racist and xenophobic acts through cyberspace, with a view to maximizing protection for victims, providing legal remedies and combating impunity;

6. *Stresses* that States and international organizations have a responsibility to ensure that measures taken in the struggle against terrorism do not discriminate in purpose or effect on grounds of race, colour, descent or national or ethnic origin, and urges all States to rescind or refrain from all forms of racial profiling;

7. *Recognizes* that States should implement and enforce appropriate and effective legislative, judicial, regulatory and administrative measures to prevent and protect against acts of racism, racial discrimination, xenophobia and related intolerance, thereby contributing to the prevention of human rights violations;

8. *Also recognizes* that racism, racial discrimination, xenophobia and related intolerance occur on the grounds of race, colour, descent or national or ethnic origin and that victims can suffer multiple or aggravated forms of discrimination based on other related grounds, such as sex, language, religion, political or other opinion, social origin, property and birth;

9. *Reaffirms* that any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law;

10. *Emphasizes* that it is the responsibility of States to adopt effective measures to combat criminal acts motivated by racism, racial discrimination, xenophobia and related intolerance, including measures to ensure that such motivations are considered an aggravating factor for the purposes of sentencing, to prevent those crimes from going unpunished and to ensure the rule of law;

11. *Urges* all States to review and, where necessary, revise their immigration laws, policies and practices so that they are free of racial discrimination and compatible with their obligations under international human rights instruments;

12. *Calls upon* all States, in accordance with the commitments undertaken in paragraph 147 of the Durban Programme of Action, to take all measures necessary to combat incitement to violence motivated by racial hatred, including through the misuse of print, audio-visual and electronic media and new communications technologies, and, in collaboration with service providers, to promote the use of such technologies, including the Internet, to contribute to the fight against racism, in conformity with international standards of freedom of expression and taking all measures necessary to guarantee that right;

13. *Encourages* all States to include in their educational curricula and social programmes at all levels, as appropriate, knowledge of and tolerance and respect for all cultures, civilizations, religions, peoples and countries, as well as information on the follow-up to and implementation of the Durban Declaration and Programme of Action;

14. *Stresses* the responsibility of States to mainstream a gender perspective into the design and development of prevention, education and protection measures aimed at the eradication of racism, racial discrimination, xenophobia and related intolerance at all levels, to ensure that they effectively target the distinct situations of women and men;

II

International Convention on the Elimination of All Forms of Racial Discrimination

15. *Reaffirms* that universal adherence to and full implementation of the International Convention on the Elimination of All Forms of Racial Discrimination are of paramount importance for the fight against racism, racial discrimination, xenophobia and related intolerance, and for the promotion of equality and non-discrimination in the world;

16. *Expresses grave concern* that universal ratification of the Convention has not yet been reached, despite commitments under the Durban Declaration and Programme of Action, and calls upon those States that have not yet done so to accede to the Convention as a matter of urgency;

17. *Urges*, in the above context, the Office of the United Nations High Commissioner for Human Rights to maintain on its website and issue regular updates on a list of countries that have not yet ratified the Convention and to encourage those countries to ratify it at the earliest possible time;

18. *Expresses concern* at the serious delays in the submission of overdue reports to the Committee on the Elimination of Racial Discrimination, which impede the effectiveness of the Committee, makes a strong appeal to all States parties to the Convention to comply with their treaty obligations, and reaffirms the importance of the provision of technical assistance to requesting countries in the preparation of their reports to the Committee;

19. *Invites* States parties to the Convention to ratify the amendment to article 8 of the Convention on the financing of the Committee, and calls for adequate additional resources from the regular budget of the United Nations to enable the Committee to discharge its mandate fully;

20. *Urges* all States parties to the Convention to intensify their efforts to implement the obligations that they have accepted under article 4 of the Convention, with due regard to the principles of the Universal Declaration of Human Rights and article 5 of the Convention;

21. *Recalls* that the Committee holds that the prohibition of the dissemination of ideas based on racial superiority or racial hatred is compatible with the right to freedom of opinion and expression as outlined in article 19 of the Universal Declaration of Human Rights and in article 5 of the Convention;

22. *Welcomes* the emphasis placed by the Committee on the importance of follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the measures recommended to strengthen the implementation of the Convention as well as the functioning of the Committee;

23. *Calls upon* Member States to do their utmost to ensure that their responses to the current financial and economic crisis do not lead to increased poverty and underdevelopment and, potentially, a rise in racism, racial discrimination, xenophobia and related intolerance against foreigners, immigrants and persons belonging to national, ethnic, religious and linguistic minorities all over the world;

III

Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, and follow-up to his visits

24. *Takes note* of the report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and the recommendations contained therein;

25. *Also takes note* of the work done by the Special Rapporteur, and welcomes Human Rights Council resolution 7/34 of 28 March 2008, by which the Council decided to extend the mandate of the Special Rapporteur for a period of three years;

26. *Further takes note* of the reports of the Special Rapporteur, and encourages Member States and other relevant stakeholders to consider implementing the recommendations contained therein;

27. *Reiterates its call* to all Member States, intergovernmental organizations, relevant organizations of the United Nations system and non-governmental organizations to cooperate fully with the Special Rapporteur, and calls upon States to consider responding favourably to his requests for visits so as to enable him to fulfil his mandate fully and effectively;

28. *Recognizes with deep concern* the increase in anti-Semitism, Christianophobia and Islamophobia in various parts of the world, as well as the emergence of racial and violent movements based on racism and discriminatory ideas directed against Arab, Christian, Jewish and Muslim communities, as well as all religious communities, communities of people of African descent, communities of people of Asian descent, communities of indigenous people and other communities;

29. *Encourages* closer collaboration between the Special Rapporteur and the Office of the United Nations High Commissioner for Human Rights, in particular the Anti-Discrimination Unit;

30. *Requests* the High Commissioner to continue to provide States, at their request, with advisory services and technical assistance to enable them to implement fully the recommendations of the Special Rapporteur;

31. *Requests* the Secretary-General to provide the Special Rapporteur with all the human and financial assistance necessary to carry out his mandate efficiently, effectively and expeditiously and to enable him to submit a report to the General Assembly at its sixty-sixth session;

32. *Requests* the Special Rapporteur, within his mandate, to continue giving particular attention to the negative impact of racism, racial discrimination, xenophobia and related intolerance on the full enjoyment of civil, cultural, economic, political and social rights;

33. *Invites* Member States to demonstrate greater commitment to fighting racism in sport by conducting educational and awareness-raising activities and by strongly condemning the perpetrators of racist incidents, in cooperation with national and international sports organizations;

34. *Recommends* that States engage in broad efforts to eliminate racism, racial discrimination, xenophobia and related intolerance and to promote cultural, ethnic and religious diversity, and in that regard emphasizes the crucial role of education, including human rights education, training and learning, and a variety of awareness-raising measures which contribute to the creation of tolerant societies in which mutual understanding may be ensured;

35. *Also recommends* that all States give due attention to and closely monitor the way in which the concept of national identity is debated within their societies, with a view to preventing it from being used as a tool to create artificial differences among some groups of the population;

36. *Expresses concern* at recent deeply marked tendencies within numerous societies to characterize migration as a problem and a threat to social cohesion, and in this context notes the numerous human rights challenges in combating racism, racial discrimination, xenophobia and related intolerance;

37. *Recommends* that States conduct human rights training, including on the challenges of racism, racial discrimination, xenophobia and related intolerance faced by migrants, refugees and asylum-seekers, for law enforcement officials, especially immigration officials and border police, so that they may act in conformity with international human rights law;

38. *Also recommends* that States collect disaggregated data in order to design appropriate anti-racial discrimination legislation and policies and monitor their effectiveness, while abiding by some key principles, including self-identification, the right to privacy, and guaranteeing the consent of those concerned, in the design and implementation of the exercise;

IV

Outcomes of the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the 2009 Durban Review Conference

39. *Reaffirms* that the General Assembly is the highest intergovernmental mechanism for the formulation and

appraisal of policy on matters relating to the economic, social and related fields, in accordance with Assembly resolution 50/227 of 24 May 1996, and that, together with the Human Rights Council, it shall constitute an intergovernmental process for the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action;

40. *Emphasizes* that the basic responsibility for effectively combating racism, racial discrimination, xenophobia and related intolerance lies with States, and to this end stresses that States have the primary responsibility to ensure the full and effective implementation of all commitments and recommendations contained in the Durban Declaration and Programme of Action as well as the outcome of the Durban Review Conference, and in this regard welcomes the steps taken by numerous Governments;

41. *Calls upon* all States that have not yet elaborated their national action plans on combating racism, racial discrimination, xenophobia and related intolerance to comply with their commitments undertaken at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance of 2001;

42. *Calls upon* all States to formulate and implement without delay, at the national, regional and international levels, policies and plans of action to combat racism, racial discrimination, xenophobia and related intolerance, including their gender-based manifestations;

43. *Urges* States to support the activities of existing regional bodies or centres that combat racism, racial discrimination, xenophobia and related intolerance in their respective regions, and recommends the establishment of such bodies in all regions where they do not exist;

44. *Calls upon* those States that have not yet done so to consider signing and ratifying or acceding to the instruments enumerated in paragraph 78 of the Durban Programme of Action, including the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families of 1990;

45. *Emphasizes* the fundamental and complementary role of national human rights institutions, regional bodies or centres and civil society, working jointly with States towards the elimination of all forms of racism and, in particular, towards the achievement of the objectives of the Durban Declaration and Programme of Action;

46. *Recognizes* the fundamental role of civil society in the fight against racism, racial discrimination, xenophobia and related intolerance, in particular in helping States to develop regulations and strategies, in taking measures and action against such forms of discrimination and through follow-up implementation;

47. *Reaffirms its commitment* to eliminating all forms of racism, racial discrimination, xenophobia and other forms of related intolerance against indigenous peoples, and in this regard notes the attention paid to the objectives of combating prejudice, eliminating discrimination and promoting tolerance, understanding and good relations among indigenous peoples and all other segments of society in the United Nations Declaration on the Rights of Indigenous Peoples;

48. *Acknowledges* that the World Conference of 2001, which was the third world conference against racism, was significantly different from the previous two conferences, as evidenced by the inclusion in its title of two important

components relating to contemporary forms of racism, namely, xenophobia and related intolerance;

49. *Also acknowledges* that the outcomes of the World Conference and the Durban Review Conference are on an equal footing with the outcomes of all the major United Nations conferences, summits and special sessions in the human rights and social fields;

50. *Decides* to hold a one-day high-level meeting of the General Assembly to commemorate the tenth anniversary of the adoption of the Durban Declaration and Programme of Action, at the level of Heads of State and Government, on the second day of the general debate of the sixty-sixth session, on the theme "Victims of racism, racial discrimination, xenophobia and related intolerance: recognition, justice and development", consisting of an opening plenary meeting, consecutive round tables/thematic panels and a closing plenary meeting, and calls upon the President of the General Assembly to appoint co-facilitators to conduct consultations on the scope, modalities, format and organization of the high-level meeting;

51. *Also decides* that the meeting will adopt a short and concise political declaration aimed at mobilizing political will at the national, regional and international levels for the full and effective implementation of the Durban Declaration and Programme of Action and its follow-up processes;

52. *Invites* Member States, international and regional organizations, civil society, including non-governmental organizations, and other stakeholders to organize and support various high-visibility initiatives, aimed at effectively increasing awareness at all levels, to commemorate the tenth anniversary of the adoption of the Durban Declaration and Programme of Action;

53. *Requests* the Secretary-General to establish a programme of outreach, with the involvement of Member States and United Nations funds and programmes as well as civil society, including non-governmental organizations, to appropriately commemorate the tenth anniversary of the adoption of the Durban Declaration and Programme of Action;

54. *Emphasizes* the critical importance of increasing public support for the Durban Declaration and Programme of Action and the involvement of relevant stakeholders in its realization;

55. *Welcomes* the decision of the Human Rights Council to convene a panel discussion during the high-level segment of its sixteenth session focusing on the full enjoyment of the human rights of people of African descent, to mark the International Year for People of African Descent;

56. *Calls upon* Member States and the United Nations system to intensify efforts to widely distribute copies of the Durban Declaration and Programme of Action, and encourages efforts to ensure its translation and wide dissemination;

57. *Requests* the Office of the United Nations High Commissioner for Human Rights and the Department of Public Information of the Secretariat to launch a public information campaign for the commemoration of the tenth anniversary of the adoption of the Durban Declaration and Programme of Action, including the wide distribution of user-friendly information materials through the United Nations system, inter alia, through United Nations information centres;

58. *Welcomes* the decision of the Human Rights Council to dedicate part of the programme of work at its

seventeenth session, under the item entitled “Racism, racial discrimination, xenophobia and related forms of intolerance, follow-up to and implementation of the Durban Declaration and Programme of Action” to a discussion on, inter alia, best practices in the fight against racism, racial discrimination, xenophobia and related intolerance in the context of the tenth anniversary of the Durban Declaration and Programme of Action during the high-level segment of the General Assembly;

59. *Also welcomes* the adoption of the laudable initiative led by the States members of the Caribbean Community and other Member States for the establishment of a permanent memorial at the United Nations to the victims of slavery and the transatlantic slave trade as a contribution towards the fulfilment of paragraph 101 of the Durban Declaration, expresses its appreciation for contributions made to the voluntary fund established in this regard, and urges other countries to contribute to the fund;

60. *Expresses its appreciation* for the continuing work of the mechanisms mandated to follow up on the World Conference and the Durban Review Conference;

61. *Calls upon* the Human Rights Council to ensure that, upon the consideration and adoption of the conclusions and recommendations of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, the recommendations are brought to the attention of the relevant United Nations agencies for adoption and implementation within their respective mandates;

62. *Encourages* the Office of the United Nations High Commissioner for Human Rights to continue mainstreaming the implementation of the Durban Declaration and Programme of Action and the outcome document of the Durban Review Conference in the whole United Nations system, and, in accordance with paragraphs 136 and 137 of the outcome document, which call for the establishment of an inter-agency task force, to update the Human Rights Council in this regard;

63. *Acknowledges* the centrality of resource mobilization, effective global partnership and international cooperation in the context of paragraphs 157 and 158 of the Durban Programme of Action for the successful realization of commitments undertaken at the World Conference, and to this end emphasizes the importance of the mandate of the group of independent eminent experts on the implementation of the Durban Declaration and Programme of Action, especially in mobilizing the political will necessary for the successful implementation of the Declaration and Programme of Action;

64. *Requests* the Secretary-General to provide the resources necessary for the effective fulfilment of the mandates of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, the Working Group of Experts on People of African Descent, the group of independent eminent experts on the implementation of the Durban Declaration and Programme of Action and the Ad Hoc Committee on the Elaboration of Complementary Standards;

65. *Recalls* the request to the Human Rights Council to consider necessary measures to enhance the effectiveness of the follow-up mechanisms for the Durban Declaration and Programme of Action and to ensure better synergy and

complementarity in the work of those mechanisms, and looks forward to the discussions with a view to enhancing the interface among and focus of the follow-up mechanisms in order to achieve greater synchronization and coordination at all levels, within their respective mandates, including through the restructuring and reorganization of their work, if deemed appropriate by the Council, and to allow joint discussions and meetings;

66. *Expresses concern* at the increasing incidence of racism in various sporting events, while noting with appreciation the efforts made by some governing bodies of the various sporting codes to combat racism, and in this regard invites all international sporting bodies to promote, through their national, regional and international federations, a world of sport free from racism and racial discrimination;

67. *Welcomes* the historic and unique dimension of the 2010 International Federation of Association Football World Cup in South Africa, which marked the first time that this major sporting event was held on the African continent;

68. *Expresses serious concern* at recent incidents of racism at sporting events targeting, in particular, Africans and people of African descent, and recalls the need to reverse this legacy of racism;

69. *Expresses its appreciation*, in this context, to the International Federation of Association Football for the initiative to introduce a visible theme on non-racism in football, and invites the Federation to continue this initiative at the 2014 World Cup soccer tournament to be held in Brazil;

70. *Calls upon* States to take advantage of mass sporting events as valuable outreach platforms to mobilize people and convey crucial messages about equality and non-discrimination;

71. *Acknowledges* the guidance and leadership role of the Human Rights Council, and encourages it to continue overseeing the implementation of the Durban Declaration and Programme of Action and the outcome document of the Durban Review Conference;

72. *Requests* the Office of the United Nations High Commissioner for Human Rights to continue to provide the Human Rights Council with all the support necessary for it to achieve its objectives in this regard;

V

Follow-up activities

73. *Strongly recommends* that future meetings of the Human Rights Council focusing on the follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the implementation of the Durban Declaration and Programme of Action be scheduled in a manner that allows broad participation and avoids overlap with the meetings devoted to the consideration of this item in the General Assembly;

74. *Requests* the Secretary-General to submit to the General Assembly at its sixty-sixth session a report on the implementation of the present resolution, with recommendations;

75. *Decides* to remain seized of this important matter at its sixty-sixth session under the item entitled “Elimination of racism, racial discrimination, xenophobia and related intolerance”.

RECORDED VOTE ON RESOLUTION 65/240:

In favour: Afghanistan, Algeria, Argentina, Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, Eritrea, Ethiopia, Fiji, Gabon, Ghana, Grenada, Guatemala, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kazakhstan, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saudi Arabia, Senegal, Singapore, Solomon Islands, South Africa, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Australia, Bulgaria, Canada, Czech Republic, Denmark, Estonia, Germany, Israel, Italy, Latvia, Lithuania, Marshall Islands, Micronesia, Netherlands, Palau, Poland, Romania, Slovakia, Sweden, the former Yugoslav Republic of Macedonia, United Kingdom, United States.

Abstaining: Albania, Andorra, Armenia, Austria, Belgium, Bosnia and Herzegovina, Croatia, Cyprus, Finland, France, Georgia, Greece, Hungary, Iceland, Ireland, Japan, Liechtenstein, Luxembourg, Malta, Monaco, Montenegro, New Zealand, Norway, Portugal, Republic of Korea, Republic of Moldova, Samoa, Serbia, Slovenia, Spain, Switzerland, Tonga, Ukraine.

The General Assembly on 24 December decided that the agenda item on the elimination of racism, racial discrimination, xenophobia and related intolerance would remain for consideration during its resumed sixty-fifth (2011) session (**decision 65/544**).

Contemporary forms of racism

Reports of Special Rapporteur. Pursuant to a Human Rights Council request [YUN 2008, p. 770], the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Githu Muigai (Kenya), in March issued a report [A/HRC/14/43] that analysed how racism, racial discrimination and conflict interrelate, and examined three situations, namely, before, during and after a conflict. The report focused on issues such as the debates surrounding the concept of national identity; socio-economic discrimination against members of specific groups; political manipulation of racist or nationalist ideology in ethnic conflicts; and how hate speech based on racist ideology might exacerbate violence perpetrated against certain individuals or groups. The Rapporteur said that ensuring sustainable peace required relevant stakeholders to acknowledge the ethnic or racial dimension of a given conflict; recognize and address human rights violations, including racial discrimination, committed during a conflict; maintain vigilance vis-à-vis renewed incite-

ment to hatred and violence; and ensure participation of and genuine dialogue among all components of the society. His recommendations were aimed at providing those stakeholders with tools for detecting early warning signs of racism and related phenomena and reacting accordingly.

An addendum [A/HRC/14/43/Add.1] summarized 14 communications sent by the Rapporteur to 12 Governments between 1 January 2009 and 28 February 2010, 8 replies received from 8 Governments until 14 May 2010, as well as observations of the Rapporteur.

As requested by the Human Rights Council (see p. 684) the Rapporteur in July [A/HRC/15/53] reported on the manifestations of defamation of religions, in particular on the implications of Islamophobia, for the enjoyment of all rights by their followers. The Rapporteur recommended that the report be read in conjunction with his 2009 report [YUN 2009, p. 659], which focused on the legal and conceptual questions of the debate on "defamation of religions" and incitement to religious hatred. The 2010 report referred to cases pertaining to Council resolution 13/16, covering a wide range of issues falling under five themes: acts of violence or discrimination, or incitement thereto, against individuals on the basis of their religion or belief; attacks on religious sites; religious and ethnic profiling; religious symbols; and negative stereotyping of religions, their followers and sacred persons. In his conclusions, the Rapporteur expressed concern about reports of incidents negatively affecting the human rights of Muslim individuals and that the phenomena remained a serious issue in a variety of countries. He called on States to move away from the notion of defamation of religions towards the legal concept of advocacy of racial or religious hatred that constituted incitement to discrimination, hostility or violence; to find the most effective ways to protect individuals from advocacy of hatred and violence by others and bring about real changes in mindsets, perceptions and discourse; and to adopt preventive measures aimed at fostering a peaceful society where freedom of expression, religion or belief could be exercised by all individuals.

Also in July, pursuant to General Assembly resolutions 63/162 [YUN 2008, p. 770] and 64/147 [YUN 2009, p. 663], the Rapporteur submitted a report [A/HRC/15/45] on the implementation of those resolutions. The report addressed the human rights and democratic challenges posed by extremist political parties, movements and groups, including neo-Nazis, skinhead groups, and extremist ideological movements. In his recommendations, the Rapporteur called on States to be more vigilant, which might include the adoption or more robust enforcement of legislative measures; to hold public figures politically accountable for bigoted words that encouraged discrimination and violence; to guarantee the right to

life and to security of person; to design mandatory human rights training for law enforcement bodies and members of the judiciary; and to increase efforts to reach out to community groups, in particular vulnerable groups at risk of racist and xenophobic crimes.

In August, the Secretary-General transmitted the Rapporteur's report [A/65/323] on implementation of General Assembly resolution 64/147 on the inadmissibility of practices that contributed to fuelling contemporary forms of racism and related phenomena, which summarized contributions from 13 States, as well as views sent by six non-governmental organizations (NGOs), and put forward a number of recommendations.

Also in August, pursuant to General Assembly resolution 64/148 [YUN 2009, p. 660], the Secretary-General transmitted the Special Rapporteur's interim report [A/65/295] describing his activities, including country visits, and presenting issues addressed by the Rapporteur in annual reports, conferences, seminars and other meetings. The Rapporteur called on States to take measures to implement DDPA and the Review Conference outcome document; to adopt specific legislation on racism, racial discrimination, xenophobia and related intolerance; and to combat negative stereotypes of, and discrimination against, individuals and groups, and to promote diversity. In that regard, he emphasized the role of education and awareness-raising measures that contributed to creating tolerant societies. The Rapporteur also made recommendations relating to racism and conflict; incitement to racial or religious hatred; human rights challenges faced by migrants, refugees and asylum-seekers; the collection of ethnically disaggregated data; and racism and sports.

The General Assembly took note of that report on 21 December (**decision 65/535**).

Mission report. Following his visit to Singapore (21–28 April) [A/HRC/17/40/Add.2], the Rapporteur recommended that the Government remove legislative provisions that unduly restricted the rights to freedom of expression and assembly and prevented individuals from holding public debate on ethnicity matters; remove the indication of one's ethnic background on identification documents so as not to perpetuate ethnic categorization of Singaporeans; establish a national body to coordinate efforts and provide people living in Singapore with complementary social services in an equal manner; adjust the public educational system to allow Malay students to catch up with their Chinese counterparts; review guidelines, policies and practices that might prevent members of ethnic minorities from being employed in institutions such as the armed forces, the police and the judiciary; and to ensure the protection of migrant workers' human rights. In that connection, he recommended en-

hancement of the Employment Act to cover domestic workers; the expeditious resolution of labour disputes; and the introduction of a minimum wage for migrant workers particularly vulnerable to exploitation.

Communications. On 28 October [A/65/546-S/2010/559], Tajikistan, on behalf of the Organization of the Islamic Conference (oic) Group in New York, transmitted the Declaration on Countering Islamophobia and the Final Communiqué of the oic Annual Coordination Meeting of Ministers of Foreign Affairs (New York, 24 September).

On 6 December [A/65/606-S/2010/617], the Russian Federation transmitted to the Secretary-General declarations by the State Duma on the occasion of the sixty-fifth anniversary of the opening of the Nuremberg trials of the major Nazi war criminals and by the Federation Council of the Federal Assembly of the Russian Federation on the occasion of the sixty-fifth anniversary of the trials.

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third Committee [A/65/454 & Corr.1], adopted **resolution 65/199** by recorded vote (129-3-52) [agenda item 66 (a)].

Inadmissibility of certain practices that contribute to fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination and other relevant human rights instruments,

Recalling the provisions of Commission on Human Rights resolutions 2004/16 of 16 April 2004 and 2005/5 of 14 April 2005 and relevant Human Rights Council resolutions, in particular resolution 7/34 of 28 March 2008, as well as General Assembly resolutions 60/143 of 16 December 2005, 61/147 of 19 December 2006, 62/142 of 18 December 2007, 63/162 of 18 December 2008 and 64/147 of 18 December 2009 on this issue and resolutions 61/149 of 19 December 2006, 62/220 of 22 December 2007, 63/242 of 24 December 2008 and 64/148 of 18 December 2009, entitled "Global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action",

Recalling also the Charter of the Nuremberg Tribunal and the Judgement of the Tribunal, which recognized, inter alia, the SS organization and all its integral parts, including the Waffen SS, as criminal and declared it responsible for many war crimes and crimes against humanity,

Recalling further the relevant provisions of the Durban Declaration and Programme of Action adopted by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance on 8 September 2001, in par-

ticular paragraph 2 of the Declaration and paragraph 86 of the Programme of Action, as well as the relevant provisions of the outcome document of the Durban Review Conference, of 24 April 2009, in particular paragraphs 11 and 54,

Alarmed, in this regard, at the spread in many parts of the world of various extremist political parties, movements and groups, including neo-Nazis and skinhead groups, as well as similar extremist ideological movements,

Recalling that in 2010 the international community celebrated the sixty-fifth anniversary of victory in the Second World War, and welcoming in this regard the special solemn meeting of the sixty-fourth session of the General Assembly, held on 6 May 2010,

Recalling also that the sixty-fifth session of the General Assembly coincides with the sixty-fifth anniversary of the establishment of the Nuremberg Tribunal and the adoption of its Charter,

1. *Reaffirms* the relevant provisions of the Durban Declaration and of the outcome document of the Durban Review Conference, in which States condemned the persistence and resurgence of neo-Nazism, neo-Fascism and violent nationalist ideologies based on racial and national prejudice and stated that those phenomena could never be justified in any instance or in any circumstances;

2. *Takes note with appreciation* of the report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, prepared in accordance with the request contained in General Assembly resolution 64/147;

3. *Expresses its appreciation* to the United Nations High Commissioner for Human Rights for her commitment to maintaining the fight against racism as one of the priority activities of her Office;

4. *Expresses deep concern* about the glorification of the Nazi movement and former members of the Waffen SS organization, including by erecting monuments and memorials and holding public demonstrations in the name of the glorification of the Nazi past, the Nazi movement and neo-Nazism, as well as by declaring or attempting to declare such members and those who fought against the anti-Hitler coalition and collaborated with the Nazi movement participants in national liberation movements;

5. *Expresses concern* at recurring attempts to desecrate or demolish monuments erected in remembrance of those who fought against Nazism during the Second World War, as well as to unlawfully exhume or remove the remains of such persons, and in this regard urges States to fully comply with their relevant obligations, inter alia, under article 34 of Additional Protocol I to the Geneva Conventions of 1949;

6. *Notes with concern* the increase in the number of racist incidents in several countries and the rise of skinhead groups, which have been responsible for many of these incidents, as well as the resurgence of racist and xenophobic violence targeting members of ethnic, religious or cultural communities and national minorities, as observed by the Special Rapporteur in his latest report to the General Assembly;

7. *Reaffirms* that such acts may be qualified to fall within the scope of activities described in article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination and that they may represent a clear and manifest abuse of the rights to freedom of peaceful assembly and of association as well as the rights to freedom of opinion and expression within the meaning of those rights

as guaranteed by the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Convention on the Elimination of All Forms of Racial Discrimination;

8. *Stresses* that the practices described above do injustice to the memory of the countless victims of crimes against humanity committed in the Second World War, in particular those committed by the SS organization and those who fought against the anti-Hitler coalition and collaborated with the Nazi movement, and poison the minds of young people, and that failure by States to effectively address such practices is incompatible with the obligations of States Members of the United Nations under its Charter and is incompatible with the goals and principles of the Organization;

9. *Also stresses* that such practices fuel contemporary forms of racism, racial discrimination, xenophobia and related intolerance and contribute to the spread and multiplication of various extremist political parties, movements and groups, including neo-Nazis and skinhead groups, and in this regard calls for increased political and legal vigilance;

10. *Emphasizes* the need to take the measures necessary to put an end to the practices described above, and calls upon States to take more effective measures in accordance with international human rights law to combat those phenomena and the extremist movements, which pose a real threat to democratic values;

11. *Recalls* the recommendation of the Special Rapporteur, made in his latest report to the General Assembly, to introduce into domestic criminal law a provision according to which committing an offence with racist or xenophobic motivations or aims constitutes an aggravating circumstance allowing for enhanced penalties, and encourages those States whose legislation does not contain such provisions to consider that recommendation;

12. *Reaffirms*, in this regard, the particular importance of all forms of education, including human rights education, as a complement to legislative measures, as outlined by the Special Rapporteur;

13. *Emphasizes* the recommendation of the Special Rapporteur regarding the importance of history classes in teaching the dramatic events and human suffering that resulted from the ideologies of Nazism and Fascism;

14. *Stresses* the importance of other positive measures and initiatives aimed at bringing communities together and providing them with space for genuine dialogue, such as round tables, working groups and seminars, including training seminars for State agents and media professionals, as well as awareness-raising activities, especially those initiated by civil society representatives which require continued State support;

15. *Underlines* the potentially positive role that relevant United Nations entities and programmes, in particular the United Nations Educational, Scientific and Cultural Organization, can play in the aforementioned areas;

16. *Reaffirms* that, according to article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination, States parties to that instrument are, inter alia, under the obligation:

(a) To condemn all propaganda and all organizations that are based on ideas of racial superiority or that attempt to justify or promote racial hatred and discrimination in any form;

(b) To undertake to adopt immediate and positive measures designed to eradicate all incitement to, or acts of, such discrimination, with due regard to the principles embodied in the Universal Declaration of Human Rights and the rights expressly set forth in article 5 of the Convention;

(c) To declare as an offence punishable by law all dissemination of ideas based on racial superiority or hatred, and incitement to racial discrimination, as well as all acts of violence or incitement to such acts against any race or group of persons of another colour or ethnic origin, and also the provision of any assistance to racist activities, including the financing thereof;

(d) To declare illegal and prohibit organizations and organized and all other propaganda activities that promote and incite racial discrimination, and to recognize participation in such organizations or activities as an offence punishable by law;

(e) To prohibit public authorities or public institutions, national or local, from promoting or inciting racial discrimination;

17. *Also reaffirms* that, as underlined in paragraph 13 of the outcome document of the Durban Review Conference, any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence should be prohibited by law, as should the dissemination of ideas based on racial superiority, hatred, acts of violence or incitement to such acts, and that these prohibitions are consistent with freedom of opinion and expression;

18. *Expresses concern* about the use of the Internet to propagate racism, racial hatred, xenophobia, racial discrimination and related intolerance, as outlined in the latest report of the Special Rapporteur to the General Assembly;

19. *Underlines*, at the same time, the positive role that the exercise of the right to freedom of opinion and expression, as well as full respect for the freedom to seek, receive and impart information, including through the Internet, can play in combating racism, racial discrimination, xenophobia and related intolerance;

20. *Encourages* those States that have made reservations to article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination to give serious consideration to withdrawing such reservations as a matter of priority, as stressed by the Special Rapporteur in his latest report to the General Assembly;

21. *Encourages* States parties to the International Convention on the Elimination of All Forms of Racial Discrimination to ensure that their legislation incorporates the provisions of the Convention, including those of article 4;

22. *Recalls* the request of the Commission on Human Rights, in its resolution 2005/5, that the Special Rapporteur continue to reflect on this issue, make relevant recommendations in his future reports and seek and take into account in this regard the views of Governments and non-governmental organizations;

23. *Requests* the Special Rapporteur to prepare, for submission to the General Assembly at its sixty-sixth session and to the Human Rights Council, reports on the implementation of the present resolution based on the views collected in accordance with the request of the Commission on Human Rights, as recalled by the Assembly in paragraph 22 above;

24. *Expresses its appreciation* to those Governments that have provided information to the Special Rapporteur

in the course of the preparation of his report to the General Assembly;

25. *Also expresses its appreciation* to representatives of civil society for their contribution to the fight against racism, racial discrimination, xenophobia and related intolerance;

26. *Stresses* that such information is important for the sharing of experiences and best practices in the fight against extremist political parties, movements and groups, including neo-Nazis and skinhead groups, as well as extremist ideological movements;

27. *Encourages* Governments and non-governmental organizations to cooperate fully with the Special Rapporteur in the exercise of the tasks outlined in paragraph 22 above;

28. *Encourages* Governments, non-governmental organizations and relevant actors to disseminate, as widely as possible, information regarding the contents of and the principles outlined in the present resolution, including through the media, but not limited to it;

29. *Decides* to remain seized of the issue.

RECORDED VOTE ON RESOLUTION 65/199:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Israel, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Marshall Islands, Palau, United States.

Abstaining: Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Netherlands, New Zealand, Norway, Panama, Papua New Guinea, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Tonga, Ukraine, United Kingdom.

Human rights defenders

Reports of Special Rapporteur. The Special Rapporteur on the situation of human rights defenders, Margaret Sekaggya (Uganda), described her activities

in her second report [A/HRC/13/22] to the Human Rights Council, submitted pursuant to a Council request [YUN 2008, p. 721]. She drew the attention of Member States to the 266 communications that were sent under the mandate during 2009. Focusing on the security and protection of human rights defenders, the Rapporteur made recommendations to States on minimum guidelines regarding protection programmes for human rights defenders, and to donor States, European Union States, NGOs and human rights institutions on other issues related to the security and protection of defenders.

An addendum [A/HRC/13/22/Add.1 & Corr.1] summarized communications sent to 76 Governments from 10 December 2008 to 15 December 2009 and replies received until 10 February 2010. A further addendum [A/HRC/13/22/Add.4] presented the questionnaire on the security and protection of human rights defenders sent by the Rapporteur in October 2009, and the responses received from 76 Governments, NGOs and human rights defenders.

In August, in response to General Assembly resolution 62/152 [YUN 2007, p. 670], the Secretary-General transmitted to the Assembly the report [A/65/223] of the Special Rapporteur, which focused on responsibility for human rights violations against defenders by non-State actors, including the corporate responsibility to respect human rights, and States' obligations under international law with respect to violations against defenders by non-State actors. The report identified armed groups, private corporations, individuals and the media as the categories of non-State actors addressed in the report; examined the types of violations they committed; addressed the scope of their responsibility for violations of the rights of defenders; and surveyed States' obligations with respect to violations against defenders by non-State actors. The Special Rapporteur argued that a State's duties to respect and protect human rights included a duty to protect defenders against human rights violations by third parties. A State's obligation to provide victims of violations with an effective remedy was reaffirmed. The report's recommendations to States and non-State actors sought to ensure that they fulfilled their obligations and responsibilities.

The General Assembly took note of that report on 21 December (**decision 65/536**).

Human Rights Council action. On 25 March [A/65/53 (res. 13/13)], the Council called on States to ensure that those involved in the protection of human rights defenders and their relatives were trained in human rights and the protection-related needs of human rights defenders at risk; to allocate resources for protection measures; and to investigate complaints and allegations regarding threats or human rights violations perpetrated against human rights defenders

or their relatives; and to initiate proceedings against the perpetrators.

Mission report. Following her visit to Armenia (12–18 June) [A/HRC/16/44/Add.2], the Rapporteur highlighted the increasingly politicized environment that human rights defenders faced in the wake of the March 2008 events [YUN 2008, p. 718]; the legal and institutional framework for the promotion and protection of human rights in the country, including newly adopted and proposed amendments to the legislative framework that might obstruct human rights defenders' activities; reports of violence against defenders; and other challenges faced by defenders. The Rapporteur recommended that the Government publicly acknowledge the role and importance of human rights defenders; ensure the right to have effective access, on a non-discriminatory basis, to participation in the conduct of public affairs; incorporate the views of civil society and human rights defenders in decision-making processes; fully implement the recommendations of the Working Group on the Universal Periodic Review (UPR) of the Human Rights Council (see p. 634) and amend the legislation pursuant to the UPR recommendations approved by Armenia; address the specific needs of human rights defenders; and investigate all human rights violations, in particular attacks against journalists.

Reprisals for cooperation with human rights bodies

Report of Secretary-General. Pursuant to Human Rights Council resolution 12/2 [YUN 2009, p. 668], in a May report [A/HRC/14/19], the Secretary-General submitted a compilation and analysis of information on alleged reprisals against individuals or groups who had cooperated or sought to cooperate with representatives of UN human rights bodies, as well as recommendations on how to address the issues of intimidation and reprisals. The report included communications sent to States by representatives of human rights mechanisms, and the replies to such communications received as at 19 March. The report reviewed cases in Algeria, Colombia, the Democratic Republic of the Congo, Guatemala, India, Iran, Israel, Kenya, Mauritania, Myanmar, Sri Lanka, Uzbekistan, Venezuela and Yemen. The Secretary-General made recommendations for States to prevent intimidation and reprisals by publicly supporting activities in defence of human rights and cooperation with the United Nations, informing the population about the different ways to cooperate with the United Nations, and ensuring that those who ordered or undertook acts of intimidation or reprisal were subject to prosecution. Denouncing such acts publicly and reporting them to the appropriate human rights mechanisms would also contribute to combating related impunity.

Protection of migrants

Reports of Special Rapporteur. In response to a request by the Human Rights Council [YUN 2008, p. 773], the Special Rapporteur on the human rights of migrants, Jorge Bustamante (Mexico), in April [A/HRC/14/30] reported on his activities in 2009. He also focused on the enjoyment of the rights to health and adequate housing in the context of migration, recalling the applicable international legal framework, and discussed the main challenges encountered by migrants in the enjoyment of those rights, with particular attention to the situations of migrant women and girls and children. The Rapporteur recommended that States fulfil the minimum core obligation to ensure essential levels of primary health care as well as basic shelter and housing for all individuals within their jurisdiction; recognize in laws the rights to health and adequate housing of all individuals regardless of their nationality or immigration status; and provide free information on relevant laws, policies and regulations, as well as language training for migrants who did not speak the language of the host State.

An addendum [A/HRC/14/30/Add.1] summarized 26 communications—urgent appeals and letters of allegations—addressed to 19 Governments between 7 March 2009 and 31 March 2010, as well as 17 replies received until 10 May 2010.

In response to General Assembly resolution 64/166 [YUN 2009, p. 670] and Human Rights Council resolution 8/10 [YUN 2008, p. 773], the Secretary-General in August transmitted to the Assembly the report [A/65/222] of the Special Rapporteur, which summarized activities carried out between June 2009 and July 2010. The report focused on the impact of the criminalization of migration on the protection and enjoyment of human rights, highlighting the detrimental consequences of such policies on groups that should not be considered aprioristically as irregular migrants, including victims of human trafficking, asylum-seekers and children. The report also provided examples of good practices in integrating a rights-based approach into migration and managing irregular migration without criminalizing it. The Rapporteur concluded that migrants could play an active role in the social and economic development of the host countries and contribute to the development of countries of origin and transit. He recommended that human rights, together with gender and age-sensitive strategies, feature systematically in the overall strategy to achieve development in the context of migration. Human rights should be incorporated in all migration-related processes, and a rights-based approach to migration should feature prominently in related policies and decisions.

The General Assembly took note of that report on 21 December (**decision 65/536**).

Mission report. Following his visit to Japan (23–31 March) [A/HRC/17/33/Add.3], the Rapporteur noted that a wide range of challenges remained. The integration of migrants into society was not part of Government policy, which essentially focused on border control. The Rapporteur recommended that the Government address the persistence of racial discrimination and xenophobia and the lack of legislation that prohibited those conducts; the exploitation of migrants in the labour sector; the lack of interventions by the judiciary and police to protect migrants' rights; the strict policy of detention and deportation of irregular migrants; the difficulties for migrant children to access education; and the lack of a comprehensive immigration policy that respected the human rights of migrants and ensured their integration into society.

Report of Secretary-General. In accordance with General Assembly resolution 64/166 [YUN 2009, p. 670], the Secretary-General in July submitted a report [A/65/156] summarizing information submitted by Governments on the implementation of that resolution as well as of resolution 63/184 [YUN 2008, p. 773], both dealing with the rights of migrants. The report also provided information on the status of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families [YUN 1990, p. 593]; and on the activities of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, of the Special Rapporteur on the human rights of migrants, of the universal periodic review of the Human Rights Council, and of the Office of the United Nations High Commissioner for Human Rights (OHCHR), with particular reference to activities and partnerships for promoting the rights of migrant children.

The General Assembly took note of that report on 21 December (**decision 65/536**).

Report of High Commissioner. Pursuant to General Assembly resolution 48/141 [YUN 1993, p. 906], the High Commissioner in June submitted a report [E/2010/89] that focused on the economic, social and cultural rights of migrants in host countries and State obligations in that context. The analysis drew from international instruments, the work of treaty bodies and special procedures mandate holders, as well as international and regional case law to highlight general State obligations and specific obligations regarding various economic, social and cultural rights of migrants.

The Economic and Social Council took note of that report on 23 July (**decision 2010/258**).

OHCHR study. Pursuant to a Human Rights Council request [YUN 2009, p. 669], OHCHR in July submitted a study [A/HRC/15/29] on challenges and best practices in the implementation of the international framework for the protection of the rights of the child

in the context of migration. The report concluded that while children had particular vulnerabilities and needs, the situation of children should not be artificially separated from that of their adult parents and families. The best way to protect the rights of the child in the context of migration was to ensure that migration policies did not criminalize migrants; were non-discriminatory in purpose and effect; addressed the entire process of migration from a child and gender perspective; were premised on and respectful of human rights norms and standards; and were evidence-based and coordinated between all stakeholders. The report concluded with a series of recommendations for consideration by States.

Human Rights Council action. On 30 September [A/65/53/Add.1 (res. 15/16)], the Council took note of the OHCHR study and invited States to take its conclusions and recommendations into account when designing and implementing their migration policies; called on States to put an end to arbitrary arrest and detention; and requested States to prevent violations of the human rights of migrants while in transit, including in ports and airports and at borders and migration checkpoints, and to prosecute any act of violation of the human rights of migrants and their families.

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third Committee [A/65/456/Add.2], adopted **resolution 65/212** without vote [agenda item 68 (b)].

Protection of migrants

The General Assembly,

Recalling all its previous resolutions on the protection of migrants, the most recent of which is resolution 64/166 of 18 December 2009, and recalling also Human Rights Council resolution 15/16 of 30 September 2010,

Reaffirming the Universal Declaration of Human Rights, which proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, in particular as to race, colour or national origin,

Reaffirming also that everyone has the right to freedom of movement and residence within the borders of each State and the right to leave any country, including his or her own, and to return to his or her country,

Recalling the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Rights of Persons with Disabilities, the Vienna Convention on Consular Relations and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,

Recalling also the provisions concerning migrants contained in the outcome documents of all major United Nations conferences and summits, including the Outcome of the Conference on the World Financial and Economic Crisis and Its Impact on Development, which recognizes that migrant workers are among the most affected and vulnerable in the context of financial and economic crises,

Recalling further Commission on Population and Development resolutions 2006/2 of 10 May 2006 and 2009/1 of 3 April 2009,

Taking note with appreciation of the United Nations Development Programme *Human Development Report 2009: Overcoming Barriers—Human Mobility and Development*,

Taking note of advisory opinion OC-16/99 of 1 October 1999 on the Right to Information on Consular Assistance in the Framework of the Guarantees of the Due Process of Law and advisory opinion OC-18/03 of 17 September 2003 on the Juridical Condition and Rights of Undocumented Migrants, issued by the Inter-American Court of Human Rights,

Taking note also of the Judgment of the International Court of Justice of 31 March 2004 in the case concerning *Avena and Other Mexican Nationals* and the Judgment of the Court of 19 January 2009 regarding the Request for interpretation of the *Avena* Judgment, and recalling the obligations of States reaffirmed in both decisions,

Underlining the importance of the Human Rights Council in promoting respect for the protection of the human rights and fundamental freedoms of all, including migrants,

Recognizing the increasing participation of women in international migration movements,

Recalling the High-level Dialogue on International Migration and Development, held in New York on 14 and 15 September 2006 for the purpose of discussing the multidimensional aspects of international migration and development, which, inter alia, recognized the relationship between international migration, development and human rights,

Noting the fourth meeting of the Global Forum on Migration and Development, held in Puerto Vallarta, Mexico, from 8 to 11 November 2010, recognizing the discussion on its central theme “Partnerships for migration and human development: shared prosperity—shared responsibility” as a contribution to addressing the multidimensional nature of international migration as well as a step to promote a debate on possible synergies among countries of origin, transit and destination and, where appropriate, other relevant stakeholders, in support of comprehensive and balanced policies, and taking note with appreciation of the generous offer of the Government of Switzerland to assume the presidency of the Global Forum for 2011,

Recognizing the cultural and economic contributions made by migrants to receiving societies and their communities of origin, as well as the need to identify appropriate means of maximizing development benefits and responding to the challenges which migration poses to countries of origin, transit and destination, especially in the light of the impact of the financial and economic crisis, and committing to ensuring dignified, humane treatment with applicable protections and to strengthening mechanisms for international cooperation,

Emphasizing the global character of the migratory phenomenon, the importance of international, regional and

bilateral cooperation and dialogue in this regard, as appropriate, and the need to protect the human rights of migrants, particularly at a time in which migration flows have increased in the globalized economy and take place in a context of new security concerns,

Bearing in mind the obligations of States under international law, as applicable, to exercise due diligence to prevent crimes against migrants and to investigate and punish perpetrators and that not doing so violates and impairs or nullifies the enjoyment of the human rights and fundamental freedoms of victims,

Affirming that crimes against migrants, including trafficking in persons, continue to pose a serious challenge and require a concerted international assessment and response and genuine multilateral cooperation among countries of origin, transit and destination for their eradication,

Bearing in mind that policies and initiatives on the issue of migration, including those that refer to the orderly management of migration, should promote holistic approaches that take into account the causes and consequences of the phenomenon, as well as full respect for the human rights and fundamental freedoms of migrants,

Stressing the importance of regulations and laws regarding irregular migration being in accordance with the obligations of States under international law, including international human rights law,

Stressing also the obligation of States to protect the human rights of migrants regardless of their migration status, and expressing its concern at measures which, including in the context of policies aimed at reducing irregular migration, treat irregular migration as a criminal rather than an administrative offence where the effect of doing so is to deny migrants full enjoyment of their human rights and fundamental freedoms,

Aware that, as criminals take advantage of migratory flows and attempt to circumvent restrictive immigration policies, migrants become more vulnerable to, inter alia, kidnapping, extortion, forced labour, sexual exploitation, physical assault, debt servitude and abandonment,

Recognizing the contributions of young migrants to countries of origin and destination, and in that regard encouraging States to consider the specific circumstances and needs of young migrants,

Concerned about the large and growing number of migrants, especially women and children, who place themselves in a vulnerable situation by attempting to cross international borders without the required travel documents, and recognizing the obligation of States to respect the human rights of those migrants,

Stressing that penalties and the treatment given to irregular migrants should be commensurate with their infraction,

Recognizing the importance of having a comprehensive and balanced approach to international migration, and bearing in mind that migration enriches the economic, political, social and cultural fabric of States and the historical and cultural ties that exist among some regions,

Recognizing also the obligations of countries of origin, transit and destination under international human rights law,

Underlining the importance for States, in cooperation with non-governmental organizations and other relevant stakeholders, to undertake information campaigns aimed at clarifying opportunities, limitations, risks and rights in the event of migration, so as to enable everyone to make

informed decisions and to prevent anyone from utilizing dangerous means to cross international borders,

1. *Calls upon* States to promote and protect effectively the human rights and fundamental freedoms of all migrants, regardless of their migration status, especially those of women and children, and to address international migration through international, regional or bilateral cooperation and dialogue and through a comprehensive and balanced approach, recognizing the roles and responsibilities of countries of origin, transit and destination in promoting and protecting the human rights of all migrants, and avoiding approaches that might aggravate their vulnerability;

2. *Expresses its concern* about the impact of financial and economic crises on international migration and migrants, and in that regard urges Governments to combat unfair and discriminatory treatment of migrants, particularly migrant workers and their families;

3. *Reaffirms* the rights set forth in the Universal Declaration of Human Rights and the obligations of States under the International Covenants on Human Rights, and in this regard:

(a) Strongly condemns the manifestations and acts of racism, racial discrimination, xenophobia and related intolerance against migrants and the stereotypes often applied to them, including on the basis of religion or belief, and urges States to apply and, where needed, reinforce the existing laws when xenophobic or intolerant acts, manifestations or expressions against migrants occur, in order to eradicate impunity for those who commit xenophobic and racist acts;

(b) Expresses concern about legislation adopted by some States that results in measures and practices that may restrict the human rights and fundamental freedoms of migrants, and reaffirms that, when exercising their sovereign right to enact and implement migratory and border security measures, States have the duty to comply with their obligations under international law, including international human rights law, in order to ensure full respect for the human rights of migrants;

(c) Calls upon States to ensure that their laws and policies, including in the areas of counter-terrorism and combating transnational organized crime, such as trafficking in persons and smuggling of migrants, fully respect the human rights of migrants;

(d) Calls upon States that have not done so to consider signing and ratifying or acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families as a matter of priority, and requests the Secretary-General to continue his efforts to promote and raise awareness of the Convention;

(e) Takes note of the report of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families on its eleventh and twelfth sessions;

4. *Also reaffirms* the duty of States to effectively promote and protect the human rights and fundamental freedoms of all migrants, especially those of women and children, regardless of their immigration status, in conformity with the Universal Declaration of Human Rights and the international instruments to which they are party, and therefore:

(a) Calls upon all States to respect the human rights and the inherent dignity of migrants and to put an end to arbitrary arrest and detention and, where necessary, to

review detention periods in order to avoid excessive detention of irregular migrants, and to adopt, where applicable, alternative measures to detention;

(b) Urges all States to adopt effective measures to prevent and punish any form of illegal deprivation of liberty of migrants by individuals or groups;

(c) Notes with appreciation the measures adopted by some States to reduce detention periods in cases of undocumented migration, in the application of domestic regulations and laws regarding irregular migration;

(d) Also notes with appreciation the successful implementation by some States of alternative measures to detention in cases of undocumented migration as a practice that deserves consideration by all States;

(e) Requests States to adopt concrete measures to prevent the violation of the human rights of migrants while in transit, including in ports and airports and at borders and migration checkpoints, to train public officials who work in those facilities and in border areas to treat migrants respectfully and in accordance with the law, and to prosecute, in conformity with applicable law, any act of violation of the human rights of migrants, *inter alia*, arbitrary detention, torture and violations of the right to life, including extrajudicial executions, during their transit from their country of origin to the country of destination and vice versa, including their transit through national borders;

(f) Underlines the right of migrants to return to their country of citizenship, and recalls that States must ensure that their returning nationals are duly received;

(g) Reaffirms emphatically the duty of States parties to ensure full respect for and observance of the Vienna Convention on Consular Relations, in particular with regard to the right of all foreign nationals, regardless of their immigration status, to communicate with a consular official of the sending State in case of arrest, imprisonment, custody or detention, and the obligation of the receiving State to inform the foreign national without delay of his or her rights under the Convention;

(h) Requests all States, in conformity with national legislation and applicable international legal instruments to which they are party, to enforce labour law effectively, including by addressing violations of such law, with regard to migrant workers' labour relations and working conditions, *inter alia*, those related to their remuneration and conditions of health, safety at work and the right to freedom of association;

(i) Encourages all States to remove unlawful obstacles, where they exist, that may prevent the safe, transparent, unrestricted and expeditious transfer of remittances, earnings, assets and pensions of migrants to their country of origin or to any other countries, in conformity with applicable legislation and agreements, and to consider, as appropriate, measures to solve other problems that may impede such transfers;

(j) Recalls that the Universal Declaration of Human Rights recognizes that everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted to him or her;

5. *Emphasizes* the importance of protecting persons in vulnerable situations, and in this regard:

(a) Expresses its concern about the increase in the activities of transnational and national organized crime enti-

ties and others who profit from crimes against migrants, especially women and children, without regard for dangerous and inhumane conditions and in flagrant violation of domestic laws and international law and contrary to international standards;

(b) Also expresses its concern about the high level of impunity enjoyed by traffickers and their accomplices as well as other members of organized crime entities and, in this context, the denial of rights and justice to migrants who have suffered from abuse;

(c) Welcomes immigration programmes, adopted by some countries, that allow migrants to integrate fully into the host countries, facilitate family reunification and promote a harmonious, tolerant and respectful environment, and encourages States to consider the possibility of adopting these types of programmes;

(d) Encourages all States to develop international migration policies and programmes that include a gender perspective, in order to adopt the measures necessary to better protect women and girls against dangers and abuse during migration;

(e) Calls upon States to protect the human rights of migrant children, given their vulnerability, particularly unaccompanied migrant children, ensuring that the best interests of the child are a primary consideration in their policies of integration, return and family reunification;

(f) Encourages all States to prevent and eliminate discriminatory policies that deny migrant children access to education;

(g) Urges States to ensure that repatriation mechanisms allow for the identification and special protection of persons in vulnerable situations, including persons with disabilities, and take into account, in conformity with their international obligations and commitments, the principle of the best interests of the child and family reunification;

(h) Urges States parties to the United Nations Convention against Transnational Organized Crime and supplementing protocols thereto, namely, the Protocol against the Smuggling of Migrants by Land, Sea and Air and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, to implement them fully, and calls upon States that have not done so to consider ratifying or acceding to them as a matter of priority;

6. *Takes note with appreciation* of the study of the Office of the United Nations High Commissioner for Human Rights on challenges and best practices in the implementation of the international framework for the protection of the rights of the child in the context of migration, and invites States to take into account the conclusions and recommendations of the study when designing and implementing their migration policies;

7. *Encourages* States to protect victims of national and transnational organized crime, including kidnapping, trafficking and, in some instances, smuggling, through, where applicable, the implementation of programmes and policies that guarantee protection and access to medical, psychosocial and legal assistance;

8. *Encourages* Member States that have not already done so to enact domestic legislation and to take further effective measures to combat international trafficking in persons and smuggling of migrants, recognizing that these

crimes may endanger the lives of migrants or subject them to harm, servitude or exploitation, which may also include debt bondage, slavery, sexual exploitation or forced labour, and also encourages Member States to strengthen international cooperation to combat such trafficking and smuggling;

9. *Stresses* the importance of international, regional and bilateral cooperation in the protection of the human rights of migrants, and therefore:

(a) Requests all States, international organizations and relevant stakeholders to take into account in their policies and initiatives on migration issues the global character of the migratory phenomenon and to give due consideration to international, regional and bilateral cooperation in this field, including by undertaking dialogues on migration that include countries of origin, transit and destination, as well as civil society, including migrants, with a view to addressing, in a comprehensive manner, *inter alia*, its causes and consequences and the challenge of undocumented or irregular migration, granting priority to the protection of the human rights of migrants;

(b) Encourages States to take the measures necessary to achieve policy coherence on migration at the national, regional and international levels, including by ensuring coordinated child protection policies and systems across borders that are in full compliance with international human rights law;

(c) Also encourages States to further strengthen their cooperation in protecting witnesses in cases of smuggling of migrants and trafficking in persons;

(d) Calls upon the United Nations system and other relevant international organizations and multilateral institutions to enhance their cooperation in the development of methodologies for the collection and processing of statistical data on international migration and the situation of migrants in countries of origin, transit and destination and to assist Member States in their capacity-building efforts in this regard;

(e) Requests Member States, the United Nations system, international organizations, civil society and all relevant stakeholders, especially the United Nations High Commissioner for Human Rights and the Special Rapporteur of the Human Rights Council on the human rights of migrants, to ensure that the perspective of the human rights of migrants is included among the priority issues in the ongoing discussions on international migration and development within the United Nations system, and in this regard underlines the importance of adequately taking into account the human rights perspective as one of the priorities of the informal thematic debate on international migration and development, to be held in 2011, as well as in the High-level Dialogue on International Migration and Development, which will take place during the sixty-eighth session of the General Assembly, in 2013, as decided by the Assembly in its resolution 63/225 of 19 December 2008;

(f) Invites the Chair of the Committee to address the General Assembly at its sixty-sixth session under the item entitled “Promotion and protection of human rights”;

(g) Invites the Special Rapporteur to submit his report to the General Assembly at its sixty-sixth session under the item entitled “Promotion and protection of human rights”;

10. *Requests* the Secretary-General to submit to the General Assembly at its sixty-sixth session a report on the implementation of the present resolution and to include in that report an analysis of the ways and means to pro-

mote the human rights of migrants, in particular how the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families has influenced policy and practice, where applicable, to strengthen the protection of migrants, in the context of its twentieth anniversary, and decides to examine the question further under the item entitled “Promotion and protection of human rights”.

Discrimination against minorities

Forum on Minority Issues. The Forum on Minority Issues, at its third session (Geneva, 14–15 December), focused on minorities and effective participation in economic life. The more than 500 participants included representatives of Governments, treaty bodies, UN specialized agencies, regional inter-governmental bodies and civil society. The Forum had before it a note [HRC/FMI/2010/2] by the independent expert on minority issues, Gay McDougall (United States), on minorities and their effective participation in economic life and an OHCHR note providing draft recommendations on that topic [HRC/FMI/2010/3].

The Forum issued recommendations [A/HRC/16/46] that sought to enable stakeholders to make informed choices when designing legislation and policies aimed at combating the economic exclusion of minority communities. The recommendations were directed to Governments, national human rights institutions, civil society, trade unions, the private business sector, UN human rights mechanisms, international financial institutions and UN agencies and other development agencies.

Reports of independent expert. Pursuant to a Human Rights Council request [YUN 2008, p. 778], the independent expert on minority issues, in her fifth annual report to the Council [A/HRC/13/23], provided an overview of her 2009 activities, a background paper on “Minorities and Effective Political Participation”, and details on follow-up to the first [YUN 2008, p. 776] and second [YUN 2009, p. 672] sessions of the Forum on Minority Issues.

Pursuant to General Assembly resolution 63/174 [YUN 2008, p. 778], the Secretary-General in August transmitted to the Assembly the report [A/65/287] by the independent expert on the effective promotion of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities [YUN 1992, p. 722], which focused on the role of the protection of minority rights in conflict prevention. The expert emphasized that attention to minority rights at an early stage—before grievances led to tensions and violence—would contribute to the culture of prevention within the United Nations, save countless lives and promote stability and development.

The Assembly took note of that report on 21 December (**decision 65/536**).

Mission reports. Following her visit to Colombia (1–12 February) [A/HRC/16/45/Add.1], the independent expert pointed out that despite a plethora of Government legislation and programme initiatives to address racial discrimination, promote equality and recognize the country's ethnic diversity, the reality was poor implementation, inadequate resources and outputs that fell short of the needs of Afro-Colombians. While the country as a whole enjoyed a reduction in hostilities and armed conflict, many Afro-Colombian communities and their leaders suffered violent attacks. Among her recommendations, the expert urged the Government to enact anti-discrimination legislation providing for effective enforcement mechanisms; establish appropriate penalties for acts of discrimination committed by public and private actors; ensure that implementation was rigorously enforced by the courts; and take steps to protect the safety of Afro-Colombian leaders, their organizations and the NGOs that championed their rights, particularly with respect to members of Community Councils and others advocating for land restitution.

In Viet Nam (5–15 July) [A/HRC/16/45/Add.2], the independent expert found that the poverty rate remained high among ethnic minorities. Minority women isolated in remote mountainous areas faced particular challenges. Government plans for economic growth, particularly in areas populated by minority groups, should be implemented in consultation with those groups. Access to quality education was a gateway to development and poverty reduction, yet minorities lacked sufficient opportunities to be taught in their own languages and struggled with being taught in Vietnamese only. The introduction of bilingual education in regions where minorities lived would help minority children to make better early progress and provide strong foundations for their schooling. Freedom of religion, freedom of expression and the right of peaceful assembly must be respected. The expert made recommendations pertaining to poverty alleviation and development; language and education; religious minorities; political participation; and further engagement with UN human rights mechanisms.

Human Rights Council action. On 25 March [A/65/53 (res. 13/12)], the Council requested the High Commissioner to present an annual report on developments of UN human rights entities that contributed to the promotion of and respect for the provisions of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities; and requested the High Commissioner to present a compilation of UN manuals, guides and other tools dealing with minority issues to the Council's sixteenth (2011) session.

Reports of High Commissioner. Pursuant to that request, the High Commissioner in July submitted a

report [A/HRC/15/42] covering 2009 and the first part of 2010 that summarized efforts by her Office and the UN human rights machinery to strengthen implementation of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities; capacity-building activities to facilitate the ability of minorities to draw on UN human rights bodies and mechanisms for the protection of their rights; and observations on minorities' rights made by treaty bodies in considering initial and periodic reports of States parties. The report also provided an update on the work of special procedures mechanisms with regard to the rights of minorities.

In December, the High Commissioner submitted a complementary report [A/HRC/16/39] covering activities conducted during the remaining part of 2010 and revealing shortcomings with regard to measures that could be taken by States to achieve the rights listed in the Declaration. The report concluded that while international actors could play an important role, the responsibility for the protection of the human rights of minorities rested primarily with Governments, which should ensure that mechanisms were in place to provide such protection.

Also in December, the High Commissioner submitted a compilation [A/HRC/16/29] of UN manuals, guides, training material and other tools dealing with minority issues.

Leprosy victims

Draft principles and guidelines. In response to Human Rights Council requests in 2008 [YUN 2008, p. 780] and 2009 [YUN 2009, p. 673], the Human Rights Council Advisory Committee in August 2010 submitted a revised draft set of principles and guidelines for the elimination of discrimination against persons affected by leprosy and their family members [A/HRC/15/30] to the Council's fifteenth (2010) session. The Advisory Committee had endorsed the revised draft [A/HRC/AC/5/2] at its fifth session (see p. 636).

Human Rights Council action. On 30 September [A/65/53/Add.1 (res. 15/10)], the Council took note of the principles and guidelines and requested OHCHR to disseminate them as appropriate. The Council encouraged Governments, UN bodies, intergovernmental organizations and national human rights institutions to consider the principles and guidelines in formulating and implementing related policies and measures.

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third Committee [A/65/456/Add.2], adopted **resolution 65/215** without vote [agenda item 68 (b)].

Elimination of discrimination against persons affected by leprosy and their family members

The General Assembly,

Recalling the provisions of the Universal Declaration of Human Rights, including article 1, which states that all human beings are born free and equal in dignity and rights and that they are endowed with reason and conscience and should act towards one another in a spirit of brotherhood,

Recalling also Human Rights Council resolutions 8/13 of 18 June 2008, 12/7 of 1 October 2009 and 15/10 of 30 September 2010,

Reaffirming that persons affected by leprosy and their family members should be treated as individuals with dignity and are entitled to all human rights and fundamental freedoms under customary international law, relevant conventions and national constitutions and laws,

1. *Welcomes* the work of the Human Rights Council, and takes note with appreciation of the work of the Human Rights Council Advisory Committee on the elimination of discrimination against persons affected by leprosy and their family members;

2. *Takes note with appreciation* of the principles and guidelines for the elimination of discrimination against persons affected by leprosy and their family members;

3. *Encourages* Governments, relevant United Nations bodies, specialized agencies, funds and programmes, other intergovernmental organizations and national human rights institutions to give due consideration to the principles and guidelines in the formulation and implementation of their policies and measures concerning persons affected by leprosy and their family members;

4. *Encourages* all relevant actors in society, including hospitals, schools, universities, religious groups and organizations, business enterprises, newspapers, broadcasting networks and other non-governmental organizations, to give due consideration, as appropriate, to the principles and guidelines in the course of their activities.

Freedom of religion or belief

Reports of Special Rapporteur. Pursuant to a Human Rights Council request [YUN 2007, p. 726], the Special Rapporteur on freedom of religion or belief, Asma Jahangir (Pakistan), submitted a report [A/HRC/13/40] presenting an overview of her activities, discussing early warning signs of discrimination and violence on the grounds or in the name of religion or belief, and reviewing issues of concern related to her mandate. The Rapporteur concluded that religious intolerance was not a natural outcome of diverse societies, but was all too often manipulated by a few groups or individuals for various reasons. Prevention was therefore key to creating an atmosphere of religious tolerance. While States had the primary responsibility for implementing human rights standards, religious leaders, civil society, the international community and human rights mechanisms could play an important role in supporting religious tolerance. In that regard, she made recommendations for those stakeholders.

An addendum [A/HRC/13/40/Add.1] summarized cases transmitted to 25 Governments between 1 December 2008 and 30 November 2009 and replies received by 8 February 2010.

In response to General Assembly resolution 64/164 [YUN 2009, p. 678], the Secretary-General in July [A/65/207] transmitted to the Assembly the Rapporteur's interim report, which reviewed activities carried out since her previous report [YUN 2009, p. 674] and focused on the 13 areas identified in that resolution where efforts should be intensified. The Rapporteur concluded that religious issues were particularly sensitive and that States played a delicate role in promoting freedom of religion or belief, as well as in protecting people from abuse in the name of religion or belief. She stressed that all human rights violations must be addressed, regardless of the religious affiliation of the perpetrator or the victim, and that the mandate should continue to highlight discriminatory practices that women had to suffer—sometimes in the name of religion or belief.

Human Rights Council action. On 18 June [A/65/53 (res. 14/11)], the Council called on States to adopt measures and policies to promote respect for places of worship and religious sites; extended the Special Rapporteur's mandate for a further three-year period; and requested the Rapporteur to report to the Council in 2011.

Appointment of Special Rapporteur. On 18 June, the Human Rights Council appointed Heiner Bielefeldt (Germany) as Special Rapporteur.

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third Committee [A/65/456/Add.2], adopted **resolution 65/211** without vote [agenda item 68 (b)].

Elimination of all forms of intolerance and of discrimination based on religion or belief

The General Assembly,

Recalling its resolution 36/55 of 25 November 1981, by which it proclaimed the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,

Recalling also article 18 of the International Covenant on Civil and Political Rights, article 18 of the Universal Declaration of Human Rights and other relevant human rights provisions,

Recalling further its previous resolutions on the elimination of all forms of intolerance and of discrimination based on religion or belief, including resolution 64/164 of 18 December 2009, as well as Human Rights Council resolution 14/11 of 18 June 2010,

Recognizing the important work carried out by the Human Rights Committee in providing guidance with respect to the scope of freedom of religion or belief,

Considering that religion or belief, for those who profess either, is one of the fundamental elements in their conception of life and that freedom of religion or belief should be fully respected and guaranteed,

Reaffirming that everyone has the right to freedom of thought, conscience and religion or belief, which includes the freedom to have or not to have, or to adopt, a religion or belief of one's own choice and the freedom, either alone or in community with others and in public or private, to manifest one's religion or belief in teaching, practice, worship and observance,

Deeply concerned about continuing acts of intolerance and violence based on religion or belief against individuals and members of religious communities and religious minorities around the world and about the limited progress that has been made in the elimination of all forms of intolerance and of discrimination based on religion or belief, and believing that further intensified efforts are therefore required to promote and protect the right to freedom of thought, conscience and religion or belief and to eliminate all forms of hatred, intolerance and discrimination based on religion or belief, as also noted at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa, from 31 August to 8 September 2001, as well as at the Durban Review Conference, held in Geneva from 20 to 24 April 2009,

Concerned that acts of violence, or credible threats of violence, against persons belonging to religious communities and religious minorities are sometimes tolerated or encouraged by official authorities,

Concerned also about the increasing number of laws and regulations that limit the freedom of thought, conscience and religion or belief and about the implementation of existing laws in a discriminatory manner,

Convinced of the need to address the rise in various parts of the world of religious extremism that affects the rights of individuals, the situations of violence and discrimination that affect many women and other individuals on the grounds or in the name of religion or belief or in accordance with cultural and traditional practices and the misuse of religion or belief for ends inconsistent with the Charter of the United Nations and other relevant instruments of the United Nations,

Seriously concerned about all attacks on religious places, sites and shrines in violation of international law, in particular human rights and humanitarian law, including any deliberate destruction of relics and monuments,

Emphasizing that States, regional organizations, non-governmental organizations, religious bodies and the media have an important role to play in promoting tolerance and respect for religious and cultural diversity and in the universal promotion and protection of human rights, including freedom of religion or belief,

Underlining the importance of education in the promotion of tolerance, which involves the acceptance by the public of, and its respect for, diversity, including with regard to religious expression, and underlining also the fact that education, in particular at school, should contribute in a meaningful way to promoting tolerance and the elimination of discrimination based on religion or belief,

1. *Condemns* all forms of intolerance and of discrimination based on religion or belief, as well as violations of freedom of thought, conscience and religion or belief;

2. *Stresses* that the right to freedom of thought, conscience and religion or belief applies equally to all persons, regardless of their religion or belief and without any discrimination as to their equal protection by the law;

3. *Emphasizes* that, as underlined by the Human Rights Committee, restrictions on the freedom to manifest one's religion or belief are permitted only if limitations are prescribed by law, are necessary to protect public safety, order, health or morals or the fundamental rights and freedoms of others, are non-discriminatory and are applied in a manner that does not vitiate the right to freedom of thought, conscience and religion or belief;

4. *Also emphasizes* that freedom of religion or belief and freedom of expression are interdependent, interrelated and mutually reinforcing, and stresses further the role that these rights can play in the fight against all forms of intolerance and of discrimination based on religion or belief;

5. *Recognizes with deep concern* the overall rise in instances of intolerance and violence, regardless of the actors, directed against members of many religious and other communities in various parts of the world, including cases motivated by Islamophobia, anti-Semitism and Christianophobia;

6. *Condemns* any advocacy of religious hatred that constitutes incitement to discrimination, hostility or violence, whether it involves the use of print, audio-visual or electronic media or any other means;

7. *Expresses concern* about the persistence of institutionalized social intolerance and discrimination practised against many on the grounds of religion or belief, and emphasizes that legal procedures pertaining to religious or belief-based groups and places of worship are not a prerequisite for the exercise of the right to manifest one's religion or belief and that such procedures, when legally required at the national or local level, should be non-discriminatory in order to contribute to the effective protection of the right of all persons to practice their religion or belief, either individually or in community with others and in public or private;

8. *Recognizes with concern* the situation of persons in vulnerable situations, including persons deprived of their liberty, refugees, asylum-seekers and internally displaced persons, children, persons belonging to national or ethnic, religious and linguistic minorities and migrants, as regards their ability to freely exercise their right to freedom of religion or belief;

9. *Emphasizes* that States have an obligation to exercise due diligence to prevent, investigate and punish acts of violence against persons belonging to religious minorities, regardless of the perpetrator, and that failure to do so may constitute a human rights violation;

10. *Also emphasizes* that no religion should be equated with terrorism, as this may have adverse consequences on the enjoyment of the right to freedom of religion or belief of all members of the religious communities concerned;

11. *Expresses concern* about the continued existence of instances of religious intolerance, as well as about emerging obstacles to the enjoyment of the right to freedom of religion or belief, inter alia:

(a) Instances of intolerance and violence directed against members of many religious minorities and other communities in various parts of the world;

(b) Incidents of religious hatred, discrimination, intolerance and violence, which may be manifested by the derogatory stereotyping, negative profiling and stigmatization of persons based on their religion or belief;

(c) Attacks on religious places, sites and shrines in violation of international law, in particular human rights and humanitarian law, as they have more than material significance for the dignity and lives of members of communities holding spiritual or religious beliefs;

(d) Instances, both in law and practice, that constitute violations of the fundamental right to freedom of religion or belief, including of the individual right to publicly express one's spiritual and religious beliefs, taking into account the relevant articles of the International Covenant on Civil and Political Rights, as well as other international instruments;

(e) Constitutional and legislative systems that fail to provide adequate and effective guarantees of freedom of thought, conscience and religion or belief to all without distinction;

12. *Urges* States to step up their efforts to protect and promote freedom of thought, conscience and religion or belief and to this end:

(a) To ensure that their constitutional and legislative systems provide adequate and effective guarantees of freedom of thought, conscience and religion or belief to all without distinction, inter alia, by providing access to justice and effective remedies in cases where the right to freedom of thought, conscience and religion or belief or the right to freely practice one's religion, including the right to change one's religion or belief, is violated;

(b) To ensure that existing legislation is not implemented in a discriminatory manner or does not result in discrimination based on religion or belief, that no one within their jurisdiction is deprived of the right to life, liberty or security of person because of religion or belief and that no one is subjected to torture or other cruel, inhuman or degrading treatment or punishment, or arbitrary arrest or detention on that account and to bring to justice all perpetrators of violations of these rights;

(c) To end violations of the human rights of women and to devote particular attention to abolishing practices and legislation that discriminate against women, including in the exercise of their right to freedom of thought, conscience and religion or belief;

(d) To ensure that no one is discriminated against on the basis of his or her religion or belief when accessing, inter alia, education, medical care, employment, humanitarian assistance or social benefits and to ensure that everyone has the right and the opportunity to have access, on general terms of equality, to public services in their country, without any discrimination on the basis of religion or belief;

(e) To review, whenever relevant, existing registration practices in order to ensure that such practices do not limit the right of all persons to manifest their religion or belief, either alone or in community with others and in public or private;

(f) To ensure that no official documents are withheld from the individual on the grounds of religion or belief and that everyone has the right to refrain from disclosing information concerning their religious affiliation in such documents against their will;

(g) To ensure, in particular, the right of all persons to worship, assemble or teach in connection with a religion or belief and their right to establish and maintain places for these purposes, and the right of all persons to seek, receive and impart information and ideas in these areas;

(h) To ensure that, in accordance with appropriate national legislation and in conformity with international human rights law, the freedom of all persons and members of groups to establish and maintain religious, charitable or humanitarian institutions is fully respected and protected;

(i) To ensure that all public officials and civil servants, including members of law enforcement bodies, and personnel of detention facilities, the military and educators, in the course of fulfilling their official duties, respect freedom of religion or belief and do not discriminate for reasons based on religion or belief and that all necessary and appropriate awareness-raising, education or training is provided;

(j) To take all necessary and appropriate action, in conformity with international standards of human rights, to combat hatred, discrimination, intolerance and acts of violence, intimidation and coercion motivated by intolerance based on religion or belief, as well as incitement to hostility and violence, with particular regard to members of religious minorities in all parts of the world;

(k) To promote, through the education system and other means, mutual understanding, tolerance, non-discrimination and respect in all matters relating to freedom of religion or belief by encouraging, in the society at large, a wider knowledge of different religions and beliefs and of the history, traditions, languages and cultures of the various religious minorities existing within their jurisdiction;

(l) To prevent any distinction, exclusion, restriction or preference based on religion or belief that impairs the recognition, enjoyment or exercise of human rights and fundamental freedoms on an equal basis and to detect signs of intolerance that may lead to discrimination based on religion or belief;

13. *Welcomes* initiatives by the media to promote tolerance and respect for religious and cultural diversity and the universal promotion and protection of human rights, including freedom of religion or belief;

14. *Stresses* the importance of a continued and strengthened dialogue in all its forms, including among and within religions or beliefs, and with broader participation, including of women, to promote greater tolerance, respect and mutual understanding, and welcomes different initiatives in this regard, including the Alliance of Civilizations initiative and the programmes led by the United Nations Educational, Scientific and Cultural Organization;

15. *Welcomes and encourages* the continuing efforts of all actors in society, including non-governmental organizations and bodies and groups based on religion or belief, to promote the implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, and further encourages their work in promoting freedom of religion or belief, highlighting cases of religious intolerance, discrimination and persecution and promoting religious tolerance;

16. *Recommends* that States, the United Nations and other actors, including non-governmental organizations and bodies and groups based on religion or belief, in their efforts to promote freedom of religion or belief, ensure the

widest possible dissemination of the text of the Declaration, in as many different languages as possible, and promote its implementation;

17. *Welcomes* the work and the interim report of the Special Rapporteur of the Human Rights Council on freedom of religion or belief;

18. *Urges* all Governments to cooperate fully with the Special Rapporteur, to respond favourably to his requests to visit their countries and to provide all information and follow-up necessary for the effective fulfilment of his mandate;

19. *Requests* the Secretary-General to ensure that the Special Rapporteur receives the resources necessary to fully discharge his mandate;

20. *Requests* the Special Rapporteur to submit an interim report to the General Assembly at its sixty-sixth session;

21. *Decides* to consider the question of the elimination of all forms of religious intolerance at its sixty-sixth session under the item entitled "Promotion and protection of human rights".

Combating defamation of religions

Report of High Commissioner. Pursuant to Human Rights Council resolution 10/22 [YUN 2009, p. 659] on combating defamation of religions, the High Commissioner in January submitted a report [A/HRC/13/57] on its implementation, which provided information on measures taken to address discriminatory practices, acts of violence, profiling, stigmatization, derogatory stereotyping based on religion or belief, the desecration of places of worship or spirituality, the targeting of religious symbols, incitement to religious hatred and instances of religious intolerance. Initiatives included constitutional and legislative measures, law enforcement and judicial measures, policy measures, prejudice-reduction programmes for key professionals, intercultural dialogue and awareness-raising initiatives, as well as the creation of national specialized bodies or the establishment of focal points within national human rights institutions to monitor trends and assist victims. In addition to information from 11 Member States, three regional organizations, UN entities, human rights treaty bodies and special procedures, the report provided an update to the Secretary-General's 2009 report [YUN 2009, p. 674] on the subject.

Report of Secretary-General. In response to General Assembly resolution 64/156 [YUN 2009, p. 674], the Secretary-General in August [A/65/263] submitted a report on combating defamation of religions, which focused on implementation of the resolution, including the correlation between defamation of religions and the intersection of religion and race, the upsurge in incitement, intolerance and hatred in many parts of the world, and steps taken by States to combat that phenomenon. The report contained information received from 14 States, OHCHR, UN human rights treaty bodies and special procedures of the Human Rights Council. In respect of religious

defamation, some States had adopted blasphemy laws while others firmly opposed such laws, considering them to be incompatible with international human rights laws. At the same time, treaty body findings and special procedures' reports expressed alarm over discrimination and incitement to hatred against Muslim communities, while also highlighting restrictions, discrimination and incitement affecting other religious minorities worldwide.

Communication. In a December 2009 letter [A/HRC/13/G/3] to the High Commissioner, the Organization of the Islamic Conference (oic) transmitted the second report of the oic Observatory on Islamophobia as a contribution to the implementation of resolution 64/156.

Human Rights Council action. On 25 March [A/65/53 (res. 13/16)], by a recorded vote of 20 to 17, with 8 abstentions, the Council urged States to provide adequate protection against acts of hatred, discrimination, intimidation and coercion resulting from defamation of religions and incitement to religious hatred; called on States to ensure that religious places, sites, shrines and symbols were fully respected and protected; and welcomed the OHCHR plan to hold a series of expert workshops to examine legislation, judicial practices and national policies in different regions. It requested the Rapporteur on contemporary forms of racism, discrimination, xenophobia and related intolerance to report on all manifestations of defamation of religions, in particular on the implications of Islamophobia, for the enjoyment of all rights by their followers, to the Council's fifteenth (2010) session (see p. 670).

On 30 September [A/HRC/15/60], the members of the Human Rights Council, by a statement of its President, condemned instances of religious intolerance, prejudice and related discrimination and violence, which continued to occur in all parts of the world.

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third Committee [A/65/456/Add.2], adopted **resolution 65/224** by recorded vote (79-67-40) [agenda item 68 (b)].

Combating defamation of religions

The General Assembly,

Reaffirming the pledge made by all States, under the Charter of the United Nations, to promote and encourage universal respect for and observance of all human rights and fundamental freedoms without distinction as to race, sex, language or religion,

Recalling the relevant international instruments on the elimination of discrimination, in particular the International Convention on the Elimination of All Forms of Racial Discrimination, the International Covenant on Civil

and Political Rights, the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, the Declaration on the Human Rights of Individuals Who are not Nationals of the Country in which They Live and the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities,

Reaffirming that all human rights are universal, indivisible, interdependent and interrelated,

Recalling the relevant resolutions of the Commission on Human Rights and the Human Rights Council in this regard,

Welcoming the resolve expressed in the United Nations Millennium Declaration, adopted by the General Assembly on 8 September 2000, to take measures to eliminate the increasing acts of racism and xenophobia in many societies and to promote greater harmony and tolerance in all societies, and looking forward to its effective implementation at all levels,

Underlining, in this regard, the importance of the Durban Declaration and Programme of Action adopted by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa, from 31 August to 8 September 2001, and the outcome document of the Durban Review Conference, held in Geneva from 20 to 24 April 2009,

Expressing serious concern at the increase in racist violence and xenophobic ideas in many parts of the world, in political circles, in the sphere of public opinion and in society at large, as a result, inter alia, of the resurgence of activities of political parties and associations established on the basis of racist, xenophobic and ideological superiority platforms and charters, and the persistent use of those platforms and charters to promote or incite racist ideologies,

Deeply alarmed at the rising trends towards discrimination based on religion or belief, including in some national policies, laws and administrative measures that stigmatize groups of people belonging to certain religions and beliefs under a variety of pretexts relating to security and irregular immigration, thereby legitimizing discrimination against them and consequently impairing their enjoyment of the right to freedom of thought, conscience and religion and impeding their ability to observe, practise and manifest their religion freely and without fear of coercion, violence or reprisal, and, in this context, emphasizing the importance of article 27 of the International Covenant on Civil and Political Rights,

Noting with deep concern the serious instances of intolerance, discrimination and acts of violence based on religion or belief, intimidation and coercion motivated by extremism, religious or otherwise, occurring in many parts of the world, including cases motivated by Islamophobia, Judeophobia and Christianophobia, in addition to the negative projection of certain religions in the media and the introduction and enforcement of laws and administrative measures that specifically discriminate against and target persons with certain ethnic and religious backgrounds, particularly Muslim minorities, and that threaten to impede their full enjoyment of human rights and fundamental freedoms,

Stressing that vilification of religions is a serious affront to human dignity leading to the illicit restriction of the freedom of religion of their adherents and incitement to religious hatred and violence,

Stressing also the need to effectively combat vilification of religions, and incitement to religious hatred in general,

Reaffirming that discrimination on the grounds of religion or belief constitutes a violation of human rights and a disavowal of the principles of the Charter,

Noting with concern that vilification of religions, and incitement to religious hatred in general, could lead to social disharmony and violations of human rights, and alarmed at the inaction of some States to combat this burgeoning trend and the resulting discriminatory practices against adherents of certain religions,

Taking note of the reports of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance submitted to the Human Rights Council at its fourth, sixth, ninth and twelfth sessions, in which the Special Rapporteur highlighted the serious nature of the defamation of all religions and the need to complement legal strategies, and reiterating the call of the Special Rapporteur to all States to wage a systematic campaign against incitement to racial and religious hatred by maintaining a careful balance between the defence of secularism and respect for freedom of religion and by acknowledging and respecting the complementarity of all the freedoms embodied in internationally agreed human rights instruments, including the International Covenant on Civil and Political Rights,

Recalling the proclamation of the Global Agenda for Dialogue among Civilizations, and inviting States, the organizations and bodies of the United Nations system, within existing resources, other international and regional organizations and civil society to contribute to the implementation of the Programme of Action contained in the Global Agenda,

Welcoming the efforts of the United Nations Alliance of Civilizations initiative in promoting mutual respect and understanding among different cultures and societies, including its first forum, held in Spain in 2008, its second forum, held in Turkey in 2009, its third forum, held in Brazil in 2010, and its fourth forum, to be held in Qatar in 2011,

Convinced that respect for cultural, ethnic, religious and linguistic diversity, as well as dialogue among and within civilizations, is essential for global peace and understanding, while manifestations of cultural and ethnic prejudice, religious intolerance and xenophobia generate hatred and violence among peoples and nations,

Noting the various regional and national initiatives to combat religious and racial intolerance against specific groups and communities, and emphasizing, in this context, the need to adopt a comprehensive and non-discriminatory approach to ensure respect for all races and religions, as well as various regional and national initiatives,

Underlining the important role of education in the promotion of tolerance, which involves acceptance by the public of, and its respect for, diversity, including with regard to religious expression, and underlining also the fact that education should contribute in a meaningful way to promoting tolerance and the elimination of discrimination based on religion or belief,

Emphasizing that States, regional organizations, non-governmental organizations, religious bodies and the media have an important role to play in promoting tolerance and respect for and freedom of religion and belief,

Welcoming, in this regard, all international and regional initiatives aimed at promoting cross-cultural and interfaith harmony, including the international dialogue on interfaith cooperation, the World Conference on Dialogue, held in Madrid from 16 to 18 July 2008, and the high-level meeting of the General Assembly on the culture of peace, held on 12 and 13 November 2008, and their valuable efforts towards the promotion of a culture of peace and dialogue at all levels, and taking note with appreciation of the programmes led by the United Nations Educational, Scientific and Cultural Organization in this regard,

Underlining the importance of increasing contacts at all levels in order to deepen dialogue and reinforce understanding among different cultures, religions, beliefs and civilizations, and in this regard taking note with appreciation of the Declaration and Programme of Action adopted by the Ministerial Meeting on Human Rights and Cultural Diversity of the Movement of Non-Aligned Countries, held in Tehran on 3 and 4 September 2007,

Recognizing the importance of the intersection of religion and race and that instances can arise of multiple or aggravated forms of discrimination on the basis of religion and other grounds, such as race, colour, descent or national or ethnic origin,

Recalling its resolution 64/156 of 18 December 2009 and Human Rights Council resolution 13/16 of 25 March 2010,

1. *Takes note* of the report of the Secretary-General;
2. *Expresses deep concern* at the negative stereotyping of religions and manifestations of intolerance and discrimination in matters of religion or belief still evident in the world;
3. *Strongly deplores* all acts of psychological and physical violence and assaults, and incitement thereto, against persons on the basis of their religion or belief, and such acts directed against their businesses, properties, cultural centres and places of worship, as well as the targeting and desecration of holy books, holy sites and religious symbols of all religions;
4. *Expresses deep concern* at the programmes and agendas pursued by extremist organizations and groups aimed at creating and perpetuating stereotypes about certain religions, in particular when condoned by Governments;
5. *Notes with deep concern* the intensification of the overall campaign of vilification of religions, and incitement to religious hatred in general, including the ethnic and religious profiling of religious minorities;
6. *Recognizes* that, in the context of the fight against terrorism, vilification of religions, and incitement to religious hatred in general, become aggravating factors that contribute to the denial of fundamental rights and freedoms of members of target groups, as well as to their economic and social exclusion;
7. *Expresses deep concern*, in this respect, that Islam is frequently and wrongly associated with human rights violations and terrorism;
8. *Reiterates* the commitment of all States to the implementation, in an integrated manner, of the United Nations Global Counter-Terrorism Strategy, which was adopted without a vote by the General Assembly on 8 September 2006, and reaffirmed by the Assembly in its resolutions 62/272 of 5 September 2008 and 64/297 of 8 September 2010, which clearly confirms, inter alia, that terrorism cannot and should not be associated with any religion, na-

tionality, civilization or ethnic group, stressing the need to reinforce the commitment of the international community to promote a culture of peace, justice and human development, ethnic, national and religious tolerance and respect for all religions, religious values, beliefs or cultures and prevent the vilification of religions;

9. *Deplores* the use of the print, audio-visual and electronic media, including the Internet, and any other means to incite acts of violence, xenophobia or related intolerance and discrimination against any religion, as well as the targeting and desecration of holy books, holy sites, places of worship and religious symbols of all religions;

10. *Emphasizes* that, as stipulated in international human rights law, everyone has the right to hold opinions without interference and has the right to freedom of expression, the exercise of which carries with it special duties and responsibilities and may therefore be subject to limitations as are provided for by law and are necessary for respect of the rights or reputations of others, protection of national security or of public order, public health or morals;

11. *Reaffirms* that general recommendation XV(42) of the Committee on the Elimination of Racial Discrimination, in which the Committee stipulated that the prohibition of the dissemination of all ideas based upon racial superiority or hatred is compatible with freedom of opinion and expression, is equally applicable to the question of incitement to religious hatred;

12. *Notes* the work undertaken by the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression in accordance with their mandates as defined by the Human Rights Council in its resolutions 7/34 and 7/36 of 28 March 2008;

13. *Strongly condemns* all manifestations and acts of racism, racial discrimination, xenophobia and related intolerance against national or ethnic, religious and linguistic minorities and migrants and the stereotypes often applied to them, including on the basis of religion or belief, and urges all States to apply and, where applicable, reinforce existing laws when such xenophobic or intolerant acts, manifestations or expressions occur in order to eradicate impunity for those who commit xenophobic and racist acts;

14. *Calls upon* all States to adopt necessary measures, including by adopting legislation, according to their international obligations, to prohibit the advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence, and encourages States, in their follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, to include aspects relating to national or ethnic, religious and linguistic minorities in their national plans of action and in this context to take forms of multiple discrimination against minorities fully into account;

15. *Invites* all States to put into practice the provisions of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief;

16. *Urges* all States to provide, within their respective legal and constitutional systems, adequate protection against acts of hatred, discrimination, intimidation and

coercion resulting from vilification of religions, and incitement to religious hatred in general;

17. *Also urges* all States to take all possible measures to promote tolerance and respect for all religions and beliefs and the understanding of their value systems and to complement legal systems with intellectual and moral strategies to combat religious hatred and intolerance;

18. *Recognizes* that the open, constructive and respectful debate of ideas, as well as interfaith and intercultural dialogue at the local, national and international levels, can play a positive role in combating religious hatred, incitement and violence;

19. *Welcomes* the recent steps taken by Member States to protect freedom of religion through the enactment or strengthening of domestic frameworks and legislation to prevent the vilification of religions and the negative stereotyping of religious groups;

20. *Urges* all States to ensure that all public officials, including members of law enforcement bodies, the military, civil servants and educators, in the course of their official duties, respect people regardless of their different religions and beliefs and do not discriminate against persons on the grounds of their religion or belief, and that any necessary and appropriate education or training is provided;

21. *Underlines* the need to combat vilification of religions, and incitement to religious hatred in general, by strategizing and harmonizing actions at the local, national, regional and international levels through education and awareness-raising, and urges all States to ensure equal access to education for all, in law and in practice, including access to free primary education for all children, both girls and boys, and access for adults to lifelong learning and education based on respect for human rights, diversity and tolerance, without discrimination of any kind, and to refrain from any legal or other measures leading to racial segregation in access to schooling;

22. *Calls upon* all States to exert the utmost efforts, in accordance with their national legislation and in conformity with international human rights and humanitarian law, to ensure that places of worship, religious places, sites and shrines and religious symbols are fully respected and protected, and to take additional measures in cases where they are vulnerable to desecration or destruction;

23. *Calls upon* the international community to foster a global dialogue to promote a culture of tolerance and peace at all levels, based on respect for human rights and diversity of religion and belief, and urges States, non-governmental organizations, religious leaders and bodies and the print and electronic media to support and foster such a dialogue;

24. *Affirms* that the Human Rights Council shall promote universal respect for all religious and cultural values and address instances of intolerance, discrimination and incitement of hatred against members of any community or adherents of any religion, as well as the means to consolidate international efforts in order to combat impunity for such deplorable acts;

25. *Welcomes* the statement made by the President of the Human Rights Council of 30 September 2010 on behalf of all the members of the Council condemning the recent instances of religious intolerance, prejudice and related discrimination and violence, which continue to occur in all parts of the world;

26. *Also welcomes* the initiative of the United Nations High Commissioner for Human Rights on the expert seminar on freedom of expression and advocacy of religious hatred that constitutes incitement to discrimination, hostility or violence, held on 2 and 3 October 2008, and requests the High Commissioner to continue to build on this initiative, with a view to concretely contributing to the prevention and elimination of all such forms of incitement and the consequences of negative stereotyping of religions or beliefs, and their adherents, on the human rights of those individuals and their communities;

27. *Notes* the efforts of the High Commissioner to promote and include human rights aspects in educational programmes, particularly the World Programme for Human Rights Education proclaimed by the General Assembly on 10 December 2004, and calls upon the High Commissioner to continue those efforts, with particular focus on:

(a) The contributions of cultures, as well as religious and cultural diversity;

(b) Collaboration with other relevant bodies of the United Nations system and regional and international organizations in holding joint conferences designed to encourage dialogue among civilizations and promote understanding of the universality of human rights and their implementation at various levels, in particular the Office of the United Nations High Representative for the Alliance of Civilizations, the United Nations Educational, Scientific and Cultural Organization and the unit within the Secretariat mandated to interact with various entities within the United Nations system and coordinate their contribution to the intergovernmental process;

28. *Requests* the Secretary-General to submit a report to the General Assembly at its sixty-sixth session on the implementation of the present resolution, including the correlation between defamation of religions and the intersection of religion and race, the upsurge in incitement, intolerance and hatred in many parts of the world and steps taken by States to combat this phenomenon.

RECORDED VOTE ON RESOLUTION 65/224:

In favour: Afghanistan, Algeria, Angola, Azerbaijan, Bahrain, Bangladesh, Belarus, Belize, Bolivia, Brunei Darussalam, Burkina Faso, Cambodia, Central African Republic, China, Comoros, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Egypt, El Salvador, Eritrea, Ethiopia, Gabon, Gambia, Guinea, Guinea-Bissau, Guyana, Haiti, Indonesia, Iran, Iraq, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Mauritania, Morocco, Mozambique, Myanmar, Namibia, Nicaragua, Niger, Nigeria, Oman, Pakistan, Philippines, Qatar, Russian Federation, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Tunisia, Turkey, Turkmenistan, Uganda, United Arab Emirates, Uzbekistan, Venezuela, Viet Nam, Yemen, Zimbabwe.

Against: Andorra, Argentina, Australia, Austria, Bahamas, Barbados, Belgium, Bulgaria, Canada, Chile, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mexico, Micronesia, Monaco, Montenegro, Nauru, Netherlands, New Zealand, Norway, Palau, Panama, Papua New Guinea, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Lucia, Samoa, San Ma-

rino, Serbia, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, Ukraine, United Kingdom, United States, Uruguay, Vanuatu, Zambia.

Abstaining: Albania, Antigua and Barbuda, Armenia, Benin, Bhutan, Bosnia and Herzegovina, Botswana, Brazil, Burundi, Cameroon, Cape Verde, Colombia, Congo, Costa Rica, Democratic Republic of the Congo, Dominica, Ecuador, Ghana, Grenada, Guatemala, Honduras, India, Jamaica, Japan, Kenya, Lesotho, Liberia, Malawi, Mauritius, Mongolia, Nepal, Paraguay, Peru, Rwanda, Saint Kitts and Nevis, Sao Tome and Principe, Togo, Trinidad and Tobago, Tuvalu, United Republic of Tanzania.

Right to self-determination

Report of Secretary-General. In response to General Assembly resolution 64/149 [YUN 2009, p. 680], the Secretary-General in August submitted a report [A/65/286] on the question of the universal realization of the right of peoples to self-determination. The report summarized developments relating to the consideration of that subject by the Human Rights Council and outlined the jurisprudence of the Human Rights Committee and the Committee on Economic, Social and Cultural Rights on the treaty-based human rights norms relating to the realization of that right. A reference to the International Court of Justice advisory opinion on the legality of Kosovo's unilateral declaration of independence, adopted on 17 February 2008, was also included (see p. 1286).

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third Committee [A/65/455], adopted **resolution 65/201** without vote [agenda item 67].

Universal realization of the right of peoples to self-determination

The General Assembly,

Reaffirming the importance, for the effective guarantee and observance of human rights, of the universal realization of the right of peoples to self-determination enshrined in the Charter of the United Nations and embodied in the International Covenants on Human Rights, as well as in the Declaration on the Granting of Independence to Colonial Countries and Peoples contained in General Assembly resolution 1514(XV) of 14 December 1960,

Welcoming the progressive exercise of the right to self-determination by peoples under colonial, foreign or alien occupation and their emergence into sovereign statehood and independence,

Deeply concerned at the continuation of acts or threats of foreign military intervention and occupation that are threatening to suppress, or have already suppressed, the right to self-determination of peoples and nations,

Expressing grave concern that, as a consequence of the persistence of such actions, millions of people have been and are being uprooted from their homes as refugees and

displaced persons, and emphasizing the urgent need for concerted international action to alleviate their condition,

Recalling the relevant resolutions regarding the violation of the right of peoples to self-determination and other human rights as a result of foreign military intervention, aggression and occupation, adopted by the Commission on Human Rights at its sixty-first and previous sessions,

Reaffirming its previous resolutions on the universal realization of the right of peoples to self-determination, including resolution 64/149 of 18 December 2009,

Reaffirming also its resolution 55/2 of 8 September 2000, containing the United Nations Millennium Declaration, and recalling its resolution 60/1 of 16 September 2005, containing the 2005 World Summit Outcome, which, inter alia, upheld the right to self-determination of peoples under colonial domination and foreign occupation,

Taking note of the report of the Secretary-General on the right of peoples to self-determination,

1. *Reaffirms* that the universal realization of the right of all peoples, including those under colonial, foreign and alien domination, to self-determination is a fundamental condition for the effective guarantee and observance of human rights and for the preservation and promotion of such rights;

2. *Declares its firm opposition* to acts of foreign military intervention, aggression and occupation, since these have resulted in the suppression of the right of peoples to self-determination and other human rights in certain parts of the world;

3. *Calls upon* those States responsible to cease immediately their military intervention in and occupation of foreign countries and territories and all acts of repression, discrimination, exploitation and maltreatment, in particular the brutal and inhuman methods reportedly employed for the execution of those acts against the peoples concerned;

4. *Deplores* the plight of millions of refugees and displaced persons who have been uprooted as a result of the aforementioned acts, and reaffirms their right to return to their homes voluntarily in safety and with honour;

5. *Requests* the Human Rights Council to continue to give special attention to violations of human rights, especially the right to self-determination, resulting from foreign military intervention, aggression or occupation;

6. *Requests* the Secretary-General to report on the question to the General Assembly at its sixty-sixth session under the item entitled "Right of peoples to self-determination".

Right of Palestinians

During the year, the General Assembly reaffirmed the right of the Palestinian people to self-determination, including the right to their independent State of Palestine, as well as the right of all States in the region to live in peace within secure and internationally recognized borders. States and UN system bodies were urged to assist Palestinians in the early realization of the right.

Human Rights Council action. On 24 March [A/65/53 (res. 13/6)], by a recorded vote of 45 to 1, with no abstentions, the Council urged Member States and UN system bodies to support and assist the Palestinian people in the early realization of their right to self-determination.

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third Committee [A/65/455], adopted **resolution 65/202** by recorded vote (177-6-4) [agenda item 67].

The right of the Palestinian people to self-determination

The General Assembly,

Aware that the development of friendly relations among nations, based on respect for the principle of equal rights and self-determination of peoples, is among the purposes and principles of the United Nations, as defined in the Charter,

Recalling, in this regard, its resolution 2625(XXV) of 24 October 1970 entitled "Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations",

Bearing in mind the International Covenants on Human Rights, the Universal Declaration of Human Rights, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Vienna Declaration and Programme of Action adopted at the World Conference on Human Rights on 25 June 1993,

Recalling the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations,

Recalling also the United Nations Millennium Declaration,

Recalling further the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, and noting in particular the reply of the Court, including on the right of peoples to self-determination, which is a right *erga omnes*,

Recalling the conclusion of the Court, in its advisory opinion of 9 July 2004, that the construction of the wall by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, along with measures previously taken, severely impedes the right of the Palestinian people to self-determination,

Expressing the urgent need for the resumption and accelerated advancement of negotiations within the Middle East peace process, based on the relevant United Nations resolutions, the Madrid terms of reference, including the principle of land for peace, the Arab Peace Initiative and the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict, and for the speedy achievement of a just, lasting and comprehensive peace settlement between the Palestinian and Israeli sides,

Stressing the need for respect for and preservation of the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory, including East Jerusalem, and recalling in this regard its resolution 58/292 of 6 May 2004,

Recalling its resolution 64/150 of 18 December 2009,

Affirming the right of all States in the region to live in peace within secure and internationally recognized borders,

1. *Reaffirms* the right of the Palestinian people to self-determination, including the right to their independent State of Palestine;

2. *Urges* all States and the specialized agencies and organizations of the United Nations system to continue to support and assist the Palestinian people in the early realization of their right to self-determination.

RECORDED VOTE ON RESOLUTION 65/202:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, Marshall Islands, Micronesia, Nauru, Palau, United States.

Abstaining: Cameroon, Canada, Democratic Republic of the Congo, Tonga.

Mercenaries

Reports of Working Group. In a July report [A/HRC/15/25], the five-member Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination described activities undertaken since its last report [YUN 2009, p. 682] and progress achieved in elaborating a possible draft convention on private military and security companies (PMSCs). The report summarized the rationale for the Working Group's proposals on a new legal instrument on PMSCs, its scope of application and its content. The Working Group recommended that Member States consider the draft proposal annexed to the report, and that the Human Rights Council establish an inter-governmental open-ended working group to develop a new convention. It also pointed out that the aim of a new legal instrument was not the outright banning of PMSCs, but the establishment of minimum international standards for States parties to regulate the activities of PMSCs and their personnel.

An addendum [A/HRC/15/25/Add.1] summarized 19 communications sent to 15 Governments between 16 December 2008 and 25 July 2010 and 9 Government replies received between 1 February 2009 and 25 August 2010.

The Working Group also reported on the regional consultation for Africa (Addis Ababa, Ethiopia, 3–4 March) [A/HRC/15/25/Add.5] and for Western Europe and Others Group (Geneva, 14 April) [A/HRC/15/25/Add.6]. Through those consultations, the Working Group sought to gain a regional perspective on practices related to mercenaries and PMSCs registered, operating or recruiting personnel in those regions.

In response to a Human Rights Commission request [YUN 2005, p. 788], the Secretary-General in August [A/65/325] transmitted the Working Group's report, which addressed the challenges stemming from the use of PMSCs and their impact on the enjoyment of human rights. The report discussed the trend towards increasing privatization of security and its underlying consequences and a growing dependency of some States on PMSCs. The report also reviewed the UN policy vis-à-vis the use of private security contractors and progress achieved in elaborating a possible draft convention on PMSCs. The main elements of a draft were contained in the annex for consideration by Member States. The Working Group recommended that all Member States contribute to the Council's open-ended working group tasked with elaborating the new convention (see below), if such a mechanism was established.

Mission reports. After its visit to Equatorial Guinea (16–20 August) [A/HRC/18/32/Add.2], the Working Group recommended that the Government provide full information regarding the armed attack on the presidential palace by alleged mercenaries in 2009 and make available to the public all judgements in the criminal cases relating to the attack; consider developing legislation to criminalize mercenarism and mercenary-related acts; ensure that anyone accused of involvement in a mercenary-related incident be tried by a competent, independent and impartial tribunal; evaluate the need for PMSCs for army or police training; and adopt legislation to regulate the activities of PMSCs.

After its mission to South Africa (10–19 November) [A/HRC/18/32/Add.3], the Working Group recommended that the Government publicly release more information on the activities of the National Conventional Arms Control Committee (NCACC)—the State authority responsible for authorizing the provision of foreign military assistance, in particular on the applications submitted by PMSCs to NCACC, their processing and the decisions taken; allocate resources to investigate and prosecute companies operating abroad without the required authorizations; ensure the effective implementation of the Regulation of Foreign Military Assistance Act of 1998 and establish a mechanism for

regular monitoring; consider the establishment of accountability mechanisms for PMSCs; and ensure that potential victims of human rights violations involving PMSCs be given access to effective remedies.

Human Rights Council action. On 30 September [A/65/53/Add.1 (res. 15/12)], the Council, by a recorded vote of 31 to 13, with 2 abstentions, requested States to exercise vigilance against any kind of recruitment, training, hiring or financing of mercenaries by private companies offering international military consultancy and security services; requested OHCHR to publicize the adverse effects of the activities of mercenaries and private companies offering such services; renewed the mandate of the Working Group for three years; and requested the Working Group to report on implementation of the resolution at the sixty-sixth (2011) session of the General Assembly and at the eighteenth (2011) session of the Human Rights Council.

On 1 October [res. 15/26], the Council, by a recorded vote of 32 to 12, with 3 abstentions, took note of the principles and main elements of the proposed draft convention on PMSCs; established an open-ended intergovernmental working group to consider the possibility of elaborating an international regulatory framework, including the option of elaborating a legally binding instrument; and decided that the working group would hold a session of five working days a year for a period of two years, with the first session taking place by May 2011, and would present its recommendations at the Council's twenty-first (2012) session.

International Convention

The number of States parties to the 1989 International Convention against the Recruitment, Use, Financing and Training of Mercenaries remained at 32 as at 31 December. The Convention was adopted by the General Assembly in resolution 44/34 [YUN 1989, p. 825], and entered into force in 2001 [YUN 2001, p. 632].

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third Committee [A/65/455], adopted **resolution 65/203** by recorded vote (127-52-5) [agenda item 67].

Use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination

The General Assembly,

Recalling all of its previous resolutions on the subject, including resolution 64/151 of 18 December 2009, and Human Rights Council resolutions 15/12 of 30 September 2010 and 15/26 of 1 October 2010, as well as all resolutions adopted by the Commission on Human Rights in this regard,

Recalling also all of its relevant resolutions in which, inter alia, it condemned any State that permitted or tolerated the recruitment, financing, training, assembly, transit or use of mercenaries with the objective of overthrowing the Governments of States Members of the United Nations, especially those of developing countries, or of fighting against national liberation movements, and recalling further the relevant resolutions and international instruments adopted by the General Assembly, the Security Council, the Economic and Social Council and the Organization of African Unity, inter alia, the Organization of African Unity Convention for the elimination of mercenarism in Africa, as well as by the African Union,

Reaffirming the purposes and principles enshrined in the Charter of the United Nations concerning the strict observance of the principles of sovereign equality, political independence, the territorial integrity of States, the self-determination of peoples, the non-use of force or of the threat of use of force in international relations and non-interference in affairs within the domestic jurisdiction of States,

Reaffirming also that, by virtue of the principle of self-determination, all peoples have the right freely to determine their political status and to pursue their economic, social and cultural development and that every State has the duty to respect this right in accordance with the provisions of the Charter,

Reaffirming further the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,

Welcoming the establishment of the open-ended intergovernmental Working Group of the Human Rights Council with the mandate of considering the possibility of elaborating an international regulatory framework, including the option of elaborating a legally binding instrument on the regulation, monitoring and oversight of the activities of private military and security companies,

Alarmed and concerned at the danger that the activities of mercenaries constitute to peace and security in developing countries, in particular in Africa and in small States,

Deeply concerned at the loss of life, the substantial damage to property and the negative effects on the policy and economies of affected countries resulting from criminal mercenary activities,

Extremely alarmed and concerned about recent mercenary activities in some developing countries in various parts of the world, including in areas of armed conflict, and the threat they pose to the integrity of and respect for the constitutional order of the affected countries,

Convinced that, notwithstanding the way in which they are used or the form that they take to acquire some semblance of legitimacy, mercenaries or mercenary-related activities are a threat to peace, security and the self-determination of peoples and an obstacle to the enjoyment of all human rights by peoples,

1. *Takes note with appreciation* of the report of the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, and expresses its appreciation for the work of the experts of the Working Group;

2. *Reaffirms* that the use of mercenaries and their recruitment, financing and training are causes for grave concern to all States and violate the purposes and principles enshrined in the Charter of the United Nations;

3. *Recognizes* that armed conflict, terrorism, arms trafficking and covert operations by third Powers, inter alia, encourage the demand for mercenaries on the global market;

4. *Urges once again* all States to take the steps necessary and to exercise the utmost vigilance against the menace posed by the activities of mercenaries and to take legislative measures to ensure that their territories and other territories under their control, as well as their nationals, are not used for the recruitment, assembly, financing, training, protection or transit of mercenaries for the planning of activities designed to impede the right of peoples to self-determination, to destabilize or overthrow the Government of any State or to dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States conducting themselves in compliance with the right of peoples to self-determination;

5. *Requests* all States to exercise the utmost vigilance against any kind of recruitment, training, hiring or financing of mercenaries by private companies offering international military consultancy and security services, as well as to impose a specific ban on such companies intervening in armed conflicts or actions to destabilize constitutional regimes;

6. *Encourages* States that import the military assistance, consultancy and security services provided by private companies to establish regulatory national mechanisms for the registering and licensing of those companies in order to ensure that imported services provided by those private companies neither impede the enjoyment of human rights nor violate human rights in the recipient country;

7. *Emphasizes* its utmost concern about the impact of the activities of private military and security companies on the enjoyment of human rights, in particular when operating in armed conflicts, and notes that private military and security companies and their personnel are rarely held accountable for violations of human rights;

8. *Calls upon* all States that have not yet done so to consider taking the action necessary to accede to or ratify the International Convention against the Recruitment, Use, Financing and Training of Mercenaries;

9. *Welcomes* the cooperation extended by those countries that received a visit by the Working Group and the adoption by some States of national legislation that restricts the recruitment, assembly, financing, training and transit of mercenaries;

10. *Condemns* recent mercenary activities in developing countries in various parts of the world, in particular in areas of conflict, and the threat they pose to the integrity of and respect for the constitutional order of those countries and the exercise of the right of their peoples to self-determination, and stresses the importance for the Working Group of looking into sources and root causes, as well as the political motivations of mercenaries and for mercenary-related activities;

11. *Calls upon* States to investigate the possibility of mercenary involvement whenever and wherever criminal acts of a terrorist nature occur and to bring to trial those found responsible or to consider their extradition, if so requested, in accordance with domestic law and applicable bilateral or international treaties;

12. *Condemns* any form of impunity granted to perpetrators of mercenary activities and to those responsible for the use, recruitment, financing and training of mercenaries, and urges all States, in accordance with their ob-

ligations under international law, to bring them, without distinction, to justice;

13. *Calls upon* Member States, in accordance with their obligations under international law, to cooperate with and assist the judicial prosecution of those accused of mercenary activities in transparent, open and fair trials;

14. *Requests* the Working Group to continue the work already done by the previous Special Rapporteurs on the strengthening of the international legal framework for the prevention and sanction of the recruitment, use, financing and training of mercenaries, taking into account the proposal for a new legal definition of a mercenary drafted by the Special Rapporteur in his report to the Commission on Human Rights at its sixtieth session, including the elaboration and presentation of concrete proposals on possible complementary and new standards aimed at filling existing gaps, as well as general guidelines or basic principles encouraging the further protection of human rights, in particular the right of peoples to self-determination, while facing current and emergent threats posed by mercenaries or mercenary-related activities;

15. *Requests* the Office of the United Nations High Commissioner for Human Rights, as a matter of priority, to publicize the adverse effects of the activities of mercenaries on the right of peoples to self-determination and, when requested and where necessary, to render advisory services to States that are affected by those activities;

16. *Expresses its appreciation* to the Office of the High Commissioner for its support for the holding of the five regional governmental consultations on traditional and new forms of mercenary activities as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, in particular regarding the effects of the activities of private military and security companies on the enjoyment of human rights;

17. *Notes with appreciation* the work of the Working Group on the elaboration of concrete principles on the regulation of private companies offering military assistance, consultancy and other military security-related services on the international market, which it carried out after country visits and through the process of regional consultations, and in consultation with academics and intergovernmental and non-governmental organizations, and also notes its work on the draft convention on the regulation, monitoring and oversight of private military and security companies for consideration by Member States;

18. *Encourages* Member States to carefully consider the proposal of the Working Group for a possible new international legal instrument regulating private military and security companies, and recommends to all Member States, including those confronted with the phenomenon of private military and security companies, as contracting States, States of operations, home States or States whose nationals are employed to work for a private military and security company, to contribute to the work of the open-ended intergovernmental Working Group of the Human Rights Council with the mandate of considering the possibility of elaborating an international regulatory framework, including the option of elaborating a legally binding instrument on the regulation, monitoring and oversight of the activities of private military and security companies,

taking into account the initial work done by the Working Group on the use of mercenaries;

19. *Urges* all States to cooperate fully with the Working Group in the fulfilment of its mandate;

20. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide the Working Group with all the assistance and support necessary for the fulfilment of its mandate, both professional and financial, including through the promotion of cooperation between the Working Group and other components of the United Nations system that deal with countering mercenary-related activities, in order to meet the demands of its current and future activities;

21. *Requests* the Working Group to consult States and intergovernmental and non-governmental organizations in the implementation of the present resolution and to report, with specific recommendations, to the General Assembly at its sixty-sixth session its findings on the use of mercenaries to undermine the enjoyment of all human rights and to impede the exercise of the right of peoples to self-determination;

22. *Decides* to consider at its sixty-sixth session the question of the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination under the item entitled "Right of peoples to self-determination".

RECORDED VOTE ON RESOLUTION 65/203:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Comoros, Congo, Costa Rica, Cuba, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia, Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Sweden, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom, United States.

Abstaining: Colombia, Fiji, Mexico, Switzerland, Tonga.

Rule of law, democracy and human rights

Administration of justice

Report of Secretary-General. Pursuant to a request by the Human Rights Council [YUN 2009, p. 685], the Secretary-General in April submitted a report [A/HRC/14/34] on human rights in the administration of justice, highlighting the crucial role that human rights protection played in ensuring a fair and efficient administration of justice system and that justice mechanisms played in ensuring respect for human rights. Implementation of existing standards remained one of the greatest concerns. The work of the treaty bodies and special procedures also underscored ongoing lack of implementation of State obligations to ensure the independence of the judiciary, the prohibition on torture, the right to legal representation in criminal matters and the presumption of bail over the use of pretrial detention.

Report of High Commissioner. Pursuant to a Council request [YUN 2009, p. 685], the High Commissioner in April [A/HRC/14/35] submitted a report on human rights in the administration of justice, including juvenile justice, based on information provided by Member States. The report identified common approaches reported by Member States, including the grounding of national administration of justice regimes in human rights standards, the detention of children only as an approach of last resort, the possibility of diversion of juvenile cases from the regular court system, a focus on building a comprehensive national approach to juvenile justice, and the importance of a functioning legal aid system.

An addendum issued in June [A/HRC/14/35/Add.1] provided additional information from 21 Member States.

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third Committee [A/65/456/Add.2], adopted **resolution 65/213** without vote [agenda item 68 (b)].

Human rights in the administration of justice

The General Assembly,

Bearing in mind the principles embodied in articles 3, 5, 8, 9 and 10 of the Universal Declaration of Human Rights and the relevant provisions of the International Covenant on Civil and Political Rights and the Optional Protocols thereto, in particular articles 6 and 10 of the Covenant, as well as all other relevant international treaties,

Recalling all the resolutions of the General Assembly, the Human Rights Council, the Commission on Human Rights and the Economic and Social Council that are rel-

evant to the subject of human rights in the administration of justice, including General Assembly resolutions 60/159 of 16 December 2005 and 62/158 of 18 December 2007, Human Rights Council resolution 10/2 of 25 March 2009 and Economic and Social Council resolution 2009/26 of 30 July 2009,

Calling attention to the numerous international standards in the field of the administration of justice,

Welcoming the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) as a recent development recommended for due consideration,

Welcoming also the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World, adopted at the Twelfth United Nations Congress on Crime Prevention and Criminal Justice, held in Salvador, Brazil, from 12 to 19 April 2010,

Acknowledging the efforts made by the Secretary-General to improve the coordination of United Nations activities in the field of the administration of justice, the rule of law and juvenile justice,

Noting with appreciation the important work on the administration of justice of the United Nations Office on Drugs and Crime, the Office of the United Nations High Commissioner for Human Rights and the United Nations Children's Fund,

Noting with satisfaction the work of the Interagency Panel on Juvenile Justice and of its members, in particular their coordination in providing technical advice and assistance in juvenile justice, and the active participation of civil society in their respective work,

Convinced that the independence and impartiality of the judiciary and the integrity of the judicial system as well as an independent legal profession are essential prerequisites for the protection of human rights, the rule of law, good governance and democracy, as well as for ensuring that there is no discrimination in the administration of justice, and should therefore be respected in all circumstances,

Recalling that every State should provide an effective framework of remedies to redress human rights grievances or violations,

Emphasizing that the right to access to justice for all forms an important basis for strengthening the rule of law through the administration of justice,

Mindful of the importance of ensuring respect for the rule of law and human rights in the administration of justice as a crucial contribution to building peace and justice and ending impunity,

Aware of the need for special vigilance with regard to the specific situation of children, juveniles and women in the administration of justice, in particular while they are deprived of their liberty, and their vulnerability to various forms of violence, abuse, injustice and humiliation,

Reaffirming that the best interests of the child shall be a primary consideration in all decisions concerning the child in the administration of justice, including in relation to pre-trial measures, as well as being an important consideration in all matters concerning the child related to sentencing of his or her parents, or, where applicable, legal guardians or primary caregivers,

1. *Takes note with appreciation* of the most recent report submitted by the Secretary-General to the Human Rights Council on human rights in the administration of justice, including juvenile justice, emphasizing, inter alia, that the administration of justice extends beyond the criminal justice system to other means of administering justice;

2. *Reaffirms* the importance of the full and effective implementation of all United Nations standards on human rights in the administration of justice;

3. *Reiterates its call* to all Member States to spare no effort in providing for effective legislative and other mechanisms and procedures, as well as adequate resources, to ensure the full implementation of those standards;

4. *Invites* States to make use of technical assistance offered by the relevant United Nations programmes in order to strengthen national capacities and infrastructures in the field of the administration of justice;

5. *Appeals* to Governments to include in their national development plans the administration of justice as an integral part of the development process and to allocate adequate resources for the provision of legal aid services with a view to promoting and protecting human rights, and invites the international community to respond favourably to requests for financial and technical assistance for the enhancement and strengthening of the administration of justice;

6. *Stresses* the special need for national capacity-building in the field of the administration of justice, in particular through reform of the judiciary, the police and the penal system, as well as juvenile justice reform, in order to establish and maintain stable societies and the rule of law in post-conflict situations, and in this context welcomes the role of the Office of the United Nations High Commissioner for Human Rights in supporting the establishment and functioning of transitional justice mechanisms in post-conflict situations;

7. *Affirms* that States must ensure that any measure taken to combat terrorism, including in the administration of justice, complies with their obligations under international law, in particular international human rights, refugee and humanitarian law;

8. *Notes with appreciation* the decision to establish an open-ended intergovernmental expert group to exchange information on best practices, as well as on national legislation and existing international law, and on the revision of existing United Nations standard minimum rules for the treatment of prisoners so that they reflect recent advances in correctional science and best practices, with a view to making recommendations to the Commission on Crime Prevention and Criminal Justice on possible next steps, and in this regard invites the expert group to benefit from the expertise of the United Nations Office on Drugs and Crime and also of the Office of the United Nations High Commissioner for Human Rights and other relevant stakeholders;

9. *Encourages* States to endeavour to reduce, where appropriate, pretrial detention, inter alia, by adopting legislative and administrative measures and policies on its preconditions, limitations, duration and alternatives and by taking measures aimed at the implementation of existing legislation, as well as by ensuring access to justice and legal advice and assistance;

10. *Also encourages* States to pay due attention to the United Nations Rules for the Treatment of Women Pris-

oners and Non-custodial Measures for Women Offenders (the Bangkok Rules) when developing and implementing relevant legislation, procedures, policies and action plans, and invites relevant special procedure mandate holders, the Office of the United Nations High Commissioner for Human Rights, the United Nations Office on Drugs and Crime and all other relevant organizations to take these rules into consideration in their activities;

11. *Stresses* the importance of paying greater attention to the impact of the imprisonment of parents on their children, while noting with interest the upcoming day of general discussion on the theme "The situation of children of prisoners", to be organized in 2011 by the Committee on the Rights of the Child;

12. *Calls upon* States to identify and promote good practices in relation to the needs and physical, emotional, social and psychological development of babies and children affected by parental detention and imprisonment, and emphasizes that, when sentencing or deciding on pretrial measures for a pregnant woman or a child's sole or primary caregiver, appropriate priority should be given to non-custodial measures, bearing in mind the gravity of the offence and after taking into account the best interests of the child;

13. *Recognizes* that every child and juvenile in conflict with the law must be treated in a manner consistent with his or her rights, dignity and needs, in accordance with international law, bearing in mind relevant international standards on human rights in the administration of justice, and calls upon States parties to the Convention on the Rights of the Child to abide strictly by its principles and provisions;

14. *Encourages* States that have not yet integrated children's issues into their overall rule of law efforts to do so, and to develop and implement a comprehensive juvenile justice policy to prevent and address juvenile delinquency, as well as with a view to promoting, inter alia, the use of alternative measures, such as diversion and restorative justice, and complying with the principle that deprivation of liberty of children should be used only as a measure of last resort and for the shortest appropriate period of time, as well as to avoid, wherever possible, the use of pretrial detention for children;

15. *Stresses* the importance of including rehabilitation and reintegration strategies for former child offenders in juvenile justice policies, in particular through education programmes, with a view to their assuming a constructive role in society;

16. *Urges* States to ensure that, under their legislation and practice, neither capital punishment nor life imprisonment without the possibility of release is imposed for offences committed by persons under 18 years of age;

17. *Encourages* States to collect relevant information concerning children within their criminal justice systems so as to improve their administration of justice, while being mindful of the children's right to privacy, with full respect for relevant international human rights instruments, and bearing in mind applicable international standards on human rights in the administration of justice;

18. *Calls upon* States to consider establishing independent national or subnational mechanisms to contribute to monitoring and safeguarding the rights of children, including children within their criminal justice systems, and to address children's concerns;

19. *Invites* Governments to provide for tailored and interdisciplinary training, including anti-racist, multicultural and gender-sensitive training, in human rights in the administration of justice, including juvenile justice, to all judges, lawyers, prosecutors, social workers, immigration and police officers and other professionals concerned, including personnel deployed in international field presences;

20. *Encourages* the regional commissions, the specialized agencies, United Nations institutes active in the areas of human rights and crime prevention and criminal justice, and other relevant parts of the United Nations system, as well as intergovernmental and non-governmental organizations, including national professional associations concerned with promoting United Nations standards in this field, and other segments of civil society, including the media, to continue to develop their activities in promoting human rights in the administration of justice;

21. *Invites* States, upon their request, to benefit from technical advice and assistance in juvenile justice provided by the relevant United Nations agencies and programmes, in particular the Interagency Panel on Juvenile Justice, in order to strengthen national capacities and infrastructures in the field of the administration of justice, in particular juvenile justice;

22. *Invites* the Human Rights Council and the Commission on Crime Prevention and Criminal Justice, as well as the Office of the United Nations High Commissioner for Human Rights and the United Nations Office on Drugs and Crime, to closely coordinate their activities relating to the administration of justice;

23. *Invites* the Office of the United Nations High Commissioner for Human Rights and the United Nations Office on Drugs and Crime to reinforce, within their respective mandates, their activities relating to national capacity-building in the field of the administration of justice, in particular in post-conflict situations, and in this context to cooperate with relevant departments of the Secretariat, including the Peacebuilding Support Office, the Department of Political Affairs and the Department of Peacekeeping Operations;

24. *Underlines* the importance of rebuilding and strengthening structures for the administration of justice and of respecting the rule of law and human rights, including in post-conflict situations, as a crucial contribution to building peace and justice and ending impunity, and in this respect requests the Secretary-General to ensure system-wide coordination and coherence of programmes and activities of the relevant parts of the United Nations system, including through the Rule of Law Coordination and Resource Group, and in cooperation with the Peacebuilding Commission, including assistance provided through United Nations field presences;

25. *Invites* relevant special procedure mandate holders of the Human Rights Council to give special attention to questions relating to the effective protection of human rights in the administration of justice, including juvenile justice, and to provide, wherever appropriate, specific recommendations in this regard, including proposals for advisory services and technical assistance measures;

26. *Requests* the Secretary-General to submit to the General Assembly at its sixty-seventh session a report on the latest developments, challenges and good practices in hu-

man rights in the administration of justice, as well as the activities undertaken by the United Nations system as a whole;

27. *Decides* to continue its consideration of the question of human rights in the administration of justice at its sixty-seventh session under the item entitled "Promotion and protection of human rights".

Right to the truth

Report of High Commissioner. Pursuant to a Human Rights Council request [YUN 2009, p. 685], the High Commissioner in July [A/HRC/15/33] submitted a report on the right to the truth that reviewed international legal provisions on States' obligations to protect witnesses, victims and others, as well as relevant judicial practice and jurisprudence; discussed national and international witness protection measures and programmes; explained the key elements for establishing effective programmes; and addressed good practices and standards. The report concluded that too few examples existed of national witness protection programmes relating to investigation and prosecution of gross human rights violations. Witness protection measures should be consistent with the principle of the right to fair trial and an integral part of the justice sector strategy. States were urged to develop comprehensive witness protection programmes covering all types of crimes, as well as programmes protecting witnesses of grave human rights violations.

Human Rights Council action. On 17 June [A/65/53 (res. 14/7)], the Council recommended that the General Assembly proclaim 24 March the International Day for the Right to the Truth concerning Gross Human Rights Violations and for the Dignity of Victims. The Council recognized the human rights work of Monsignor Oscar Arnulfo Romero [YUN 1980, p. 828], of El Salvador, whose dedication to the service of humanity in the context of armed conflict led to his death on 24 March 1980.

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third Committee [A/65/451], adopted **resolution 65/196** without vote [agenda item 63].

Proclamation of 24 March as the International Day for the Right to the Truth concerning Gross Human Rights Violations and for the Dignity of Victims

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and other relevant instruments of international human rights law and international humanitarian law, as well as the Vienna Declaration and Programme of Action,

Recognizing the universality, indivisibility, interdependence and interrelatedness of civil, political, economic, social and cultural rights,

Recalling articles 32 and 33 of Additional Protocol I to the Geneva Conventions of 12 August 1949 and article 24, paragraph 2, of the International Convention for the Protection of All Persons from Enforced Disappearance, adopted by the General Assembly in its resolution 61/177 of 20 December 2006, according to which each victim has the right to know the truth regarding the circumstances of the enforced disappearance, the progress and results of the investigation and the fate of the disappeared person,

Taking into account the right to the truth as defined in Commission on Human Rights resolution 2005/66 of 20 April 2005 and Human Rights Council decision 2/105 of 27 November 2006 and resolutions 9/11 of 24 September 2008 and 12/12 of 1 October 2009 on the right to the truth,

Welcoming Human Rights Council resolution 14/7 of 17 June 2010 entitled “Proclamation of 24 March as the International Day for the Right to the Truth concerning Gross Human Rights Violations and for the Dignity of Victims”,

Acknowledging the reports of the Office of the United Nations High Commissioner for Human Rights and the significant conclusions therein related to the right to the truth,

Recognizing the importance of promoting the memory of victims of gross and systematic human rights violations and the importance of the right to truth and justice,

Acknowledging, at the same time, the significance of paying tribute to those who have devoted their lives to, and lost their lives in, the struggle to promote and protect human rights for all,

Recognizing in particular the important and valuable work of Monsignor Oscar Arnulfo Romero, of El Salvador, who was actively engaged in the promotion and protection of human rights in his country, and whose work was acknowledged internationally through his messages, in which he denounced violations of the human rights of the most vulnerable populations,

Recognizing the values of Monsignor Romero and his dedication to the service of humanity, in the context of armed conflicts, as a humanist dedicated to defending human rights, protecting lives and promoting human dignity, his constant calls to dialogue and his opposition to all forms of violence to avoid armed confrontation, which consequently led to his death on 24 March 1980,

1. *Proclaims* 24 March the International Day for the Right to the Truth concerning Gross Human Rights Violations and for the Dignity of Victims;

2. *Invites* all Member States, organizations of the United Nations system and other international organizations and civil society entities, including non-governmental organizations and individuals, to observe the International Day in an appropriate manner;

3. *Requests* the Secretary-General to report to the General Assembly at its sixty-sixth session on the implementation of the present resolution.

Independence of judges and lawyers

Reports of Special Rapporteur. In a report [A/HRC/14/26] issued in April, the Special Rapporteur on the independence of judges and lawyers, Gabri-

ela Carina Knaul de Albuquerque e Silva (Brazil), reported on her activities between August 2009 and February 2010 and examined the need for continuing education in international human rights law for magistrates, judges, prosecutors, public defenders and lawyers. She noted the gap between the continuing human rights legal education offered to judges and lawyers and the outcomes obtained with regard to the application of international human rights law in specific domestic cases. She recommended a global thematic study to assess the human rights education and continuing training of those law practitioners, which would provide the scientific basis for an international conference on how best to provide legal human rights education and training; the creation of an international database giving States access to technical assistance, best practices and case law; and measures to strengthen the legal education and capacity-building of law practitioners.

An addendum of 18 June [A/HRC/14/26/Add.1] summarized 106 communications sent to 47 governmental authorities between 16 March 2009 and 15 March 2010 and replies received between 1 May 2009 and 10 May 2010.

As requested by the Human Rights Council [YUN 2008, p. 801], the Secretary-General in August [A/65/274] transmitted to the General Assembly the interim report of the Special Rapporteur, which addressed the need for a strong judiciary as a fundamental tool in the fight against impunity. She said that States should assure the protection of all judicial actors against attacks, threats and acts of intimidation or reprisals, identified judicial corruption as a factor contributing to impunity, and emphasized the need for efficient witness protection programmes to combat impunity. To counter judicial corruption, systems for allocating cases to judges should be transparent. The Rapporteur called on States to develop a human rights-based approach when developing an impunity strategy, to cooperate fully with the international tribunals, in particular with the International Criminal Court, and to implement in full their decisions and resolutions, as well as their arrest warrants. For their part, the tribunals should constitute a model in terms of due process and the rights of detainees to a fair trial.

The General Assembly took note of that report on 21 December (**decision 65/536**).

Mission reports. Following her visit to Mexico (1–15 October) [A/HRC/17/30/Add.3], the Special Rapporteur stated that as the country was confronted with escalating violence, primarily on the part of groups linked to organized crime, it was essential to have a sound, independent and effective judiciary, and to protect court officials from threats and intimidation. A major challenge for the justice system was the issue of impunity, which was linked not only to structural

shortcomings in criminal investigations, but also to widespread corruption, particularly at the state and municipal levels. The legal institution of preventive custody (*arraigo*) was incompatible with the principle of the presumption of innocence and the right to liberty and should be expunged. There was a lack of uniformity in the requirements for admission to the bar, and no independent oversight body to uphold the quality, integrity, ethics and good repute of the legal profession. She recommended that the Office of the Public Defender be made independent of the executive branch in all the federative entities and that the Government address the issue of access to justice, particularly for indigenous peoples and women.

During her mission to Mozambique (26 August–3 September and 6–10 December) [A/HRC/17/30/Add.2], the Special Rapporteur examined factors affecting the independence of the judiciary and the conditions for ensuring the free and independent exercise of the legal profession, such as the participation of the judiciary in deciding on its budget; court fees; salaries; and the assignment of cases. The Rapporteur made recommendations on strengthening the judicial system and ensuring the independence and integrity of magistrates and judges, the impartiality of prosecutors and the free exercise of the legal profession.

Human Rights Council action. On 29 September [A/65/53/Add.1 (res. 15/3)], the Council encouraged States to take into consideration principles and individual and institutional parameters for guaranteeing the independence of the judiciary and the free and independent functioning of lawyers and the legal profession. It called on States to protect judges, lawyers and prosecutors and their families against violence, threats, retaliation and harassment. The Council also requested the Rapporteur to carry out a global thematic study to assess human rights education and continuing training of judges, prosecutors, public defenders and lawyers, with recommendations for appropriate follow-up, to be presented at the Council's twentieth (2012) session.

Right to a nationality

Report of Secretary-General. A report [A/HRC/13/34] of the Secretary-General submitted pursuant to a request of the Human Rights Council [YUN 2009, p. 689] recalled the legal framework applicable to the right to nationality and addressed the prohibition of arbitrary deprivation of nationality. The report emphasized that States had an obligation to implement the principle of non-discrimination, in particular when deciding on issues relating to the acquisition and retention of a nationality; recalled the general obligation of States to prevent statelessness; and addressed the question of the right to a nation-

ality and arbitrary deprivation of nationality in the context of State succession.

Human Rights Council action. On 24 March [A/65/53 (res. 13/2)], the Council called on States to refrain from taking discriminatory measures and from maintaining legislation that would arbitrarily deprive persons of their nationality on grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, especially if such measures and legislation rendered a person stateless. The Council urged States to adopt legislation with a view to avoiding statelessness, in particular by preventing arbitrary deprivation of nationality and statelessness as a result of State succession. It also requested the Secretary-General to prepare a report on the impact that arbitrary deprivation of nationality may have on the enjoyment of persons of their human rights and to present it to the Council's nineteenth (2012) session.

Freedom of expression

Reports of Special Rapporteur. Pursuant to a Human Rights Council request [YUN 2008, p. 814], the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Frank La Rue (Guatemala), in April submitted his second annual report [A/HRC/14/23], detailing his activities between March 2009 and March 2010. The Rapporteur addressed four themes: general considerations on the freedom of opinion and expression; freedom of expression for groups in need of particular attention and the role of freedom of expression in combating discrimination; permissible restrictions and limitations on freedom of expression; and protection of journalists and freedom of the press. The Rapporteur made recommendations concerning those subjects.

An addendum [A/HRC/14/23/Add.1] summarized 304 communications sent to 84 Governments between 1 January 2009 and 19 March 2010 and replies received between 16 May 2009 and 14 May 2010. Of the 304 communications, 284 were signed jointly with other special procedures mandate holders.

In March [A/HRC/14/23/Add.2], the Rapporteur transmitted the joint declaration "Ten key challenges to freedom of expression in the next decade", adopted on 3 February by the four rapporteurs holding mandates regarding freedom of expression—the others being the Organization for Security and Cooperation in Europe Representative on Freedom of the Media, the Organization of American States Special Rapporteur on Freedom of Expression and the African Commission on Human and Peoples' Rights Special Rapporteur on Freedom of Expression and Access to Information.

In August [A/65/284], pursuant to a Human Rights Council request [YUN 2009, p. 702], the Secretary-General transmitted the first report of the Special Rapporteur to the General Assembly. The Rapporteur outlined his activities; examined trends regarding violence against journalists worldwide and the obligation of States to guarantee their protection; explored trends regarding violence against journalists in situations of armed conflict and the protection afforded to them under international humanitarian and human rights law; and shed light on difficulties faced by “citizen journalists” and identified State obligations to ensure their protection. The Rapporteur made recommendations to enhance the protection of journalists and citizen journalists in both conflict and non-conflict situations.

The General Assembly took note of that report on 21 December (**decision 65/536**).

Mission reports. Following his visit to the Republic of Korea (6–17 May) [A/HRC/17/27/Add.2 & Corr.1], the Special Rapporteur focused on issues of concern: defamation, freedom of opinion and expression on the Internet, freedom of opinion and expression before elections, freedom of opinion and expression of public officials, freedom of assembly, restrictions on freedom of expression on the basis of national security, independence of the media, and the National Human Rights Commission. The Rapporteur expressed his concern about increased restrictions on individuals’ right to freedom of opinion and expression, primarily due to an increasing number of prosecutions, based on laws that often were not in conformity with international standards, and the harassment of individuals who expressed views not in agreement with the Government’s position. The Rapporteur made recommendations on each of the main issues to fully guarantee the right of all individuals to express diverse opinions, which would further consolidate the country’s democratic foundations.

Following his mission to Mexico (9–24 August) [A/HRC/17/27/Add.3], jointly with the Special Rapporteur for Freedom of Expression of the Inter-American Commission on Human Rights, the UN Special Rapporteur described a situation of violence and impunity, exemplified by the fact that few of the 66 cases of journalists murdered between 2000 and December 2010 had been solved, 12 journalists had been disappeared between 2005 and December 2010, and 18 attacks on media outlets had occurred in the past five years. The Rapporteur recommended the establishment of a national mechanism for the protection of journalists, which would be implemented through a high-level inter-institutional committee; be headed by a federal authority; be able to coordinate among the various authorities and levels of government; have sufficient resources; and guarantee the participation

of journalists and civil society organizations in its design, operation and evaluation. He also made recommendations on strengthening the Special Prosecutor’s Office for Crimes against Freedom of Expression in the Attorney General’s Office and local prosecutor’s offices; the adoption of a regulatory framework that offered legal certainty, reduced the concentration of ownership and control of radio and television and helped generate pluralist media accessible to all sectors of the population; the allocation of official government advertising through objective, clear, transparent and non-discriminatory criteria; the amendment of state criminal codes to remove offences that were used to criminalize freedom of expression; and the repeal of the 1917 Print Offences Act, which provided for custodial sentences, and remained in force.

Freedom of association

Establishment of new mandate. On 30 September [A/65/53/Add.1 (res. 15/21)], the Council decided to appoint for a three year-period a special rapporteur on the rights to freedom of peaceful assembly and of association, whose tasks would include reporting on violations of the rights to freedom of peaceful assembly and of association, as well as discrimination, threats or use of violence, harassment, persecution, intimidation or reprisals directed at persons exercising those rights, and drawing the attention of the Council and the High Commissioner to situations of concern. It also requested the rapporteur to submit an annual report to the Council on his or her activities.

Journalists in armed conflict

Human Rights Council action. Alarmed at the large and increasing number of death and injuries among members of the press in armed conflict, the Council on 26 March [A/65/53 (res. 13/24)] decided to convene at its fourteenth (2010) session a panel discussion on the protection of journalists in armed conflict.

OHCHR report. An OHCHR report issued in August [A/HRC/15/54] summarized the panel discussion (Geneva, 4 June). Participants examined the international norms and standards applicable to journalists in armed conflict and made proposals to enhance the protection of journalists.

Civilians in armed conflict

OHCHR report. As requested by the Human Rights Council [YUN 2009, p. 689], an OHCHR report issued in June [A/HRC/14/40] summarized the discussion held during the expert consultation on protecting the human rights of civilians in armed conflict (Geneva, 31

March). At the consultation, attended by 24 Member States, the experts explored how human rights mechanisms, judicial organs and civil society organizations had applied international human rights and international humanitarian law to conflict situations.

Security Council action. By presidential statement **S/PRST/2010/25** of 22 November (see p. 59), the Security Council reaffirmed that parties to armed conflict bore the primary responsibility to ensure the protection of affected civilians.

(For information on the protection of civilians in armed conflict, see p. 58.)

Other issues

Capital punishment

Reports of Secretary-General. Pursuant to Economic and Social Council resolutions 1745(LIV) [YUN 1973, p. 575] and 1995/57 [YUN 1995, p. 747], the Secretary-General submitted his eighth quinquennial report on capital punishment [E/2010/10 & Corr.1], covering the period 2004–2008. At the end of 2008, 95 States had abolished the death penalty, 8 had abolished it for ordinary crimes, 46 had retained it but were de facto abolitionist and 47 had retained it. The report confirmed a marked trend towards abolition and restriction of the use of capital punishment in most countries. Countries that retained the death penalty were, with rare exceptions, significantly reducing its use in terms of numbers of persons executed and the crimes for which it might be imposed. Where capital punishment remained in force, there were serious problems with regard to the respect of international norms and standards, notably in the limitation of the death penalty to the most serious crimes, the exclusion of juvenile offenders from its scope, and guarantees of a fair trial.

The Economic and Social Council took note of that report on 23 July (**decision 2010/258**).

In July [A/HRC/15/19], the Secretary-General reported on developments with regard to the death penalty from 30 June 2009 to 1 July 2010. Angola had abolished the death penalty for all crimes, and Brazil had acceded to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty [YUN 1989, p. 484]. While developments suggested that the trend towards abolition was continuing, any analysis of the application of the death penalty remained difficult due to a lack of transparency by some States in providing information on sentences and executions.

Pursuant to General Assembly resolution 63/168 [YUN 2008, p. 802], the Secretary-General submitted an August report [A/65/280 & Corr.1] on moratoriums on the use of the death penalty, which confirmed the

global trend towards abolition. He recommended that Member States introduce a moratorium; that States not willing to establish a moratorium apply the death penalty only in the case of the most serious crimes; and that the protection of the rights of those facing the death penalty be ensured. In that regard, States had an obligation not to practise the death penalty in secrecy, nor to practice discrimination in its application.

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third Committee [A/65/456/Add.2], adopted **resolution 65/206** by recorded vote (109-41-35) [agenda item 68 (b)].

Moratorium on the use of the death penalty

The General Assembly,

Guided by the purposes and principles contained in the Charter of the United Nations,

Recalling the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child,

Reaffirming its resolutions 62/149 of 18 December 2007 and 63/168 of 18 December 2008 on the question of a moratorium on the use of the death penalty, in which the General Assembly called upon States that still maintain the death penalty to establish a moratorium on executions with a view to abolishing it,

Mindful that any miscarriage or failure of justice in the implementation of the death penalty is irreversible and irreparable,

Convinced that a moratorium on the use of the death penalty contributes to respect for human dignity and to the enhancement and progressive development of human rights, and considering that there is no conclusive evidence of the deterrent value of the death penalty,

Noting ongoing national debates and regional initiatives on the death penalty, as well as the readiness of an increasing number of Member States to make available information on the use of the death penalty,

Noting also the technical cooperation among Member States in relation to moratoriums on the death penalty,

1. *Welcomes* the report of the Secretary-General on the implementation of resolution 63/168 and the recommendations contained therein;

2. *Also welcomes* the steps taken by some countries to reduce the number of offences for which the death penalty may be imposed and the decisions made by an increasing number of States to apply a moratorium on executions, followed in many cases by the abolition of the death penalty;

3. *Calls upon* all States:

(a) To respect international standards that provide safeguards guaranteeing protection of the rights of those facing the death penalty, in particular the minimum standards, as set out in the annex to Economic and Social Council resolution 1984/50 of 25 May 1984, as well as to provide the Secretary-General with information in this regard;

(b) To make available relevant information with regard to their use of the death penalty, which can contribute to possible informed and transparent national debates;

(c) To progressively restrict the use of the death penalty and to reduce the number of offences for which it may be imposed;

(d) To establish a moratorium on executions with a view to abolishing the death penalty;

4. *Calls upon* States which have abolished the death penalty not to reintroduce it, and encourages them to share their experience in this regard;

5. *Requests* the Secretary-General to report to the General Assembly at its sixty-seventh session on the implementation of the present resolution;

6. *Decides* to continue its consideration of the matter at its sixty-seventh session under the item entitled "Promotion and protection of human rights".

RECORDED VOTE ON RESOLUTION 65/206:

In favour: Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Belgium, Bhutan, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, Colombia, Congo, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Gabon, Gambia, Georgia, Germany, Greece, Guatemala, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Kazakhstan, Kiribati, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Maldives, Mali, Malta, Marshall Islands, Mexico, Micronesia, Monaco, Mongolia, Montenegro, Mozambique, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Palau, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Rwanda, Samoa, San Marino, Sao Tome and Principe, Serbia, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Tajikistan, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Turkey, Turkmenistan, Tuvalu, Ukraine, United Kingdom, Uruguay, Uzbekistan, Vanuatu, Venezuela.

Against: Afghanistan, Antigua and Barbuda, Bahamas, Bangladesh, Barbados, Belize, Botswana, Brunei Darussalam, China, Democratic People's Republic of Korea, Egypt, Ethiopia, Grenada, Guyana, India, Indonesia, Iran, Iraq, Jamaica, Japan, Kuwait, Libyan Arab Jamahiriya, Malaysia, Myanmar, Pakistan, Papua New Guinea, Qatar, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Singapore, Sudan, Swaziland, Syrian Arab Republic, Tonga, Trinidad and Tobago, Uganda, United States, Yemen, Zimbabwe.

Abstaining: Bahrain, Belarus, Cameroon, Central African Republic, Comoros, Cuba, Democratic Republic of the Congo, Djibouti, Dominica, Eritrea, Fiji, Ghana, Guinea, Jordan, Kenya, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Malawi, Mauritania, Morocco, Niger, Nigeria, Oman, Republic of Korea, Senegal, Sierra Leone, Solomon Islands, Suriname, Thailand, United Arab Emirates, United Republic of Tanzania, Viet Nam, Zambia.

Disappearance of persons

Working Group activities. The five-member Working Group on Enforced or Involuntary Disappearances held three sessions in 2010: its ninetieth (Geneva, 15–19 March), ninety-first (Sarajevo, Bosnia and Herzegovina, 22–25 June) and ninety-second (Geneva, 3–12 November) [A/HRC/16/48]. In addition to its core mandate to assist families in determining the fate or whereabouts of family members who had

been reportedly disappeared and to act as a communication channel between families and the Government concerned, the Group monitored compliance with the 1992 Declaration on the Protection of All Persons from Enforced Disappearance [YUN 1992, p. 744]. The Group, which in 2010 commemorated its thirtieth anniversary, deplored the fact that enforced disappearances continued to occur all over the world and that tens of thousands of cases remained unclarified, many going back decades. The total number of cases transmitted by the Group to Governments since its inception was 53,337. Cases under active consideration that had not been clarified, closed or discontinued totalled 42,633 concerning 83 States. The Group had clarified 1,814 cases over the past five years. Between 14 November 2009 and 12 November 2010, the Group transmitted 105 new cases of enforced disappearance to 22 Governments. Of those, 50 were sent under the urgent action procedure to 15 Governments. The Group also clarified 70 cases in 16 States. The Group's report summarized information on disappearances relating to 93 countries and the Palestinian Authority.

In 2010, the Group adopted two general comments: on enforced disappearance as a continuous crime and on the right to the truth in relation to enforced disappearance.

Mission report. Following its visit to Bosnia and Herzegovina (14–21 June) [A/HRC/16/48/Add.1], the Group stated that much remained to be done to achieve the right to the truth, to justice and to reparation for the disappeared and their families. Recommendations included the establishment of the Central Records of Missing Persons and of the Fund for Support to the Families of Missing Persons, as provided for in the Law on Missing Persons; the integration of enforced disappearance as an autonomous crime in the criminal legislation; increased support to the work of the Missing Persons Institute and to prosecutors working on exhumations and war crimes prosecutions; the establishment of a national programme on reparations for relatives of victims; and the strengthening of protection and assistance programmes for victims and witnesses.

Human Rights Council action. On 18 June [A/65/53 (res. 14/10)], the Council called on Governments to prevent the occurrence of enforced disappearances, including by abolishing secret places of detention and interrogation. It urged Governments to elucidate the fate of disappeared persons and to ensure that the authorities in charge of investigation and prosecution were provided with adequate means and resources to resolve cases and bring perpetrators to justice. It also encouraged the General Assembly to proclaim 30 August the International Day of the Victims of Enforced Disappearances, and requested

the Working Group to submit a report on best practices on enforced disappearances in domestic criminal legislation to the Council's sixteenth (2011) session.

In accordance with that request, the Group submitted a December report [A/HRC/16/48/Add.3 & Corr.1] containing examples of best practices, legal analyses, and recommendations to assist States in enhancing existing laws and developing new legislation on enforced disappearance.

General Assembly action. By **resolution 65/209** of 21 December (see p. 654), the Assembly declared 30 August the International Day of the Victims of Enforced Disappearances.

Missing persons

Pursuant to a Human Rights Council request [YUN 2009, p. 690], the Human Rights Council Advisory Committee in March submitted a progress report [A/HRC/14/42] on the status of the study on best practices in the matter of missing persons in situations of armed conflict, requested by the Council in 2008 [YUN 2008, p. 796]. The report focused on the international legal obligations of States and parties to an armed conflict relating to the issue of missing persons. In response to a questionnaire transmitted to Governments in November 2009, the Secretariat had received replies from 21 Governments. For the final report, the drafting group would analyse those replies and identify the best practices.

Human Rights Council action. On 17 June [A/65/53 (dec. 14/118)], the Council requested the Committee to finalize the study and submit it to the Council's sixteenth (2011) session.

Report of Secretary-General. Pursuant to General Assembly resolution 63/183 [YUN 2008, p. 796], the Secretary-General in August [A/65/285] submitted a report on missing persons reviewing implementation of the resolution. Information received from 17 States, the International Committee of the Red Cross, the International Commission on Missing Persons and the Argentine Forensic Anthropology Team was grouped under four themes: measures to prevent persons from going missing; the right of families to know; developments in forensic recovery; and the question of impunity. The Secretary-General called on States to adopt measures to prevent persons from going missing, to establish the right to know, to develop forensic science capacity and to counter impunity. As the issue was particularly severe in the context of armed conflict and its aftermath, measures should be taken to minimize the phenomenon, including by establishing processes to locate, identify and repatriate the missing to their families, as well as through the judiciary, parliamentary commissions and truth-seeking mechanisms.

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third Committee [A/65/456/Add.2], adopted **resolution 65/210** without vote [agenda item 68 (b)].

Missing persons

The General Assembly,

Guided by the purposes, principles and provisions of the Charter of the United Nations,

Guided also by the principles and norms of international humanitarian law, in particular the Geneva Conventions of 12 August 1949 and the Additional Protocols thereto, of 1977, as well as international standards of human rights, in particular the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,

Taking duly into account the International Convention for the Protection of All Persons from Enforced Disappearance, adopted by the General Assembly in its resolution 61/177 of 20 December 2006,

Recalling all previous relevant resolutions on missing persons adopted by the General Assembly, as well as the resolutions and decisions adopted by the Commission on Human Rights and the Human Rights Council,

Noting with deep concern that armed conflicts are continuing in various parts of the world, often resulting in serious violations of international humanitarian law and international human rights law,

Noting that the issue of persons reported missing in connection with international or non-international armed conflicts, in particular those who are victims of serious violations of international humanitarian law and international human rights law, continues to have a negative impact on efforts to put an end to those conflicts and inflicts grievous suffering on the families of missing persons, and stressing in this regard the need to address the issue, inter alia, from a humanitarian and rule of law perspective,

Considering that the problem of missing persons may raise questions of international humanitarian law and international human rights law, as appropriate,

Stressing the importance of ending impunity for violations of international humanitarian law and international human rights law with respect to missing persons,

Cognizant that States that are parties to an armed conflict have a responsibility for countering the phenomenon of missing persons, taking all appropriate measures to prevent persons from going missing and determining the fate of missing persons and for recognizing their accountability as regards implementing the relevant mechanisms, policies and laws,

Bearing in mind the effective search for and identification of missing persons using forensic sciences, and recognizing that great technological progress has been made in this field, including DNA forensic analysis, which can significantly assist efforts to identify missing persons and to investigate violations of international humanitarian law and international human rights law,

Recalling the Agenda for Humanitarian Action, in particular its general objective 1, to “respect and restore the dignity of persons missing as a result of armed conflicts or other situations of armed violence and of their families”, adopted at the Twenty-eighth International Conference of the Red Cross and Red Crescent, held in Geneva from 2 to 6 December 2003, and resolution 3 entitled “Reaffirmation and implementation of international humanitarian law: preserving human life and dignity in armed conflict”, adopted at the Thirtieth International Conference of the Red Cross and Red Crescent, held in Geneva from 26 to 30 November 2007,

Noting the panel discussion on the question of missing persons held at the ninth session of the Human Rights Council,

Taking note of the progress report of the Human Rights Council Advisory Committee on best practices on the issue of missing persons, and noting the request of the Human Rights Council to the Advisory Committee to finalize the study on best practices and to submit it to the Council at its sixteenth session,

Taking note with appreciation of the report of the Secretary-General prepared pursuant to General Assembly resolution 63/183 of 18 December 2008,

Noting with appreciation the ongoing international and regional efforts to address the question of missing persons and the initiatives undertaken by international and regional organizations in this field,

1. *Urges* States to strictly observe and to respect and ensure respect for the rules of international humanitarian law, as set out in the Geneva Conventions of 12 August 1949 and, where applicable, in the Additional Protocols thereto, of 1977;

2. *Calls upon* States that are parties to an armed conflict to take all appropriate measures to prevent persons from going missing in connection with the armed conflict, to account for persons reported missing as a result of such a situation and to ensure the effective investigation and prosecution of offences linked to missing persons, consistent with their international obligations;

3. *Reaffirms* the right of families to know the fate of their relatives reported missing in connection with armed conflicts;

4. *Also reaffirms* that each party to an armed conflict, as soon as circumstances permit and, at the latest, from the end of active hostilities, shall search for the persons who have been reported missing by an adverse party;

5. *Calls upon* States that are parties to an armed conflict to take all necessary measures, in a timely manner, to determine the identity and fate of persons reported missing in connection with the armed conflict and, to the greatest extent possible, to provide their family members, through appropriate channels, with all relevant information that they have on their fate;

6. *Recognizes*, in this regard, the need for the collection, protection and management of data on missing persons according to international and national legal norms and standards, and urges States to cooperate with each other and with other concerned actors working in this area, inter alia, by providing all relevant and appropriate information related to missing persons;

7. *Requests* States to pay the utmost attention to cases of children reported missing in connection with armed conflicts and to take appropriate measures to search for and identify those children and to reunite them with their families;

8. *Invites* States that are parties to an armed conflict to cooperate fully with the International Committee of the Red Cross in establishing the fate of missing persons and to adopt a comprehensive approach to this issue, including all such legal and practical measures and coordination mechanisms as may be necessary, based on humanitarian considerations only;

9. *Urges* States that are parties to an armed conflict to cooperate, consistent with their international obligations, in order to effectively solve cases of missing persons, including by providing mutual assistance in terms of information-sharing, victim assistance, location and identification of missing persons and recovery, identification and return of human remains;

10. *Urges* States, and encourages intergovernmental and non-governmental organizations, to take all necessary measures at the national, regional and international levels to address the problem of persons reported missing in connection with armed conflicts and to provide appropriate assistance as requested by the concerned States, and welcomes in this regard the establishment and efforts of commissions and working groups on missing persons;

11. *Calls upon* States, without prejudice to their efforts to determine the fate of persons reported missing in connection with armed conflicts, to take appropriate steps with regard to the legal situation of missing persons and the needs of their family members, in such fields as social welfare, financial matters, family law and property rights;

12. *Stresses* the need to address the issue of missing persons as a part of peace and peacebuilding processes, with reference to all justice and rule of law mechanisms, including the judiciary, parliamentary commissions and truth-finding mechanisms, on the basis of transparency, accountability and public involvement and participation;

13. *Invites* relevant human rights mechanisms and procedures, as appropriate, to address the problem of persons reported missing in connection with armed conflicts in their forthcoming reports to the General Assembly;

14. *Requests* the Secretary-General to submit to the Human Rights Council at its relevant session and to the General Assembly at its sixty-seventh session a comprehensive report on the implementation of the present resolution, including relevant recommendations;

15. *Also requests* the Secretary-General to bring the present resolution to the attention of all Governments, the competent United Nations bodies, the specialized agencies, regional intergovernmental organizations and international humanitarian organizations;

16. *Decides* to consider the question at its sixty-seventh session.

Extralegal executions

Reports of Special Rapporteur. Pursuant to a Human Rights Council request [YUN 2008, p. 803], the Special Rapporteur on extrajudicial, summary or arbitrary executions, Philip Alston (Australia), in May, submitted his final report [A/HRC/14/24] covering his activities in 2009 and early 2010. The report analysed the activities and working methods of the mandate over the previous six years and identified issues for future research. From December 2004 to March 2009, the Rapporteur sent 523 communications to 87

States (in all regions) concerning over 6,250 individuals. The response rate was generally poor. About half of those drew no response at all, while a quarter drew largely satisfactory responses. Of the 15 countries that received most communications, 7 failed to respond to more than 50 per cent of letters sent. The Rapporteur sent 231 urgent appeals, 276 allegation letters and 16 follow-up letters. Most of the letters concerned death penalty cases (over 150 letters), attacks or killings (over 90 letters), and deaths in custody (over 80). The Rapporteur concluded that a paradox emerged from the review of the mandate's impact. In formal terms, the Council only rarely took any specific action, even when serious violations of the prohibition of extrajudicial executions were apparent. Nor did it generally debate the details of country visit reports or troubling communications exchanges. Meanwhile, there was immense reluctance to respond to the persistent failure of certain States to agree to visit requests over a long period of years. If the Council had the political will, it could do more to prevent unlawful killings and to put in place mechanisms for accountability when atrocities did occur. In terms of real impact, however, the broad range of activities undertaken by the mandate pursuant to the Council's authorization had mattered a great deal. Lives had been saved, lethal practices had been abandoned, greater caution had been shown, and awareness of the issues had grown.

An addendum [A/HRC/14/24/Add.1] detailed communications to and from 44 Governments and the Occupied Palestinian Territory between 16 March 2009 and 15 March 2010, replies received between 1 May 2008 and 30 April 2010, and responses to communications sent in earlier years. Further addenda followed up on the Special Rapporteur's recommendations following his 2007 [A/HRC/14/24/Add.4] visit to Brazil [YUN 2007, p. 746] and his 2008 [A/HRC/14/24/Add.5] visit to the Central African Republic [YUN 2008, p. 803], and presented in-depth studies on targeted killings [A/HRC/14/24/Add.6], election-related violence and killings [A/HRC/14/24/Add.7], and police oversight mechanisms and accountability for killings by the police [A/HRC/14/24/Add.8].

In August [A/65/321], pursuant to General Assembly resolution 63/182 [YUN 2008, p. 805], the Secretary-General transmitted the Special Rapporteur's interim report focusing on the relevance of new technologies in tackling extrajudicial executions and the rampant impunity that attached to the phenomenon. The human rights community had failed to take advantage of the opportunities offered by new technologies, whether for fact-finding, monitoring or supervision of States' obligations, and had been slow in coming to grips with the implications of new technologies in areas such as robotics. The Rapporteur examined new technologies and human rights fact-finding; targeted killings

and accountability; and extrajudicial executions and robotic technologies. He recommended creating two expert groups: one to examine the more effective use of emerging information and communication technology for human rights monitoring and protection; and the other to examine steps to ensure that robotic technologies were optimized in terms of their capacity to promote more effective compliance with international human rights and humanitarian law.

Mission reports. Following his visit to the Democratic Republic of the Congo (5–15 October 2009) [A/HRC/14/24/Add.3], the Special Rapporteur pointed out that impunity for all forms of killings was the norm. His investigations focused on political killings in Kinshasa and Bas Congo, killings by rebels and the Congolese army in the Kivus and in Province Orientale, deaths in prisons, incidents of sexual violence leading to death, the killing of accused "witches", the killing of human rights defenders and journalists, and vigilante killings. The Rapporteur recommended six achievable reforms to reduce killings and promote accountability: Government provision of uniforms to soldiers that identified their name and rank as a precondition for UN assistance; the indictment of senior commanders accused of war crimes; vastly improved preventative and protection measures for civilians; the integration of the Republican Guard into the Congolese army; a census of the prison population and the establishment of a budget for each prison; and improvements to UN monitoring and reporting.

The Special Rapporteur's visit to Albania (15–23 February 2010) [A/HRC/17/28/Add.3] focused on extrajudicial executions in the context of blood feuds and domestic violence. The blood feuds involved the premeditated revenge killing of a member of a murder victim's family, committed in order to restore the honour lost as a result of the initial murder. While such killings had decreased, the phenomenon had not been eliminated, and its broader implications had a corrosive effect on society. The most important problems were self-isolation by families fearing a revenge killing, and a continued belief in the legitimacy of collective punishment of a wrongdoer's family members. The Rapporteur recommended that the Government ensure adequate research to address root causes and bolster education. In addition, much remained to be done to address the pervasive domestic violence against women. The Government should also prioritize accountability for past crimes, including cooperation with the investigations into killings that allegedly took place following the Kosovo war, and a full accounting for the thousands of disappearances and deaths during the communist era.

Following his mission to Ecuador (5–15 July) [A/HRC/17/28/Add.2], the Special Rapporteur stated that the country faced major challenges relating to

extrajudicial executions. The homicide rate had skyrocketed over the previous 20 years. The Government had taken significant steps to address the problem of hired killers, but police and prosecutors were often unwilling to undertake serious investigations where the victim had a criminal or police record. The conflict in Colombia had spilled over into northern Ecuador. Illegal armed groups operating at the border had engaged in abuses and killings of civilians, and the armed forces had committed abuses against civilians. Impunity was a cause and aggravator of all types of killings. Police and prosecutors were often poorly trained and resourced. Witnesses did not know about or trust the witness protection programme. The courts were slow and corruption and threats in the criminal justice system were common. Recommendations included the establishment of a high-level expert commission to evaluate the performance of the national police force; adoption of a national strategy to combat hired killings; and follow-up on the work of the Government's Truth Commission, which had examined violations from 1984 to 2008 and had amassed an invaluable amount of information on abuses.

Appointment of new Special Rapporteur. On 18 June the Human Rights Council appointed Christof Heyns (South Africa) as the new Special Rapporteur.

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third Committee [A/65/456/Add.2], adopted **resolution 65/208** by recorded vote (122-1-62) [agenda item 68 (b)].

Extrajudicial, summary or arbitrary executions

The General Assembly,

Recalling the Universal Declaration of Human Rights, which guarantees the right to life, liberty and security of person, the relevant provisions of the International Covenant on Civil and Political Rights and other relevant human rights conventions,

Reaffirming the mandate of the Special Rapporteur of the Human Rights Council on extrajudicial, summary or arbitrary executions, as set out in Council resolution 8/3 of 18 June 2008,

Welcoming the universal ratification of the Geneva Conventions of 12 August 1949, which alongside human rights law provide an important framework of accountability in relation to extrajudicial, summary or arbitrary executions during armed conflict,

Mindful of all its resolutions on the subject of extrajudicial, summary or arbitrary executions and the resolutions of the Commission on Human Rights and of the Human Rights Council on the subject,

Noting with deep concern that impunity continues to be a major cause of the perpetuation of violations of human rights, including extrajudicial, summary or arbitrary executions,

Acknowledging that international human rights law and international humanitarian law are complementary and mutually reinforcing,

Noting with deep concern the growing number of civilians and persons *hors de combat* killed in situations of armed conflict and internal strife,

Acknowledging that extrajudicial, summary or arbitrary executions may under certain circumstances amount to genocide, crimes against humanity or war crimes, as defined in international law, including in the Rome Statute of the International Criminal Court, and recalling in this regard that each individual State has the responsibility to protect its populations from such crimes as set out in General Assembly resolutions 60/1 of 16 September 2005 and 63/308 of 14 September 2009,

Convinced of the need for effective action to prevent, combat and eliminate the abhorrent practice of extrajudicial, summary or arbitrary executions, which represent flagrant violations of human rights or a negative impact on the enjoyment of human rights, particularly the right to life,

1. *Strongly condemns once again* all the extrajudicial, summary or arbitrary executions that continue to occur throughout the world;

2. *Demands* that all States ensure that the practice of extrajudicial, summary or arbitrary executions is brought to an end and that they take effective action to prevent, combat and eliminate the phenomenon in all its forms and manifestations;

3. *Reiterates* the obligation of all States to conduct exhaustive and impartial investigations into all suspected cases of extrajudicial, summary or arbitrary executions, to identify and bring to justice those responsible, while ensuring the right of every person to a fair and public hearing by a competent, independent and impartial tribunal established by law, to grant adequate compensation within a reasonable time to the victims or their families and to adopt all necessary measures, including legal and judicial measures, to put an end to impunity and to prevent the further occurrence of such executions, as recommended in the Principles on the Effective Prevention and Investigation of Extralegal, Arbitrary and Summary Executions;

4. *Calls upon* Governments, and invites intergovernmental and non-governmental organizations, to pay greater attention to the work of national-level commissions of inquiry into extrajudicial, summary or arbitrary executions with a view to ensuring the effective contribution of these commissions to accountability and to combating impunity;

5. *Calls upon* all States, in order to prevent extrajudicial, summary or arbitrary executions, to comply with their obligations under relevant provisions of international human rights instruments, and further calls upon States which retain the death penalty to pay particular regard to the provisions contained in articles 6, 14 and 15 of the International Covenant on Civil and Political Rights and articles 37 and 40 of the Convention on the Rights of the Child, bearing in mind the safeguards and guarantees set out in Economic and Social Council resolutions 1984/50 of 25 May 1984 and 1989/64 of 24 May 1989 and taking into account the recommendations of the Special Rapporteur of the Human Rights Council on extrajudicial, summary or arbitrary executions regarding the need to respect essential procedural guarantees, including the right to seek pardon or commutation of sentence;

6. *Urges* all States:

(a) To take all measures required by international human rights law and international humanitarian law to prevent loss of life, in particular that of children, during public demonstrations, internal and communal violence, civil unrest, public emergencies or armed conflicts and to ensure that the police, law enforcement agents, armed forces and other agents acting on behalf of or with the consent or acquiescence of the State act with restraint and in conformity with international human rights law and international humanitarian law, including the principles of proportionality and necessity, and in this regard to ensure that police and law enforcement officials are guided by the Code of Conduct for Law Enforcement Officials and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials;

(b) To ensure the effective protection of the right to life of all persons under their jurisdiction, to investigate promptly and thoroughly all killings, including those targeted at specific groups of persons, such as racially motivated violence leading to the death of the victim, killings of persons belonging to national or ethnic, religious and linguistic minorities or because of their sexual orientation, killings of persons affected by terrorism or hostage-taking or living under foreign occupation, killings of refugees, internally displaced persons, migrants, street children or members of indigenous communities, killings of persons for reasons related to their activities as human rights defenders, lawyers, journalists or demonstrators, killings committed in the name of passion or in the name of honour, all killings committed for discriminatory reasons on any basis as well as all other cases where a person's right to life has been violated, to bring those responsible to justice before a competent, independent and impartial judiciary at the national or, where appropriate, international level and to ensure that such killings, including those committed by security forces, police and law enforcement agents, paramilitary groups or private forces, are neither condoned nor sanctioned by State officials or personnel;

7. *Affirms* the obligation of States, in order to prevent extrajudicial, summary or arbitrary executions, to protect the lives of all persons deprived of their liberty in all circumstances and to investigate and respond to deaths in custody;

8. *Urges* all States to ensure that persons deprived of their liberty are treated humanely and with full respect for their human rights and that their treatment, including judicial guarantees, and conditions conform to the Standard Minimum Rules for the Treatment of Prisoners and, where applicable, to the Geneva Conventions of 12 August 1949 and the Additional Protocols thereto, of 8 June 1977, in relation to all persons detained in armed conflict, as well as to other pertinent international instruments;

9. *Urges* States to prevent and, where such situations exist, to end prisoner control of prisons, bearing in mind the obligation of the State to protect human rights, including protection against extrajudicial, summary or arbitrary executions;

10. *Welcomes* the International Criminal Court as an important contribution to ending impunity concerning extrajudicial, summary or arbitrary executions, and, noting the growing awareness of the Court worldwide, calls upon those States that are under an obligation to cooperate with the Court to provide such cooperation and assistance in the

future, in particular with regard to arrest and surrender, the provision of evidence, the protection and relocation of victims and witnesses and the enforcement of sentences, further welcomes the fact that one hundred and fourteen States have already ratified or acceded to and one hundred and thirty-nine States have signed the Rome Statute of the Court, and calls upon all those States that have not ratified or acceded to the Rome Statute to give serious consideration to doing so;

11. *Acknowledges* the importance of ensuring the protection of witnesses for the prosecution of those suspected of extrajudicial, summary or arbitrary executions, urges States to intensify efforts to establish and implement effective witness protection programmes or other measures, and in this regard encourages the Office of the United Nations High Commissioner for Human Rights to develop practical tools designed to encourage and facilitate greater attention to the protection of witnesses;

12. *Encourages* Governments and intergovernmental and non-governmental organizations to organize training programmes and to support projects with a view to training or educating military forces, law enforcement officers and government officials in human rights and humanitarian law issues connected with their work and to include a gender and child rights perspective in such training, and appeals to the international community and requests the Office of the High Commissioner to support endeavours to that end;

13. *Expresses its concern* about the occurrence of vigilante killings around the globe, encourages States, in order to support efforts to prevent and end such killings, to undertake or facilitate systematic studies of the phenomenon with a view to taking context-specific measures and focused action, and requests the Office of the High Commissioner and other relevant United Nations entities, upon request, to support such studies and their follow-up;

14. *Notes* the potential of new technologies in the prevention and investigation of extrajudicial, summary or arbitrary executions, encourages the Office of the High Commissioner to consider convening, within existing resources, an expert consultation to discuss the current and potential human rights applications of new technologies and the risks and obstacles relating to their effective use, open to the participation of Governments, regional organizations, relevant United Nations bodies, civil society organizations and other relevant stakeholders, and invites the Office to report on the outcome of the consultation, in the form of a summary of discussions, to the Human Rights Council;

15. *Takes note* of the reports of the Special Rapporteur to the General Assembly;

16. *Commends* the important role that the Special Rapporteur plays towards the elimination of extrajudicial, summary or arbitrary executions, and encourages the Special Rapporteur to continue, within his mandate, to collect information from all concerned, to respond effectively to reliable information that comes before him, to follow up on communications and country visits and to seek the views and comments of Governments and to reflect them, as appropriate, in his reports;

17. *Acknowledges* the important role of the Special Rapporteur in identifying cases where extrajudicial, summary or arbitrary executions could amount to genocide and crimes against humanity or war crimes, and urges the Special Rapporteur to collaborate with the United Nations High Commissioner for Human Rights and, as appropri-

ate, the Special Adviser to the Secretary-General on the Prevention of Genocide in addressing situations of extrajudicial, summary or arbitrary executions that are of particularly serious concern or in which early action might prevent further deterioration;

18. *Welcomes* the cooperation established between the Special Rapporteur and other United Nations mechanisms and procedures in the field of human rights, and encourages the Special Rapporteur to continue efforts in that regard;

19. *Urges* all States, in particular those that have not done so, to cooperate with the Special Rapporteur so that his mandate can be carried out effectively, including by favourably and rapidly responding to requests for visits, mindful that country visits are one of the essential tools for the fulfilment of the mandate of the Special Rapporteur, and by responding in a timely manner to communications and other requests transmitted to them by the Special Rapporteur;

20. *Expresses its appreciation* to those States that have received the Special Rapporteur, asks them to examine his recommendations carefully, invites them to inform him of the actions taken on those recommendations, and requests other States to cooperate in a similar way;

21. *Again requests* the Secretary-General to continue to use his best endeavours in cases where the minimum standards of legal safeguards provided for in articles 6, 9, 14 and 15 of the International Covenant on Civil and Political Rights appear not to have been respected;

22. *Requests* the Secretary-General to provide the Special Rapporteur with adequate human, financial and material resources to enable him to carry out his mandate effectively, including through country visits;

23. *Also requests* the Secretary-General to continue, in close collaboration with the High Commissioner, in conformity with the mandate of the High Commissioner established by the General Assembly in its resolution 48/141 of 20 December 1993, to ensure that personnel specialized in human rights and humanitarian law issues form part of United Nations missions, where appropriate, in order to deal with serious violations of human rights, such as extrajudicial, summary or arbitrary executions;

24. *Requests* the Special Rapporteur to submit to the General Assembly at its sixty-sixth and sixty-seventh sessions a report on the situation worldwide in regard to extrajudicial, summary or arbitrary executions and his recommendations for more effective action to combat this phenomenon;

25. *Decides* to continue its consideration of the question at its sixty-seventh session.

RECORDED VOTE ON RESOLUTION 65/208:

In favour: Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Barbados, Belarus, Belgium, Belize, Bhutan, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Cambodia, Cameroon, Canada, Cape Verde, Chile, Colombia, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Dominica, Dominican Republic, Ecuador, El Salvador, Eritrea, Estonia, Fiji, Finland, France, Gabon, Georgia, Germany, Greece, Grenada, Guatemala, Guyana, Haiti, Honduras, Hungary, Iceland, India, Ireland, Italy, Jamaica, Japan, Kazakhstan, Kenya, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Liechtenstein, Lithuania, Luxembourg, Malawi, Maldives, Malta, Mauritius, Mexico, Micronesia, Monaco, Mongolia, Montenegro, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway,

Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Suriname, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Turkmenistan, Ukraine, United Kingdom, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam.

Against: Saudi Arabia.

Abstaining: Afghanistan, Angola, Bahrain, Bangladesh, Benin, Botswana, Brunei Darussalam, Burkina Faso, Burundi, China, Comoros, Congo, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Egypt, Gambia, Ghana, Guinea, Guinea-Bissau, Indonesia, Iran, Iraq, Israel, Jordan, Kuwait, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mali, Marshall Islands, Mauritania, Morocco, Namibia, Nauru, Nigeria, Oman, Pakistan, Palau, Qatar, Russian Federation, Saint Lucia, Senegal, Sierra Leone, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Tajikistan, Tunisia, Turkey, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, United States, Yemen, Zambia, Zimbabwe.

Torture and cruel treatment

Reports of Special Rapporteur. Pursuant to a Human Rights Council request [YUN 2008, p. 810], the Special Rapporteur on the question of torture, Manfred Nowak (Austria), in February [A/HRC/13/39] reported on his activities between 15 December 2008 and 18 December 2009. He observed that torture remained a global phenomenon practised widely in many countries, the major structural reason being the malfunctioning of the administration of justice and, consequently, the lack of respect for safeguards. Most States parties to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment [YUN 1984, p. 813] had failed to fulfil their obligations, such as criminalizing torture, investigating allegations, prosecuting perpetrators and providing redress for victims. In many countries, conditions of detention in police custody, pretrial detention, other detention facilities and sometimes correctional institutions for convicted prisoners amounted to inhuman or degrading treatment; detainees belonged to the most vulnerable and forgotten sectors of society. Other forms of widespread cruel, inhuman or degrading treatment or punishment included excessive police violence during arrest, in reacting to demonstrations and political gatherings, combating riots and similar law-enforcement activities, and corporal punishment. States also did not live up to the standard of due diligence required by the obligation not to commit torture by acquiescence when combating torture and ill-treatment by private actors, including harmful traditional practices, such as female genital mutilation, domestic violence and human trafficking, notably of women and children. He made recommendations for the establishment of a global fund to assist States in their efforts to reform national criminal justice systems and

for the Human Rights Council to consider drafting a UN convention on the rights of detainees to codify all human rights of persons deprived of liberty.

An addendum [A/HRC/13/39/Add.1 & Corr.1] summarized 70 letters of allegations of torture to 38 Governments and 175 urgent appeals to 59 Governments on behalf of persons who might be at risk of torture or other forms of ill-treatment sent between 15 December 2008 to 18 December 2009, as well as Government responses received up to 31 December 2009.

Further addenda presented a study of the phenomena of torture and cruel, inhuman or degrading treatment or punishment, including an assessment of conditions of detention [A/HRC/13/39/Add.5]; and summarized information provided by Governments and non-governmental sources on the implementation of recommendations made by the Special Rapporteur and his predecessors following visits in 19 countries [A/HRC/13/39/Add.6].

In accordance with General Assembly resolution 64/153 [YUN 2009, p. 693], the Secretary-General in August transmitted the interim report [A/65/273] of the Special Rapporteur addressing issues of special concern to him. He drew the Assembly's attention to his assessment that torture continued to be widely practised in most States, with impunity being one of its root causes. No further standard-setting was required, as the Convention against Torture contained a broad range of State obligations aimed at preventing and combating torture. Unfortunately, most States had not implemented the obligations aimed at combating impunity. If a competent authority established that torture had been committed, the victims should enjoy the right to reparation, including the means for full rehabilitation. States, therefore, had a legal obligation to establish and support rehabilitation centres for victims and to ensure the safety of the staff and patients of such centres. To prevent torture, the Rapporteur called on States to ratify the Optional Protocol to the Convention against Torture [YUN 2002, p. 631] and to establish, in accordance with its provisions, independent national preventive mechanisms tasked with conducting regular and unannounced visits to places of detention.

Mission reports. During his visit to Jamaica (12–21 February) [A/HRC/16/52/Add.3], the Special Rapporteur did not find that torture, in the classical sense of deliberately inflicting severe pain or suffering as a means of extracting a confession or information, constituted a major problem. He did find, however, a general atmosphere of violence and aggression in almost all police stations, as well as discriminatory practices against detainees. The overall conditions at police stations reflected a complete disregard for the dignity of detainees, and detention in such conditions for up to several years amounted to inhuman treatment. The Rapporteur also received consistent allega-

tions that corporal punishment was routinely applied in remand and correctional centres. Torture was not defined in criminal legislation, nor was Jamaica a party to the Convention against Torture. The Rapporteur recommended ratification of the Convention and Optional Protocol by the Government; prompt and thorough ex officio investigations for allegations of ill-treatment or excessive use of force; reduction of the time limits for police custody to 48 hours; the establishment of accessible and effective complaints mechanisms; bringing the Independent Commission of Investigation into force; the removal of children in conflict with the law from adult detention facilities and the establishment of clear guidelines for punishments; and abolishing the death penalty.

During his mission to Papua New Guinea (14–25 May) [A/HRC/16/52/Add.5], the Special Rapporteur found a considerable number of cases where persons were subjected to different degrees of beatings by the police during arrest and as a form of punishment, which might amount to torture. Impunity for torture and ill-treatment was fuelled by the lack of effective complaint mechanisms, independent investigations, monitoring and other safeguards. The Rapporteur found a general atmosphere of violence and neglect in places of detention. He recommended that the Government's highest authorities issue an unambiguous declaration that they would not tolerate torture or ill-treatment by public officials. He urged the Government to ratify the Convention and the Optional Protocol; amend legislation to include the crime of torture with adequate penalties; ensure prompt and thorough ex officio investigations for all allegations and suspicions of ill-treatment or excessive use of force; reduce the time limits for police custody to 48 hours; establish effective complaint mechanisms; and reform the Royal Papua New Guinea Constabulary. He also recommended establishing an OHCHR country presence.

Following his mission to Greece (10–20 October) [A/HRC/16/52/Add.4], the Special Rapporteur pointed out the overwhelming situation faced by law-enforcement officials confronted with a major increase of irregular migrants and refugees, mostly via the land border with Turkey. He had received numerous reports of ill-treatment by police officers, some amounting to torture, but with little forensic evidence to corroborate the allegations. The non-functioning system of police investigation and complaint mechanisms created an environment of powerlessness for victims of abuse and might perpetuate a system of impunity for police violence. The Rapporteur called upon the European Union (EU) and UN agencies to assist the country with its migration burden. He also urged EU member States to suspend all returns under the Dublin II Regulation and to design a fairer system of burden-sharing with respect to receiving irregular migrants and refugees.

Human Rights Council action. On 26 March [A/65/53 (res. 13/19)], the Council emphasized that States must take persistent, determined and effective measures to prevent and combat all acts of torture and other cruel, inhuman or degrading treatment or punishment. It encouraged States to prohibit acts constituting cruel, inhuman or degrading treatment or punishment.

Communication. On 22 February [A/HRC/13/G/15], Kazakhstan submitted its comments on the Special Rapporteur's 2009 mission to the country [YUN 2009, p. 693].

Appointment of Special Rapporteur. On 29 September, the Human Rights Council appointed Juan Ernesto Méndez (Argentina) as the new Special Rapporteur.

Voluntary Fund for torture victims

Report of Secretary-General. In his annual report [A/65/265] to the General Assembly on the status of the United Nations Voluntary Fund for Victims of Torture, the Secretary-General provided information on the recommendations of the Fund's Board of Trustees at its thirty-first [YUN 2009, p. 693] and thirty-second (Geneva, 1–3 February) sessions. At those sessions, the Board made recommendations for grants for 2010 for more than 230 projects carried out by NGOs in over 70 countries, for an amount of \$11,343,072. The High Commissioner for Human Rights approved those recommendations on behalf of the Secretary-General. Contributions from 17 countries and two individuals from 23 October 2009 to 5 August 2010 amounted to \$9,434,321, while pledges from five countries totalled \$7,948,069.

The General Assembly took note of that report on 21 December (**decision 65/536**).

The Secretary-General further reported [A/HRC/16/31] on the Board's thirty-third session (Geneva, 18–22 October), at which the Board made recommendations for allocating in 2011 \$9,525,050 in grants for over 303 projects in more than 70 countries. The High Commissioner approved the recommendations on 22 November on behalf of the Secretary-General. Between 1 January and 25 November, the Fund received \$9,048,6598 in contributions and pledges from 19 countries as well as individuals. Consideration of funding for training and seminars was postponed to the thirty-fourth (2011) session, subject to the availability of resources.

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third Committee [A/65/456/Add.1], adopted **resolution 65/205** without vote [agenda item 68 (a)].

Torture and other cruel, inhuman or degrading treatment or punishment

The General Assembly,

Reaffirming that no one shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment,

Recalling that freedom from torture and other cruel, inhuman or degrading treatment or punishment is a non-derogable right that must be protected under all circumstances, including in times of international or internal armed conflict or disturbance or any other public emergency, that the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment is affirmed in relevant international instruments and that legal and procedural safeguards against such acts must not be subject to measures that would circumvent this right,

Recalling also that the prohibition of torture is a peremptory norm of international law and that international, regional and domestic courts have held the prohibition of cruel, inhuman or degrading treatment or punishment to be customary international law,

Recalling further the definition of torture contained in article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, without prejudice to any international instrument or national legislation which contains or may contain provisions of wider application,

Emphasizing the importance of properly interpreting and implementing the obligations of States with respect to torture and other cruel, inhuman or degrading treatment or punishment and of abiding strictly by the definition of torture contained in article 1 of the Convention,

Noting that, under the Geneva Conventions of 1949, torture and inhuman treatment are a grave breach and that, under the statute of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, the statute of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 and the Rome Statute of the International Criminal Court, acts of torture can constitute crimes against humanity and, when committed in a situation of armed conflict, constitute war crimes,

Emphasizing that the entry into force as soon as possible of the International Convention for the Protection of All Persons from Enforced Disappearance and its implementation will make a significant contribution to the prevention and prohibition of torture, including by prohibiting secret places of detention, and encouraging all States that have not done so to consider signing, ratifying or acceding to the Convention,

Commending the persistent efforts of civil society organizations, including non-governmental organizations, national human rights institutions and the considerable network of centres for the rehabilitation of victims of torture, to prevent and combat torture and to alleviate the suffering of victims of torture,

1. *Condemns* all forms of torture and other cruel, inhuman or degrading treatment or punishment, including through intimidation, which are and shall remain prohibited at any time and in any place whatsoever and can thus never be justified, and calls upon all States to implement fully the absolute and non-derogable prohibition of torture and other cruel, inhuman or degrading treatment or punishment;

2. *Emphasizes* that States must take persistent, determined and effective measures to prevent and combat all acts of torture and other cruel, inhuman or degrading treatment or punishment, stresses that all acts of torture must be made offences under domestic criminal law, and encourages States to prohibit under domestic law acts constituting cruel, inhuman or degrading treatment or punishment;

3. *Welcomes* the establishment of national preventive mechanisms to prevent torture and other cruel, inhuman or degrading treatment or punishment, encourages all States that have not yet done so to establish such mechanisms, and calls upon States parties to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment to fulfil their obligation to designate or establish truly independent and effective national preventive mechanisms for the prevention of torture and other cruel, inhuman or degrading treatment or punishment;

4. *Emphasizes* the importance of States ensuring proper follow-up to the recommendations and conclusions of the relevant treaty bodies and mechanisms, including the Committee against Torture, the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Special Rapporteur of the Human Rights Council on torture and other cruel, inhuman or degrading treatment or punishment;

5. *Condemns* any action or attempt by States or public officials to legalize, authorize or acquiesce in torture and other cruel, inhuman or degrading treatment or punishment under any circumstances, including on grounds of national security or through judicial decisions;

6. *Stresses* that an independent, competent domestic authority must promptly, effectively and impartially investigate all allegations of torture or other cruel, inhuman or degrading treatment or punishment, as well as wherever there is reasonable ground to believe that such an act has been committed, and that those who encourage, order, tolerate or perpetrate such acts must be held responsible, brought to justice and punished in a manner commensurate with the severity of the offence, including the officials in charge of the place of detention where the prohibited act is found to have been committed;

7. *Recalls*, in this respect, the Principles on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (the Istanbul Principles) as a useful tool in efforts to prevent and combat torture and the updated set of principles for the protection and promotion of human rights through action to combat impunity;

8. *Calls upon* all States to implement effective measures to prevent torture and other cruel, inhuman or degrading treatment or punishment, particularly in places of detention and other places where persons are deprived of their liberty, including education and training of personnel who may be involved in the custody, interrogation or treatment

of any individual subjected to any form of arrest, detention or imprisonment;

9. *Urges* States, as an important element in preventing and combating torture and other cruel, inhuman or degrading treatment or punishment, to ensure that no authority or official orders, applies, permits or tolerates any sanction or other prejudice against any person or organization for having been in contact with any national or international monitoring or preventive body active in the prevention and combating of torture and other cruel, inhuman or degrading treatment or punishment;

10. *Calls upon* all States to adopt a gender-sensitive approach in the fight against torture and other cruel, inhuman or degrading treatment or punishment, paying special attention to gender-based violence;

11. *Calls upon* States to ensure that the rights of persons with disabilities, bearing in mind the Convention on the Rights of Persons with Disabilities, are fully integrated into torture prevention and protection, and welcomes the efforts of the Special Rapporteur in this regard;

12. *Encourages* all States to ensure that persons convicted of torture or other cruel, inhuman or degrading treatment or punishment have no subsequent involvement in the custody, interrogation or treatment of any person under arrest, detention, imprisonment or other deprivation of liberty and that persons charged with torture or other cruel, inhuman or degrading treatment or punishment have no involvement in the custody, interrogation or treatment of any person under arrest, detention, imprisonment or other deprivation of liberty while such charges are pending;

13. *Emphasizes* that acts of torture in armed conflict are serious violations of international humanitarian law and in this regard constitute war crimes, that acts of torture can constitute crimes against humanity and that the perpetrators of all acts of torture must be prosecuted and punished;

14. *Strongly urges* States to ensure that no statement that is established to have been made as a result of torture is invoked as evidence in any proceedings, except against a person accused of torture as evidence that the statement was made, calls upon States to consider extending that prohibition to statements made as a result of cruel, inhuman or degrading treatment or punishment, and recognizes that adequate corroboration of statements, including confessions, used as evidence in any proceedings constitutes one safeguard for the prevention of torture and other cruel, inhuman or degrading treatment or punishment;

15. *Stresses* that States must not punish personnel for not obeying orders to commit or conceal acts amounting to torture or other cruel, inhuman or degrading treatment or punishment;

16. *Urges* States not to expel, return (“refouler”), extradite or in any other way transfer a person to another State where there are substantial grounds for believing that the person would be in danger of being subjected to torture, and recognizes that diplomatic assurances, where used, do not release States from their obligations under international human rights, humanitarian and refugee law, in particular the principle of non-refoulement;

17. *Recalls* that, for the purpose of determining whether there are such grounds, the competent authorities shall take into account all relevant considerations, including, where applicable, the existence in the State concerned

of a consistent pattern of gross, flagrant or mass violations of human rights;

18. *Calls upon* States parties to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment to fulfil their obligation to submit for prosecution or extradite those alleged to have committed acts of torture, and encourages other States to do likewise, bearing in mind the need to fight impunity;

19. *Stresses* that national legal systems must ensure that victims of torture or other cruel, inhuman or degrading treatment or punishment obtain redress, are awarded fair and adequate compensation and receive appropriate social, psychological, medical and other relevant specialized rehabilitation, and urges States to establish, maintain, facilitate or support rehabilitation centres or facilities where victims of torture can receive such treatment and where effective measures for ensuring the safety of their staff and patients are taken;

20. *Recalls* its resolution 43/173 of 9 December 1988 on the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, and in this context stresses that ensuring that any individual arrested or detained is promptly brought before a judge or other independent judicial officer in person and permitting prompt and regular medical care and legal counsel as well as visits by family members and independent monitoring mechanisms are effective measures for the prevention of torture and other cruel, inhuman or degrading treatment or punishment;

21. *Reminds* all States that prolonged incommunicado detention or detention in secret places can facilitate the perpetration of torture and other cruel, inhuman or degrading treatment or punishment and can in itself constitute a form of such treatment, and urges all States to respect the safeguards concerning the liberty, security and dignity of the person and to ensure that secret places of detention and interrogation are abolished;

22. *Emphasizes* that conditions of detention must respect the dignity and human rights of detainees, highlights the importance of reflecting on this in efforts to promote respect for and protection of the rights of detainees, and notes in this regard concerns about solitary confinement;

23. *Calls upon* all States to take appropriate effective legislative, administrative, judicial and other measures to prevent and prohibit the production, trade, export and use of equipment that is specifically designed to inflict torture or other cruel, inhuman or degrading treatment or punishment;

24. *Urges* all States that have not yet done so to become parties to the Convention as a matter of priority, and calls upon States parties to give early consideration to signing and ratifying the Optional Protocol to the Convention;

25. *Urges* all States parties to the Convention that have not yet done so to make the declarations provided for in articles 21 and 22 concerning inter-State and individual communications, to consider the possibility of withdrawing their reservations to article 20 and to notify the Secretary-General of their acceptance of the amendments to articles 17 and 18 with a view to enhancing the effectiveness of the Committee as soon as possible;

26. *Urges* States parties to comply strictly with their obligations under the Convention, including, in view of the high number of reports not submitted in time, their

obligation to submit reports in accordance with article 19 of the Convention, and invites States parties to incorporate a gender perspective and information concerning children and juveniles and persons with disabilities when submitting reports to the Committee;

27. *Welcomes* the work of the Committee and its report submitted in accordance with article 24 of the Convention, recommends that the Committee continue to include information on the follow-up by States to its recommendations, and supports the Committee in its intention to further improve the effectiveness of its working methods;

28. *Invites* the Chairs of the Committee and of the Subcommittee to present oral reports on the work of the committees and to engage in an interactive dialogue with the General Assembly at its sixty-sixth session under the sub-item entitled "Implementation of human rights instruments";

29. *Calls upon* the United Nations High Commissioner for Human Rights, in conformity with her mandate established by the General Assembly in its resolution 48/141 of 20 December 1993, to continue to provide, at the request of States, advisory services for the prevention of torture and other cruel, inhuman or degrading treatment or punishment, including for the preparation of national reports to the Committee and for the establishment and operation of national preventive mechanisms, as well as technical assistance for the development, production and distribution of teaching material for this purpose;

30. *Takes note with appreciation* of the interim report of the Special Rapporteur, and encourages the Special Rapporteur to continue to include in his recommendations proposals on the prevention and investigation of torture and other cruel, inhuman or degrading treatment or punishment, including its gender-based manifestations;

31. *Requests* the Special Rapporteur to continue to consider including in his report information on the follow-up by States to his recommendations, visits and communications, including progress made and problems encountered, and on other official contacts;

32. *Calls upon* all States to cooperate with and assist the Special Rapporteur in the performance of his task, to supply all necessary information requested by the Special Rapporteur, to fully and expeditiously respond to and follow up on his urgent appeals, to give serious consideration to responding favourably to requests by the Special Rapporteur to visit their countries and to enter into a constructive dialogue with the Special Rapporteur on requested visits to their countries as well as with respect to the follow-up to his recommendations;

33. *Stresses* the need for the continued regular exchange of views among the Committee, the Subcommittee, the Special Rapporteur and other relevant United Nations mechanisms and bodies, as well as for the pursuance of cooperation with relevant United Nations programmes, notably the United Nations crime prevention and criminal justice programme, with regional organizations and mechanisms, as appropriate, and with civil society organizations, including non-governmental organizations, with a view to enhancing further their effectiveness and cooperation on issues relating to the prevention and eradication of torture, inter alia, by improving their coordination;

34. *Recognizes* the global need for international assistance to victims of torture, stresses the importance of the work of the Board of Trustees of the United Nations Voluntary Fund for Victims of Torture, appeals to all States and organizations to contribute annually to the Fund, preferably with a substantial increase in the level of contributions, and encourages contributions to the Special Fund established by the Optional Protocol to help finance the implementation of the recommendations made by the Subcommittee as well as education programmes of the national preventive mechanisms;

35. *Requests* the Secretary-General to continue to transmit to all States the appeals of the General Assembly for contributions to the Funds and to include the Funds on an annual basis among the programmes for which funds are pledged at the United Nations Pledging Conference for Development Activities;

36. *Also requests* the Secretary-General to submit to the Human Rights Council and to the General Assembly at its sixty-sixth session a report on the operations of the Funds;

37. *Further requests* the Secretary-General to ensure, within the overall budgetary framework of the United Nations, the provision of adequate staff and facilities for the bodies and mechanisms involved in preventing and combating torture and assisting victims of torture or other cruel, inhuman or degrading treatment or punishment, including, in particular, the Committee, the Subcommittee and the Special Rapporteur, commensurate with the strong support expressed by Member States for preventing and combating torture and assisting victims of torture, in order to enable them to discharge their mandates in a comprehensive, sustained and effective manner and taking fully into account the specific nature of their mandates;

38. *Calls upon* all States, the Office of the United Nations High Commissioner for Human Rights and other United Nations bodies and agencies, as well as relevant intergovernmental and civil society organizations, including non-governmental organizations, to commemorate, on 26 June, the United Nations International Day in Support of Victims of Torture;

39. *Decides* to consider at its sixty-sixth session the reports of the Secretary-General, including the report on the United Nations Voluntary Fund for Victims of Torture and the Special Fund established by the Optional Protocol, the report of the Committee against Torture and the interim report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment.

Arbitrary detention

Working Group activities. The five-member Working Group on Arbitrary Detention held its fifty-seventh (3–7 May), fifty-eighth (30 August–3 September) and fifty-ninth (18–26 November) sessions in Geneva [A/HRC/16/47 & Corr.1]. Between 1 January and 30 November, the Group adopted 33 opinions concerning 98 persons in 23 States; the texts of 23 opinions were contained in an addendum [A/HRC/16/47/Add.1 & Corr.1] and 10 in a later addendum [A/HRC/19/57/Add.1]. Between 16 November 2009 and 17 November 2010, the Group transmitted 102 urgent appeals to 56 States concerning 2,826 individuals,

including 50 women and 2 boys. Governments and sources reported that 23 persons were released.

The States informed the Group that they had taken measures to remedy the situation of the detainees: in some cases, the detainees were released; in other cases, the Working Group was assured that the detainees concerned would be guaranteed a fair trial. The Working Group engaged in a continuous dialogue with the countries it visited, in respect of which it recommended changes to domestic legislation governing detention or the adoption of other measures. Information about the implementation of the recommendations made by the Group to the countries visited in 2008 [YUN 2008, pp. 798–799] was received from Ukraine.

In 2010, the Working Group devoted its attention to the application of international human rights law to situations of armed conflict and its impact on the Group's mandate. It also addressed the issue of secret detention in the context of countering terrorism. The Group stressed that Governments should comply with norms of international human rights law protecting individuals against arbitrary detention even during armed conflict. No jurisdiction should allow for individuals to be deprived of their liberty in secret for potentially indefinite periods without the possibility of resorting to legal procedures, including habeas corpus. The Group also raised concerns over reprisals suffered by a judge as well as individuals who were the subject of its urgent appeals or opinions. It reiterated its proposal to the Human Rights Council to expand its mandate to include the examination of conditions of detention around the world, and the monitoring of State compliance with obligations concerning the rights of detained and imprisoned persons.

Joint study. A global joint study into the practice of secret detention [A/HRC/13/42] prepared by the Special Rapporteur on the protection of human rights while countering terrorism, the Special Rapporteur on Torture, the Chair-Rapporteur of the Working Group on Enforced or Involuntary Disappearances and the Vice-Chair of the Working Group on Arbitrary Detention, highlighted examples in 66 States, from all geographical regions, which appeared to have been implicated in secret detention in the context of counter-terrorism (see p. 713).

Mission reports. Following its visit to Malaysia (7–17 June) [A/HRC/16/47/Add.2], the Working Group noted that most prisons met international standards on conditions. The Group observed, however, the relatively long periods accused persons spent in pretrial detention. Police agents often failed to inform detainees about their rights to contact family members and to consult a lawyer. Limited pretrial discovery prevented defendants from defending themselves and prosecution evidence was not consistently made available. The law imposed excessive restrictions on appeals and the

habeas corpus resource was rarely used, and solely for procedural issues. The Group recommended that the Government abrogate four preventive laws hindering human rights guarantees; bring detention under immigration powers in line with international human rights law; and strengthen the National Human Rights Commission.

Following its mission to Armenia (6–15 September) [A/HRC/16/47/Add.3], the Working Group noted the many legislative reforms and initiatives against the occurrences of deprivation of liberty. Greater commitment was needed, however, in implementing those laws, along with systemic changes to improve the practices of the police, prosecution and the judiciary in ensuring that human rights standards were adhered to when a person was deprived of liberty. The Group recommended that the Government: protect the right to due process and the independence of judges and magistrates; make changes to the law and practice on remand and sentencing; and eliminate the use of torture and ill-treatment of people deprived of liberty. The law and practice on remand, in relation to sentencing, had resulted in lengthy detentions that were disproportionate to the crimes of which a person was convicted. Violence during arrest and interrogation also required attention. Criminal procedure reform should regulate the practice of inviting persons as witnesses to police interviews and subsequently considering them as suspects, because of the possibility of non-respect of the maximum term for police detention and potential violations of their rights. The Group also recommended better protection for asylum-seekers, refugees and migrants in an irregular situation.

Human Rights Council action. On 30 September [A/65/53/Add.1 (res. 15/18)], the Council requested the States concerned to take account of the Working Group's views and take steps to remedy the situation of persons arbitrarily deprived of their liberty. Noting that a persistent proportion of the Group's urgent appeals had been left unanswered, the Council urged States to give the necessary attention to those appeals. The Council extended the Group's mandate for a further three-year period and requested OHCHR to organize in 2011 a one-day event to commemorate the twentieth anniversary of the Group's establishment.

Terrorism

Reports of Special Rapporteur. Pursuant to a Human Rights Council request [YUN 2009, p. 698], the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, Martin Scheinin (Finland), reported on his activities from 1 August to 15 December 2009 [A/HRC/13/37]. He highlighted concerns regarding the protection of the right to privacy in the fight against terrorism, including the importance of data

protection, and noted that the erosion of the right to privacy took place through the use of surveillance powers and new technologies, which were used without adequate legal safeguards. States had endangered the protection of the right by not extending safeguards in their cooperation with third countries and private actors. Those measures led to violations of the right to privacy, and had an impact on due process rights and the freedom of movement—especially at borders—and could have a chilling effect on the freedoms of association and of expression. Without a rigorous set of legal safeguards and a means to measure the necessity, proportionality and reasonableness of the interference, States had no guidance on minimizing the risks to privacy generated by their new policies. The Rapporteur identified some of the legal safeguards that had emerged from around the world and made recommendations to legislative assemblies, executive powers and the United Nations to improve the protection of that right in the fight against terrorism.

An addendum [A/HRC/13/37/Add.1] summarized 19 communications and one press release transmitted to 15 Governments in 2009, and 11 replies received from 10 Governments.

In May [A/HRC/14/46], as requested by the Human Rights Council [YUN 2009, p. 698], the Special Rapporteur submitted a compilation of good practices on legal and institutional frameworks and measures that ensured respect for human rights by intelligence agencies while countering terrorism, including on their oversight. The compilation was the outcome of consultations with Governments, experts and practitioners, whose submissions were issued as an addendum [A/HRC/14/46/Add.1].

In accordance with General Assembly resolution 64/168 [YUN 2009, p. 698], the Secretary-General in August transmitted to the Assembly the report [A/65/258] of the Special Rapporteur, which addressed the question of UN compliance with international human rights law when countering terrorism. After an account of the Rapporteur's activities between November 2009 and July 2010, the report assessed the role and contributions of the General Assembly, the Counter-Terrorism Implementation Task Force, the Human Rights Council, the Security Council and its subsidiary bodies, and UN field presences in promoting and protecting human rights in the context of their counter-terrorism activities. The report's main recommendation was for the Security Council to seize the opportunity of the approaching tenth anniversary of its resolution 1373(2001) [YUN 2001, p. 61] to replace resolutions 1373(2001), 1624(2005) [YUN 2005, p. 102] and 1267(1999) [YUN 1999, p. 265] (as amended) with a single resolution, not adopted under Chapter VII of the UN Charter, in order to systematize States' counter-terrorism measures and reporting duties un-

der one framework. The proposal was motivated by the Rapporteur's assessment that Chapter VII did not provide the proper legal basis for maintaining the current framework of mandatory and permanent Security Council resolutions of a quasi-legislative or quasi-judicial nature. The report also addressed ways and means of improving the human rights accountability of UN field operations, including in the context of countering terrorism, as well as the contributions of various actors in implementing the 2006 UN Global Counter-Terrorism Strategy [YUN 2006, p. 66].

Mission reports. Following his visit to Tunisia (22–26 January) [A/HRC/16/51/Add.2], the Special Rapporteur concluded that the definition of terrorism was vague and broad, hence deviating from the principle of legality and allowing for wide usage of counter-terrorism measures. He stressed the importance of a strict definition of terrorism, which also affected other legal provisions relating to membership in and support for terrorist organizations and incitement to terrorism. Some of those provisions might lead to undue restrictions of other human rights, such as freedoms of expression, religion and association. He observed a pattern of unacknowledged detention being used vis-à-vis terrorist suspects, during which those suspects were at high risk of being subjected to torture and ill-treatment. The secrecy that surrounded custody and interrogations by the police unit in charge of interrogating those suspects rendered investigations into abuses improbable and, consequently, led to a lack of accountability and to impunity. The Rapporteur recommended revising the definition of terrorism, amending provisions of the counter-terrorism law regarding incitement, membership and financing of terrorism, ending secret detention, allowing for independent monitoring, establishing effective complaints mechanisms, reinforcing accountability, strengthening the independence of the judiciary and ensuring the right to a fair trial.

Following his mission to Peru (1–8 September) [A/HRC/16/51/Add.3 & Corr.1], the Special Rapporteur concluded that the country provided important lessons with regard to the provision of justice and compensation for the suffering caused by the internal armed conflict between 1980 and 2000, yet was concerned by the slow progress in the implementation of the reparations scheme. Also of concern was the tendency in certain political circles to associate human rights defenders and social protest movements with terrorism. He made a number of recommendations to counter their stigmatization; implement collective reparation programmes; accelerate the resolution of the remaining cases of human rights violations committed by State security forces during the conflict; and bring criminal legislation on terrorism into line with international human rights standards. Implementing those recommendations would address con-

ditions conducive to terrorism and make legitimate counter-terrorism measures even more effective.

Report of Secretary-General. Pursuant to General Assembly resolution 64/168 [YUN 2009, p. 698], the Secretary-General in August reported [A/65/224] on developments within the UN system in relation to human rights and counter-terrorism, including through the activities of OHCHR, the Human Rights Council and its special procedures mandates, the human rights treaty bodies, the Counter-Terrorism Implementation Task Force and its Working Group on Protecting Human Rights while Countering Terrorism, the Counter-Terrorism Committee and the Counter-Terrorism Committee Executive Directorate. He reported on the consideration by the UN human rights system of issues relating to compliance of legislation, and policies and practices for countering terrorism with international law, including international human rights laws. He urged Member States to ensure respect for human rights and the rule of law as the fundamental basis of all counter-terrorism measures.

Report of High Commissioner. In accordance with a request by the Human Rights Council [YUN 2009, p. 698], the High Commissioner in January [A/HRC/13/36] reported on the protection of human rights and fundamental freedoms while countering terrorism. She highlighted the need to protect and promote all human rights and to maintain effective counter-terrorism measures; those were mutually reinforcing objectives that must be pursued together as part of the duty of States to protect human rights. The High Commissioner outlined her activities regarding counter-terrorism measures and her role in implementing the UN Global Counter-Terrorism Strategy and its Plan of Action [YUN 2006, p. 66]. She identified challenges related to complying with human rights obligations, in particular the issues of accountability, ending impunity and effective remedies in the context of countering terrorism.

Joint study. In February, the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, together with the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, the Working Group on Arbitrary Detention and the Working Group on Enforced and Involuntary Disappearances, submitted to the Council a joint study [A/HRC/13/42] on global practices in relation to secret detention in the context of countering terrorism. The study described the international legal framework applicable to secret detention, provided an historical overview of its use, discussed its use in the context of the “global war on terror” and addressed the level of involvement and complicity of a number of countries.

On 27 January, Romania submitted its comment [A/HRC/13/G/13] on the draft joint study, rejecting al-

legations by the international mass media concerning the existence in the country of United States Central Intelligence Agency detention centres for suspected terrorists.

On 26 February, the United Kingdom submitted a note [A/HRC/13/G/12] in response to the joint study, rejecting allegations of United Kingdom involvement in the practice of secret detention.

On 1 March [A/HRC/13/G/14], Mauritius addressed references in the study to the “United Kingdom Overseas Territory of Diego Garcia”, reiterating that the Chagos Archipelago, including Diego Garcia island, was part of the territory of Mauritius. Mauritius expressed concern that its territory might be used for activities in breach of international human rights treaties.

On 10 March [A/HRC/13/G/17], the United Kingdom replied that it had no doubt about its sovereignty over the British Indian Ocean Territory and reiterated that it would cede the Territory to Mauritius when it was no longer required for defence purposes.

Human Rights Council action. On 26 March [A/65/53 (res. 13/26)], the Council called on States to ensure that any measure taken to counter terrorism complied with international law, in particular international human rights, refugee and humanitarian law; to ensure that persons whose human rights had been violated had access to an effective remedy and adequate reparations; and to safeguard the right to privacy in accordance with international law. The High Commissioner and the Special Rapporteur were requested to report to the Council’s sixteenth (2011) session.

On 30 September [A/65/53/Add.1 (res. 15/15)], the Council extended the mandate of the Special Rapporteur for a three-year period.

On 1 October [dec. 15/116], the Council decided to convene, at its sixteenth (2011) session, a panel discussion on the issue of human rights in the context of action taken to address terrorist hostage-taking, with a special focus on the responsibility of States to promote and protect human rights; the strengthening of international cooperation to prevent and combat terrorism; and the protection of the rights of all victims of terrorism. OHCHR was requested to submit a report on the panel discussion.

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third Committee [A/65/456/Add.2], adopted **resolution 65/221** without vote [agenda item 68 (b)].

Protection of human rights and fundamental freedoms while countering terrorism

The General Assembly,

Reaffirming the purposes and principles of the Charter of the United Nations,

Reaffirming also the Universal Declaration of Human Rights,

Reaffirming further the Vienna Declaration and Programme of Action,

Reaffirming the fundamental importance, including in response to terrorism and the fear of terrorism, of respecting all human rights and fundamental freedoms and the rule of law,

Reaffirming also that States are under the obligation to protect all human rights and fundamental freedoms of all persons,

Reaffirming further that terrorism cannot and should not be associated with any religion, nationality, civilization or ethnic group,

Reiterating the important contribution of measures taken at all levels against terrorism, consistent with international law, in particular international human rights, refugee and humanitarian law, to the functioning of democratic institutions and the maintenance of peace and security and thereby to the full enjoyment of human rights and fundamental freedoms, as well as the need to continue this fight, including through strengthening international cooperation and the role of the United Nations in this respect,

Deeply deploring the occurrence of violations of human rights and fundamental freedoms in the context of the fight against terrorism, as well as violations of international refugee and humanitarian law,

Noting with concern measures that can undermine human rights and the rule of law, such as the detention of persons suspected of acts of terrorism in the absence of a legal basis for detention and due process guarantees, the deprivation of liberty that amounts to placing a detained person outside the protection of the law, the trial of suspects without fundamental judicial guarantees, the illegal deprivation of liberty and transfer of individuals suspected of terrorist activities, and the return of suspects to countries without individual assessment of the risk of there being substantial grounds for believing that they would be in danger of subjection to torture, and limitations to effective scrutiny of counter-terrorism measures,

Stressing that all measures used in the fight against terrorism, including the profiling of individuals and the use of diplomatic assurances, memorandums of understanding and other transfer agreements or arrangements, must be in compliance with the obligations of States under international law, including international human rights, refugee and humanitarian law,

Recalling article 30 of the Universal Declaration of Human Rights, and reaffirming that acts, methods and practices of terrorism in all its forms and manifestations are activities aimed at the destruction of human rights, fundamental freedoms and democracy, threatening the territorial integrity and security of States and destabilizing legitimately constituted Governments, and that the international community should take the necessary steps to enhance cooperation to prevent and combat terrorism,

Reaffirming its unequivocal condemnation of all acts, methods and practices of terrorism in all its forms and manifestations, wherever and by whomsoever committed, regardless of their motivation, as criminal and unjustifiable, and renewing its commitment to strengthen international cooperation to prevent and combat terrorism,

Recognizing that respect for all human rights, respect for democracy and respect for the rule of law are interrelated and mutually reinforcing,

Emphasizing the importance of properly interpreting and implementing the obligations of States with respect to torture and other cruel, inhuman or degrading treatment or punishment, and of abiding strictly by the definition of torture contained in article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, in the fight against terrorism,

Recalling its resolution 64/168 of 18 December 2009 and Human Rights Council resolution 13/26 of 26 March 2010 and other relevant resolutions and decisions as stated in the preamble to resolution 64/168, and welcoming the efforts of all relevant stakeholders to implement those resolutions,

Recalling also its resolution 60/288 of 8 September 2006, by which it adopted the United Nations Global Counter-Terrorism Strategy, and its resolution 64/297 of 8 September 2010 on the review of the Strategy, and reaffirming that the promotion and protection of human rights for all and the rule of law are essential to the fight against terrorism, recognizing that effective counter-terrorism measures and the protection of human rights are not conflicting goals but complementary and mutually reinforcing, and stressing the need to promote and protect the rights of victims of terrorism,

Recalling further Human Rights Council resolution 15/15 of 30 September 2010, by which the Council decided to extend the mandate of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism,

Recalling its resolution 64/115 of 16 December 2009 and the annex thereto entitled "Introduction and implementation of sanctions imposed by the United Nations", in particular the provisions of the annex regarding listing and de-listing procedures,

1. *Reaffirms* that States must ensure that any measure taken to combat terrorism complies with their obligations under international law, in particular international human rights, refugee and humanitarian law;

2. *Deeply deplores* the suffering caused by terrorism to the victims and their families, expresses its profound solidarity with them, and stresses the importance of providing them with assistance;

3. *Expresses serious concern* at the occurrence of violations of human rights and fundamental freedoms, as well as of international refugee and humanitarian law, committed in the context of countering terrorism;

4. *Reaffirms* that counter-terrorism measures should be implemented in accordance with international law, including international human rights, refugee and humanitarian law, thereby taking into full consideration the human rights of all, including persons belonging to national or ethnic, religious and linguistic minorities, and in this regard must not be discriminatory on grounds such as race, colour, sex, language, religion or social origin;

5. *Also reaffirms* the obligation of States, in accordance with article 4 of the International Covenant on Civil and Political Rights, to respect certain rights as non-derogable in any circumstances, recalls, in regard to all other Covenant rights, that any measures derogating from the provisions of the Covenant must be in accordance with that

article in all cases, and underlines the exceptional and temporary nature of any such derogations, and in this regard calls upon States to raise awareness about the importance of these obligations among national authorities involved in combating terrorism;

6. *Urges* States, while countering terrorism:

(a) To fully comply with their obligations under international law, in particular international human rights, refugee and humanitarian law, with regard to the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment;

(b) To take all steps necessary to ensure that persons deprived of liberty, regardless of the place of arrest or detention, benefit from the guarantees to which they are entitled under international law, including the review of the detention and other fundamental judicial guarantees;

(c) To ensure that no form of deprivation of liberty places a detained person outside the protection of the law, and to respect the safeguards concerning the liberty, security and dignity of the person, in accordance with international law, including international human rights and humanitarian law;

(d) To treat all prisoners in all places of detention in accordance with international law, including international human rights and humanitarian law;

(e) To respect the right of persons to equality before the law, courts and tribunals and to a fair trial as provided for in international law, including international human rights law, such as the International Covenant on Civil and Political Rights, and international humanitarian and refugee law;

(f) To safeguard the right to privacy in accordance with international law, and to take measures to ensure that interferences with the right to privacy are regulated by law, and subject to effective oversight and appropriate redress, including through judicial review or other means;

(g) To protect all human rights, including economic, social and cultural rights, bearing in mind that certain counter-terrorism measures may have an impact on the enjoyment of these rights;

(h) To ensure that guidelines and practices in all border control operations and other pre-entry mechanisms are clear and fully respect their obligations under international law, particularly international refugee and human rights law, towards persons seeking international protection;

(i) To fully respect non-refoulement obligations under international refugee and human rights law and, at the same time, to review, with full respect for these obligations and other legal safeguards, the validity of a refugee status decision in an individual case if credible and relevant evidence comes to light that indicates that the person in question has committed any criminal acts, including terrorist acts, falling under the exclusion clauses under international refugee law;

(j) To refrain from returning persons, including in cases related to terrorism, to their countries of origin or to a third State whenever such transfer would be contrary to their obligations under international law, in particular international human rights, humanitarian and refugee law, including in cases where there are substantial grounds for believing that they would be in danger of subjection to torture, or where their life or freedom would be threatened, in

violation of international refugee law, on account of their race, religion, nationality, membership of a particular social group or political opinion, bearing in mind obligations that States may have to prosecute individuals not returned;

(k) Insofar as such an act runs contrary to their obligations under international law, not to expose individuals to cruel, inhuman or degrading treatment or punishment by way of return to another country;

(l) To ensure that their laws criminalizing acts of terrorism are accessible, formulated with precision, non-discriminatory, non-retroactive and in accordance with international law, including human rights law;

(m) Not to resort to profiling based on stereotypes founded on grounds of discrimination prohibited by international law, including on racial, ethnic and/or religious grounds;

(n) To ensure that the interrogation methods used against terrorism suspects are consistent with their international obligations and are reviewed to prevent the risk of violations of their obligations under international law, including international human rights, refugee and humanitarian law;

(o) To ensure that any person whose human rights or fundamental freedoms have been violated has access to an effective remedy and that victims receive adequate, effective and prompt reparations, where appropriate, including by bringing to justice those responsible for such violations;

(p) To ensure due process guarantees, consistent with all relevant provisions of the Universal Declaration of Human Rights, and their obligations under the International Covenant on Civil and Political Rights, the Geneva Conventions of 1949 and the Additional Protocols thereto, of 1977, and the 1951 Convention relating to the Status of Refugees and the 1967 Protocol thereto in their respective fields of applicability;

(q) To shape and implement all counter-terrorism measures in accordance with the principles of gender equality and non-discrimination;

7. *Also urges* States, while countering terrorism, to take into account relevant United Nations resolutions and decisions on human rights, and encourages them to give due consideration to the recommendations of the special procedures and mechanisms of the Human Rights Council and to the relevant comments and views of United Nations human rights treaty bodies;

8. *Acknowledges* the adoption of the International Convention for the Protection of All Persons from Enforced Disappearance in its resolution 61/177 of 20 December 2006, and recognizes that the entry into force of the Convention and its implementation will be an important step in support of the rule of law in countering terrorism;

9. *Recognizes* the need to continue ensuring that fair and clear procedures under the United Nations terrorism-related sanctions regime are strengthened in order to enhance their efficiency and transparency, and welcomes and encourages the ongoing efforts of the Security Council in support of these objectives, including by establishing an office of the ombudsperson and continuing to review all the names of individuals and entities in the regime, while emphasizing the importance of these sanctions in countering terrorism;

10. *Urges* States, while ensuring full compliance with their international obligations, to ensure the rule of law

and to include adequate human rights guarantees in their national procedures for the listing of individuals and entities with a view to combating terrorism;

11. *Requests* the Office of the United Nations High Commissioner for Human Rights and the Special Rapporteur of the Human Rights Council on the promotion and protection of human rights and fundamental freedoms while countering terrorism to continue to contribute to the work of the Counter-Terrorism Implementation Task Force, including by raising awareness, inter alia, through regular dialogue, about the need to respect human rights and the rule of law while countering terrorism;

12. *Welcomes* the ongoing dialogue established in the context of the fight against terrorism between the Security Council and its Counter-Terrorism Committee and the relevant bodies for the promotion and protection of human rights, and encourages the Security Council and its Counter-Terrorism Committee to strengthen the links, cooperation and dialogue with relevant human rights bodies, in particular with the Office of the United Nations High Commissioner for Human Rights, the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, other relevant special procedures and mechanisms of the Human Rights Council, and relevant treaty bodies, giving due regard to the promotion and protection of human rights and the rule of law in their ongoing work relating to counter-terrorism;

13. *Calls upon* States and other relevant actors, as appropriate, to continue to implement the United Nations Global Counter-Terrorism Strategy, which, inter alia, reaffirms respect for human rights for all and the rule of law as the fundamental basis of the fight against terrorism;

14. *Calls upon* the United Nations entities involved in supporting counter-terrorism efforts to continue to facilitate the promotion and protection of human rights and fundamental freedoms, as well as due process and the rule of law, while countering terrorism;

15. *Requests* the Counter-Terrorism Implementation Task Force to continue its efforts to ensure that the United Nations can better coordinate and enhance its support to Member States in their efforts to comply with their obligations under international law, including international human rights, refugee and humanitarian law, while countering terrorism, and to encourage the Working Groups of the Task Force to incorporate a human rights perspective into their work;

16. *Encourages* relevant United Nations bodies and entities and international, regional and subregional organizations, in particular those participating in the Counter-Terrorism Implementation Task Force, which provide technical assistance, upon request, consistent with their mandates and as appropriate, related to the prevention and suppression of terrorism to step up their efforts to ensure respect for international human rights, refugee and humanitarian law, as well as the rule of law, as an element of technical assistance, including in the adoption and implementation of legislative and other measures by States;

17. *Urges* relevant United Nations bodies and entities and international, regional and subregional organizations, including the United Nations Office on Drugs and Crime, within its mandate related to the prevention and suppression of terrorism, to step up their efforts to provide, upon

request, technical assistance for building the capacity of Member States in the development and implementation of programmes of assistance and support for victims of terrorism in accordance with relevant national legislation;

18. *Calls upon* international, regional and subregional organizations to strengthen information-sharing, coordination and cooperation in promoting the protection of human rights, fundamental freedoms and the rule of law while countering terrorism;

19. *Takes note* of the report of the Secretary-General on protecting human rights and fundamental freedoms while countering terrorism and the report of the Special Rapporteur of the Human Rights Council on the promotion and protection of human rights and fundamental freedoms while countering terrorism, submitted pursuant to resolution 64/168;

20. *Requests* the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism to make recommendations, in the context of his mandate, with regard to preventing, combating and redressing violations of human rights and fundamental freedoms in the context of countering terrorism;

21. *Requests* all Governments to cooperate fully with the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism in the performance of the tasks and duties mandated, including by reacting promptly to the urgent appeals of the Special Rapporteur and providing the information requested, and to give serious consideration to responding favourably to his requests to visit their countries, as well as to cooperate with other relevant procedures and mechanisms of the Human Rights Council regarding the promotion and protection of human rights and fundamental freedoms while countering terrorism;

22. *Welcomes* the work of the United Nations High Commissioner for Human Rights to implement the mandate given to her in 2005, in resolution 60/158, and requests the High Commissioner to continue her efforts in this regard;

23. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the Human Rights Council and to the General Assembly at its sixty-sixth session;

24. *Decides* to consider at its sixty-sixth session the report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism.

Right to peace

OHCHR report. OHCHR in March [A/HRC/14/38] reported on the expert workshop on the right of peoples to peace (Geneva, 15–16 December 2009), held following a request by the Human Rights Council [YUN 2009, p. 702] and attended by representatives from 21 Member States as well as civil society organizations. Participants discussed the different dimensions of the right of peoples to peace, the content of the right, the right from a human rights perspective, and measures and actions to raise awareness and to promote the right.

Human Rights Council action. On 17 June [A/65/53 (res. 14/3)], the Council, by a recorded vote of 31 to 14, with 1 abstention, reaffirmed that peoples had a sacred right to peace. It requested the Human Rights Council Advisory Committee to prepare a draft declaration on the rights of peoples to peace and to report to the Council's seventeenth (2011) session.

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third Committee [A/65/456/Add.2], adopted **resolution 65/222** by recorded vote (127-54-4) [agenda item 68 (b)].

Promotion of peace as a vital requirement for the full enjoyment of all human rights by all

The General Assembly,

Recalling its resolutions 60/163 of 16 December 2005 and 62/163 of 18 December 2007,

Recalling also Commission on Human Rights resolution 2005/56 of 20 April 2005 entitled "Promotion of peace as a vital requirement for the full enjoyment of all human rights by all",

Recalling further its resolution 39/11 of 12 November 1984 entitled "Declaration on the Right of Peoples to Peace", and the United Nations Millennium Declaration,

Determined to foster strict respect for the purposes and principles enshrined in the Charter of the United Nations,

Bearing in mind that one of the purposes of the United Nations is to achieve international cooperation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion,

Underlining, in accordance with the purposes and principles of the United Nations, its full and active support for the United Nations and for the enhancement of its role and effectiveness in strengthening international peace and security and justice and in promoting the solution of international problems, as well as the development of friendly relations and cooperation among States,

Reaffirming the obligation of all States to settle their international disputes by peaceful means in such a manner that international peace and security and justice are not endangered,

Emphasizing its objective of promoting better relations among all States and contributing to setting up conditions in which their people can live in true and lasting peace, free from any threat to or attempt against their security,

Reaffirming the obligation of all States to refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State or in any other manner inconsistent with the purposes of the United Nations,

Reaffirming its commitment to peace and security and justice and the continuing development of friendly relations and cooperation among States,

Rejecting the use of violence in pursuit of political aims, and stressing that only peaceful political solutions can ensure a stable and democratic future for all people around the world,

Reaffirming the importance of ensuring respect for the principles of the sovereignty, territorial integrity and politi-

cal independence of States and non-intervention in matters that are essentially within the domestic jurisdiction of any State, in accordance with the Charter and international law,

Reaffirming also that all peoples have the right to self-determination, by virtue of which they freely determine their political status and freely pursue their economic, social and cultural development,

Reaffirming further the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,

Recognizing that peace and development are mutually reinforcing, including in the prevention of armed conflict,

Affirming that human rights include social, economic and cultural rights and the right to peace, a healthy environment and development, and that development is in fact the realization of those rights,

Underlining the fact that the subjection of peoples to alien subjugation, domination and exploitation constitutes a denial of fundamental rights, is contrary to the Charter and is an impediment to the promotion of world peace and cooperation,

Recalling that everyone is entitled to a social and international order in which the rights and freedoms set forth in the Universal Declaration of Human Rights can be fully realized,

Convinced of the aim of creating conditions of stability and well-being, which are necessary for peaceful and friendly relations among nations based on respect for the principles of equal rights and self-determination of peoples,

Convinced also that life without war is the primary international prerequisite for the material well-being, development and progress of countries and for the full implementation of the rights and fundamental human freedoms proclaimed by the United Nations,

Convinced further that international cooperation in the field of human rights contributes to creating an international environment of peace and stability,

1. *Reaffirms* that the peoples of our planet have a sacred right to peace;

2. *Also reaffirms* that the preservation of the right of peoples to peace and the promotion of its implementation constitute a fundamental obligation of all States;

3. *Stresses* that peace is a vital requirement for the promotion and protection of all human rights for all;

4. *Also stresses* that the deep fault line that divides human society between the rich and the poor and the ever-increasing gap between the developed and developing worlds pose a major threat to global prosperity, peace and security and stability;

5. *Emphasizes* that the preservation and promotion of peace demands that the policies of States be directed towards the elimination of the threat of war, particularly nuclear war, the renunciation of the use or threat of use of force in international relations and the settlement of international disputes by peaceful means on the basis of the Charter of the United Nations;

6. *Affirms* that all States should promote the establishment, maintenance and strengthening of international peace and security and an international system based on respect for the principles enshrined in the Charter and the promotion of all human rights and fundamental freedoms, including the right to development and the right of peoples to self-determination;

7. *Urges* all States to respect and to put into practice the purposes and principles of the Charter in their relations with other States, irrespective of their political, economic or social system and of their size, geographical location or level of economic development;

8. *Reaffirms* the duty of all States, in accordance with the principles of the Charter, to use peaceful means to settle any dispute to which they are parties and the continuance of which is likely to endanger the maintenance of international peace and security, as a vital requirement for the promotion and protection of all human rights of everyone and all peoples;

9. *Underlines* the vital importance of education for peace as a tool to foster the realization of the right of peoples to peace, and encourages States, the specialized agencies of the United Nations and intergovernmental and non-governmental organizations to contribute actively to this endeavour;

10. *Invites* States and relevant United Nations human rights mechanisms and procedures to continue to pay attention to the importance of mutual cooperation, understanding and dialogue in ensuring the promotion and protection of all human rights;

11. *Decides* to continue consideration of the question of the promotion of the right of peoples to peace at its sixty-seventh session under the item entitled "Promotion and protection of human rights".

RECORDED VOTE ON RESOLUTION 65/222:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia, Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom, United States.

Abstaining: Armenia, Chile, Samoa, Singapore.

Traditional values

In December [A/HRC/16/37], the High Commissioner reported on the workshop on traditional values and human rights (Geneva, 4 October), held following a request by the Human Rights Council [YUN 2009, p. 702] and attended by experts representing different civilizations and legal systems, as well as representatives of Member States, academia and intergovernmental and civil society organizations. The workshop focused on how the traditional values underpinning international human rights contributed to the promotion and protection of human rights in general. Panellists discussed human dignity and equality; freedom and responsibility through the prism of different cultures and traditions; and practical approaches to seize opportunities and tackle challenges.

Economic, social and cultural rights

Realizing economic, social and cultural rights

Report of High Commissioner. As requested by the Human Rights Council [YUN 2009, p. 702], the High Commissioner in April [A/HRC/14/33] reported on the 2009 activities of the Office of the United Nations High Commissioner for Human Rights (OHCHR), treaty bodies and special procedures in relation to economic, social and cultural rights. The report also covered OHCHR activities on assistance and technical cooperation with States, UN agencies, civil society and other actors.

Human Rights Council action. On 18 June [A/65/53 (res. 14/13)], the Council called on States to implement Council resolution 4/1 [YUN 2007, p. 761], on the question of the realization in all countries of economic, social and cultural rights, with a view to improving the realization of those rights. It also requested the High Commissioner to continue to submit an annual report on the issue.

Impact of economic and financial crises

OHCHR report. In follow-up to the tenth special session of the Human Rights Council [YUN 2009, p. 702], which examined the impact of the global economic and financial crises on the universal realization and effective enjoyment of human rights, and in response to a Council request [ibid., p. 703], OHCHR in February submitted a report [A/HRC/13/38] on the impact of the crises on human rights and on possible actions to alleviate it, drawing on contributions received from Member States and other stakeholders. According to the report, the global crisis had the potential to reverse or slow down the progress made

towards achieving the internationally agreed development goals. Potential impacts included an increase in global poverty or unemployment; a possible decrease in social spending resulting in more limited access to health care, education, housing and other social programmes; and a deterioration of the situation of marginalized groups. The report noted the importance of monitoring the impact of the crisis on human rights in order to guide efforts to ensure protection of the rights of those who were affected by the crisis.

OHCHR summary. In May, OHCHR issued a summary [A/HRC/14/CRP.2] of the Human Rights Council panel discussion (New York, 1 March) on the impact of the global economic and financial crises on the realization of all human rights, held during the high-level segment of its thirteenth session. The summary would be submitted to the General Assembly Open-ended Working Group to follow up on the Conference on the World Financial and Economic Crisis and Its Impact on Development [YUN 2009, p. 947].

Right to development

Task force activities. The high-level task force of the Working Group on the Right to Development was established in 2004 [YUN 2004, p. 746] to assist the Working Group (see below) in making recommendations to various actors on issues related to the implementation of the right to development. Concluding its mandate at its sixth session (Geneva, 14–22 January) [A/HRC/15/WG.2/TF/2 & Corr.1], the task force examined targets of Millennium Development Goal (MDG) 8 on access to essential medicines, on technology transfer and on debt relief. It also reviewed the right-to-development criteria and corresponding operational sub-criteria [YUN 2009, p. 703]. In its recommendations, the task force made suggestions for consideration by the Working Group relating to further action on the criteria, thematic areas of international cooperation for consideration, and mainstreaming the right to development. The conclusions of the task force with regard to the dialogue for the right-to-development criteria and in relation to its dialogue with institutions on MDG 8 were contained in addenda issued respectively on 8 March [A/HRC/15/WG.2/TF/2/Add.2] and 25 March [A/HRC/15/WG.2/TF/2/Add.1 & Corr.1]. The latter conclusions were made in the context of the consolidation of the task force's findings on all aspects of its mandate.

Working Group activities. The Working Group on the Right to Development, at its eleventh session (Geneva, 26–30 April) [A/HRC/15/23], considered the report of the high-level task force on its sixth session, comprising the main report and related addenda. The Group concluded that further work should be under-

taken at the intergovernmental level to adequately reflect both the national and international dimensions. It invited Member States and other stakeholders to share their views on the task force's work and on the way forward and requested its Chairperson-Rapporteur to prepare two compilations of the submissions received from Governments, groups of Governments and regional groups, as well as the inputs received from other stakeholders.

By a 21 June note [A/65/87], the Secretary-General transmitted the Group's report on its eleventh session to the General Assembly, which took note of it on 21 December (**decision 65/536**).

Report of Secretary-General and High Commissioner. In response to General Assembly resolution 64/172 [YUN 2009, p. 704], the Secretary-General and the High Commissioner in June [A/HRC/15/24] reported on the activities undertaken by OHCHR with regard to the promotion and realization of the right to development. The activities ranged from mainstreaming that right to providing support to the Human Rights Council and its subsidiary mechanisms related to the right to development.

By a 6 August note [A/65/256], the Secretary-General transmitted the report to the Assembly, which took note of it on 21 December (**decision 65/536**).

Human Rights Council action. On 1 October [A/65/53/Add.1 (res. 15/25)], by a recorded vote of 45 to none, with 1 abstention, the Council endorsed the recommendations of the Working Group; took note of the task force's work, including its consolidation of findings and the list of right-to-development criteria and corresponding operational sub-criteria; requested OHCHR to seek the views of Member States and stakeholders on the task force's work and the way forward; and requested the Group to prepare two compilations of the submissions received from Governments, groups of Governments and regional groups, as well as the inputs received from other stakeholders, and present them to the Group's twelfth (2011) session. Following the consideration of the compilations by the Group, the criteria and operational sub-criteria should be used to elaborate a comprehensive set of standards for implementing the right to development, which could evolve into a binding international legal standard.

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third Committee [A/65/456/Add.2], adopted **resolution 65/219** by recorded vote (133-24-28) [agenda item 68 (b)].

The right to development

The General Assembly,

Guided by the Charter of the United Nations, which expresses, in particular, the determination to promote social

progress and better standards of life in larger freedom and, to that end, to employ international mechanisms for the promotion of the economic and social advancement of all peoples,

Recalling the Universal Declaration of Human Rights, as well as the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights,

Recalling also the outcomes of all the major United Nations conferences and summits in the economic and social fields,

Recalling further that the Declaration on the Right to Development, adopted by the General Assembly in its resolution 41/128 of 4 December 1986, confirmed that the right to development is an inalienable human right and that equality of opportunity for development is a prerogative both of nations and of individuals who make up nations, and that the individual is the central subject and beneficiary of development,

Stressing that the Vienna Declaration and Programme of Action reaffirmed the right to development as a universal and inalienable right and an integral part of fundamental human rights, and the individual as the central subject and beneficiary of development,

Reaffirming the objective of making the right to development a reality for everyone, as set out in the United Nations Millennium Declaration, adopted by the General Assembly on 8 September 2000,

Deeply concerned that the majority of indigenous peoples in the world live in conditions of poverty, and recognizing the critical need to address the negative impact of poverty and inequity on indigenous peoples by ensuring their full and effective inclusion in development and poverty eradication programmes,

Reaffirming the universality, indivisibility, interrelatedness, interdependence and mutually reinforcing nature of all civil, cultural, economic, political and social rights, including the right to development,

Expressing deep concern over the lack of progress in the trade negotiations of the World Trade Organization, and reaffirming the need for a successful outcome of the Doha Development Round in key areas such as agriculture, market access for non-agricultural products, trade facilitation, development and services,

Recalling the outcome of the twelfth session of the United Nations Conference on Trade and Development, held in Accra from 20 to 25 April 2008, on the theme "Addressing the opportunities and challenges of globalization for development"

Recalling also all its previous resolutions, Human Rights Council resolution 15/25 of 1 October 2010, previous resolutions of the Council and those of the Commission on Human Rights on the right to development, in particular Commission resolution 1998/72 of 22 April 1998 on the urgent need to make further progress towards the realization of the right to development as set out in the Declaration on the Right to Development,

Recalling further that 2011 marks the twenty-fifth anniversary of the Declaration on the Right to Development,

Welcoming the outcome of the eleventh session of the Working Group on the Right to Development of the Human Rights Council, held in Geneva from 26 to 30 April 2010, as contained in the report of the Working Group and as referred to in the report of the Secretary-General and the

United Nations High Commissioner for Human Rights on the right to development,

Recalling the Fifteenth Summit Conference of Heads of State and Government of the Movement of Non-Aligned Countries, held in Sharm el-Sheikh, Egypt, from 11 to 16 July 2009, and the previous summits and conferences at which the States members of the Movement stressed the need to operationalize the right to development as a priority,

Reiterating its continuing support for the New Partnership for Africa's Development as a development framework for Africa,

Expressing its appreciation for the efforts of the Chair-Rapporteur of the Working Group on the Right to Development of the Human Rights Council and the members of the high-level task force on the implementation of the right to development in completing the 2008–2010 three-phase road map established by the Human Rights Council in its resolution 4/4 of 30 March 2007,

Deeply concerned about the negative impacts of the global economic and financial crises on the realization of the right to development,

Recognizing that poverty is an affront to human dignity,

Recognizing also that extreme poverty and hunger are the greatest global threat that requires the collective commitment of the international community for its eradication, pursuant to Millennium Development Goal 1, and therefore calling upon the international community, including the Human Rights Council, to contribute towards achieving that goal,

Recognizing further that historical injustices have undeniably contributed to the poverty, underdevelopment, marginalization, social exclusion, economic disparity, instability and insecurity that affect many people in different parts of the world, in particular in developing countries,

Stressing that poverty eradication is one of the critical elements in the promotion and realization of the right to development and that poverty is a multifaceted problem that requires a multifaceted and integrated approach in addressing economic, political, social, environmental and institutional dimensions at all levels, especially in the context of the Millennium Development Goal of halving, by 2015, the proportion of the world's people whose income is less than one dollar a day and the proportion of people who suffer from hunger,

1. *Endorses* the conclusions and recommendations adopted by consensus by the Working Group on the Right to Development of the Human Rights Council at its eleventh session, and calls for their immediate, full and effective implementation by the Office of the United Nations High Commissioner for Human Rights and other relevant actors;

2. *Supports* the realization of the mandate of the Working Group, as renewed by the Human Rights Council in its resolution 9/3 of 24 September 2008, with the recognition that the Working Group will convene annual sessions of five working days and submit its reports to the Council;

3. *Emphasizes* the relevant provisions of General Assembly resolution 60/251 of 15 March 2006 establishing the Human Rights Council, and in this regard calls upon the Council to implement the agreement to continue to act to ensure that its agenda promotes and advances sustainable development and the achievement of the Millennium Development Goals, and also in this regard to lead to raising the right to development, as set out in paragraphs 5 and 10 of the Vienna Declaration and Programme of Action, to the

same level as and on a par with all other human rights and fundamental freedoms;

4. *Notes with appreciation* that the high-level task force on the implementation of the right to development continued its work, including the consolidation of findings and the list of right to development criteria and corresponding operational sub-criteria;

5. *Endorses* the recommendations of the Working Group, as outlined in paragraphs 45 to 47 of its report, which would ensure that the two compilations of the submissions to be received from Governments, groups of Governments and regional groups as well as the inputs to be received from other stakeholders, on the work of the high-level task force and the way forward, will be presented to the Working Group at its twelfth session, in 2011;

6. *Stresses* the importance that views requested of Member States and relevant stakeholders on the work of the high-level task force and the way forward take into consideration the essential features of the right to development, using as a reference the Declaration on the Right to Development and resolutions on the right to development of the Commission on Human Rights, the Human Rights Council and the General Assembly;

7. *Also stresses* that the above-mentioned compilations of views, criteria and corresponding operational sub-criteria, once considered, revised and endorsed by the Working Group, should be used, as appropriate, in the elaboration of a comprehensive and coherent set of standards for the implementation of the right to development;

8. *Emphasizes* the importance of the Working Group taking appropriate steps to ensure respect for and practical application of the above-mentioned standards, which could take various forms, including the elaboration of guidelines on the implementation of the right to development, and to develop the standards into a basis for consideration of an international legal standard of a binding nature, through a collaborative process of engagement;

9. *Stresses* the importance of the core principles contained in the conclusions of the Working Group at its third session, congruent with the purpose of international human rights instruments, such as equality, non-discrimination, accountability, participation and international cooperation, as critical to mainstreaming the right to development at the national and international levels, and underlines the importance of the principles of equity and transparency;

10. *Also stresses* that it is important that the high-level task force and the Working Group, in the discharge of their mandates, take into account the need:

(a) To promote the democratization of the system of international governance in order to increase the effective participation of developing countries in international decision-making;

(b) To also promote effective partnerships such as the New Partnership for Africa's Development and other similar initiatives with the developing countries, particularly the least developed countries, for the purpose of the realization of their right to development, including the achievement of the Millennium Development Goals;

(c) To strive for greater acceptance, operationalization and realization of the right to development at the international level, while urging all States to undertake at the national level the necessary policy formulation and to institute the measures required for the implementation of the

right to development as an integral part of fundamental human rights, and also urging all States to expand and deepen mutually beneficial cooperation in ensuring development and eliminating obstacles to development in the context of promoting effective international cooperation for the realization of the right to development, bearing in mind that lasting progress towards the implementation of the right to development requires effective development policies at the national level and a favourable economic environment at the international level;

(d) To consider ways and means to continue to ensure the operationalization of the right to development as a priority;

(e) To mainstream the right to development in the policies and operational activities of the United Nations and the specialized agencies, funds and programmes, as well as in the policies and strategies of the international financial and multilateral trading systems, bearing in mind in this regard that the core principles of the international economic, commercial and financial spheres, such as equity, non-discrimination, transparency, accountability, participation and international cooperation, including effective partnerships for development, are indispensable in achieving the right to development and preventing discriminatory treatment arising from political or other non-economic considerations in addressing the issues of concern to the developing countries;

11. *Encourages* the Human Rights Council to consider how to ensure follow-up to the work of the former Subcommission on the Promotion and Protection of Human Rights on the right to development, in accordance with the relevant provisions of the resolutions adopted by the General Assembly and the Commission on Human Rights and in compliance with decisions to be taken by the Council;

12. *Invites* Member States and all other stakeholders to participate actively in future sessions of the Social Forum, while recognizing the strong support extended to the Forum at its first four sessions by the Subcommission on the Promotion and Protection of Human Rights;

13. *Reaffirms* the commitment to implement the goals and targets set out in all the outcome documents of the major United Nations conferences and summits and their review processes, in particular those relating to the realization of the right to development, recognizing that the realization of the right to development is critical to achieving the objectives, goals and targets set in those outcome documents;

14. *Also reaffirms* that the realization of the right to development is essential to the implementation of the Vienna Declaration and Programme of Action, which regards all human rights as universal, indivisible, interdependent and interrelated, places the human person at the centre of development and recognizes that, while development facilitates the enjoyment of all human rights, the lack of development may not be invoked to justify the abridgement of internationally recognized human rights;

15. *Stresses* that the primary responsibility for the promotion and protection of all human rights lies with the State, and reaffirms that States have the primary responsibility for their own economic and social development and that the role of national policies and development strategies cannot be overemphasized;

16. *Reaffirms* the primary responsibility of States to create national and international conditions favourable to

the realization of the right to development, as well as their commitment to cooperate with each other to that end;

17. *Also reaffirms* the need for an international environment that is conducive to the realization of the right to development;

18. *Stresses* the need to strive for greater acceptance, operationalization and realization of the right to development at the international and national levels, and calls upon States to institute the measures required for the implementation of the right to development as an integral part of fundamental human rights;

19. *Emphasizes* the critical importance of identifying and analysing obstacles impeding the full realization of the right to development at both the national and the international levels;

20. *Affirms* that, while globalization offers both opportunities and challenges, the process of globalization remains deficient in achieving the objectives of integrating all countries into a globalized world, and stresses the need for policies and measures at the national and global levels to respond to the challenges and opportunities of globalization if this process is to be made fully inclusive and equitable;

21. *Recognizes* that, despite continuous efforts on the part of the international community, the gap between developed and developing countries remains unacceptably wide, that most of the developing countries continue to face difficulties in participating in the globalization process and that many risk being marginalized and effectively excluded from its benefits;

22. *Expresses its deep concern*, in this regard, about the negative impact on the realization of the right to development due to the further aggravation of the economic and social situation, in particular of developing countries, as a result of the ongoing international energy, food and financial crises, as well as the increasing challenges posed by global climate change and the loss of biodiversity, which have increased vulnerabilities and inequalities and have adversely affected development gains, in particular in developing countries;

23. *Underlines* the fact that the international community is far from meeting the target set in the United Nations Millennium Declaration of halving the number of people living in poverty by 2015, reaffirms the commitment made to meet that target, and emphasizes the principle of international cooperation, including partnership and commitment, between developed and developing countries towards achieving the goal;

24. *Urges* developed countries that have not yet done so to make concrete efforts towards meeting the targets of 0.7 per cent of their gross national product for official development assistance to developing countries and 0.15 to 0.2 per cent of their gross national product to least developed countries, and encourages developing countries to build on the progress achieved in ensuring that official development assistance is used effectively to help to meet development goals and targets;

25. *Recognizes* the need to address market access for developing countries, including in agriculture, services and non-agricultural products, in particular those of interest to developing countries;

26. *Calls for* the implementation of a desirable pace of meaningful trade liberalization, including in areas under negotiation in the World Trade Organization; the imple-

mentation of commitments on implementation-related issues and concerns; a review of special and differential treatment provisions, with a view to strengthening them and making them more precise, effective and operational; the avoidance of new forms of protectionism; and capacity-building and technical assistance for developing countries as important issues in making progress towards the effective implementation of the right to development;

27. *Recognizes* the important link between the international economic, commercial and financial spheres and the realization of the right to development; stresses in this regard the need for good governance and for broadening the base of decision-making at the international level on issues of development concern and the need to fill organizational gaps, as well as to strengthen the United Nations system and other multilateral institutions; and also stresses the need to broaden and strengthen the participation of developing countries and countries with economies in transition in international economic decision-making and norm-setting;

28. *Also recognizes* that good governance and the rule of law at the national level assist all States in the promotion and protection of human rights, including the right to development, and agrees on the value of the ongoing efforts being made by States to identify and strengthen good governance practices, including transparent, responsible, accountable and participatory government, that are responsive and appropriate to their needs and aspirations, including in the context of agreed partnership approaches to development, capacity-building and technical assistance;

29. *Further recognizes* the important role and the rights of women and the application of a gender perspective as a cross-cutting issue in the process of realizing the right to development, and notes in particular the positive relationship between women's education and their equal participation in the civil, cultural, economic, political and social activities of the community and the promotion of the right to development;

30. *Stresses* the need for the integration of the rights of children, girls and boys alike, in all policies and programmes and for ensuring the promotion and protection of those rights, especially in areas relating to health, education and the full development of their capacities;

31. *Welcomes* the Political Declaration on HIV/AIDS adopted at the High-level Meeting on HIV/AIDS of the General Assembly on 2 June 2006, stresses that further and additional measures must be taken at the national and international levels to fight HIV/AIDS and other communicable diseases, taking into account ongoing efforts and programmes, and reiterates the need for international assistance in this regard;

32. *Recalls* the Convention on the Rights of Persons with Disabilities, which entered into force on 3 May 2008, and stresses the need to take into consideration the rights of persons with disabilities and the importance of international cooperation in the realization of the right to development;

33. *Stresses its commitment* to indigenous peoples in the process of the realization of the right to development, and reaffirms the commitment to promote their rights in the areas of education, employment, vocational training and retraining, housing, sanitation, health and social security, in accordance with recognized international human rights obligations and taking into account, as appropriate, the

United Nations Declaration on the Rights of Indigenous Peoples, adopted by the General Assembly in its resolution 61/295 of 13 September 2007;

34. *Recognizes* the need for strong partnerships with civil society organizations and the private sector in pursuit of poverty eradication and development, as well as for corporate social responsibility;

35. *Emphasizes* the urgent need for taking concrete and effective measures to prevent, combat and criminalize all forms of corruption at all levels, to prevent, detect and deter in a more effective manner international transfers of illicitly acquired assets and to strengthen international co-operation in asset recovery, consistent with the principles of the United Nations Convention against Corruption, particularly chapter V thereof, stresses the importance of a genuine political commitment on the part of all Governments through a firm legal framework, and in this context urges States to sign and ratify the Convention as soon as possible and States parties to implement it effectively;

36. *Also emphasizes* the need to strengthen further the activities of the Office of the United Nations High Commissioner for Human Rights in the promotion and realization of the right to development, including by ensuring effective use of the financial and human resources necessary to fulfil its mandate, and calls upon the Secretary-General to provide the Office of the High Commissioner with the necessary resources;

37. *Reaffirms* the request to the United Nations High Commissioner for Human Rights, in mainstreaming the right to development, to undertake effectively activities aimed at strengthening the global partnership for development between Member States, development agencies and the international development, financial and trade institutions, and to reflect those activities in detail in her next report to the Human Rights Council;

38. *Reaffirms* the request to the Office of the High Commissioner, in consultation with States Members of the United Nations and other relevant stakeholders, to launch preparations for the commemoration of the twenty-fifth anniversary of the Declaration on the Right to Development in 2011;

39. *Calls upon* the United Nations funds and programmes, as well as the specialized agencies, to mainstream the right to development in their operational programmes and objectives, and stresses the need for the international financial and multilateral trading systems to mainstream the right to development in their policies and objectives;

40. *Requests* the Secretary-General to bring the present resolution to the attention of Member States, United Nations organs and bodies, specialized agencies, funds and programmes, international development and financial institutions, in particular the Bretton Woods institutions, and non-governmental organizations;

41. *Also requests* the Secretary-General to submit a report to the General Assembly at its sixty-sixth session and an interim report to the Human Rights Council on the implementation of the present resolution, including efforts undertaken at the national, regional and international levels in the promotion and realization of the right to development, and invites the Chair-Rapporteur of the Working Group on the Right to Development to present a verbal update to the Assembly at its sixty-sixth session.

RECORDED VOTE ON RESOLUTION 65/219:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Australia, Belgium, Bulgaria, Canada, Czech Republic, Denmark, Estonia, Georgia, Germany, Hungary, Israel, Japan, Latvia, Lithuania, Marshall Islands, Netherlands, New Zealand, Palau, Poland, Republic of Korea, Sweden, Switzerland, United Kingdom, United States.

Abstaining: Albania, Andorra, Austria, Croatia, Cyprus, Finland, France, Greece, Iceland, Ireland, Italy, Liechtenstein, Luxembourg, Malta, Monaco, Montenegro, Norway, Portugal, Republic of Moldova, Romania, Samoa, San Marino, Slovakia, Slovenia, Spain, the former Yugoslav Republic of Macedonia, Turkey, Ukraine.

Human rights and international solidarity

Report by independent expert. As requested by the Human Rights Council [YUN 2009, p. 708], the independent expert on human rights and international solidarity, Rudi Muhammad Rizki (Indonesia), in July submitted a report [A/HRC/15/32] that summarized the answers to a questionnaire on human rights and international solidarity sent to States, UN bodies, international organizations, NGOs and special procedures mandate holders. Drawing from those responses and his review and observations, the expert identified elements of a conceptual and normative framework for human rights and international solidarity, and highlighted areas of focus and emerging approaches in international cooperation. The expert concluded that there was an abundance of hard and soft laws, policies and values that could form the basis of a conceptual and normative framework on the issue, and, eventually, a draft declaration on the right of peoples and individuals to international solidarity.

Human Rights Council action. On 30 September [A/65/53/Add.1 (res. 15/13)], by a recorded vote of 32 to 14,

with no abstentions, the Council requested the independent expert to continue to prepare a draft declaration on the right of peoples and individuals to international solidarity, and to further develop guidelines, standards, norms and principles to protect that right; reiterated its request to the Human Rights Council Advisory Committee to prepare inputs to the draft declaration and to guidelines, standards, norms and principles; and requested the expert to report to the Council's eighteenth (2011) session.

Democratic and equitable international order

During the year, the General Assembly continued to address issues related to the right of all peoples to a democratic and equitable international order as originally confirmed by the Human Rights Council in 2008 [YUN 2008, p. 823].

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third Committee [A/65/456/Add.2], adopted **resolution 65/223** by recorded vote (126-54-5) [agenda item 68 (b)].

Promotion of a democratic and equitable international order

The General Assembly,

Recalling its previous resolutions on the promotion of a democratic and equitable international order, including resolution 64/157 of 18 December 2009, and taking note of Human Rights Council resolution 8/5 of 18 June 2008,

Reaffirming the commitment of all States to fulfil their obligations to promote universal respect for, and observance and protection of, all human rights and fundamental freedoms for all, in accordance with the Charter of the United Nations, other instruments relating to human rights and international law,

Affirming that the enhancement of international cooperation for the promotion and protection of all human rights should continue to be carried out in full conformity with the purposes and principles of the Charter and international law as set forth in Articles 1 and 2 of the Charter and, inter alia, with full respect for sovereignty, territorial integrity, political independence, the non-use of force or the threat of force in international relations and non-intervention in matters that are essentially within the domestic jurisdiction of any State,

Recalling the Preamble to the Charter, in particular the determination to reaffirm faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and of nations large and small,

Reaffirming that everyone is entitled to a social and international order in which the rights and freedoms set forth in the Universal Declaration of Human Rights can be fully realized,

Reaffirming also the determination expressed in the Preamble to the Charter to save succeeding generations from the scourge of war, to establish conditions under which jus-

tice and respect for the obligations arising from treaties and other sources of international law can be maintained, to promote social progress and better standards of life in larger freedom, to practise tolerance and good-neighbourliness, and to employ international machinery for the promotion of the economic and social advancement of all peoples,

Stressing that the responsibility for managing worldwide economic and social issues, as well as threats to international peace and security, must be shared among the nations of the world and should be exercised multilaterally, and that in this regard the central role must be played by the United Nations, as the most universal and representative organization in the world,

Considering the major changes taking place on the international scene and the aspirations of all peoples for an international order based on the principles enshrined in the Charter, including promoting and encouraging respect for human rights and fundamental freedoms for all and respect for the principle of equal rights and self-determination of peoples, peace, democracy, justice, equality, the rule of law, pluralism, development, better standards of living and solidarity,

Recognizing that the enhancement of international co-operation in the field of human rights is essential for the full achievement of the purposes of the United Nations, including the effective promotion and protection of all human rights,

Considering that the Universal Declaration of Human Rights proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Reaffirming that democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing, and that democracy is based on the freely expressed will of the people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives,

Recognizing that the promotion and protection of human rights should be based on the principle of cooperation and genuine dialogue and aimed at strengthening the capacity of Member States to comply with their human rights obligations for the benefit of all human beings,

Emphasizing that democracy is not only a political concept, but that it also has economic and social dimensions,

Recognizing that democracy, respect for all human rights, including the right to development, transparent and accountable governance and administration in all sectors of society, and effective participation by civil society are an essential part of the necessary foundations for the realization of social and people-centred sustainable development,

Noting with concern that racism, racial discrimination, xenophobia and related intolerance may be aggravated by, inter alia, inequitable distribution of wealth, marginalization and social exclusion,

Reaffirming that dialogue among religions, cultures and civilizations could contribute greatly to the enhancement of international cooperation at all levels,

Underlining the fact that it is imperative for the international community to ensure that globalization becomes a positive force for all the world's people, and that only through broad and sustained efforts, based on our com-

mon humanity in all its diversity, can globalization be made fully inclusive and equitable,

Deeply concerned that the current global economic, financial, energy and food crises, resulting from a combination of several major factors, including macroeconomic and other factors, such as environmental degradation, desertification and global climate change, natural disasters and the lack of financial resources and the technology necessary to confront their negative impact in developing countries, particularly in the least developed countries and small island developing States, represent a global scenario that is threatening the adequate enjoyment of all human rights and widening the gap between developed and developing countries,

Stressing that efforts to make globalization fully inclusive and equitable must include policies and measures, at the global level, that correspond to the needs of developing countries and countries with economies in transition and are formulated and implemented with their effective participation,

Stressing also the need for adequate financing of and technology transfer to developing countries, in particular the landlocked developing countries and small island developing States, including to support their efforts to adapt to climate change,

Having listened to the peoples of the world, and recognizing their aspirations to justice, to equality of opportunity for all, to the enjoyment of their human rights, including the right to development, to live in peace and freedom and to equal participation without discrimination in economic, social, cultural, civil and political life,

Resolved to take all measures within its power to secure a democratic and equitable international order,

1. *Affirms* that everyone is entitled to a democratic and equitable international order;

2. *Also affirms* that a democratic and equitable international order fosters the full realization of all human rights for all;

3. *Calls upon* all Member States to fulfil their commitment expressed in Durban, South Africa, during the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance to maximize the benefits of globalization through, inter alia, the strengthening and enhancement of international cooperation to increase equality of opportunities for trade, economic growth and sustainable development, global communications through the use of new technologies and increased intercultural exchange through the preservation and promotion of cultural diversity, and reiterates that only through broad and sustained efforts to create a shared future based upon our common humanity and all its diversity can globalization be made fully inclusive and equitable;

4. *Affirms* that a democratic and equitable international order requires, inter alia, the realization of the following:

(a) The right of all peoples to self-determination, by virtue of which they can freely determine their political status and freely pursue their economic, social and cultural development;

(b) The right of peoples and nations to permanent sovereignty over their natural wealth and resources;

(c) The right of every human person and all peoples to development;

(d) The right of all peoples to peace;

(e) The right to an international economic order based on equal participation in the decision-making process, interdependence, mutual interest, solidarity and cooperation among all States;

(f) International solidarity, as a right of peoples and individuals;

(g) The promotion and consolidation of transparent, democratic, just and accountable international institutions in all areas of cooperation, in particular through the implementation of the principle of full and equal participation in their respective decision-making mechanisms;

(h) The right to equitable participation of all, without any discrimination, in domestic and global decision-making;

(i) The principle of equitable regional and gender-balanced representation in the composition of the staff of the United Nations system;

(j) The promotion of a free, just, effective and balanced international information and communications order, based on international cooperation for the establishment of a new equilibrium and greater reciprocity in the international flow of information, in particular correcting the inequalities in the flow of information to and from developing countries;

(k) Respect for cultural diversity and the cultural rights of all, since this enhances cultural pluralism, contributes to a wider exchange of knowledge and understanding of cultural backgrounds, advances the application and enjoyment of universally accepted human rights across the world and fosters stable, friendly relations among peoples and nations worldwide;

(l) The right of every person and all peoples to a healthy environment and to enhanced international cooperation that responds effectively to the needs for assistance of national efforts to adapt to climate change, particularly in developing countries, and that promotes the fulfilment of international agreements in the field of mitigation;

(m) The promotion of equitable access to benefits from the international distribution of wealth through enhanced international cooperation, in particular in economic, commercial and financial international relations;

(n) The enjoyment by everyone of ownership of the common heritage of mankind in connection to the public right of access to culture;

(o) The shared responsibility of the nations of the world for managing worldwide economic and social development, as well as threats to international peace and security, that should be exercised multilaterally;

5. *Stresses* the importance of preserving the rich and diverse nature of the international community of nations and peoples, as well as respect for national and regional particularities and various historical, cultural and religious backgrounds, in the enhancement of international cooperation in the field of human rights;

6. *Also stresses* that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis, and reaffirms that, while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms;

7. *Urges* all actors on the international scene to build an international order based on inclusion, justice, equality and equity, human dignity, mutual understanding and promotion of and respect for cultural diversity and universal human rights, and to reject all doctrines of exclusion based on racism, racial discrimination, xenophobia and related intolerance;

8. *Reaffirms* that all States should promote the establishment, maintenance and strengthening of international peace and security and, to that end, should do their utmost to achieve general and complete disarmament under effective international control, as well as to ensure that the resources released by effective disarmament measures are used for comprehensive development, in particular that of the developing countries;

9. *Also reaffirms* the need to continue working urgently for the establishment of an international economic order based on equity, sovereign equality, interdependence, common interest and cooperation among all States, irrespective of their economic and social systems, which shall correct inequalities and redress existing injustices, make it possible to eliminate the widening gap between the developed and the developing countries and ensure steadily accelerating economic and social development and peace and justice for present and future generations;

10. *Further reaffirms* that the international community should devise ways and means to remove the current obstacles and meet the challenges to the full realization of all human rights and to prevent the continuation of human rights violations resulting therefrom throughout the world;

11. *Urges* States to continue their efforts, through enhanced international cooperation, towards the promotion of a democratic and equitable international order;

12. *Requests* the Human Rights Council, the human rights treaty bodies, the Office of the United Nations High Commissioner for Human Rights, the special mechanisms extended by the Council and the Human Rights Council Advisory Committee to pay due attention, within their respective mandates, to the present resolution and to make contributions towards its implementation;

13. *Calls upon* the Office of the High Commissioner to build upon the issue of the promotion of a democratic and equitable international order;

14. *Requests* the Secretary-General to bring the present resolution to the attention of Member States, United Nations organs, bodies and components, intergovernmental organizations, in particular the Bretton Woods institutions, and non-governmental organizations, and to disseminate it on the widest possible basis;

15. *Decides* to continue consideration of the matter at its sixty-sixth session under the item entitled "Promotion and protection of human rights".

RECORDED VOTE ON RESOLUTION 65/223:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indo-

nesia, Iran, Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom, United States.

Abstaining: Argentina, Armenia, Chile, Mexico, Peru.

Globalization

Report of Secretary-General. In response to General Assembly resolution 64/160 [YUN 2009, p. 711], the Secretary-General in July submitted a report [A/65/171] that summarized the views on the issue received from 12 Governments (Azerbaijan, Bosnia and Herzegovina, Burkina Faso, Colombia, Guatemala, Mauritius, Mexico, Oman, Qatar, Russian Federation, Serbia, Spain), and some UN or UN-related organizations, including the United Nations Development Programme, the World Intellectual Property Organization and the World Trade Organization. The report provided recommendations on ways to address the impact of globalization on the full enjoyment of all human rights.

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third Committee [A/65/456/Add.2], adopted **resolution 65/216** by recorded vote (132-54-0) [agenda item 68 (b)].

Globalization and its impact on the full enjoyment of all human rights

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations, and expressing, in particular, the need to achieve international cooperation in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction,

Recalling the Universal Declaration of Human Rights, as well as the Vienna Declaration and Programme of Action

adopted by the World Conference on Human Rights on 25 June 1993,

Recalling also the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights,

Recalling further the Declaration on the Right to Development adopted by the General Assembly in its resolution 41/128 of 4 December 1986,

Recalling the United Nations Millennium Declaration and the outcome documents of the twenty-third and twenty-fourth special sessions of the General Assembly, held in New York from 5 to 10 June 2000 and in Geneva from 26 June to 1 July 2000, respectively,

Recalling also its resolutions 64/160 and 64/174 of 18 December 2009,

Recalling further Commission on Human Rights resolution 2005/17 of 14 April 2005 on globalization and its impact on the full enjoyment of all human rights,

Recognizing that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis,

Realizing that globalization affects all countries differently and makes them more exposed to external developments, positive as well as negative, inter alia, in the field of human rights,

Realizing also that globalization is not merely an economic process, but that it also has social, political, environmental, cultural and legal dimensions, which have an impact on the full enjoyment of all human rights,

Emphasizing the need to fully implement the global partnership for development and enhance the momentum generated by the 2005 World Summit in order to operationalize and implement the commitments made in the outcomes of the major United Nations conferences and summits, including the 2005 World Summit, in the economic, social and related fields, and reaffirming in particular the commitment contained in paragraphs 19 and 47 of the 2005 World Summit Outcome to promote fair globalization and the development of the productive sectors in developing countries to enable them to participate more effectively in and benefit from the process of globalization,

Realizing the need to undertake a thorough, independent and comprehensive assessment of the social, environmental and cultural impact of globalization on societies,

Recognizing in each culture a dignity and value that deserve recognition, respect and preservation, convinced that, in their rich variety and diversity and in the reciprocal influences that they exert on one another, all cultures form part of the common heritage belonging to all humankind, and aware of the risk that globalization poses more of a threat to cultural diversity if the developing world remains poor and marginalized,

Recognizing also that multilateral mechanisms have a unique role to play in meeting the challenges and opportunities presented by globalization,

Realizing the need to consider the challenges and opportunities linked to globalization with a view to addressing such challenges and building on possible opportunities in order to achieve the full enjoyment of all human rights,

Emphasizing the global character of the migratory phenomenon, the importance of international, regional and

bilateral cooperation and the need to protect the human rights of migrants, particularly at a time in which migration flows have increased in the globalized economy,

Expressing concern at the negative impact of international financial turbulence on social and economic development and on the full enjoyment of all human rights, particularly in the light of the current global financial and economic crisis, which has an adverse impact on the realization of the internationally agreed development goals, particularly the Millennium Development Goals, and recognizing that developing countries are in a more vulnerable situation when facing such impact,

Expressing deep concern at the negative impact of the rising global food and energy challenges and climate change on social and economic development and on the full enjoyment of all human rights for all,

Recognizing that globalization should be guided by the fundamental principles that underpin the corpus of human rights, such as equity, participation, accountability, non-discrimination at both the national and the international levels, respect for diversity, tolerance and international cooperation and solidarity,

Emphasizing that the existence of widespread extreme poverty inhibits the full realization and effective enjoyment of human rights and that its immediate alleviation and eventual elimination must remain a high priority for the international community,

Acknowledging that there is greater acceptance that the increasing debt burden faced by the most indebted developing countries is unsustainable and constitutes one of the principal obstacles to achieving sustainable development and poverty eradication and that for many developing countries excessive debt servicing has severely constrained their capacity to promote social development and to provide basic services to realize economic, social and cultural rights,

Strongly reiterating the determination to ensure the timely and full realization of the development goals and objectives agreed at the major United Nations conferences and summits, including those agreed at the Millennium Summit, described as the Millennium Development Goals, which have helped to galvanize efforts towards poverty eradication,

Deeply concerned at the inadequacy of measures to narrow the widening gap between the developed and the developing countries, and within countries, which has contributed to, inter alia, deepening poverty and has adversely affected the full enjoyment of all human rights, in particular in developing countries,

Emphasizing that transnational corporations and other business enterprises have a responsibility to respect all human rights,

Underlining that human beings strive for a world that is respectful of human rights and cultural diversity and that in this regard they work to ensure that all activities, including those affected by globalization, are consistent with those aims,

1. *Recognizes* that, while globalization, by its impact on, inter alia, the role of the State, may affect human rights, the promotion and protection of all human rights is first and foremost the responsibility of the State;

2. *Emphasizes* that development should be at the centre of the international economic agenda and that coherence between national development strategies and international

obligations and commitments is imperative for an enabling environment for development and an inclusive and equitable globalization;

3. *Reaffirms* that narrowing the gap between rich and poor, both within and between countries, is an explicit goal at the national and international levels, as part of the effort to create an enabling environment for the full enjoyment of all human rights;

4. *Also reaffirms* the commitment to create an environment at both the national and the global levels that is conducive to development and to the eradication of poverty by, inter alia, promoting good governance within each country and at the international level, eliminating protectionism, enhancing transparency in the financial, monetary and trading systems and committing to an open, equitable, rule-based, predictable and non-discriminatory multilateral trading and financial system;

5. *Recognizes* the impacts that the global financial and economic crisis is still having on the ability of countries, particularly developing countries, to mobilize resources for development and address the impact of this crisis, and in this context calls upon all States and the international community to alleviate, in an inclusive and development-oriented manner, any negative impacts of this crisis on the realization and the effective enjoyment of all human rights;

6. *Also recognizes* that, while globalization offers great opportunities, the fact that its benefits are very unevenly shared and its costs unevenly distributed represents an aspect of the process that affects the full enjoyment of all human rights, in particular in developing countries;

7. *Welcomes* the report of the United Nations High Commissioner for Human Rights on globalization and its impact on the full enjoyment of human rights, which focuses on the liberalization of agricultural trade and its impact on the realization of the right to development, including the right to food, and takes note of the conclusions and recommendations contained therein;

8. *Reaffirms* the international commitment to eliminating hunger and to securing food for all, today and tomorrow, and reiterates that the relevant United Nations organizations should be assured the resources needed to expand and enhance their food assistance, and support safety net programmes designed to address hunger and malnutrition, when appropriate, through the use of local or regional purchase;

9. *Calls upon* Member States, relevant agencies of the United Nations system, intergovernmental organizations and civil society to promote equitable and environmentally sustainable economic growth for managing globalization so that poverty is systematically reduced and the international development targets are achieved;

10. *Recognizes* that the responsible operations of transnational corporations and other business enterprises can contribute to the promotion, protection and fulfilment of all human rights and fundamental freedoms, in particular economic, social and cultural rights;

11. *Also recognizes* that only through broad and sustained efforts, including policies and measures at the global level to create a shared future based upon our common humanity in all its diversity, can globalization be made fully inclusive and equitable and have a human face, thus contributing to the full enjoyment of all human rights;

12. *Underlines* the urgent need to establish an equitable, transparent and democratic international system to strengthen and broaden the participation of developing countries in international economic decision-making and norm-setting;

13. *Affirms* that globalization is a complex process of structural transformation, with numerous interdisciplinary aspects, which has an impact on the enjoyment of civil, political, economic, social and cultural rights, including the right to development;

14. *Also affirms* that the international community should strive to respond to the challenges and opportunities posed by globalization in a manner that promotes and protects human rights while ensuring respect for the cultural diversity of all;

15. *Underlines*, therefore, the need to continue to analyse the consequences of globalization for the full enjoyment of all human rights;

16. *Takes note* of the report of the Secretary-General, and requests him to seek further the views of Member States and relevant agencies of the United Nations system and to submit to the General Assembly at its sixty-sixth session a substantive report on the subject based on these views, including recommendations on ways to address the impact of globalization on the full enjoyment of all human rights.

RECORDED VOTE ON RESOLUTION 65/216:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia, Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom, United States.

Abstaining: None.

Foreign debt

Reports of independent expert. In response to a Human Rights Council request [YUN 2009, p. 713], the independent expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights, Cephias Lumina (Zambia), in a report [A/HRC/14/21] submitted in April, described his activities since his last report to the Council [YUN 2009, p. 713]. The expert pointed out that while international debt relief efforts had helped reduce the external debt burden of heavily indebted poor countries and created fiscal space for resources to be channelled to poverty-reducing expenditures and economic development, the voluntary nature of debt relief measures had created opportunities for some commercial creditors to eschew debt relief efforts and attempt to recover the full value of their debt through litigation. Those creditors—termed “vulture funds”—purchased the defaulted debt at significant discounts, held out for other creditors to cancel their debts and then aggressively pursued repayments that were vastly in excess of the amount they had paid for the debt. Those activities diluted the impact of debt relief by reducing the resources available to the targeted debtor countries to finance development and reduce poverty, and diminished the capacity of indebted poor countries to realize economic, social and cultural rights. The report sought to draw global attention to the adverse impacts of vulture fund activities on international debt relief and on the capacity of poor countries to fulfil their human rights obligations and attain their development goals. The expert called for definitive international and national action to combat vulture fund activity.

As requested by the Human Rights Council in 2008 [YUN 2008, p. 828] and in resolution 14/4 (see p. 730), the Secretary-General in August [A/65/260 & Corr.1] transmitted to the General Assembly the expert's report, which outlined his activities since his previous report to the Assembly [YUN 2009, p. 713]. The expert also explored the linkages between debt and trade. He argued that coherence in trade and finance policymaking could provide better sustainable development outcomes and contribute to a solution to the debt problems of developing countries and the realization of human rights in those countries. He examined the impact of trade liberalization on debt relief and human rights; highlighted limitations of debt sustainability assessments under the joint International Monetary Fund/World Bank Debt Sustainability Framework; called for a new debt sustainability framework incorporating sustainable development and human rights concerns; and underscored the need for policy coherence in the areas of trade and finance. The expert urged Member States to consider

the establishment of an independent debt workout mechanism under UN auspices and for the international community to adopt a binding legal framework on responsible lending and borrowing.

The General Assembly took note of that report on 21 December (**decision 65/536**).

Human Rights Council action. On 17 June [A/65/53 (res. 14/4)], the Council, by a recorded vote of 31 to 13, with 3 abstentions, affirmed that the activities of vulture funds highlighted some of the problems in the global financial system and were indicative of the unjust nature of the system, and called on States to take measures to combat those funds. It encouraged the independent expert to further develop the proposed elements for a conceptual framework for understanding the relationship between foreign debt and human rights; welcomed the areas of focus identified by the expert for 2009–2010, in particular the development of draft general guidelines on foreign debt and human rights and the issue of illegitimate debt; and requested the expert to report on implementation of the resolution to the Assembly's sixty-fifth (2010) session and to the Council in 2011.

Transnational corporations

Reports of Special Representative. The Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises, John Ruggie (United States), in April submitted a progress report [A/HRC/14/27] in follow-up to a previous report [YUN 2008, p. 829]. He illustrated his working methods in operationalizing and promoting the “protect, respect and remedy” framework [ibid.], which rested on three pillars: the State duty to protect against human rights abuses by third parties, including business, through appropriate policies, regulation, and adjudication; the corporate responsibility to respect human rights, which meant to act with due diligence to avoid infringing on the rights of others; and greater access by victims to effective remedy, judicial and non-judicial. He summarized his current thinking on the three pillars and the synergies among them, pointing towards the guiding principles that would constitute the mandate's final product.

In August, the Secretary-General submitted to the General Assembly the report [A/65/310] of the Special Representative reviewing his work since the presentation of the above report to the Council. The Representative would submit two products at the end of his mandate in 2011: a set of guiding principles for implementing the “protect, respect and remedy” framework, and an options paper outlining possible ways the Council might follow up on the mandate. The Representative outlined the consultative process that he would pursue in elaborating the guiding

principles, addressed challenges posed by the issue of extraterritorial jurisdiction in the context of business and human rights, discussed the scope and application of the corporate responsibility to respect human rights in the supply chains of business enterprises, and reviewed his work to promote the framework.

The General Assembly took note of that report on 21 December (**decision 65/536**).

Unilateral coercive measures

Reports of Secretary-General. As requested by the Human Rights Council [YUN 2009, p. 714], the Secretary-General in June submitted a report [A/HRC/15/43] that summarized responses received from 11 Governments (Algeria, Argentina, Belarus, Burkina Faso, Costa Rica, Guatemala, Jamaica, Qatar, Russian Federation, Serbia, Slovakia) on the impact of unilateral coercive measures on their populations. A report [A/65/119] issued in July in response to General Assembly resolution 64/170 [YUN 2009, p. 714] summarized information received from the Syrian Arab Republic on the same topic.

Human Rights Council action. On 1 October [A/65/53/Add.1 (res. 15/24)], the Council, by a recorded vote of 32 to 14, with no abstentions, called on States to stop adopting or implementing unilateral coercive measures not in accordance with international law, international humanitarian law, the UN Charter and the norms and principles governing peaceful relations among States, in particular those of a coercive nature with extraterritorial effects, which created obstacles to trade relations. OHCHR was requested to submit a thematic study on the issue to the Council's eighteenth (2011) session.

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third Committee [A/65/456/Add.2], adopted **resolution 65/217** by recorded vote (131-53-0) [agenda item 68 (b)].

Human rights and unilateral coercive measures

The General Assembly,

Recalling all its previous resolutions on this subject, the most recent of which was resolution 64/170 of 18 December 2009, Human Rights Council resolution 15/24 of 1 October 2010 and previous resolutions of the Council and the Commission on Human Rights,

Reaffirming the pertinent principles and provisions contained in the Charter of Economic Rights and Duties of States proclaimed by the General Assembly in its resolution 3281(XXIX) of 12 December 1974, in particular article 32 thereof, in which it declared that no State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights,

Taking note of the report of the Secretary-General submitted pursuant to General Assembly resolution 64/170 and the reports of the Secretary-General on the implementation of Assembly resolutions 52/120 of 12 December 1997 and 55/110 of 4 December 2000,

Stressing that unilateral coercive measures and legislation are contrary to international law, international humanitarian law, the Charter of the United Nations and the norms and principles governing peaceful relations among States,

Recognizing the universal, indivisible, interdependent and interrelated character of all human rights, and in this regard reaffirming the right to development as an integral part of all human rights,

Recalling the Final Document of the Fifteenth Summit Conference of Heads of State and Government of the Movement of Non-Aligned Countries, held in Sharm el-Sheikh, Egypt, from 11 to 16 July 2009, and those adopted at previous summits and conferences, in which States members of the Movement agreed to oppose and condemn those measures or laws and their continued application, persevere with efforts to effectively reverse them and urge other States to do likewise, as called for by the General Assembly and other United Nations organs, and request States applying those measures or laws to revoke them fully and immediately,

Recalling also that, at the World Conference on Human Rights, held in Vienna from 14 to 25 June 1993, States were called upon to refrain from any unilateral measure not in accordance with international law and the Charter that creates obstacles to trade relations among States and impedes the full realization of all human rights and also severely threatens the freedom of trade,

Bearing in mind all the references to this question in the Copenhagen Declaration on Social Development adopted by the World Summit for Social Development on 12 March 1995, the Beijing Declaration and Platform for Action adopted by the Fourth World Conference on Women on 15 September 1995, the Istanbul Declaration on Human Settlements and the Habitat Agenda adopted by the second United Nations Conference on Human Settlements (Habitat II) on 14 June 1996, and their five-year reviews,

Expressing concern about the negative impact of unilateral coercive measures on international relations, trade, investment and cooperation,

Expressing grave concern that, in some countries, the situation of children is adversely affected by unilateral coercive measures not in accordance with international law and the Charter that create obstacles to trade relations among States, impede the full realization of social and economic development and hinder the well-being of the population in the affected countries, with particular consequences for women and children, including adolescents,

Deeply concerned that, despite the recommendations adopted on this question by the General Assembly, the Human Rights Council, the Commission on Human Rights and recent major United Nations conferences, and contrary to general international law and the Charter, unilateral coercive measures continue to be promulgated and implemented, with all their negative implications for the social humanitarian activities and economic and social development of developing countries, including their extraterritorial effects, thereby creating additional obstacles to the full enjoyment of all human rights by peoples and individuals under the jurisdiction of other States,

Bearing in mind all the extraterritorial effects of any unilateral legislative, administrative and economic measures, policies and practices of a coercive nature against the development process and the enhancement of human rights in developing countries, which create obstacles to the full realization of all human rights,

Reaffirming that unilateral coercive measures are a major obstacle to the implementation of the Declaration on the Right to Development,

Recalling article 1, paragraph 2, common to the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, which provides, inter alia, that in no case may a people be deprived of its own means of subsistence,

Noting the continuing efforts of the open-ended Working Group on the Right to Development of the Human Rights Council, and reaffirming in particular its criteria, according to which unilateral coercive measures are one of the obstacles to the implementation of the Declaration on the Right to Development,

1. *Urges* all States to cease adopting or implementing any unilateral measures not in accordance with international law, the Charter of the United Nations and the norms and principles governing peaceful relations among States, in particular those of a coercive nature, with all their extraterritorial effects, which create obstacles to trade relations among States, thus impeding the full realization of the rights set forth in the Universal Declaration of Human Rights and other international human rights instruments, in particular the right of individuals and peoples to development;

2. *Also urges* all States not to adopt any unilateral measures not in accordance with international law and the Charter that impede the full achievement of economic and social development by the population of the affected countries, in particular children and women, that hinder their well-being and that create obstacles to the full enjoyment of their human rights, including the right of everyone to a standard of living adequate for his or her health and well-being and his or her right to food, medical care and education and the necessary social services, as well as to ensure that food and medicine are not used as tools for political pressure;

3. *Strongly objects* to the extraterritorial nature of those measures which, in addition, threaten the sovereignty of States, and in this context calls upon all Member States neither to recognize those measures nor to apply them, as well as to take administrative or legislative measures, as appropriate, to counteract the extraterritorial applications or effects of unilateral coercive measures;

4. *Condemns* the continuing unilateral application and enforcement by certain Powers of unilateral coercive measures, and rejects those measures, with all their extraterritorial effects, as being tools for political or economic pressure against any country, in particular against developing countries, adopted with a view to preventing those countries from exercising their right to decide, of their own free will, their own political, economic and social systems, and because of the negative effects of those measures on the realization of all the human rights of vast sectors of their populations, in particular children, women and the elderly;

5. *Reaffirms* that essential goods such as food and medicines should not be used as tools for political coercion and

that under no circumstances should people be deprived of their own means of subsistence and development;

6. *Calls upon* Member States that have initiated such measures to abide by the principles of international law, the Charter, the declarations of the United Nations and world conferences and relevant resolutions and to commit themselves to their obligations and responsibilities arising from the international human rights instruments to which they are parties by revoking such measures at the earliest possible time;

7. *Reaffirms*, in this context, the right of all peoples to self-determination, by virtue of which they freely determine their political status and freely pursue their economic, social and cultural development;

8. *Recalls* that, according to the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, contained in the annex to General Assembly resolution 2625(XXV) of 24 October 1970, and the relevant principles and provisions contained in the Charter of Economic Rights and Duties of States proclaimed by the Assembly in its resolution 3281(XXIX), in particular article 32 thereof, no State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights and to secure from it advantages of any kind;

9. *Rejects* all attempts to introduce unilateral coercive measures, and urges the Human Rights Council to take fully into account the negative impact of those measures, including through the enactment of national laws and their extraterritorial application which are not in conformity with international law, in its task concerning the implementation of the right to development;

10. *Requests* the United Nations High Commissioner for Human Rights, in discharging her functions relating to the promotion, realization and protection of the right to development and bearing in mind the continuing impact of unilateral coercive measures on the population of developing countries, to give priority to the present resolution in her annual report to the General Assembly;

11. *Underlines* the fact that unilateral coercive measures are one of the major obstacles to the implementation of the Declaration on the Right to Development, and in this regard calls upon all States to avoid the unilateral imposition of economic coercive measures and the extraterritorial application of domestic laws that run counter to the principles of free trade and hamper the development of developing countries, as recognized by the Working Group on the Right to Development of the Human Rights Council;

12. *Recognizes* that, in the Declaration of Principles adopted at the first phase of the World Summit on the Information Society, held in Geneva from 10 to 12 December 2003, States were strongly urged to avoid and refrain from any unilateral measure not in accordance with international law and the Charter of the United Nations in building the information society;

13. *Supports* the invitation of the Human Rights Council to all special rapporteurs and existing thematic mechanisms of the Council in the field of economic, social and cultural rights to pay due attention, within the scope of their respective mandates, to the negative impact and consequences of unilateral coercive measures;

14. *Reaffirms* the request of the Human Rights Council that the Office of the United Nations High Commissioner for Human Rights prepare a thematic study on the impact of unilateral coercive measures on the enjoyment of human rights;

15. *Requests* the Secretary-General to bring the present resolution to the attention of all Member States, to continue to collect their views and information on the implications and negative effects of unilateral coercive measures on their populations and to submit an analytical report thereon to the General Assembly at its sixty-sixth session, while reiterating once again the need to highlight the practical and preventive measures in this respect;

16. *Decides* to examine the question on a priority basis at its sixty-sixth session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".

RECORDED VOTE ON RESOLUTION 65/217:

In favour: Afghanistan, Algeria, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia, Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom, United States.

Abstaining: None.

Social Forum

Human Rights Council action. On 25 March [A/65/53 (res. 13/17)], the Council took note of the report of the 2009 Social Forum [YUN 2009, p. 717]; decided that the Social Forum in 2010 would meet for three working days in Geneva, focusing on climate change

and human rights; requested the High Commissioner to submit a background report for the dialogues and debates to be held at the Social Forum; and invited the Social Forum to submit a report to the Council.

Social Forum session. The Social Forum (Geneva, 4–6 October) [A/HRC/16/62 & Corr.1], which was attended by Member States, UN system bodies, intergovernmental organizations, NGOs, academic institutions and independent experts, had before it a background report by the High Commissioner [A/HRC/SF/2010/2 & Corr.1] reviewing developments in the UN human rights system with regard to addressing the impact of climate change on human rights, and an OHCHR study [YUN 2009, p. 727] on the relationship between human rights and climate change. Participants heard expert presentations, each complemented by an interactive exchange of views, leading to recommendations in relation to the adverse effects of climate change on the full enjoyment of human rights, including the right to life and economic, social and cultural rights; measures and actions to address the impact of climate change on the full enjoyment of human rights at the local, national, regional and international levels, including on most vulnerable groups; and international assistance and cooperation in addressing the human rights-related impact of climate change.

Extreme poverty

Reports of independent expert. As requested by the Human Rights Council [YUN 2008, p. 833], the independent expert on the question of human rights and extreme poverty, Magdalena Sepúlveda Carmona (Chile), in March submitted a report [A/HRC/14/31] focusing on non-contributory pensions or so-called social pensions. Social pensions consisted of cash benefits received by older persons that did not require prior compulsory contributions from beneficiaries, employers or the State and were an important dimension of social security systems. Considering the vulnerability of older persons, States should establish social security schemes providing benefits to all older persons without discrimination, including to those working outside the formal employment sector. As contributory pension schemes, such as employment-based pensions, did not reach all older persons, the expert pointed out that States must recognize that social pensions were a critical element for the progressive realization of the right to social security for older people. Non-contributory pensions could significantly reduce poverty and vulnerability among old people, particularly women, who lived longer and were less likely to benefit from contributory systems. The expert provided recommendations on how to ensure that non-contributory pensions complied with core human rights standards, and addressed the role of international assistance and cooperation in the field of social security.

As requested by the Human Rights Council [YUN 2008, p. 833], the Secretary-General in August [A/65/259] transmitted to the General Assembly the expert's report highlighting the importance of social protection measures in the Millennium Development Goals (MDGs) agenda. It stressed that social protection measures carried out within the framework of a rights-based approach were more likely to ensure the achievement of the MDGs and to result in long-term improvements. In addition, the report argued that the use of a rights-based approach to social protection could maximize synergies across the MDGs and have greater effect in terms of reducing extreme poverty. The expert called on States to devote increased attention to the issue of gender equality while designing, implementing and evaluating social protection programmes within a human rights framework.

Mission report. Following her visit to Viet Nam (23–31 August) [A/HRC/17/34/Add.1], the independent expert recognized the progress made in poverty reduction over two decades of rapid economic development, yet noted that the benefits of that progress had not been equally shared and rising inequality was a concern. Renewed attention was urgently required to reach the significant portion of the population that continued to live in extreme poverty, and to ensure that those whose situation had improved were protected from future crises. That demanded new strategies to ensure better protection for those who were particularly vulnerable to poverty, including ethnic minorities. The expert called on the Government to increase investment in social protection; stressed the need to increase support to social assistance mechanisms; and highlighted the importance of ensuring that financial costs were not imposed on persons living in extreme poverty when accessing basic health care and education.

Draft guiding principles. As requested by the Human Rights Council [YUN 2009, p. 718], the independent expert in August submitted a report [A/HRC/15/41] containing recommendations on improving the draft guiding principles on extreme poverty and human rights [YUN 2006, p. 900] prepared by the Sub-commission on the Promotion and Protection of Human Rights. The report benefited from the contributions of States and other stakeholders that participated in various consultative processes conducted after 2006. It included both the rationale behind the proposals and the basic conceptual definitions framing the recommendations; outlined the main challenges experienced by persons living in extreme poverty that had to be taken into account when preparing the principles; and presented an annotated outline of the expert's proposal on improving the draft guiding principles. The expert pointed out that the guiding principles could help States and other actors operationalize human rights obligations for persons living in extreme poverty.

Human Rights Council action. On 30 September [A/65/53/Add.1 (res. 15/19)], the Council invited OHCHR to seek the views of States, UN human rights bodies, intergovernmental organizations, national human rights institutions and NGOs on the expert's report on the draft guiding principles; to organize, in Geneva before June 2011, a two-day consultation on the draft guiding principles with the expert and relevant stakeholders; and to submit to the Council, by its nineteenth (2012) session, an analytical compilation on the basis of the submissions received and those made at the consultation. The Council invited the independent expert to submit a final draft of the guiding principles to the Council's twenty-first (2012) session.

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third Committee [A/65/456/Add.2], adopted **resolution 65/214** without vote [agenda item 68 (b)].

Human rights and extreme poverty

The General Assembly,

Reaffirming the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Rights of Persons with Disabilities and other human rights instruments adopted by the United Nations,

Recalling its resolution 47/196 of 22 December 1992, by which it declared 17 October the International Day for the Eradication of Poverty, and its resolution 62/205 of 19 December 2007, by which it proclaimed the Second United Nations Decade for the Eradication of Poverty (2008–2017), as well as its resolution 63/175 of 18 December 2008 and its previous resolutions on human rights and extreme poverty, in which it reaffirmed that extreme poverty and exclusion from society constitute a violation of human dignity and that urgent national and international action is therefore required to eliminate them,

Recalling also its resolution 52/134 of 12 December 1997, in which it recognized that the enhancement of international cooperation in the field of human rights was essential for the effective understanding, promotion and protection of all human rights,

Recalling further Human Rights Council resolutions 2/2 of 27 November 2006, 7/27 of 28 March 2008, 8/11 of 18 June 2008 and 12/19 of 2 October 2009,

Recalling Human Rights Council resolution 15/19 of 30 September 2010, in which it invited the independent expert on the question of human rights and extreme poverty, on the basis of the report of the Office of the United Nations High Commissioner for Human Rights, to pursue further work on the draft guiding principles on extreme poverty and human rights with a view to submitting a final draft of the revised guiding principles to the Council at its twenty-first session, in order to allow the Council to take a decision on

the way forward with a view to the adoption by 2012 of guiding principles on the rights of persons living in extreme poverty,

Reaffirming the internationally agreed development goals, including the Millennium Development Goals, and welcoming the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals and recalling its outcome document, contained in resolution 65/1 of 22 September 2010,

Deeply concerned that extreme poverty persists in all countries of the world, regardless of their economic, social and cultural situation, and that its extent and its manifestations, such as hunger, trafficking in human beings, disease, lack of adequate shelter, illiteracy and hopelessness, are particularly severe in developing countries, while acknowledging the significant progress made in several parts of the world in combating extreme poverty,

Deeply concerned also that gender inequality, violence and discrimination exacerbate extreme poverty, disproportionately impacting women and girls,

Stressing that special attention should be given to children, older persons, persons with disabilities and indigenous peoples who are living in extreme poverty,

Concerned by the challenges faced today, including those derived from the financial and economic crisis, the food crisis and ongoing concerns over food security, as well as the increasing challenges posed by climate change and the loss of biodiversity, and by their impact on the increase in the number of people living in extreme poverty and their negative effect on the capacity of all States, especially developing countries, to fight extreme poverty,

Recognizing that the eradication of extreme poverty is a major challenge within the process of globalization and requires coordinated and continued policies through decisive national action and international cooperation,

Recognizing also that social protection systems make a critical contribution to the realization of human rights for all, in particular for those who are in vulnerable or marginalized situations and are trapped in poverty and subject to discrimination,

Stressing the necessity of better understanding and addressing the causes and consequences of extreme poverty,

Reaffirming that, since the existence of widespread extreme poverty inhibits the full and effective enjoyment of human rights and may, in some situations, constitute a threat to the right to life, its immediate alleviation and eventual eradication must remain a high priority for the international community,

Stressing that respect for all human rights, which are universal, indivisible, interdependent and interrelated, is of crucial importance for all policies and programmes to fight extreme poverty,

Reaffirming that democracy, development and the full and effective enjoyment of human rights and fundamental freedoms are interdependent and mutually reinforcing and contribute to the eradication of extreme poverty,

1. *Reaffirms* that extreme poverty and exclusion from society constitute a violation of human dignity and that urgent national and international action is therefore required to eliminate them;

2. *Also reaffirms* that it is essential for States to foster participation by the poorest people in the decision-making process in the societies in which they live, in the promotion

of human rights and in efforts to combat extreme poverty and that it is essential for people living in poverty and vulnerable groups to be empowered to organize themselves and to participate in all aspects of political, economic, social and cultural life, in particular the planning and implementation of policies that affect them, thus enabling them to become genuine partners in development;

3. *Emphasizes* that extreme poverty is a major issue to be addressed by Governments, civil society, community-based social organizations and the United Nations system, including international financial institutions, and in this context reaffirms that political commitment is a prerequisite for the eradication of poverty;

4. *Reaffirms* that the existence of widespread extreme poverty inhibits the full and effective enjoyment of human rights and renders democracy and popular participation fragile;

5. *Recognizes* the need to promote respect for human rights and fundamental freedoms in order to address the most pressing social needs of people living in poverty, including through the design and development of appropriate mechanisms to strengthen and consolidate democratic institutions and governance;

6. *Reaffirms* the commitments contained in the United Nations Millennium Declaration, in particular the commitments to spare no effort to fight against extreme poverty and to achieve development and poverty eradication, including the commitment to halve, by 2015, the proportion of the world's people whose income is less than one United States dollar a day and the proportion of people who suffer from hunger;

7. *Also reaffirms* the commitment made at the 2005 World Summit to eradicate poverty and promote sustained economic growth, sustainable development and global prosperity for all, including women and girls;

8. *Further reaffirms* the commitment made at the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals to accelerating progress in order to eradicate extreme poverty and hunger;

9. *Recalls* that promoting universal access to social services and providing social protection floors can make an important contribution to consolidating and achieving further development gains and that social protection systems that address and reduce inequality and social exclusion are essential for protecting the gains made towards the achievement of the Millennium Development Goals;

10. *Encourages* States, when designing, implementing, monitoring and evaluating social protection programmes, to ensure gender mainstreaming and the promotion and protection of all human rights in accordance with their obligations under international human rights law, through this process;

11. *Welcomes* the ongoing efforts to strengthen and support South-South cooperation and triangular cooperation, and stresses that South-South cooperation is not a substitute for, but rather a complement to, North-South cooperation;

12. *Encourages* the international community to strengthen its efforts to address challenges that are contributing to extreme poverty, including those derived from the financial and economic crisis, the food crisis and ongoing concerns over food security, as well as the increasing challenges posed by climate change and the loss of biodiversity in

all parts of the world, especially in developing countries, by enhancing its cooperation to help to build national capacities;

13. *Reaffirms* the critical role of both formal and informal education in the achievement of poverty eradication and other development goals as envisaged in the Millennium Declaration, in particular basic education and training for eradicating illiteracy, and efforts towards expanded secondary and higher education as well as vocational education and technical training, especially for girls and women, the creation of human resources and infrastructure capabilities and the empowerment of those living in poverty, and in this context reaffirms the Dakar Framework for Action adopted at the World Education Forum on 28 April 2000, and recognizes the importance of the United Nations Educational, Scientific and Cultural Organization strategy for the eradication of poverty, especially extreme poverty, in supporting the Education for All programmes as a tool to achieve the Millennium Development Goal of universal primary education by 2015;

14. *Invites* the United Nations High Commissioner for Human Rights to continue to give high priority to the question of the relationship between extreme poverty and human rights, and also invites her to further pursue the work in this area;

15. *Calls upon* States, United Nations bodies, in particular the Office of the United Nations High Commissioner for Human Rights and the United Nations Development Programme, intergovernmental organizations and non-governmental organizations to continue to give appropriate attention to the links between human rights and extreme poverty, and encourages the private sector and international financial institutions to proceed likewise;

16. *Invites* States, as well as relevant United Nations agencies and treaty bodies, relevant special procedures mandate holders of the Human Rights Council, intergovernmental organizations, national human rights institutions and non-governmental organizations, especially those working with people living in extreme poverty, and other relevant stakeholders, to contribute to the work of the High Commissioner by expressing their views, comments and suggestions on the progress report on the draft guiding principles submitted by the independent expert on the question of human rights and extreme poverty;

17. *Invites* the independent expert and relevant stakeholders, including representatives of States, development and human rights practitioners and organizations at the local, national, regional and international levels, to participate in the two-day consultation on the progress report on the draft guiding principles that the High Commissioner will organize, within existing resources, in Geneva before June 2011;

18. *Welcomes* the efforts of entities throughout the United Nations system to incorporate the Millennium Declaration and the internationally agreed development goals set out therein into their work;

19. *Also welcomes* the work on social protection and human rights undertaken by the independent expert and her reports, submitted to the General Assembly at its sixty-fourth and sixty-fifth sessions;

20. *Decides* to consider the question further at its sixty-seventh session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".

Right to food

Reports of Special Rapporteur. As requested by the Human Rights Council [YUN 2009, p. 720], the Special Rapporteur on the right to food, Olivier De Schutter (Belgium), submitted a report [A/HRC/13/33] that examined the role of commodity buyers, food processors and retailers in the realization of the right to food. Those actors played a key role, as they connected producers to consumers and transformed raw commodities into edible food. Yet the vast majority of those who were hungry in the world were part of the food system; small independent food producers or waged agricultural workers working on farms in the formal or informal sector represented over half of the billion who went hungry. The report therefore asked how the sourcing, pricing, and wage policies of commodity buyers, food processors and retailers affected the right to food. It sought to contribute to a better understanding by agribusiness corporations and States of their responsibilities and obligations under international law. The report concluded with 10 recommendations to States and the agribusiness sector to ensure that the transformation of the food chain under way would contribute to realizing the right to food. The recommendations related to areas such as codes of conduct and international framework agreements, cooperatives, marketing boards, public procurement, and competition law.

An addendum [A/HRC/13/33/Add.1] summarized communications, including urgent appeals, allegation letters and follow-up, for the period from 5 December 2008 to 5 December 2009 and the responses received until 6 February 2010. During that period, the Rapporteur sent 18 communications to 16 Member States as well as 13 communications to other actors, including corporations. He received seven replies from Member States and seven from other actors.

A further addendum [A/HRC/13/33/Add.2] analysed a trend that had accelerated following the 2008 global food price crisis: large-scale acquisitions and leases of land. It was estimated that between 15 and 20 million hectares of farmland in developing countries had been subject to transactions or negotiations involving foreign investors since 2006. The Rapporteur examined the potential impact on the human right to adequate food, and proposed a set of core principles and measures for host States and investors. The main aim of those principles was to ensure that negotiations leading to land acquisitions and leases complied with procedural requirements, including the informed participation of local communities. They also sought to ensure adequate benefit-sharing, and a proviso that under no circumstances should such transactions be allowed to trump the human rights obligations of States.

In accordance with General Assembly resolution 64/159 [YUN 2009, p. 720], the Secretary-General in August [A/65/281] transmitted to the Assembly the interim report of the Rapporteur, which explored the threats posed by the increasing pressures on land and on three categories of land users: indigenous peoples, smallholders and special groups such as herders, pastoralists and fisherfolk. It examined how States and the international community could better respect, protect and fulfil the right to food by giving increased recognition to land as a human right. The Rapporteur argued that, while security of tenure was crucial, individual titling and the creation of a market for land rights might not be the most appropriate means to achieve that right. Instead, the strengthening of customary land tenure systems and the reinforcement of tenancy laws could significantly improve the protection of land users. He emphasized the importance of land redistribution for the realization of the right to food and called for the prioritization of development models that did not lead to evictions, disruptive shifts in land rights and increased land concentration.

Mission reports. Following his visit to the Syrian Arab Republic (29 August–7 September) [A/HRC/16/49/Add.2], the Rapporteur said that the mission took place in a challenging context characterized by the fourth consecutive year of drought in the north-eastern region, the presence of a large number of Iraqi refugees, and the transition from a centrally planned to a social market economy. He assessed the enjoyment of the right to food in the country; the challenges posed by drought and climate change; the enjoyment of the right to food by Iraqi refugees, herders in the Badia region and stateless Kurds; and the challenges relating to the right to food faced by the Government in its transition to a social market economy. He recommended that the Government adopt a comprehensive national strategy to realize the right to food, monitor the distributional impact of reforms on the incomes of smallholder farmers and vulnerable groups, and continue to diversify the agricultural sector.

Following his mission to China (15–23 December) [A/HRC/19/59/Add.1], the Rapporteur pointed out that despite significant progress made in reducing poverty and food insecurity, situations of food insecurity still occurred among poor rural and urban households. New challenges were associated with changing diets and food safety, while others related to increasing land degradation, the pollution of arable land and climate change. People in rural areas who relied on agricultural land for their livelihood faced problems related to security of tenure. Nomadic herders and rural residents faced threats under resettlement and rehousing policies. The Rapporteur recommended that the Government adopt measures to strengthen the security of tenure of rural households; support

farmers' participation in contract farming by ensuring that the scheme was sustainable and equitable; develop a national strategy to address problems relating to rapidly shifting diets and the resulting spread of non-communicable diseases; and suspend the non-voluntary resettlement of nomadic herders from their traditional lands and the non-voluntary relocation or rehousing programmes of other rural residents in order to allow for meaningful consultations.

Communication. On 4 March [A/HRC/13/G/16], Brazil submitted its comments on the Special Rapporteur's report on his visit to the country [YUN 2009, p. 719].

Advisory Committee study. As requested by the Human Rights Council [YUN 2009, p. 626], the Human Rights Council Advisory Committee in February submitted a preliminary study [A/HRC/13/32] on discrimination in the context of the right to food.

Human Rights Council action. On 24 March [A/65/53 (res. 13/4)], the Council encouraged States to incorporate a human rights perspective in their national strategies for the realization of the right to food, to promote the conditions for everyone to be free from hunger, and to establish appropriate institutional mechanisms. The Council also extended the mandate of the Special Rapporteur for a three-year period and requested him to report to the Council's sixteenth (2011) session; welcomed the Advisory Committee's preliminary study on discrimination in the context of the right to food; requested OHCHR to collect the views of Member States, UN bodies and other stakeholders on the good practices of anti-discriminatory policies and strategies set out in the study; and requested the Advisory Committee to undertake a preliminary study on ways and means to advance the rights of people working in rural areas, in particular smallholders engaged in the production of food and/or other agricultural products, and to report to the Council's sixteenth (2011) session.

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third Committee [A/65/456/Add.2], adopted **resolution 65/220** without vote [agenda item 68 (b)].

The right to food

The General Assembly,

Reaffirming all previous resolutions and decisions on the right to food adopted within the framework of the United Nations,

Recalling the Universal Declaration of Human Rights, which provides that everyone has the right to a standard of living adequate for her or his health and well-being, including food, the Universal Declaration on the Eradication of Hunger and Malnutrition and the United Nations Millennium Declaration, in particular Millennium Development Goal 1 on eradicating extreme poverty and hunger by 2015,

Recalling also the provisions of the International Covenant on Economic, Social and Cultural Rights, in which the fundamental right of every person to be free from hunger is recognized,

Bearing in mind the Rome Declaration on World Food Security and the World Food Summit Plan of Action and the Declaration of the World Food Summit: five years later, adopted in Rome on 13 June 2002,

Reaffirming the concrete recommendations contained in the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, adopted by the Council of the Food and Agriculture Organization of the United Nations in November 2004,

Reaffirming also the Five Rome Principles for Sustainable Global Food Security contained in the Declaration of the World Summit on Food Security, adopted in Rome on 16 November 2009,

Reaffirming further that all human rights are universal, indivisible, interdependent and interrelated, and that they must be treated globally, in a fair and equal manner, on the same footing and with the same emphasis,

Reaffirming that a peaceful, stable and enabling political, social and economic environment, at both the national and the international levels, is the essential foundation that will enable States to give adequate priority to food security and poverty eradication,

Reiterating, as in the Rome Declaration on World Food Security and the Declaration of the World Food Summit: five years later, that food should not be used as an instrument of political or economic pressure, and reaffirming in this regard the importance of international cooperation and solidarity, as well as the necessity of refraining from unilateral measures that are not in accordance with international law and the Charter of the United Nations and that endanger food security,

Convinced that each State must adopt a strategy consistent with its resources and capacities to achieve its individual goals in implementing the recommendations contained in the Rome Declaration on World Food Security and the World Food Summit Plan of Action and, at the same time, cooperate regionally and internationally in order to organize collective solutions to global issues of food security in a world of increasingly interlinked institutions, societies and economies where coordinated efforts and shared responsibilities are essential,

Recognizing that the complex character of the global food crisis, in which the right to adequate food is threatened to be violated on a massive scale, is a combination of several major factors, such as the global financial and economic crisis, environmental degradation, desertification and the impacts of global climate change, as well as natural disasters and the lack in many countries of the appropriate technology, investment and capacity-building necessary to confront its impact, particularly in developing countries, least developed countries and small island developing States,

Resolved to act to ensure that the human rights perspective is taken into account at the national, regional and international levels in measures to address the global food crisis,

Expressing its deep concern at the number and scale of natural disasters, diseases and pests and their increasing im-

pact in recent years, which have resulted in massive loss of life and livelihood and threatened agricultural production and food security, in particular in developing countries,

Stressing the importance of reversing the continuing decline of official development assistance devoted to agriculture, both in real terms and as a share of total official development assistance,

Recognizing the importance of the protection and preservation of agrobiodiversity in guaranteeing food security and the right to food for all,

Recognizing also the role of the Food and Agriculture Organization of the United Nations as the key United Nations agency for rural and agricultural development and its work in supporting the efforts of Member States to achieve the full realization of the right to food, including through its provision of technical assistance to developing countries in support of the implementation of national priority frameworks,

Taking note of the final Declaration adopted at the International Conference on Agrarian Reform and Rural Development of the Food and Agriculture Organization of the United Nations in Porto Alegre, Brazil, on 10 March 2006,

Acknowledging the High-level Task Force on the Global Food Security Crisis established by the Secretary-General, and supporting the Secretary-General in his continuing efforts in this regard, including continued engagement with Member States and the Special Rapporteur of the Human Rights Council on the right to food,

1. *Reaffirms* that hunger constitutes an outrage and a violation of human dignity and therefore requires the adoption of urgent measures at the national, regional and international levels for its elimination;

2. *Also reaffirms* the right of everyone to have access to safe, sufficient and nutritious food, consistent with the right to adequate food and the fundamental right of everyone to be free from hunger, so as to be able to fully develop and maintain his or her physical and mental capacities;

3. *Considers it intolerable* that, as estimated by the United Nations Children's Fund, more than one third of the children who die every year before the age of 5 do so from hunger-related illness, and that, as estimated by the Food and Agriculture Organization of the United Nations, the number of people who are undernourished is about 1 billion worldwide, including as a result of the global food crisis, while, according to the latter organization, the planet could produce enough food to feed everyone around the world;

4. *Expresses its concern* that women and girls are disproportionately affected by hunger, food insecurity and poverty, in part as a result of gender inequality and discrimination, that in many countries, girls are twice as likely as boys to die from malnutrition and preventable childhood diseases and that it is estimated that almost twice as many women as men suffer from malnutrition;

5. *Encourages* all States to take action to address gender inequality and discrimination against women, in particular where it contributes to the malnutrition of women and girls, including measures to ensure the full and equal realization of the right to food and ensuring that women have equal access to resources, including income, land and water and their ownership, as well as full and equal access to education, science and technology, to enable them to feed themselves and their families;

6. *Encourages* the Special Rapporteur of the Human Rights Council on the right to food to continue mainstreaming a gender perspective in the fulfilment of his mandate, and encourages the Food and Agriculture Organization of the United Nations and all other United Nations bodies and mechanisms addressing the right to food and food insecurity to integrate a gender perspective into their relevant policies, programmes and activities;

7. *Reaffirms* the need to ensure that programmes delivering safe and nutritious food are inclusive of and accessible to persons with disabilities;

8. *Encourages* all States to take steps with a view to achieving progressively the full realization of the right to food, including steps to promote the conditions for everyone to be free from hunger and, as soon as possible, to enjoy fully the right to food, and to create and adopt national plans to combat hunger;

9. *Recognizes* the advances reached through South-South cooperation in developing countries and regions in connection with food security and the development of agricultural production for the full realization of the right to food;

10. *Stresses* that improving access to productive resources and public investment in rural development are essential for eradicating hunger and poverty, in particular in developing countries, including through the promotion of investments in appropriate small-scale irrigation and water management technologies in order to reduce vulnerability to droughts;

11. *Recognizes* that 80 per cent of hungry people live in rural areas and 50 per cent are small-scale farm-holders, and that these people are especially vulnerable to food insecurity, given the increasing cost of inputs and the fall in farm incomes; that access to land, water, seeds and other natural resources is an increasing challenge for poor producers; that sustainable and gender-sensitive agricultural policies are important tools for promoting land and agrarian reform, rural credit and insurance, technical assistance and other associated measures to achieve food security and rural development; and that support by States for small farmers, fishing communities and local enterprises is a key element for food security and the provision of the right to food;

12. *Stresses* the importance of fighting hunger in rural areas, including through national efforts supported by international partnerships to stop desertification and land degradation and through investments and public policies that are specifically appropriate to the risk of drylands, and in this regard calls for the full implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa;

13. *Urges* States that have not yet done so to favourably consider becoming parties to the Convention on Biological Diversity and to consider becoming parties to the International Treaty on Plant Genetic Resources for Food and Agriculture as a matter of priority;

14. *Recalls* the United Nations Declaration on the Rights of Indigenous Peoples and acknowledges that many indigenous organizations and representatives of indigenous peoples have expressed in different forums their deep concerns over the obstacles and challenges they face for the full enjoyment of the right to food, and calls upon States to take special actions to combat the root causes of the disproportionately high level of hunger and malnutrition

among indigenous peoples and the continuous discrimination against them;

15. *Notes* the need to further examine various concepts such as, inter alia, “food sovereignty” and their relation with food security and the right to food, bearing in mind the need to avoid any negative impact on the enjoyment of the right to food for all people at all times;

16. *Requests* all States and private actors, as well as international organizations within their respective mandates, to take fully into account the need to promote the effective realization of the right to food for all, including in the ongoing negotiations in different fields;

17. *Recognizes* the need to strengthen national commitment as well as international assistance, upon the request of and in cooperation with the affected countries, towards the full realization and protection of the right to food, and in particular to develop national protection mechanisms for people forced to leave their homes and land because of hunger or humanitarian emergencies affecting the enjoyment of the right to food;

18. *Stresses* the need to make efforts to mobilize and optimize the allocation and utilization of technical and financial resources from all sources, including external debt relief for developing countries, and to reinforce national actions to implement sustainable food security policies;

19. *Calls for* the early conclusion and a successful, development-oriented outcome of the Doha Round of trade negotiations of the World Trade Organization as a contribution to creating international conditions that permit the full realization of the right to food;

20. *Stresses* that all States should make all efforts to ensure that their international policies of a political and economic nature, including international trade agreements, do not have a negative impact on the right to food in other countries;

21. *Recalls* the importance of the New York Declaration on Action against Hunger and Poverty, and recommends the continuation of efforts aimed at identifying additional sources of financing for the fight against hunger and poverty;

22. *Recognizes* that the promises made at the World Food Summit in 1996 to halve the number of persons who are undernourished are not being fulfilled, while recognizing the efforts of Member States in this regard, and invites once again all international financial and development institutions, as well as the relevant United Nations agencies and funds, to give priority to and provide the necessary funding to realize the aim of halving by 2015 the proportion of people who suffer from hunger, as well as the right to food as set out in the Rome Declaration on World Food Security and the United Nations Millennium Declaration;

23. *Reaffirms* that integrating food and nutritional support, with the goal that all people at all times will have access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life, is part of a comprehensive effort to improve public health, including the response to the spread of HIV/AIDS, tuberculosis, malaria and other communicable diseases;

24. *Urges* States to give adequate priority in their development strategies and expenditures to the realization of the right to food;

25. *Stresses* the importance of international cooperation and development assistance as an effective contribution both to the expansion and improvement of agricul-

ture and its environmental sustainability, food production, breeding projects on diversity of crops and livestock, and institutional innovations such as community seed banks, farmer field schools and seed fairs and to the provision of humanitarian food assistance in activities related to emergency situations, for the realization of the right to food and the achievement of sustainable food security, while recognizing that each country has the primary responsibility for ensuring the implementation of national programmes and strategies in this regard;

26. *Also stresses* that States parties to the World Trade Organization Agreement on Trade Related Aspects of Intellectual Property Rights should consider implementing that agreement in a manner that is supportive of food security, while mindful of the obligation of Member States to promote and protect the right to food;

27. *Calls upon* Member States, the United Nations system and other relevant stakeholders to support national efforts aimed at responding rapidly to the food crises currently occurring across Africa, and expresses its deep concern that funding shortfalls are forcing the World Food Programme to cut operations across different regions, including southern Africa;

28. *Invites* all relevant international organizations, including the World Bank and the International Monetary Fund, to continue to promote policies and projects that have a positive impact on the right to food, to ensure that partners respect the right to food in the implementation of common projects, to support strategies of Member States aimed at the fulfilment of the right to food and to avoid any actions that could have a negative impact on the realization of the right to food;

29. *Takes note with appreciation* of the interim report of the Special Rapporteur;

30. *Supports* the realization of the mandate of the Special Rapporteur, as extended by the Human Rights Council in its resolution 6/2 of 27 September 2007;

31. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide all the human and financial resources necessary for the effective fulfilment of the mandate of the Special Rapporteur;

32. *Welcomes* the work already done by the Committee on Economic, Social and Cultural Rights in promoting the right to adequate food, in particular its General Comment No. 12 (1999) on the right to adequate food (article 11 of the International Covenant on Economic, Social and Cultural Rights), in which the Committee affirmed, inter alia, that the right to adequate food is indivisibly linked to the inherent dignity of the human person and is indispensable for the fulfilment of other human rights enshrined in the International Bill of Human Rights, and is also inseparable from social justice, requiring the adoption of appropriate economic, environmental and social policies, at both the national and the international levels, oriented to the eradication of poverty and the fulfilment of all human rights for all;

33. *Recalls* General Comment No. 15 (2002) of the Committee on Economic, Social and Cultural Rights on the right to water (articles 11 and 12 of the Covenant), in which the Committee noted, inter alia, the importance of ensuring sustainable access to water resources for human consumption and agriculture in realization of the right to adequate food;

34. *Reaffirms* that the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, adopted by the Council of the Food and Agriculture Organization of the United Nations in November 2004, represent a practical tool to promote the realization of the right to food for all, contribute to the achievement of food security and thus provide an additional instrument in the attainment of internationally agreed development goals, including those contained in the United Nations Millennium Declaration;

35. *Welcomes* the continued cooperation of the High Commissioner, the Committee and the Special Rapporteur, and encourages them to continue their cooperation in this regard;

36. *Calls upon* all Governments to cooperate with and assist the Special Rapporteur in his task, to supply all necessary information requested by him and to give serious consideration to responding favourably to the requests of the Special Rapporteur to visit their countries to enable him to fulfil his mandate more effectively;

37. *Requests* the Special Rapporteur to submit an interim report to the General Assembly at its sixty-sixth session on the implementation of the present resolution and to continue his work, including by examining the emerging issues with regard to the realization of the right to food within his existing mandate;

38. *Invites* Governments, relevant United Nations agencies, funds and programmes, treaty bodies, civil society actors and non-governmental organizations, as well as the private sector, to cooperate fully with the Special Rapporteur in the fulfilment of his mandate, inter alia, through the submission of comments and suggestions on ways and means of realizing the right to food;

39. *Decides* to continue the consideration of the question at its sixty-sixth session under the item entitled "Promotion and protection of human rights".

Right to adequate housing

Reports of Special Rapporteur. As requested by the Human Rights Council [YUN 2007, p. 780], the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in that context, Raquel Rolnik (Brazil), submitted her annual report [A/HRC/13/20], in which she discussed the impact of major international sports events (mega-events) on the realization of the right to adequate housing, in particular, the positive and negative legacy of hosting the Olympic Games and the World Cup. She reviewed the practices and procedures of the International Olympic Committee (IOC) and the Fédération Internationale de Football Association (FIFA), especially on their bidding and selection processes for host cities and countries. She also offered insights on the role played by sponsors, as well as examples of positive and negative practices of host cities and countries. The Rapporteur urged States to uphold their human rights obligations when organizing mega-events and addressed recommendations to States, IOC and FIFA.

An addendum [A/HRC/13/20/Add.1] summarized 49 communications sent to 32 States between 6 December 2008 and 22 December 2009 and 18 replies received from 13 States between 3 February 2009 and 3 February 2010.

A further addendum [A/HRC/13/20/Add.2] followed up on recommendations issued following missions in Kenya [YUN 2004, p. 765], Brazil [ibid.] and Cambodia [YUN 2005, p. 843].

Pursuant to a Human Rights Council request [YUN 2007, p. 780], the Secretary-General transmitted to the General Assembly the annual report of the Rapporteur [A/65/261], which analysed the legal entitlements and protections granted to migrants with respect to the right to housing in international treaties and other legal instruments. The report explored regulations and public policies affecting the right to adequate housing of migrants and provided examples of good practices. It addressed recommendations to Governments on how to guarantee and improve the enjoyment of the right of migrants to adequate housing.

The General Assembly took note of that report on 21 December (**decision 65/536**).

Mission reports. Following her visit to Croatia (5–13 July) [A/HRC/16/42/Add.2], the Rapporteur reviewed issues related to post-conflict housing reconstruction and restitution, access to housing in the context of the transition from a State-run to a market economy, and housing challenges and policies. She recommended that the Government accelerate the implementation of the programme for former holders of occupancy tenant rights; adopt comprehensive housing policies, to be implemented without discrimination and addressed particularly to vulnerable groups; and adopt legal and practical mechanisms to enable the sustainable return of refugees.

Following her mission to Kazakhstan (6–13 September) [A/HRC/16/42/Add.3], the Rapporteur highlighted the adverse impact of the global economic and financial crises on the enjoyment of the right to adequate housing and the large-scale evictions or displacement of individuals and communities living in or around the cities of Astana and Almaty. The legal and policy framework in the field of housing, and in particular the national legislation on forced eviction, did not comply fully with international human rights standards, such as the general comments of the Committee on Economic, Social and Cultural Rights and the basic principles on development-based evictions and displacement. National courts did not apply norms of international treaties, nor did they refer to international human rights standards. There was a high rate of demolition of informal settlements and forced evictions without prior notification, judicial control or review, or provision of adequate compensation or alternative accommodation. The Rapporteur

made a series of recommendations to assist the Government in its efforts to strengthen the effective enjoyment of the right to adequate housing.

Human Rights Council action. On 25 March [A/65/53 (res. 13/10)], the Council called on States, in the context of mega-events, to promote the right to adequate housing and to create a sustainable, development-oriented housing legacy. It encouraged States to share with the Rapporteur good practices with regard to the realization of the right to adequate housing in the context of mega-events.

On 30 September [A/65/53/Add.1 (res. 15/8)], the Council extended for a three-year period the mandate of the Special Rapporteur. It noted the work on the basic principles and guidelines on development-based evictions and displacement and the need to continue to work on them, including through consultations with States and other stakeholders.

Right to health

Reports of Special Rapporteur. As requested by the Human Rights Council [YUN 2007, p. 783], the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, Anand Grover (India), in April submitted a report [A/HRC/14/20] that examined the relationship between that right and the criminalization of three forms of private, adult, consensual sexual behaviour: same-sex conduct and sexual orientation, sex work, and HIV transmission. He considered the denial of sex workers' enjoyment of the right to health that resulted from the criminalization of sex work. The lack of legal recognition of the sex-work sector resulted in infringements of the right to health through the failure to provide safe working conditions, and a lack of recourse to legal remedies for occupational health issues. Additionally, legislation and interventions failed to distinguish between sex work and trafficking, infringing sex workers' right to health. The Rapporteur also examined the impact of the criminalization of HIV transmission with respect to the right to health. Criminal laws had a far-reaching impact on the enjoyment of the right to health, while failing to achieve public health aims or the objectives of the law. He concluded that only intentional, malicious HIV transmission could be criminalized; specific criminal laws concerning HIV transmission were generally unnecessary. The Rapporteur suggested that decriminalization was necessary in response to those issues, alongside other measures as part of a comprehensive right-to-health approach. Such measures included human rights education, the participation and inclusion of vulnerable groups, and efforts to reduce stigma and discrimination in respect of those groups.

An addendum [A/HRC/14/20/Add.1 & Corr.1] summarized 64 communications sent to 34 States, the Palestinian Authority and other actors from 16 March 2009 to 15 March 2010, and replies received from 2 May 2009 to 1 May 2010.

As requested by the Human Rights Council [YUN 2007, p. 783], the Secretary-General in August [A/65/255] transmitted to the General Assembly the report of the Rapporteur, which examined the right to health and international drug control. He observed that the international drug control system had focused on creating a drug-free world, almost exclusively through use of law-enforcement policies and criminal sanctions. Evidence suggested, however, that the approach had failed, primarily because it did not acknowledge the realities of drug use and dependence. The excessively punitive regime had not achieved its public health goals and had resulted in countless human rights violations. People who used drugs might be deterred from accessing services owing to the threat of criminal punishment, or might be denied access to health care altogether. Criminalization and excessive law enforcement practices also undermined health promotion initiatives, perpetuated stigma and increased health risks for the population at large. The international drug control regime also unnecessarily limited access to essential medications, thus violating the right to health. Widespread implementation of interventions that reduced harms associated with drug use and of decriminalization of certain laws would improve the health and welfare of drug users and the general population. He made recommendations for UN entities and Member States to adopt a right-to-health approach to drug control; encourage system-wide coherence and communication; incorporate the use of indicators and guidelines and consider developing a new legal framework concerning certain illicit drugs.

The General Assembly took note of that report on 21 December (**decision 65/536**).

Mission reports. During his visit to Guatemala (12–18 May) [A/HRC/17/25/Add.2], the Rapporteur noted that the health sector was severely under-resourced and concentrated in urban areas. Substantial inequalities existed in the enjoyment of the right to health for indigenous communities and women, particularly with regard to sexual and reproductive health. He expressed concern over Government policies that restricted access to medicines, the status of abortion laws and the resulting high rate of unsafe abortions, and the increasing prevalence of violence against women. In addition, Government policies concerning drug procurement and the intellectual property provisions of the Central American Free Trade Agreement curtailed access to medicine. The Rapporteur recommended that the Government adopt a comprehensive health strategy for the promotion of rights of indig-

enous people; increase investments to improve accessibility to health-care facilities, goods and services in rural communities; increase the number of rural primary care facilities and health professionals and accessibility of those facilities; improve information on contraception within the public health-care system; and ensure that women who had been subjected to violence had access to the justice system.

During his mission to the Syrian Arab Republic (7–14 November) [A/HRC/17/25/Add.3], the Rapporteur focused on access to health care for vulnerable and marginalized groups and persons in detention. He also explored issues related to women's health, including maternal health, family planning and gender-based violence. He recommended that the Government collect comprehensive, disaggregated data to ensure that no ethnic or minority groups were discriminated against in respect of access to health-care services; enable community participation in health-care service delivery through engagement of civil society organizations in health-related policymaking; conduct impact assessments of the proposed private insurance scheme; and develop a nation-wide sexual and reproductive health education curricula, to be delivered through late primary and early secondary schools.

Communications. On 28 June [A/HRC/14/G/4] and 18 August [A/HRC/14/G/5], Poland transmitted its corrections and comments on the Rapporteur's report on his visit to the country [YUN 2009, p. 729].

Human Rights Council action. On 30 September [A/65/53/Add.1 (res. 15/22)], the Council called on States to promote and protect the right to health without discrimination; extended the mandate of the Special Rapporteur for a three-year period; requested the Rapporteur, with OHCHR assistance, to prepare a study on the realization of the right to health of older persons; and decided to address the study at a panel discussion during its eighteenth (2011) session.

Maternal mortality

OHCHR report. As requested by the Human Rights Council [YUN 2009, p. 729], OHCHR in April submitted a report [A/HRC/14/39] on preventable maternal mortality and morbidity and human rights, which identified the human rights dimensions of preventable maternal mortality and morbidity in the international legal framework. It also reviewed initiatives and activities within the UN system to address the problem and identified how the Council could add value to existing initiatives through a human rights analysis.

Human Rights Council action. On 30 September [res. 15/17], the Council called on States to collect disaggregated data on maternal mortality and morbidity to ensure effective targeting of policies and programmes; requested States to renew their political commitment to eliminate preventable maternal mor-

talidity and morbidity; requested OHCHR to prepare an analytical compilation of good or effective practices embodying a human rights-based approach; and decided to address the compilation at the Council's eighteenth (2011) session.

Water and sanitation

Reports of independent expert. As requested by the Human Rights Council [YUN 2008, p. 844], the independent expert on the issue of human rights obligations related to access to safe drinking water and sanitation, Catarina de Albuquerque (Portugal), in June submitted a report [A/HRC/15/31] to the Council that focused on the human rights obligations and responsibilities which applied in cases of non-State service provision of water and sanitation. She reviewed the role that non-State service providers played in delivering water and sanitation, and outlined the human rights obligations of States and the responsibilities of non-State service providers, highlighting three potentially challenging areas in that regard: decision-making, operation of services, and accountability and enforcement. She emphasized that the human rights framework did not express a preference over models of service provision, but insisted that, in all instances, the human rights to water and sanitation be guaranteed. She recommended that States develop a national plan, including legislation, to progressively achieve the rights to water and sanitation, independent of the modalities of the service provision chosen.

In an addendum [A/HRC/15/31/Add.1], the expert presented a framework for assessing good practices from a human rights perspective, using five normative criteria (availability, quality/safety, acceptability, accessibility and affordability) and five cross-cutting criteria (non-discrimination, participation, accountability, impact and sustainability). She encouraged stakeholders to submit their good practices, in conformity with those criteria, for inclusion in the compendium of good practices to be submitted to the Human Rights Council in 2011.

As requested by the Human Rights Council [YUN 2009, p. 731], the Secretary-General in August [A/65/254] transmitted to the General Assembly the report of the expert, which focused on how human rights, in particular the human rights to water and sanitation, could contribute to realizing the MDGs. She examined how human rights could address gaps in the MDG framework relating to universal access, international cooperation and assistance, aligning targets and indicators with human rights standards, non-discrimination and attention to the most marginalized and disadvantaged groups, participation and accountability. The final section of the report contained conclusions and recommendations.

The General Assembly took note of that report on 21 December (**decision 65/536**).

Mission reports. Following her visit to Slovenia (24–28 May) [A/HRC/18/33/Add.2], the expert observed that there was near universal access to water and sanitation in Slovenia, yet expressed concern about access for the Roma population. The fact that the main responsibility for ensuring access to water and sanitation belonged to the municipalities did not absolve the Government of its human rights obligations. The expert called on the central Government to ensure that all people in Slovenia were able to enjoy those rights on an equal basis.

Following her mission to Japan (20–28 July) [A/HRC/18/33/Add.3], the expert raised concerns on access to water and sanitation by the poor, the homeless, persons with disabilities, underserved persons of Korean descent and prisoners. She recommended that the State: fully guarantee economic, social and cultural rights in domestic law, including by ensuring that those rights were justiciable in national courts; adopt a comprehensive law on non-discrimination, including provisions on economic, social and cultural rights; establish an independent national human rights institution with competencies to monitor the enjoyment of all human rights and to receive individual complaints; and adopt a comprehensive law guaranteeing the right of all people to safe water and sanitation and clearly delineating the responsibilities of national and municipal actors.

Human Rights Council action. On 30 September [A/65/53/Add.1 (res. 15/9)], the Council called on States to develop tools and mechanisms—which might encompass legislation and comprehensive plans and strategies, including financial ones—to achieve progressively the full realization of human rights obligations related to access to safe drinking water and sanitation; adopt and implement effective regulatory frameworks for all service providers in line with the human rights obligations of States; and ensure that non-State service providers contributed to the provision of a regular supply of safe, acceptable, accessible and affordable drinking water and sanitation services of good quality and sufficient quantity. The Council also requested the independent expert to report annually to the Council and the General Assembly.

GENERAL ASSEMBLY ACTION

On 28 July [meeting 108], the General Assembly adopted **resolution 64/292** [draft: A/64/L.63/Rev.1 & Add.1] by recorded vote (122-0-41) [agenda item 48].

The human right to water and sanitation

The General Assembly,

Recalling its resolutions 54/175 of 17 December 1999 on the right to development, 55/196 of 20 December 2000, by which it proclaimed 2003 the International Year of Freshwater, 58/217 of 23 December 2003, by which it proclaimed

the International Decade for Action, “Water for Life”, 2005–2015, 59/228 of 22 December 2004, 61/192 of 20 December 2006, by which it proclaimed 2008 the International Year of Sanitation, and 64/198 of 21 December 2009 regarding the midterm comprehensive review of the implementation of the International Decade for Action, “Water for Life”; Agenda 21 of June 1992; the Habitat Agenda of 1996; the Mar del Plata Action Plan of 1977 adopted by the United Nations Water Conference; and the Rio Declaration on Environment and Development of June 1992,

Recalling also the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child, the Convention on the Rights of Persons with Disabilities and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,

Recalling further all previous resolutions of the Human Rights Council on human rights and access to safe drinking water and sanitation, including Council resolutions 7/22 of 28 March 2008 and 12/8 of 1 October 2009, related to the human right to safe and clean drinking water and sanitation, general comment No. 15 (2002) of the Committee on Economic, Social and Cultural Rights, on the right to water (articles 11 and 12 of the International Covenant on Economic, Social and Cultural Rights) and the report of the United Nations High Commissioner for Human Rights on the scope and content of the relevant human rights obligations related to equitable access to safe drinking water and sanitation under international human rights instruments, as well as the report of the independent expert on the issue of human rights obligations related to access to safe drinking water and sanitation,

Deeply concerned that approximately 884 million people lack access to safe drinking water and that more than 2.6 billion do not have access to basic sanitation, and alarmed that approximately 1.5 million children under 5 years of age die and 443 million school days are lost each year as a result of water- and sanitation-related diseases,

Acknowledging the importance of equitable access to safe and clean drinking water and sanitation as an integral component of the realization of all human rights,

Reaffirming the responsibility of States for the promotion and protection of all human rights, which are universal, indivisible, interdependent and interrelated, and must be treated globally, in a fair and equal manner, on the same footing and with the same emphasis,

Bearing in mind the commitment made by the international community to fully achieve the Millennium Development Goals, and stressing, in that context, the resolve of Heads of State and Government, as expressed in the United Nations Millennium Declaration, to halve, by 2015, the proportion of people who are unable to reach or afford safe drinking water and, as agreed in the Plan of Implementation of the World Summit on Sustainable Development (“Johannesburg Plan of Implementation”), to halve the proportion of people without access to basic sanitation,

1. *Recognizes* the right to safe and clean drinking water and sanitation as a human right that is essential for the full enjoyment of life and all human rights;

2. *Calls upon* States and international organizations to provide financial resources, capacity-building and technology transfer, through international assistance and cooperation, in particular to developing countries, in order to scale up efforts to provide safe, clean, accessible and affordable drinking water and sanitation for all;

3. *Welcomes* the decision by the Human Rights Council to request that the independent expert on human rights obligations related to access to safe drinking water and sanitation submit an annual report to the General Assembly, and encourages her to continue working on all aspects of her mandate and, in consultation with all relevant United Nations agencies, funds and programmes, to include in her report to the Assembly, at its sixty-sixth session, the principal challenges related to the realization of the human right to safe and clean drinking water and sanitation and their impact on the achievement of the Millennium Development Goals.

RECORDED VOTE ON RESOLUTION 64/292:

In favour: Afghanistan, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bhutan, Bolivia, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Finland, France, Gabon, Georgia, Germany, Ghana, Grenada, Guatemala, Haiti, Honduras, Hungary, India, Indonesia, Iran, Iraq, Italy, Jamaica, Jordan, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Madagascar, Malaysia, Maldives, Mali, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Myanmar, Nepal, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Portugal, Qatar, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Seychelles, Singapore, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tunisia, Tuvalu, United Arab Emirates, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zimbabwe.

Against: None.

Abstaining: Armenia, Australia, Austria, Bosnia and Herzegovina, Botswana, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Ethiopia, Greece, Guyana, Iceland, Ireland, Israel, Japan, Kazakhstan, Kenya, Latvia, Lesotho, Lithuania, Luxembourg, Malta, Netherlands, New Zealand, Poland, Republic of Korea, Republic of Moldova, Romania, Slovakia, Sweden, Trinidad and Tobago, Turkey, Ukraine, United Kingdom, United Republic of Tanzania, United States, Zambia.

Cultural rights

Report of independent expert. In response to a Human Rights Council request [YUN 2009, p. 724], in March Farida Shaheed (Pakistan), the independent expert in the field of cultural rights—a mandate established in 2009 [ibid.]—submitted her first report [A/HRC/14/36] to the Council, providing preliminary views on the conceptual and legal framework of her

mandate. Focusing on the challenges regarding the scope and content of cultural rights, she reviewed the relevant provisions in UN human rights instruments and examined the interaction among the principle of universality of human rights, the recognition and implementation of cultural rights and the need to respect cultural diversity. The priority issues she proposed to address related to two main topics: cultural rights, globalization of exchanges and of information, and development processes; and participation, access and contribution to cultural life, without any discrimination.

Mission report. Following her visit to Brazil (8–19 November) [A/HRC/17/38/Add.1], the expert examined aspects of the promotion and protection of cultural rights in the country, particularly the right to take part in cultural life, the right to enjoy the benefits of scientific progress and its applications and the right to use one's own language. In her recommendations, she encouraged the Government to ensure the availability of cultural resources and assets, especially in smaller cities and regions; ensure indigenous peoples' right to self-determination; combat discrimination and intolerance; redouble measures to protect persons and sites associated with religions of African origin; and promote knowledge about mechanisms for redress of violations of cultural rights.

Human Rights Council action. On 18 June [A/65/53 (res. 14/9)], the Council welcomed the holding of the seminar on the theme "Implementing cultural rights: nature, issues at stake" (Geneva, 1–2 February); took note of the expert's report; and requested the expert to report to the Council's seventeenth (2011) session.

Right to education

Reports of Special Rapporteur. In response to a Human Rights Council request [YUN 2008, p. 842], the Special Rapporteur on the right to education, Vernor Muñoz Villalobos (Costa Rica), in April submitted his sixth and final annual report [A/HRC/14/25 & Corr.1] to the Council, devoted to the question of the right to education of migrants, refugees and asylum-seekers. He pointed out that those who had crossed national borders were generally at risk of marginalization and discrimination in the provision of education. The report, which aimed to inform and assist Governments and other parties in their efforts to address those matters and develop best practices to ensure the enjoyment of the unfulfilled right to education for those groups, addressed six issues: the legal and normative framework; social and cultural issues; language and curriculum; teachers; accreditation; and learning for life. The Rapporteur concluded that attention to those issues was indispensable in meeting the educational challenges and opportunities related to migration.

An addendum [A/HRC/14/25/Add.1] summarized 12 communications sent to 12 Governments between 16 March 2009 and 15 March 2010, and 12 replies received between 1 May 2009 and 30 April 2010.

As requested by the Human Rights Council [YUN 2008, p. 842], the Secretary-General in July transmitted to the General Assembly the interim report [A/65/162] of the Rapporteur, which focused on the human right to comprehensive sexual education, placing the topic in the context of patriarchy and control of sexuality. He explained the interdependence of sexuality, health and education and the relationship of the right to sexual education to other rights from a gender and diversity perspective. He discussed the right to sexual education in the context of international human rights law and analysed international and regional standards. He then addressed the situation of that right, taking State responsibility into account and analysing regional and national trends, differing perspectives and the key role of the family and the community. He concluded by reiterating the necessity and the relevance of that right and presenting recommendations for States and the international community.

The General Assembly took note of that report on 21 December (**decision 65/536**).

Mission reports. Following his visit to Mongolia (1–8 October 2009) [A/HRC/14/25/Add.3], the Rapporteur discussed the challenges the educational system was facing, notably school dropouts and the lack of reliable statistics; the infrastructure conditions of schools in respect to access to water and sanitation; the state of dormitories in rural areas; the phenomenon of internal migration to cities, which was leading to overcrowding in urban schools; and the education of children with disabilities. He made recommendations to overcome those challenges, emphasizing the need to move towards a human rights culture and to see education as the vehicle for development—not as a service or a commodity but as a basic human right.

Following his mission to Mexico (8–18 February 2010) [A/HRC/14/25/Add.4], the Rapporteur pointed to the need to secure a national consensus on education that would outlive changes of Government and involved various actors: parents, the academic world, civil society organizations, students, teachers, and federal and state authorities. He recommended reinforcing the measures to eliminate the payment of fees for education; setting targets for achieving gradual compliance with the obligation under the General Education Act to allocate 8 per cent of gross domestic product to education; taking emergency action to combat educational deficits in persons over 15 years of age; and increasing the budget for programmes and departments concerned with indigenous and intercultural education.

Appointment of Special Rapporteur. On 18 June, the Human Rights Council appointed Kishore Singh (India) as Special Rapporteur

Human Rights Council action. On 29 September [A/65/53/Add.1 (res. 15/4)], the Council encouraged States to ensure the right to education of migrants, refugees, asylum-seekers and internally displaced persons. It also urged States to promote lifelong education and learning in both formal and informal settings, including human rights education and training.

GENERAL ASSEMBLY ACTION

On 9 July [meeting 106], the General Assembly adopted **resolution 64/290** [draft: A/64/L.58 & Add.1] without vote [agenda item 114].

The right to education in emergency situations

The General Assembly,

Reaffirming that everyone shall enjoy the human right to education, and recalling in that regard the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the 1951 Convention relating to the Status of Refugees, the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949, the Convention on the Elimination of All Forms of Discrimination against Women, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities,

Recalling all relevant United Nations resolutions related to the right to education in emergency situations,

Recalling also that, in the United Nations Millennium Declaration, it was resolved that children everywhere, boys and girls alike, would be able to complete a full course of primary schooling and that girls and boys would have equal access to all levels of education by 2015,

Recognizing that a large proportion of the world's children out of school live in conflict-affected areas and in natural-disaster-stricken regions, and that this is a serious challenge to the fulfilment of the international education goals, including millennium development goal 2,

Underscoring the fact that the Convention on the Rights of the Child must constitute the standard in the promotion and protection of the rights of the child and that the requirements for the realization of the right to education, pertinent also to emergency situations, are set out in articles 28 and 29 of that Convention,

Deeply concerned that, despite the progress made in recent years towards achieving the goals of the Education for All initiative agreed upon at the World Education Forum, held in Dakar in April 2000, the level of funding for international education goals is inadequate,

Deeply concerned also that, in the humanitarian consolidated and flash appeals launched in 2009, the education sector was one of the most underfunded with respect to meeting the original requirements,

Recognizing that ensuring the right to education in emergency situations requires specifically designed, flexible and inclusive approaches consistent with protection needs,

conflict mitigation initiatives and disaster risk reduction considerations,

Condemning the targeting of civilians as such in situations of armed conflict, including schoolchildren, students and teachers, as well as attacks on civilian objects such as educational institutions, as prohibited under international law, recognizing that such acts may constitute grave breaches of the Geneva Conventions of 1949 and, for States parties, war crimes under the Rome Statute of the International Criminal Court, and reminding all parties to armed conflict of their obligations under international law to refrain from the use of civilian objects, including educational institutions, for military purposes and child recruitment,

Acknowledging that protecting schools and providing education in emergencies should remain a key priority for the international community and Member States,

Recognizing the important role that education can play in supporting efforts in emergency situations to halt and prevent abuses committed against affected populations, in particular efforts to prevent all forms of violence, including rape and other acts of sexual violence, exploitation, trafficking in persons and the worst forms of child labour,

Emphasizing the importance of the promotion of human rights education and learning at all levels, including through the implementation of the World Programme for Human Rights Education, as appropriate, and encouraging all States to develop initiatives in that regard,

Considering that quality education can mitigate the psychosocial impact of armed conflicts and natural disasters by providing a sense of normalcy, stability, structure and hope for the future,

Considering also that, in situations of displacement, education, among other factors, can play a significant role in contributing towards preparing for and promoting durable solutions for the affected population,

1. *Welcomes* the work of the Special Rapporteur on the right to education, and takes note of his report on the right to education in emergency situations;

2. *Welcomes* the work carried out by the Committee on the Rights of the Child through the holding on 19 September 2008 of a day of general discussion on the right of the child to education in emergency situations;

3. *Notes with appreciation* the work of the Special Representative of the Secretary-General for Children and Armed Conflict on violations and abuses committed against children in armed conflict, and notes the importance of her continuing work, within her existing mandate, on the adverse impact of armed conflict on the education of children;

4. *Welcomes* the global advocacy initiative, the “One million safe schools and hospitals” campaign, launched on 8 April 2010 in Manila, aimed at making schools and hospitals safer from disasters, as part of the “Making Cities Resilient” global campaign of the International Strategy for Disaster Reduction for 2010 and 2011;

5. *Recognizes* the establishment of the Education Cluster by the United Nations Inter-Agency Standing Committee and other initiatives as measures to address, in a coordinated manner, educational needs in emergency situations, including through partnerships for the implementation of the “Minimum standards for education: preparedness, response, recovery” handbook of the Inter-Agency Network for Education in Emergencies, calls upon donors to sup-

port the work of the Cluster, and emphasizes that those measures should continue to be taken in close coordination with relevant authorities;

6. *Recalls* its thematic debate of 18 March 2009 on access to education in emergency, post-crisis and transition situations caused by man-made conflicts or natural disasters;

Education in all stages of humanitarian response

7. *Urges* Member States to implement strategies and policies to ensure and support the realization of the right to education as an integral element of humanitarian assistance and humanitarian response, to the maximum of their available resources, with the support of the international community, the United Nations system, donors, multilateral agencies, the private sector, civil society and non-governmental organizations;

8. *Requests* Member States to ensure that the best possible systems of education are in place, including through the allocation of sufficient resources, the appropriate adaptation of curricula and training of teachers, the implementation of risk assessments, disaster preparedness programmes in schools, the legal framework for protection, and health and basic social services, so as to withstand emergencies;

Safe and protective educational environment

9. *Recommends* that Member States ensure access to education in emergency situations to all affected populations, in accordance with their obligations under international law and without discrimination of any kind;

10. *Urges* all parties to armed conflict to fulfil their obligations under international law, in particular their applicable obligations under international humanitarian law and international human rights law, including to respect civilians, including students and educational personnel, to respect civilian objects such as educational institutions and to refrain from the recruitment of children into armed forces or groups, urges Member States to fulfil their applicable obligations under international law, including international humanitarian law, related to the protection of and respect for civilians and civilian objects, and urges them, in order to prevent and combat impunity, to criminalize under their domestic law attacks on educational buildings, and stresses that such attacks may constitute grave breaches of the Geneva Conventions and, for States parties, war crimes under the Rome Statute of the International Criminal Court;

11. *Urges* Member States to ensure that disaster risk and safety considerations are factored into all phases of the planning, design, construction and reconstruction of educational facilities, through the consideration, inter alia, of the recommendations contained in the “Minimum standards for education: preparedness, response, recovery” handbook of the Inter-Agency Network for Education in Emergencies and its “Guidance notes on safer school construction”;

12. *Also urges* Member States, in their support for education, to specifically address the gender-specific needs of girls in emergency contexts, including their increased vulnerability to gender-based violence;

13. *Invites* relevant United Nations entities and partners to allocate sufficient technical expertise to enhance, in close consultation with concerned Member States and relevant authorities, data collection on and documentation

of the impact of emergencies on the access of children and young people to quality education, disaggregated by age and gender, and on attacks on educational institutions, students and educators, with due consideration given to information provided by concerned States and relevant authorities;

14. *Urges* Member States to implement gender-sensitive policies and programme interventions, in order to ensure that populations affected by emergency situations have equal access to safe, quality and relevant education;

Reconstruction and post-emergency situations

15. *Also urges* Member States to provide quality education in emergency situations that is gender-sensitive, centred on learners, rights-based, protective, adaptable, inclusive, participatory and reflective of the specific living conditions of children and youth, and that pays due regard, as appropriate, to their linguistic and cultural identity, mindful that quality education can foster tolerance and mutual understanding and respect for the human rights of others;

16. *Calls upon* all parties concerned to ensure that all peace processes and agreements and post-conflict recovery, peacemaking and peacebuilding efforts, as well as reconstruction planning, are sensitive to the special and specific needs of women, children and youth and include specific measures for the protection of civilians, including the facilitation of early access to education, learning and training, and to ensure the participation of women, children and young persons in those processes;

17. *Calls upon* States and other relevant actors to ensure the facilitation of early access to education and training for children and adults in secure and friendly environments in the aftermath of emergencies, including through the implementation of specific related measures in early recovery initiatives, peacemaking and peacebuilding processes, capacity-building strategies, the participation of children and youth and the mobilization and prioritization of human, technical and financial resources;

The importance of political will and financing

18. *Reaffirms its commitment* to supporting the efforts of developing countries to ensure that all children have access to and complete free and compulsory primary education of good quality, to eliminating gender inequality and imbalances and renewing efforts to improve the education of girls, and to continuing to support the efforts of developing countries in the implementation of the Education for All initiative, including with enhanced resources of all types through the Education for All fast-track initiative in support of country-led national education plans, and urges donors to honour their pledged contributions;

19. *Calls upon* States, as primary duty-bearers, to ensure the realization of the right to education in all phases of emergency situations, in a manner that meets the essential needs of the affected populations, recognizing the role of the donor community and humanitarian agencies in assisting those efforts;

20. *Calls upon* all Member States, including donors, and invites the private sector and all concerned individuals and institutions to continue to support diverse humanitarian funding channels and to consider increasing their contributions to education programmes defined in humanita-

rian appeals, including humanitarian consolidated and flash appeals, based on and in proportion to assessed needs, as a means of ensuring adequate, timely, predictable, flexible and needs-based resources;

Follow-up

21. *Requests* the Special Rapporteur on the right to education, in close cooperation with all relevant stakeholders, including Governments, United Nations agencies and programmes, civil society and other relevant United Nations mandate holders, to include in his next interim report to the General Assembly at its sixty-sixth session an update to his report on the right to education in emergencies, in order to identify gaps and remaining challenges in ensuring the right to education in emergency situations.

Environmental and scientific concerns

Forensic genetics

OHCHR report. As requested by the Human Rights Council [YUN 2008, p. 799], OHCHR in August submitted a report [A/HRC/15/26] on the right to the truth and on forensic genetics and human rights, which summarized information received from 18 countries as well as specialized institutions. The report examined the use of forensic experts in cases of gross violations of human rights; forensic genetics and human rights, including national practices in the use of forensic genetics for identifying victims of human rights violations and the voluntary creation of genetic databanks; the context and primary components of a text on forensic genetics and human rights; and the existing human rights legal framework. OHCHR concluded that forensic experts had a crucial role to play in identifying victims of serious violations of human rights and international humanitarian law.

Human Rights Council action. On 29 September [A/65/53/Add.1 (res. 15/5)], the Council encouraged States to use of forensic genetics to identify the remains of victims of human rights violations and to address the issue of impunity; encouraged States to use forensic genetics to restore the identity of those persons who were separated from their families in situations of human rights violations and in the context of armed conflicts; and requested the High Commissioner to report to the Council's eighteenth (2011) session.

Genetic privacy

In response to Economic and Social Council decision 2008/233 [YUN 2008, p. 845], the Secretary-General in May [E/2010/82] transmitted to the Council a note by the Director-General of the United Nations Educational, Scientific and Cultural Organization (UNESCO) on genetic privacy and non-discrimination.

On 23 July, by **decision 2010/259**, the Council deferred its consideration of genetic privacy and

non-discrimination until its 2011 substantive session so as to benefit from further information collected from Member States, the results of analysis by the Inter-Agency Committee on Bioethics (UNIACB) and further exchanges among UN agencies and inter-governmental organizations. It encouraged UNIACB to further its work in that field, and requested the UNESCO Director General to report thereon to the Council at its 2011 substantive session.

Toxic wastes

Reports of Special Rapporteur. As requested by the Human Rights Council [YUN 2008, p. 843], the Special Rapporteur on the adverse effects of the movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights, Okechukwu Ibeanu (Nigeria), in July submitted a report [A/HRC/15/22] providing a critical review of the Rapporteur's work and activities. The report examined the scope of the mandate vis-à-vis the norms, standards, and principles of environmental law to regulate the production, management, trade and disposal of toxic and dangerous products and wastes. It identified areas of focus for the mandate and emerging issues. It also provided recommendations to the Human Rights Council and the new mandate holder on how to strengthen the mandate in order to maximize the protection of those individuals and communities that might be adversely affected by the movement and disposal those substances. He further recommended that the Council expand the mandate so as to request the Rapporteur to monitor the adverse effects of those substances during the whole life cycle, from their production to their disposal, and to request the new mandate holder to develop a set of guidelines on human rights-based approaches to the sound management and disposal of toxic and dangerous products and wastes.

An addendum [A/HRC/15/22/Add.1] summarized communications sent to 8 Governments and companies between 1 July 2009 and 30 June 2010, as well as responses received between 19 August 2009 and 19 August 2010.

Mission report. The Special Rapporteur visited India (11–21 January) [A/HRC/15/22/Add.3] to examine the adverse effects that hazardous activities, such as shipbreaking and the recycling of electrical and electronic waste (e-waste), had on the enjoyment of human rights of countless individuals working in those sectors or living close to where those activities took place. He pointed out that national legislation on waste management and health and safety at work was not effectively implemented, and the institutional framework appeared inadequate to respond to the related health and environmental challenges. The health and safety situation prevailing at the shipbreaking

yards remained critical. He recommended that the Government better define the role and functions of the central and state government institutions responsible for the implementation of related national legislation and develop mechanisms to ensure better coordination; provide adequate resources to institutions responsible for enforcing the legislation; and adopt measures to curb illegal import of hazardous waste.

Appointment of Special Rapporteur. The Human Rights Council on 18 June appointed Calin Georgescu (Romania) as Special Rapporteur.

Slavery and related matters

Reports of Special Rapporteur. As requested by the Human Rights Council [YUN 2007, p. 784], the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, Gulnara Shahinian (Armenia), in June submitted a report [A/HRC/15/20] that focused on the manifestations and causes of domestic servitude. Although the victims were largely invisible, domestic servitude was a global human rights concern, affecting every region in the world. It took many shapes and forms, ranging from slavery to slavery-like practices, such as bonded domestic labour and child domestic labour. Millions of women and girls pursuing the opportunities that domestic work provided, while making a valuable contribution to society, were at risk because their rights were not adequately protected. The criminalization of all forms of slavery and servitude was one aspect of an effective response. At the same time, the issue was embedded in the wider challenge to ensure that domestic workers were provided with equal protection of their labour rights. The Rapporteur recommended that States: criminalize servitude in all its forms and manifestations, including bonded labour, child and forced marriages and other so-called “cultural” practices; prosecute perpetrators and ensure that victims obtained reparation; put in place information and complaints mechanisms for victims; and take action against anyone unduly restricting the freedom of movement and communication of domestic workers.

An addendum [A/HRC/15/20/Add.1] summarized communications sent from 1 July 2009 to 1 June 2010 to four Governments and replies received from 1 July 2009 to 2 August 2010.

Mission reports. Following her visit to Ecuador (25 January–1 February) [A/HRC/15/20/Add.3], the Special Rapporteur said that contemporary forms of slavery persisted and were directly related to pervasive instances of discrimination, social exclusion and poverty. They affected Afro-descendants and indigenous peoples, as well as asylum-seekers, refugees, irregular and smuggled migrants, women, and children of impoverished families. Contemporary forms of slav-

ery were also present in specific industries such as gold-mining, flower and banana plantations, palm oil extraction, domestic servitude and the informal economy sector. The Rapporteur made recommendations on addressing the worst forms of child labour; preventing slavery-like situations among asylum-seekers, refugees and migrants; protecting domestic workers against slavery-like practices; and providing assistance to victims.

During her mission to Brazil (17–28 May) [A/HRC/15/20/Add.4], the Rapporteur found that forced labour in the rural areas was most prevalent in the cattle ranching industry, followed by the agricultural industry. The victims were predominantly boys and men aged 15 years and older. In urban centres, forced labour was a feature of the garment industry. Such sectors were in need of reform to prevent slavery-like practices from being used. The exemplary policies that the Government had put in place to combat the phenomenon were threatened by the impunity enjoyed by landowners, local and international companies and intermediaries. The Rapporteur made recommendations to combat slave labour in rural areas and in the garment industry, as well as recommendations for the business community.

Following her mission to Romania (13–17 December) [A/HRC/18/30/Add.1], the Rapporteur reported that child labour, the economic exploitation of children and other exploitative and slave-like situations persisted. She recommended addressing the worst forms of child labour; preventing slavery-like situations among non-European Union country migrant workers, Romanian migrant workers and victims of human trafficking; and responding to risks indicating vulnerabilities to exploitation and slave-like situations. She invited the Government to develop programmes to support the implementation of legislation on the worst forms of child labour and other slave-like situations, and to ensure equal enjoyment of human rights by Roma, including by promoting equal access of Roma children to education.

Human Rights Council action. On 29 September [A/65/53/Add.1 (res. 15/2)], the Council renewed the mandate of the Special Rapporteur for a three-year period and requested the Rapporteur to submit annual reports to the Council.

Fund on slavery

Report of Secretary-General. The Secretary-General in August [A/66/217] reported on the financial status of the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery. At its fifteenth session (Geneva, 6–10 December), the Fund's Board of Trustees recommended 61 new project grants amounting to \$555,115 to assist 61 NGO projects in 46

countries and territories. Eleven countries and one individual had contributed \$656,793 since the Board's fourteenth session [YUN 2009, p. 731]. The Board estimated that the Fund would need at least \$1.5 million before its sixteenth session, scheduled for 28 November–5 December 2011. The High Commissioner approved the Board's recommendations on behalf of the Secretary-General.

Slavery and transatlantic slave trade

Commemorative meeting. On 25 March, the General Assembly, on the proposal of its President, decided to convene on that day a special commemorative meeting on the occasion of the International Day of Remembrance of the Victims of Slavery and the Transatlantic Slave Trade (**decision 64/552**). The meeting was addressed by seven Member States, on behalf of regional groups, as well as by other speakers [A/64/PV.80].

Report of Secretary-General. The Secretary-General in September reported [A/65/390] on the UN programme of educational outreach on the transatlantic slave trade and slavery, as requested by General Assembly resolution 64/15 [YUN 2009, p. 732]. The UN Department of Public Information (DPI) reinforced efforts to implement its outreach programme, established in 2008 to improve understanding of the history and impact of the 400-year-long slave trade [YUN 2008, p. 845]. In that regard, in 2010 it raised awareness through public information campaigns and by promoting and facilitating knowledge-sharing, in particular studies and expert discussions on the topic. The Department collaborated with States Members of the Caribbean Community and the African Union to organize the third annual observance of the International Day of Remembrance of the Victims of Slavery and the Transatlantic Slave Trade on 25 March. The theme, "Expressing our freedom through culture", underlined the significance of the cultural heritage of enslaved peoples in their fight for survival and freedom. Weeklong commemorative activities held at Headquarters included a cultural evening celebrating Afro-Caribbean music and food, the screening of a documentary film, a panel discussion and an international student videoconference. Through its network of information centres and other news and media outreach resources, DPI carried the message of the observance internationally and carried out follow-up awareness-raising activities.

Permanent memorial

Communications. On 2 March, Jamaica, in its capacity as Chairman of the Committee of Interested States established to oversee the decision to erect, at a place of prominence at UN Headquarters, a per-

manent memorial in acknowledgement of the tragedy and in consideration of the legacy of slavery and the transatlantic slave trade [YUN 2007, p. 784], transmitted to the General Assembly President an updated list [A/64/699] of Member States that had contributed to the Trust Fund for the permanent memorial. The total amount was \$708,806, of which \$443,506 was received and \$270,800 was pledged.

On 3 November, Jamaica submitted another updated list [A/65/597] indicating that the total Trust Fund amount was \$810,094, of which \$802,594 was received and \$7,500 was pledged. The estimated amount required for the project was \$5.4 million.

Report of Secretary-General. As requested by General Assembly resolution 64/15 [YUN 2009, p. 732], the Secretary-General in December [A/65/605] reported on the status of the UN Trust Fund for Partnerships—Permanent Memorial. As at 30 November, \$801,298 had been received in contributions to the Trust Fund comprising \$773,548 in contributions from Member States and \$27,750 in private donations.

GENERAL ASSEMBLY ACTION

On 24 December [meeting 73], the General Assembly adopted **resolution 65/239** [draft: A/65/L.36 & Add.1] without vote [agenda item 116].

Permanent memorial to and remembrance of the victims of slavery and the transatlantic slave trade

The General Assembly,

Recalling its resolution 61/19 of 28 November 2006, entitled “Commemoration of the two-hundredth anniversary of the abolition of the transatlantic slave trade” and subsequent resolutions entitled “Permanent memorial to and remembrance of the victims of slavery and the transatlantic slave trade”,

Recalling also the designation of 25 March as the annual International Day of Remembrance of the Victims of Slavery and the Transatlantic Slave Trade,

Noting the initiatives undertaken by States in reaffirming their commitment to implement paragraphs 101 and 102 of the Durban Declaration of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, aimed at countering the legacy of slavery and contributing to the restoration of the dignity of the victims of slavery and the slave trade,

Recalling, in particular, paragraph 101 of the Durban Declaration, which, inter alia, invited the international community and its members to honour the memory of the victims,

Stressing the importance of educating and informing current and future generations about the causes, consequences and lessons of slavery and the transatlantic slave trade,

Recognizing how little is known about the transatlantic slave trade and its lasting consequences, felt throughout the world, and welcoming the increased attention that the annual commemoration by the General Assembly has brought to the issue, including raising awareness in many States,

Recalling that the permanent memorial initiative within the General Assembly complements the work being done at the United Nations Educational, Scientific and Cultural Organization on the Slave Route Project, including its commemorative activities,

1. *Welcomes* the initiative of Member States to erect, at a place of prominence at United Nations Headquarters that is easily accessible to delegates, United Nations staff and visitors, a permanent memorial in acknowledgement of the tragedy and in consideration of the legacy of slavery and the transatlantic slave trade;

2. *Recalls* the establishment of a committee of interested States to oversee the permanent memorial project, drawn from all geographical regions of the world, with Member States from the Caribbean Community and the African Union playing a primary role, in collaboration with the United Nations Educational, Scientific and Cultural Organization, representatives of the Secretariat, the Schomburg Center for Research in Black Culture of the New York Public Library and civil society;

3. *Also recalls* the establishment of a trust fund for the permanent memorial, referred to as the United Nations Trust Fund for Partnerships—Permanent Memorial, administered by the United Nations Office for Partnerships, and notes the current status of contributions to the Trust Fund;

4. *Recognizes* the necessity of sustained voluntary contribution in order to achieve in a timely manner the goal of erecting a permanent memorial in honour of the victims of slavery and the transatlantic slave trade;

5. *Expresses sincere appreciation* to those Member States that have already made contributions to the Trust Fund, encourages additional contributions, and invites Member States and other interested parties that have not done so to do likewise;

6. *Requests* the Secretary-General to organize a series of activities annually to commemorate the International Day of Remembrance of the Victims of Slavery and the Transatlantic Slave Trade, including a commemorative session of the General Assembly at United Nations Headquarters and, as appropriate, activities through the network of United Nations information centres;

7. *Requests* the Department of Public Information of the Secretariat, in cooperation with the countries concerned and with relevant organizations and bodies of the United Nations system, to continue to take appropriate steps to enhance world public awareness of the commemorative activities and the permanent memorial initiative, and to facilitate efforts to erect the permanent memorial at United Nations Headquarters;

8. *Reiterates its request* in resolution 64/15 of 16 November 2009 for Member States to develop, in accordance with their national legislation, educational programmes, including through school curricula, designed to educate and inculcate in future generations an understanding of the lessons, history and consequences of slavery and the slave trade, and to provide such information to the Secretary-General for inclusion in his report;

9. *Encourages* the United Nations Educational, Scientific and Cultural Organization to launch an international design competition for the permanent memorial, which is to be funded from the Trust Fund, in view of the considerable experience of that Organization with the Slave Route Project, international competitions and its worldwide

presence through its network of field offices and National Commissions;

10. *Invites* the United Nations Educational, Scientific and Cultural Organization to assist the committee in defining guidelines for the selection process and in identifying qualified candidates, including from its pool of international specialists to serve on the international jury;

11. *Takes note* of the report of the Secretary-General on the programme of educational outreach on the transatlantic slave trade and slavery relating to the diverse educational outreach strategy to increase awareness of and to educate future generations about the causes, consequences, lessons and legacy of the transatlantic slave trade and to communicate the dangers of racism and prejudice, and encourages continued action in this regard;

12. *Requests* the Secretary-General to report to the General Assembly at its sixty-sixth session on continued action to implement the programme of educational outreach, including actions taken by Member States in implementing the present resolution, as well as steps to enhance world public awareness of the commemorative activities and the permanent memorial initiative;

13. *Requests* the United Nations Office for Partnerships, through the Secretary-General, to submit a comprehensive report to the General Assembly at its sixty-sixth session on the status of the Trust Fund and, in particular, on contributions received and their utilization;

14. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "Follow-up to the commemoration of the two-hundredth anniversary of the abolition of the transatlantic slave trade".

The General Assembly on 24 December decided that the agenda item on the follow-up to the commemoration of the two-hundredth anniversary of the abolition of the transatlantic slave trade would remain for consideration during its resumed sixty-fifth (2011) session (**decision 65/544**).

Vulnerable groups

Women

OHCHR study. As requested by the Human Rights Council [YUN 2009, p. 733], OHCHR in August submitted a study [A/HRC/15/40] on discrimination against women in law and in practice, and on how the issue was addressed throughout the UN human rights system. The study provided conclusions on additional steps the UN human rights system might take to stimulate reform of discriminatory laws and enhance domestic monitoring processes to identify new laws that discriminated explicitly or that were discriminatory in impact or implementation. UN bodies could identify laws that discriminated; facilitate the sharing of model laws and best practices in legislation and implementation; provide technical assistance; and support the work of Governments, parliaments, national human rights institutions and other entities. The main impetus for reform, however, must come from the national level. The study made recommendations for action to the

Human Rights Council and to UN-Women. It also recommended the establishment of a new special procedure of the Council that would focus on laws and practices that discriminated against women.

Human Rights Council action. On 1 October [A/65/53/Add.1 (res. 15/23)], the Council called on States to revoke any remaining laws that discriminated on the basis of sex; remove gender bias in the administration of justice; and ensure full representation and equal participation of women in political, social and economic decision-making.

General Assembly action. The General Assembly, by **resolution 65/229** of 21 December (see p. 1120), adopted the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders ("the Bangkok Rules").

Working group on discrimination against women

Establishment of new mandate. On 1 October [res. 15/23], the Council established, for a three-year period, a working group of five independent experts on the issue of discrimination against women in law and in practice. It requested the working group to submit an annual report, starting at the Council's twentieth (2012) session; prepare a compendium of best practices; and undertake a study on the ways and means in which it could cooperate with States to fulfil their commitments to eliminate discrimination against women in law and in practice.

Violence against women

Reports of Special Rapporteur. Pursuant to a Human Rights Council request [YUN 2008, p. 848], the Special Rapporteur on violence against women, its causes and consequences, Rashida Manjoo (South Africa), in April submitted her first thematic report [A/HRC/14/22] highlighting her activities in 2009 and early 2010 and addressing the topic of reparations to women who had been subjected to violence in the contexts of both peace and post-conflict. The Rapporteur pointed out that most human rights and humanitarian law treaties provided for a right to a remedy. The obligation to provide adequate reparations involved ensuring the rights of women to access criminal and civil remedies and the establishment of effective protection, support and rehabilitation services for survivors of violence. When it came to implementing the obligation to reparation, however, very little information was available regarding State obligations to provide adequate reparations for acts of violence against women, and that aspect of due diligence remained grossly underdeveloped. The report discussed conceptual challenges that prevailed when placing the question of gender-sensitive reparations on the national and international agendas; analysed

considerations emerging in reparations initiatives responding to violence in conflict, post-conflict and authoritarian settings; and examined reparations to women and girls in contexts of “peace” or consolidated democracies by looking at discriminatory practices against certain groups of women, and by highlighting landmark cases in the Inter-American Court of Human Rights and the European Court of Human Rights. In her recommendations, the Rapporteur said that reparations for women could not merely entail returning them to the situation in which they were found before the individual instance of violence, but instead should have a transformative potential.

An addendum [A/HRC/14/22/Add.1] summarized 38 communications—15 allegation letters and 23 urgent appeals—sent to 28 Member States from 1 March 2009 to 15 April 2010; 34 of them were sent jointly with other Human Rights Council mandate holders. The Rapporteur remained concerned that only 14 Governments had replied.

Mission reports. Following her visit to El Salvador (17–19 March) [A/HRC/17/26/Add.2], the Rapporteur noted that the situation had changed little since the visit of the previous mandate holder in 2004 [YUN 2004, p. 775]. The failure of the authorities to investigate, prosecute and punish those responsible for gender-based violence contributed to an environment of impunity that resulted in little confidence in the justice system. Impunity for crimes, socioeconomic disparities and the *machista* culture fostered a generalized state of violence, subjecting women to a continuum of multiple violent acts. The Rapporteur said that the recommendations in her predecessor’s report [ibid.] were still relevant, and she reiterated the need to take action in five ways: create a gender-sensitive information and knowledge base, including through the creation of a statistical commission; ensure the protection of women and girls through legislative, investigative and judicial reforms, including through the establishment of a specialized investigation and prosecution unit on femicides; strengthen institutional infrastructure; initiate further training and awareness programmes; and enforce international and regional human rights standards.

Following her mission to Algeria (1–10 November) [A/HRC/17/26/Add.3], the Rapporteur noted that legal, institutional and policy measures taken by the Government had not been able to remove all obstacles to *de jure* and *de facto* discrimination and to transform entrenched patriarchal attitudes and stereotypes in society. Violence against women in the family, sexual harassment at work and in educational and training institutions, and stigmatization of and hostility towards unmarried single women and women living on their own were areas of concern. Challenges that required attention included enhanced protection of

women through further legislative reforms, such as the adoption of specialized legislation; the need for reinforcing institutional infrastructure for the effective promotion and protection of women’s human rights generally, and the right to be free from violence in particular; the initiation of further training and awareness-raising programmes; the establishment of a comprehensive data collection system; and enhanced collaboration with civil society organizations.

Following her mission to Zambia (6–11 December) [A/HRC/17/26/Add.4], the Special Rapporteur pointed out that progress achieved by the Government had not translated into concrete improvements in the lives of the majority of women, who remained marginalized, discriminated against and at risk of being subjected to violence. Women’s access to justice and protection was impeded by generalized impunity, limited numbers of shelters, insufficient legal representation and limited awareness of their rights, as well as by economic dependency and societal reluctance to recognize numerous forms of violence as crimes and human rights violations requiring attention. The persistence of negative customary and religious practices exacerbated discrimination and women’s position of dependence and subordination. The Rapporteur made recommendations to the Government relating to law and policy reforms, statistics and data collection, and the social and cultural context of women.

Human Rights Council action. On 18 June [A/65/53 (res. 14/12)], the Council called on States to enact, reinforce or amend legislation to investigate, prosecute, punish and redress the wrongs done to women and girls subjected to any form of violence; decided to include the theme of violence against women and girls, with an emphasis on prevention, in the annual full-day discussion on women’s rights at its seventeenth (2011) session; and requested OHCHR to prepare a summary of the proceedings as well as a compilation of good prevention practices and to present the report at the full-day discussion.

Trafficking in women and girls

Reports of Special Rapporteur. In response to a Human Rights Council request [YUN 2008, p. 848], the Special Rapporteur on trafficking in persons, especially women and children, Joy Ngozi Ezeilo (Nigeria), submitted a May report [A/HRC/14/32] covering the period from April 2009 to March 2010. The Rapporteur reviewed her activities during the past year; analysed activities undertaken by regional and subregional organizations in the fight against trafficking, highlighting good practices and initiatives that promoted a human rights-based approach to combating trafficking; described the main regional and subregional anti-trafficking cooperation mechanisms and analysed their main achievements and the main

challenges they faced. The Rapporteur's recommendations were addressed to regional and subregional anti-trafficking cooperation mechanisms and the international community.

An addendum [A/HRC/14/32/Add.1] summarized nine communications sent to seven countries from 1 January 2009 to 31 March 2010, as well as five Government replies received from 1 January 2009 to 10 May 2010.

As requested by the Council [YUN 2008, p. 848], the Secretary-General in August transmitted to the General Assembly the interim report [A/65/288] of the Rapporteur, covering the period from 1 October 2009 to 30 September 2010. The Rapporteur outlined her activities, and focused on the prevention of trafficking in persons. She analysed various aspects of measures aimed at preventing trafficking, highlighting the importance of the participation of trafficked persons in designing and implementing such measures. She discussed innovative public-private partnerships for preventing trafficking and highlighted the importance of collecting accurate data on trafficking, as well as of monitoring and evaluation, to ensure the effectiveness of prevention measures. The Rapporteur offered recommendations to States in developing and implementing prevention efforts.

The General Assembly took note of that report on 21 December (**decision 65/536**).

Seminars and consultations. The Rapporteur submitted to the Council a summary [A/HRC/15/27] of discussions and recommendations of the seminar entitled "A human rights approach to combating human trafficking: challenges and opportunities. Implementing the Recommended Principles and Guidelines on Human Rights and Human Trafficking" (Geneva, 27–28 May), organized in accordance with a Council request [YUN 2009, p. 735]. An addendum [A/HRC/15/27/Add.1] summarized the views of stakeholders on the Recommended Principles and Guidelines on Human Rights and Human Trafficking [YUN 2002, p. 748], developed by OHCHR.

The Rapporteur convened a consultation on the role of regional and subregional mechanisms in international efforts to counter trafficking in persons, especially women and children (Dakar, Senegal, 4–5 October) [A/HRC/17/35/Add.5]. Participants agreed that coordination of the various anti-trafficking initiatives and enhanced cooperation among all those involved in combating trafficking was essential to maximizing resources, minimizing duplication and addressing States' fatigue vis-à-vis the number of demands to which they were required to attend.

The Rapporteur convened an expert consultation on the right to an effective remedy for trafficked persons (Bratislava, Slovakia, 22–23 November) [A/HRC/17/35/Add.6], which focused on the normative

framework, content and scope of that right, as well as States' responses and national strategies. Participants agreed that access to information, legal assistance including free legal aid, and regularization of their residence status while seeking remedies, were preconditions for trafficked persons to exercise that right. Participants stressed the importance of properly identifying trafficked persons from the moment they suffered harms and applying the principle of non-criminalization and non-prosecution of trafficked persons as the fundamental first step in providing remedies.

Mission reports. Following her mission to Egypt (11–21 April 2010) [A/HRC/17/35/Add.2], the Rapporteur said that the Government faced considerable challenges in addressing trafficking, including collecting accurate and comprehensive data on trafficking and thorough analysis of the trend and forms of trafficking; establishing proper identification and referral mechanisms for trafficked persons; building infrastructure and services to meet the needs of trafficked persons; implementing measures directed at addressing root causes of trafficking; and protecting migrants' labour rights, particularly the labour rights of domestic migrant workers. The Rapporteur made recommendations to address those challenges.

Following her visit to Argentina (6–11 September) [A/HRC/17/35/Add.4], the Rapporteur listed as challenges: the lack of comprehensive data on the trend of trafficking in persons; the weak coordination of anti-trafficking activities; the lack of identification and referral mechanisms for trafficked persons; and the insufficient availability of aid facilities and services. She recommended that the Government approve legislation to guarantee more stringent penalties against traffickers and to eliminate the issue of consent and distinction based on age; allocate adequate resources to anti-trafficking offices and units to ensure that protection and assistance measures were carried out throughout the country; provide assistance to victims; establish a federal central agency to enhance coordination and carry out prevention efforts to regulate businesses, such as within the textile industry, agriculture (including fisheries) and construction, and the entertainment and sex industries.

Following her mission to Uruguay (13–17 September) [A/HRC/17/35/Add.3], the Rapporteur identified challenges for the Government to address, including the lack of comprehensive data on the trend of trafficking in persons, the weak coordination of anti-trafficking activities, the lack of identification and referral mechanisms for trafficked persons, and the insufficient level of facilities and services to assist trafficked persons. She recommended that the Government carry out a national survey on human trafficking to obtain updated information; launch campaigns to raise public awareness; design a national plan of

action on combating trafficking; and establish a central agency to address the problem.

Human Rights Council action. On 26 March [A/65/53 (dec. 13/117)], the Council decided to hold a panel discussion at its fourteenth session to give voice to victims of trafficking in persons, with a view to reinforcing the centrality of their human rights and needs, and taking into account their recommendations when devising actions to combat trafficking. The panel discussion [A/HRC/14/37] was held on 2 June.

On 17 June [res. 14/2], the Council urged Governments to protect, assist and provide access to redress to victims, including the possibility of obtaining compensation from the perpetrators. It also called on Governments to enhance regional and subregional cooperation against trafficking.

General Assembly action. By resolution 65/190 of 21 December (see p. 1172), the General Assembly called on Governments to address the demand that fostered the trafficking of women and girls for all forms of exploitation, and to enhance preventive measures to deter exploiters of trafficked persons.

Children

Violence against children

Reports of Special Representative. Following the establishment of the mandate [YUN 2009, p. 735], Marta Santos Pais (Portugal), the Special Representative of the Secretary-General on violence against children, in February submitted her first report [A/HRC/13/46] to the Human Rights Council, in accordance with General Assembly resolution 64/146 [YUN 2009, p. 637]. She recalled the history leading up to the establishment of the position of the Special Representative and the scope of the mandate, as defined by Assembly resolution 62/141 [YUN 2007, p. 681]. The Special Representative outlined her vision and priority areas for her work and the strategies she intended to use to implement the mandate, which built on the recommendations of the UN study on violence against children [YUN 2006, p. 916]. She emphasized three overarching recommendations: the development in each State of a comprehensive strategy on violence against children; the introduction of an explicit national legal ban on all forms of violence; and the consolidation of data and research. During the initial months of her mandate, the Representative sought to advance progress in follow-up to the study; promote a consultative process and strengthen partnerships; and secure support for her mandate.

In response to General Assembly resolution 64/146, the Secretary-General in August [A/65/262] submitted to the Assembly the annual report of the Special Representative, reviewing developments that had marked the initial period of her mandate, including initiatives undertaken by UN agencies to integrate violence

against children within their agendas; strides by regional organizations, political groups and civil society networks to institutionalize implementation of the study's recommendations; and national improvements to protect children from violence. The Representative was committed to maintaining momentum around violence prevention and responses; increasing visibility and concern at the harmful effects of violence on children; addressing social norms to encourage positive behaviour and social change; and mobilizing political support to combat the phenomenon. The Representative would focus on: advancing her two-year campaign for the universal ratification of the Optional Protocols to the Convention on the Rights of the Child and promoting global adherence to other treaties aimed at protecting children from violence; promoting progress in her three strategic areas of concern (see above); and supporting the development of a report on safe, child-sensitive and accessible counselling, complaint and reporting mechanisms.

Human Rights Council action. On 26 March [A/65/53 (res. 13/20)], the Council urged States to take legislative and other measures to prohibit, criminalize and eliminate all forms of sexual violence and sexual abuse against children; and to ensure accountability and seek to end impunity of perpetrators of sexual violence and abuse against children in all settings, including in conflict and emergencies. The Council requested the High Commissioner to prepare a summary of the Council's full-day meeting on the rights of the child, held on 10 March, which focused on the fight against sexual violence against children. The Special Representative and the Special Rapporteur on the sale of children, child prostitution and child pornography were invited to cooperate on themes of mutual interest and report to the Council's sixteenth (2011) session on effective and child-sensitive counselling, complaint and reporting mechanisms to which children could safely report incidents of violence, including sexual violence and exploitation.

Report of High Commissioner. As requested by the Council, the High Commissioner in December submitted a summary [A/HRC/16/55] of the Council's full-day meeting on the rights of the child (Geneva, 10 March).

Sale of children, child prostitution and child pornography

Reports of Special Rapporteur. In accordance with General Assembly resolution 64/146 [YUN 2009, p. 637], the Secretary-General in August transmitted to the Assembly the first report [A/65/221] of the Special Rapporteur on the sale of children, child prostitution and child pornography, Najat Maalla M'jid (Morocco), which described her activities from September

2009 to July 2010. In the context of the tenth anniversary of the adoption of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography [YUN 2000, p. 615], the report focused on remaining challenges with respect to awareness and understanding of those problems and the actions undertaken to address them. The Rapporteur recommended measures to improve the effective implementation of the Protocol, first among them, a better understanding of the Protocol and greater awareness for better action.

The General Assembly took note of the report on 21 December (**decision 65/534**).

Mission reports. Following her visit to El Salvador (23–31 August) [A/HRC/16/57/Add.4], the Rapporteur observed that while the true extent of the sale of children, child prostitution and child pornography remained unknown, she was encouraged by the consultative and integrated process involved in the adoption of the 2009 law on the comprehensive protection of childhood and adolescence and in the elaboration of a strategy aiming to guarantee the rights of children at the national and local levels. She encouraged the Government to ensure their full implementation in 2011. Regarding corporate responsibility, the Government should pursue partnerships with the private sector, particularly tourism and travel agencies, Internet service providers, telecommunication companies and banks, to combat the sexual exploitation of children, including child sex tourism and the exploitation of children online, by adopting a code of conduct.

Following her mission to the United States (12–27 October) [A/HRC/16/57/Add.5], the Rapporteur reported a growing availability of child pornography online, the use of ever-younger children, an increase in the violence of images recorded, and the persistence of child prostitution, principally involving girls. The true scope of those phenomena remained difficult to measure in part due to the absence of a standardized, centralized information gathering and treatment system. A key challenge remained the lack of harmonization between Federal and state legislation, and between States. Further, law enforcement in certain jurisdictions still identified children in prostitution as criminals rather than as victims. Detaining children involved in prostitution also occurred due to a lack of viable placement alternatives for children. There was a need to move beyond awareness-raising campaigns. Effective prevention should include stronger support to communities and families, working on social perceptions, addressing the situation of children at risk, and tackling the demand for sex with children, particularly the roles of buyers, intermediaries and traffickers. The efficiency of strategies and programmes could be improved through better coordination and allocation of resources.

Children and armed conflict

Report of Secretary-General. Pursuant to Security Council resolution 1882(2009) [YUN 2009, p. 739], the Secretary-General in April submitted a report [A/64/742-S/2010/181] on children and armed conflict, covering developments in 2009. As requested by resolution 1882(2009), two annexes listed those parties to armed conflict that engaged in patterns of killing and maiming of children and/or rape and other sexual violence against children, in contravention of international law. The report reviewed measures undertaken by parties listed in the annexes to end violations and abuses against children that served as indicators of progress made in follow-up to the recommendations of the Security Council Working Group on Children and Armed Conflict. It also reviewed the implementation of the monitoring and reporting mechanism established by the Council in resolution 1612(2005) [YUN 2005, p. 863]; and provided information on grave violations committed against children, in particular recruitment and use of children, killing and maiming of children, rape and other sexual violence against children, abductions of children, attacks on schools and hospitals, and the denial of humanitarian access to children by parties to armed conflict. It also provided information on the criteria and procedures used for listing and de-listing parties to armed conflict in the annexes.

According to the report, grave violations had occurred in Afghanistan, Burundi, the Central African Republic, Colombia, Chad, Côte d'Ivoire, the Democratic Republic of the Congo, Haiti, India, Iraq, Lebanon, Myanmar, Nepal, Pakistan, the Philippines, the Occupied Palestinian Territory and Israel, Somalia, Sri Lanka, the Sudan, Thailand, Uganda and Yemen. The Secretary-General recommended that the Security Council insist that those parties implement action plans to halt those violations, and take measures against any party that failed to comply. Member States should allow contact between the United Nations and non-State actors to ensure the protection of children.

Security Council consideration (June). On 16 June [S/PV.6341], the Council considered the Secretary-General's report. It also had before it a concept paper [S/2010/314] submitted by Mexico. Following a day-long meeting that heard over 60 speakers—including the Special Representative of the Secretary-General for Children and Armed Conflict, representatives of the Department of Peacekeeping Operations and the United Nations Children's Fund (UNICEF) and a young abduction victim from Nepal—the Council, by a presidential statement (see p. 756), expressed its readiness to take targeted and graduated measures against persistent perpetrators of violations and abuses against children.

SECURITY COUNCIL ACTION

On 16 June [meeting 6341], following consultations among Security Council members, the President made statement **S/PRST/2010/10** on behalf of the Council:

The Security Council takes note with appreciation of the ninth report of the Secretary-General on children and armed conflict and the recommendations contained therein, as well as the positive developments referred to in the report, and notes the continuing challenges in the implementation of its resolutions 1612(2005) and 1882(2009) and other relevant resolutions reflected therein.

The Council reiterates its equally strong condemnation of all violations of applicable international law involving the recruitment and use of children by parties to armed conflict as well as their re-recruitment, killing and maiming, rape and other sexual violence, abductions, attacks against schools or hospitals and denial of humanitarian access by parties to armed conflict. The Council condemns all other violations of international law, including international humanitarian law, human rights law and refugee law, committed against children in situations of armed conflict. The Council demands that all relevant parties immediately put an end to such practices and take special measures to protect children.

The Council expresses deep concern about the growing number of attacks or threats of attacks in contravention of applicable international law against schools and educational facilities, and teachers and pupils, in particular the specific targeting of girls, and in this regard calls upon all parties to armed conflict to cease immediately these violations of international humanitarian law.

The Council welcomes the steps taken by the Secretary-General in the implementation of resolution 1882(2009) by including in the annexes to his report those parties to armed conflict that engage, in contravention of applicable international law, in patterns of killing and maiming of children and/or rape and other sexual violence, in situations of armed conflict.

The Council calls upon the Secretary-General to redouble his efforts to ensure strengthening of the capacities of the monitoring and reporting mechanism with a view to the implementation of resolution 1882(2009) to allow for prompt advocacy and effective response to all violations and abuses committed against children, inter alia, by ensuring that all relevant United Nations agencies actively help to collect accurate, objective, reliable and verifiable information on acts of rape and other sexual violence committed against children, and also by ensuring synergies and avoiding overlap among relevant United Nations entities, at the headquarters and country levels, as requested in resolutions 1882(2009) and 1888(2009).

The Council reaffirms its decision, in paragraph 11 of its resolution 1882(2009), to continue to include specific provisions for the protection of children in the mandates of all relevant United Nations peacekeeping, peacebuilding and political missions, encourages the deployment of child protection advisers to such missions and calls upon the Secretary-General to ensure that such advisers are recruited and deployed in line with the relevant country-specific resolutions of the Council and the De-

partment of Peacekeeping Operations Policy Directive on Mainstreaming the Protection, Rights and Well-being of Children Affected by Armed Conflict. It further underscores the importance of training in child rights and child protection for all personnel involved in United Nations peacekeeping, peacebuilding and political missions and in this regard welcomes the ongoing efforts by the Department in developing the policy implementation plan, including training programmes and materials.

The Council welcomes the progress made in preventing and responding to violations and abuses committed against children, especially with regard to the signing of action plans by some parties as mentioned in the ninth report of the Secretary-General.

The Council reiterates its call upon parties to armed conflict listed in the annexes to the report of the Secretary-General on children and armed conflict that have not already done so to prepare and implement, without further delay, action plans to halt the recruitment and use of children, patterns of killing and maiming of children and/or rape and other sexual violence against children, in violation of applicable international law, in situations of armed conflict.

The Council also reiterates its call to all parties listed in the annexes to the report of the Secretary-General on children and armed conflict to address all other violations and abuses committed against children and undertake specific commitments and measures in this regard.

The Council expresses deep concern that certain parties persist in committing violations and abuses against children, and expresses its readiness to adopt targeted and graduated measures against persistent perpetrators, taking into account the relevant provisions of its resolutions 1539(2004), 1612(2005) and 1882(2009). To this end, the Council invites:

(a) Its Working Group on Children and Armed Conflict to exchange pertinent information with relevant sanctions committees, in particular through communication of the relevant recommendations of the Working Group;

(b) Its relevant sanctions committees to consider inviting more regularly the Special Representative of the Secretary-General for Children and Armed Conflict to brief them on specific information contained in the reports of the Secretary-General;

(c) The Special Representative to share specific information contained in the reports of the Secretary-General with relevant sanctions committee expert groups.

The Council expresses its intention, when establishing or renewing the mandate of relevant sanctions committees, to consider provisions pertaining to parties that are in violation of applicable international law relating to the rights and protection of children in armed conflict.

The Council expresses its readiness to consider specific recommendations of the Working Group on violations and abuses committed against children by parties listed in the annexes to the reports of the Secretary-General, whenever they occur, with a view to considering action on them, without prejudging or implying a decision by the Council as to whether or not to include a situation in its agenda.

The Council calls upon concerned Member States to take decisive and immediate action against persistent perpetrators of violations and abuses against children in situations of armed conflict, and further calls upon

them to bring to justice those responsible for such violations that are prohibited under applicable international law, including with regard to the recruitment and use of children, killing and maiming and rape and other sexual violence, through national justice systems, and where applicable, international justice mechanisms and mixed criminal courts and tribunals, with a view to ending impunity for those committing crimes against children.

Given the regional dimensions of some armed conflicts referred to in the report of the Secretary-General, the Council reiterates its request that United Nations peacekeeping, peacebuilding and political missions as well as United Nations country teams, within their respective mandates and in close cooperation with the Governments of the countries concerned, develop appropriate strategies and coordination mechanisms for information exchange and cooperation on cross-border child protection concerns.

The Council welcomes the overall work of the Special Representative and highlights the importance of her field visits in enhancing dialogue with concerned Governments and parties to conflict, including by negotiating action plans, securing commitments, advocating for appropriate response mechanisms and ensuring appropriate attention and follow-up to the conclusions and recommendations of the Working Group.

The Council also welcomes the efforts undertaken by the United Nations Children's Fund in carrying out its mandate on child protection by supporting the overall development and implementation of the monitoring and reporting mechanism and ensuring appropriate response to children in armed conflict, and encourages it to continue to follow up, through the monitoring and reporting mechanism country task forces, on relevant conclusions and recommendations of the Working Group.

The Council welcomes the sustained activity of the Working Group and stresses the importance of continuing to adopt timely conclusions and recommendations in line with resolutions 1612(2005) and 1882(2009). Furthermore, the Council invites the Working Group to fully implement its toolkit, *inter alia*, by carrying out a country-specific visit within one year, to examine a situation referred to in the annexes to the report of the Secretary-General in order to better fulfil its mandate and enhance its capacity to protect children affected by armed conflict.

Recalling previous statements by its President on children and armed conflict, as well as paragraph 18 of resolution 1882(2009), the Council reiterates its request to the Secretary-General to provide administrative and substantive support for the Working Group and further requests the Secretary-General to take action on this subject within one month of this date.

The Council requests the Secretary-General to submit a report by May 2011 on the implementation of its resolutions and the statements by its President on children and armed conflict, including the present statement.

Reports of Special Representative. Pursuant to General Assembly resolution 64/146 [YUN 2009, p. 637], the Secretary-General's Special Representative for Children and Armed Conflict, Radhika Coomaraswamy (Sri Lanka), in September submitted a report

[A/HRC/15/58] to the Human Rights Council covering the period May 2009 to May 2010. The report described progress made in addressing grave violations against children in armed conflict, called for universal ratification of the Optional Protocol on the involvement of children in armed conflict and described field visits by the Representative. During the period under review, the Representative carried out field missions to the Sudan (November 2009), Nepal (December 2009), Afghanistan (February 2010) and Uganda (May–June 2010). The Representative made recommendations for States parties to the Convention on the Rights of the Child to strengthen measures for preventing recruitment of children into the armed forces or armed groups and their use in hostilities; for States to establish 18 as the minimum age for voluntary recruitment into armed forces; and for Member States to comply with international law for the protection of children and bring to justice individuals responsible for recruiting and using children in the armed forces or armed groups.

Pursuant to General Assembly resolution 51/77 [YUN 1996, p. 665], the Representative submitted to the Assembly a report [A/65/219] covering the period from August 2009 to August 2010, highlighting critical child protection issues that required concerted action. It proposed ways to address the impunity of perpetrators of grave violations against children, including through the judicious use of sanctions and other targeted measures; stressed the imperative to undertake dialogue for child protection purposes with all parties to a conflict; and identified opportunities to strengthen child protection in UN peacemaking and peacekeeping. As 2010 marked the tenth anniversary of the adoption of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict [YUN 2000, p. 615], the report highlighted the two-year campaign launched by UN system partners for universal ratification by 2012. The Representative stressed the need to engage with Governments to ensure that the United Nations was able to support more effectively the efforts of national institutions in protecting, reintegrating and rehabilitating children.

Working Group activities. In August [S/2010/410], the Chairman of the Security Council Working Group on Children and Armed Conflict reported on the Group's activities since its last report [YUN 2009, p. 739]. The Group held five meetings in 2010 (4 February, 29 April, 8 September, 9 November, 22 December), during which it adopted conclusions on children and armed conflict in Colombia [S/AC.51/2010/3], Nepal [S/AC.51/2010/4], the Philippines [S/AC.51/2010/5], Sri Lanka [S/AC.51/2010/2] and Uganda [S/AC.51/2010/1]. The Group undertook a mission to Nepal (22–26 November).

On the basis of the Working Group's conclusions, the Security Council President sent letters to the Secretary-General on Burundi (26 January) [S/2010/45], the Sudan (26 January) [S/2010/46], Sri Lanka (16 September) [S/2010/487], Colombia (6 October) [S/2010/521], Nepal (30 November) [S/2010/610] and the Philippines (30 December) [S/2010/680].

Internally displaced persons

Reports of Secretary-General's Representative.

As requested by the Human Rights Council [YUN 2007, p. 793], the Secretary-General's Representative on the human rights of internally displaced persons (IDPs), Walter Kälin (Switzerland), in January submitted a report [A/HRC/13/21 & Corr.1] that discussed the achievements and activities of the mandate during the tenure of the Representative. The report identified progress made as well as challenges remaining in relation to the rights of IDPs. According to the report, millions of people were internally displaced every year as a result of conflict and violence. Disasters displaced even more people and climate change would exacerbate that trend. Development-induced displacement was also on the rise. With international attention focused on IDP camps, many other displaced remained invisible, because they stayed with host families, were dispersed in urban areas or their existence was officially denied. The Representative urged Member States and humanitarian actors to recognize, protect and assist all IDPs; increase efforts to protect and assist the urban displaced; and pay greater attention to displaced elderly persons, those with disabilities, women heads of households and their children, and displaced persons belonging to ethnic minorities or indigenous peoples.

An addendum [A/HRC/13/21/Add.4] contained a Framework on Durable Solutions for Internally Displaced Persons, which aimed to provide clarity on the concept of a durable solution and provided guidance on how to achieve it.

In accordance with General Assembly resolution 62/153 [YUN 2007, p. 793], the Secretary-General in August submitted the report [A/65/282 & Corr.1] of the Representative, which outlined his activities from August 2009 to July 2010 and reviewed the duty of States to provide humanitarian assistance and the corresponding right of IDPs to receive such assistance—an issue closely linked to that of humanitarian access. The Representative called on Member States to shape a rule-based framework to international humanitarian assistance, and in particular to recognize in national laws, policies and administrative and military instructions, the right of IDPs and others affected by conflict or disaster to request and receive humanitarian assistance in an equal and non-discriminatory manner; as well as the corresponding obligation of the State to en-

sure assistance, including by facilitating international assistance where local resources were insufficient.

The General Assembly took note of that report on 21 December (**decision 65/536**).

A further report [A/HRC/16/43/Add.5] of the Representative contained the Operational Guidelines on the Protection of Persons in Situations of Natural Disasters, which detailed the key principles that should guide humanitarian action in the context of natural disasters.

Mission reports. Following his visit to Azerbaijan (19–24 May) [A/HRC/16/43/Add.2 & Corr.1], in follow-up to his 2007 visit [YUN 2007, p. 792], the Representative emphasized that the protracted nature of the displacement, which had persisted for nearly two decades, continued to affect the human rights of close to 600,000 IDPs in the country. While the Government had taken measures to address the situation, old and new problems were affecting the rights of the displaced, including access to adequate housing, health and education. Stronger efforts were necessary to provide IDPs with livelihood opportunities and decrease dependency on Government transfers. The Representative encouraged the Government to continue its efforts to address those issues, reduce the isolation and the insular effects experienced by some displaced communities, and promote self-reliance and the full economic and social integration of IDPs. He also emphasized the need to strengthen efforts towards achieving a peace agreement—one that took the rights of IDPs into consideration.

Following his mission to the Central African Republic (9–17 July) [A/HRC/16/43/Add.4], in follow-up to his 2007 mission [YUN 2007, p. 792], the Representative found the situation of the internally displaced extremely worrying, with nearly 200,000 IDPs in the country. He was alarmed by the large new waves of displacements, exacerbated by restrictions on humanitarian access in some areas mainly due to security problems. The brutal mass atrocities committed by the Lord's Resistance Army had resulted in displacements in the south-east. In the north, the activities of armed actors and well-armed highway robbers terrorized civilians and prevented them from returning home. The Representative recommended that the Government cooperate with the international community and the Governments of neighbouring countries to improve the protection of civilians. He was concerned at allegations of new cases of human rights violations by the State security forces and noted that politicians and military officers suspected of serious violations continued to enjoy complete impunity. He recommended that the Government draft and adopt a law and a political strategy on displacement, based on the recommendations of a national workshop (Bangui, 15–16 July), to which the Representative had contributed.

Following his mission to Georgia (13–16 September) [A/HRC/16/43/Add.3], in follow-up to his 2005 [YUN 2005, p. 870] and 2008 [YUN 2008, p. 855] visits, the Representative addressed the remaining challenges in the search for durable solutions for the more than 350,000 IDPs. While the closing of collective centres for IDPs was to be welcomed, he urged the authorities to put in place clear procedures to ensure that evictions were carried out in accordance with international standards and that they not be undertaken without offering the persons concerned viable alternatives with regard to housing, livelihoods and access to basic services. The main obstacles to more IDP returns to Abkhazia, Georgia, remained political, as the authorities in control in Abkhazia were reluctant to allow any returns beyond the Gali district. The prospects of return for those displaced from the Gali district and elsewhere in Abkhazia almost 20 years ago remained low due to concerns for their security, the lack of adequate housing and insufficient employment opportunities. The restitution of housing, land and property left behind by IDPs or the provision of compensation in lieu of restitution remained a challenge that needed to be addressed. As a first step, the Representative called on the Abkhazian authorities to carry out a study reviewing the various types of property-like rights which prevailed at the time when IDPs were displaced.

Following his mission to Iraq (26 September–3 October) [A/HRC/16/43/Add.1], the Representative said that the scale and complexity of the internal displacement situation required stronger efforts by the Government and the international community. He recommended developing a comprehensive strategy to address the immediate humanitarian needs and human rights of displacement-affected communities, and devise durable solutions. An estimated 1.5 million Iraqis remained displaced since 2006, and 500,000 persons, most of whom were reported to be internally displaced, were living in difficult conditions in informal settlements in Baghdad and other cities. An action plan should be developed in close collaboration between the Kurdistan Regional Government and federal authorities to ensure assistance and longer-term solutions for the estimated 30,000 internally displaced families living in the Kurdistan Region. Registration of IDPs should be resumed and a moratorium on evictions from informal settlements should be renewed. Finding durable solutions including return, local integration or settlement in a different location, and measures for allocating land for those who could not return, was an essential part of peacebuilding.

Human Rights Council action. On 17 June [A/65/53 (res. 14/6)], the Council called on States to provide durable solutions and encouraged strengthened international cooperation to assist affected countries; extended the mandate of the special procedure as a

special rapporteur for a three-year period; and invited the Special Rapporteur to submit annual reports.

Appointment of Special Rapporteur. The Human Rights Council on 29 September appointed Chaloka Beyani (Zambia) Special Rapporteur on the human rights of internally displaced persons.

Persons with disabilities

Human Rights Council action. On 25 March [A/65/53 (res. 13/11)], the Council encouraged States, in partnership with international and regional organizations and civil society, to ensure that international cooperation, including international development programmes, was inclusive of persons with disabilities. The Council decided that its next annual interactive debate on the rights of persons with disabilities would be held at its sixteenth (2011) session, and that it would focus on the role of international cooperation in support of national efforts to realize the purpose and objectives of the Convention on the Rights of Persons with Disabilities [YUN 2006, p. 785]. The Council requested OHCHR to prepare a study to enhance awareness of the role played by international cooperation in support of such efforts.

OHCHR study. As requested by the Council, OHCHR in December submitted a study [A/HRC/16/38] on the role of international cooperation in realizing the rights of persons with disabilities. The study was based on 43 responses from States, eight from inter-governmental and regional organizations, 15 from national human rights institutions, 11 from civil society organizations, a contribution from the Global Partnership for Disability and Development, and a submission from the Special Rapporteur on Disability of the Commission for Social Development. The study analysed international cooperation under the Convention, set out examples of such cooperation involving States, international and regional organizations and civil society organizations, and identified challenges to such cooperation.

Indigenous peoples

Reports of Special Rapporteur. In accordance with a Human Rights Council request [YUN 2007, p. 798], the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people, James Anaya (United States), in July submitted his third report [A/HRC/15/37] to the Council, which summarized his activities during the second year of his mandate, including cooperation with international and regional mechanisms in the field of indigenous rights, and the activities carried out in his four principal areas of work: promoting good practices; thematic studies; country reports; and communications relating to alleged violations. The report

also analysed corporate responsibility with respect to indigenous rights in the framework of the international community's expectations in that regard. The Rapporteur concluded that the absence of clarity with respect to corporate responsibility, especially transnational corporate responsibility, in relation to indigenous rights was the source of numerous abuses worldwide. The implementation of corporate activities without taking account of those rights had given rise to highly negative impacts on the environment and the economic, social, cultural and spiritual life of indigenous peoples. Such irresponsible corporate activity, sometimes abetted or ignored by Governments, engendered social conflicts in indigenous areas. The Rapporteur recommended that companies exercise due diligence by identifying legal, institutional or other factors affecting the enjoyment of the rights of indigenous peoples; recognize their rights to land, territories and natural resources; and respect their rights to participate in decisions affecting them.

An addendum [A/HRC/15/37/Add.1] summarized communications sent to 23 Governments between 1 July 2009 and 31 May 2010, and replies received between 27 August 2009 and 31 July 2010.

As requested by the Human Rights Council [YUN 2009, p. 748], the Secretary-General in August transmitted the interim report [A/65/264] of the Special Rapporteur, which reviewed his activities between July 2009 and July 2010, and discussed three key issues that the Rapporteur had addressed during the previous year: the right of indigenous peoples to development with culture and identity, their right to participation and the obligation of States to implement the UN Declaration on the Rights of Indigenous Peoples [YUN 2007, p. 691]. The Rapporteur offered recommendations related to those issues.

Mission reports. Following his visit to Colombia (22–27 July 2009) [A/HRC/15/37/Add.3], the Rapporteur expressed concern over the multiple indications that the grave situation of indigenous peoples had not been addressed with the urgency it deserved. Government laws, programmes and policies did not ensure effective protection of indigenous rights and the situation of indigenous people was aggravated by the internal armed conflict. Major challenges included rights to land, natural resources, prior consultation on decisions that affected indigenous peoples, and the enjoyment of economic, social and cultural rights. The Rapporteur recommended adopting public policies and national laws for enforcing indigenous rights, including a law on consultation processes, with the participation of indigenous authorities and representatives. He urged the Government to ensure support for the effective functioning of the State organs of control and justice, including the Early Warning System, and to provide adequate funding to the local

representatives of the Ombudsman's Office, as well as to the Constitutional Court to enable it to follow up its decisions. Other recommendations dealt with the internal armed conflict, land and natural resources, and economic, social and cultural rights.

During his visit to the Russian Federation (4–16 October 2009) [A/HRC/15/37/Add.5], the Rapporteur focused on those groups whose members numbered less than 50,000 and were recognized as "small-numbered indigenous peoples" entitled to special protections, although other groups with similar, historically rooted characteristics of economic and social disadvantage, and whose cultures and ways of life were also threatened, were likewise in need of attention. Indigenous peoples continued to face multiple impediments to the full enjoyment of their rights, especially in some regions. Further efforts were needed to ensure that the laws guaranteeing indigenous communities' rights over land and to natural resources were consistently implemented; that indigenous peoples were ensured adequate political representation at the municipal, regional and federal levels of government; and that indigenous people's right to consultation in decisions affecting them were fully respected.

Following his mission to Ecuador (7–10 December 2009) [A/HRC/15/37/Add.7], the Rapporteur presented his recommendations regarding progress made in implementing the provisions on indigenous affairs set forth in the 2008 Constitution, which marked a step forward in recognizing indigenous rights and set an international precedent. Gaps, however, persisted in the implementation of indigenous rights. It was essential for indigenous peoples and representatives of indigenous communities to participate in efforts to establish a legal framework for the indigenous justice system. Progress needed to be made with other legislative initiatives to ensure that the indigenous rights recognized in the Constitution were respected. Mechanisms for dialogue with indigenous peoples and nationalities on all new legislative proposals that might affect their rights needed to be established or strengthened. The Rapporteur recommended that the State refrain from promoting any investment, infrastructure, natural-resource extraction or development projects until consultations had been held with the indigenous peoples concerned; and pay particular attention to the Tagaeri and Taromenane peoples, who were living in isolation. Steps should also be taken to avoid forced contact of any kind, including contact through petroleum development or logging activities.

The Rapporteur examined [A/HRC/18/35/Add.2] the human rights situation of the Sami people of Finland, Norway and Sweden, on the basis of information he presented to a conference organized by the Sami

Parliamentary Council (Rovaniemi, Finland, 14–16 April). The conference gathered representatives of the Sami parliaments of Finland, Norway and Sweden; Government officials from those countries; and representatives of Sami NGOs. While noting that Finland, Norway and Sweden paid a high level of attention to indigenous issues, the Rapporteur said that more remained to be done to ensure that the Sami people could pursue their self-determination and develop their common goals as a people living across more than one State. Nordic States should continue their efforts to advance the rights of Sami people within each of the States in which they lived.

In Guatemala (14–18 June) [A/HRC/18/35/Add.3], the Rapporteur focused on the rights of indigenous people in the context of extraction and other types of projects that affected their traditional territories. He examined the case of the communities affected by the Marlin mine, in the municipalities of San Miguel Ixtahuacán and Sipacapa, Department of San Marcos. Business activities in traditional indigenous territories had generated an atmosphere of social conflict, which was affecting indigenous rights and threatening Guatemala's governance and economic development. The repercussions included allegations concerning the effects on the health and the environment of the indigenous people as a result of the pollution caused by the extractive activities; the loss of indigenous lands and damage to indigenous people's property and houses; the disproportionate response to legitimate acts of social protest; and the harassment of human rights defenders and community leaders. The Rapporteur called on the Government and other parties, including businesses, to guarantee the rights of the indigenous people concerned. He recommended carrying out consultations with indigenous peoples in the light of related international instruments. He also drew attention to the alarming lack of legal protection for the rights of indigenous people over their traditional lands, which left Guatemala lagging behind other countries in the region.

Following his visit to New Zealand (18–23 July) [A/HRC/18/35/Add.4], the Rapporteur noted that the country had made progress in advancing the rights of Maori people. The principles enshrined in the Treaty of Waitangi of 1840 and international human rights instruments should be incorporated into the legal system in order not to be vulnerable to political discretion. Efforts to secure Maori political participation should be strengthened. Consultations with Maori on matters affecting them should be applied consistently and in accordance with international standards and traditional Maori decision-making procedures. The Treaty settlement process should be strengthened and funding should be ensured for the Waitangi Tribunal so that it could resolve its pending caseload of historical grievances. With respect to Treaty settle-

ment negotiations, the Government should involve all groups that had an interest in the issues under consideration. Finally, the Rapporteur noted the extreme disadvantage in the social and economic conditions of Maori people in comparison to the rest of society. More remained to be done to achieve the increased social and economic parity that was necessary for Maori and non-Maori New Zealanders to move forward as true partners, as contemplated under the Treaty of Waitangi.

During his visit to the Congo (2–12 November) [A/HRC/18/35/Add.5], the Rapporteur examined the situation of those groups that had previously been known as Pygmies and that were generally regarded as the country's indigenous peoples. He drew attention to the extreme social and economic disadvantages of those peoples and their discrimination and marginalization in comparison to the rest of society, especially in labour relations, housing, education, access to health services, civil status, participation in public life, and access to land and natural resources. The new Law on the Promotion and Protection of the Rights of Indigenous Peoples represented a good practice roughly in line with international standards; however, there were challenges in implementing the law and other initiatives. The Rapporteur stressed the need for consultation with indigenous peoples, especially for projects affecting their lands, resources or ways of life.

Report of High Commissioner. As requested by the Human Rights Council [YUN 2009, p. 748], the High Commissioner in July [A/HRC/15/34] reviewed activities of human rights bodies and mechanisms relating to the rights of indigenous peoples between January 2009 and May 2010. She also outlined the activities undertaken by OHCHR at headquarters and in the field that contributed to promoting and implementing the provisions of the United Nations Declaration of the Rights of Indigenous Peoples.

Human Rights Council action. On 30 September [A/65/53/Add.1 (res. 15/7)], the Council decided to hold at its eighteenth (2011) session a half-day panel on the role of languages and culture in promoting and protecting the well-being and identity of indigenous peoples; requested the Special Rapporteur to report to the General Assembly's sixty-sixth (2011) session; and requested the High Commissioner to submit to the Council an annual report on the rights of indigenous peoples containing information on developments in human rights bodies and mechanisms and activities undertaken by OHCHR.

Also on 30 September [A/65/53/Add.1 (res. 15/14)], the Council extended for a three-year period the Special Rapporteur's mandate and requested the Rapporteur to report to the Council in accordance with its annual programme of work.

Expert Mechanism

The Expert Mechanism on the Rights of Indigenous Peoples, at its third session (Geneva, 12–16 July) [A/HRC/15/36], discussed the progress report [A/HRC/EMRIP/2010/2] on the study on indigenous peoples and the right to participate in decision-making in order to finalize it. The Human Rights Council in 2009 [YUN 2009, p. 748] had requested the Expert Mechanism to carry out that study with a view to presenting a final text to the Council's eighteenth (2011) session. The Expert Mechanism also had before it an OHCHR contribution [A/HRC/EMRIP/2010/3] to the study; a secretariat note [A/HRC/EMRIP/2010/4] on a technical workshop on the right of indigenous peoples to participate in decision-making (Geneva, 23–24 March); and the report of the UN seminar on treaties, agreements and other constructive arrangements between States and indigenous peoples (Hobbema, Canada, 14–17 November 2006) [A/HRC/EMRIP/2010/5].

The Expert Mechanism held discussions on proposals to be submitted to the Human Rights Council and on the United Nations Declaration on the Rights of Indigenous Peoples, with a focus on its use at the international, regional and national levels. The Expert Mechanism adopted the progress report on the study (see above), as well as a number of proposals. The session was attended by representatives of States, UN bodies, NGOs, national human rights institutions, academics and representatives of indigenous peoples.

The Expert Mechanism in August submitted to the Council the progress report [A/HRC/15/35], which examined the international human rights framework, the internal decision-making processes and institutions of indigenous peoples, participation in decision-making mechanisms linked to both State and non-State institutions, and processes affecting indigenous peoples.

Human Rights Council action. On 30 September [A/65/53/Add.1 (res. 15/7)], the Council encouraged the Expert Mechanism to finalize the study, taking into account the discussions held at its third session, and requested it to give examples of good practices at different levels of decision-making. The Council decided to hold, on an annual basis, an interactive dialogue with the Expert Mechanism following the presentation of its report. It further decided, bearing in mind the need to ensure continuity in the functioning of the Expert Mechanism, that while the regular mandate of the members of the Expert Mechanism would continue to be three years, two out of five members to be elected in 2011 would serve for two years, and the staggering of the terms of membership would be defined by the drawing of lots by the Council President after the election of the five members.

Voluntary Fund for Indigenous Populations

The Board of Trustees of the United Nations Voluntary Fund for Indigenous Populations, at its twenty-third session (Geneva, 8–12 February) [A/65/163], recommended 64 travel grants totalling \$299,210 to enable indigenous representatives to attend the ninth session of the Permanent Forum on Indigenous Issues (see p. 763) and another 37 grants totalling \$113,314 to enable those representatives to attend the third session of the Expert Mechanism (see above). On 24 February, the High Commissioner approved the Board's recommendations on behalf of the Secretary-General.

OHCHR report. As requested by the Human Rights Council [YUN 2009, p. 748], OHCHR in July submitted a report [A/HRC/15/38] on the practical implications of a change in the mandate of the Voluntary Fund, in particular its expansion. The report addressed the implications of a possible change of mandate to cover the participation of indigenous people's representatives to sessions of the treaty bodies and the Human Rights Council, which had been proposed by the Expert Mechanism at its 2008 [YUN 2008, p. 857] and 2009 [YUN 2009, p. 748] sessions.

Human Rights Council action. On 30 September [A/65/53/Add.1 (res. 15/7)], the Council recommended that the General Assembly approve the expansion of the mandate of the Voluntary Fund so that it could also be used to assist representatives of indigenous communities and indigenous organizations to attend sessions of the Council and of human rights treaty bodies.

Voluntary Fund for International Decade

The Voluntary Fund for the Second International Decade of the World's Indigenous People, 2005–2014, established by General Assembly resolution 59/174 [YUN 2004, p. 799], continued to promote, support and implement the goals of the Second Decade in terms of promoting indigenous peoples' culture, education, health, human rights, environment and economic development. In April, the Bureau of the UN Permanent Forum on Indigenous Issues (see p. 763), serving as the Advisory Group for the Fund, considered project proposals for funding received by the Secretariat, in accordance with resolution 59/174. It proposed to award grants to 18 projects being implemented by indigenous organizations and NGOs in 17 countries.

Report of Secretary-General. Pursuant to General Assembly resolution 63/161 [YUN 2008, p. 857], the Secretary-General in July submitted a report [A/65/166] on the midterm assessment of the progress made in the achievement of the goal and

objectives of the Second International Decade. The report provided an analysis and examples of the progress made. It also summarized information received from 11 Member States, 19 UN agencies and intergovernmental organizations, and 11 non-governmental and indigenous organizations. The report concluded that substantive advances had been made towards achieving the goal and objectives of the Decade, and acknowledged the importance of the adoption, in 2007, of the United Nations Declaration on the Rights of Indigenous Peoples and the role it had in consolidating a human rights-based approach to indigenous issues. A gap, however, remained between intentions at the policy level and the actual implementation of the objectives of the Decade. Further efforts should be made to transform policy initiatives into effective action for and with indigenous peoples.

Permanent Forum on Indigenous Issues

The 16-member Permanent Forum on Indigenous Issues, established by Economic and Social Council resolution 2000/22 [YUN 2000, p. 731] to address indigenous issues relating to economic and social development, the environment, health, education and culture, and human rights, at its ninth session (New York, 19–30 April) [E/2010/43], considered as its special theme “Indigenous peoples: development with culture and identity: articles 3 and 32 of the UN Declaration on the Rights of Indigenous Peoples”. It had before it reports [E/C.19/2010/1–18] submitted by its secretariat and subsidiary mechanisms, Governments, UN system bodies, intergovernmental organizations, regional organizations and NGOs. The Forum recommended three draft decisions for adoption by the Economic and Social Council on: an international expert group meeting on the theme “Indigenous peoples and forests”; venue and dates of the tenth session of the Forum; and the provisional agenda for that session. The Forum identified proposals, objectives, recommendations and areas of possible action and, through the Council, recommended that States, UN system entities, intergovernmental organizations, indigenous peoples, the private sector and NGOs assist in their realization. The Forum issued recommendations on: the special theme for 2010; dialogue with the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people and other special rapporteurs; the follow-up summary report and recommendations of the Permanent Forum’s missions to Bolivia and Paraguay; the half-day discussion on North America; the comprehensive dialogue with the Secretariat of the Convention on Biological Diversity; and future work. The Forum held a half-day discussion on indigenous peoples and forests.

Economic and Social Council action. On 22 July [E/2010/99], the Council decided that the tenth session of the Permanent Forum would be held in New York from 16 to 27 May 2011 (**decision 2010/249**); approved the provisional agenda for that session (**decision 2010/250**); and authorized a three-day international expert group meeting on the theme “Indigenous peoples and forests”, also requesting that the results of the meeting be reported to the tenth session of the Permanent Forum and to the ninth session of the United Nations Forum on Forests (**decision 2010/248**). On 23 July, the Council took note of the report of the Permanent Forum on its ninth session (**decision 2010/258**).

Expert meetings and conferences

An international expert group meeting addressed the theme “Indigenous peoples: development with culture and identity: articles 3 and 32 of the United Nations Declaration on the Rights of Indigenous Peoples” (New York, 12–14 January) [E/C.19/2010/14], providing conclusions and recommendations to the Permanent Forum.

The International Labour Organization, OHCHR and the secretariat of the Permanent Forum organized an international expert meeting (Geneva 20–21 September) [E/C.19/2011/11] on the theme “Keeping track—indicators, mechanisms and data for assessing the implementation of indigenous peoples’ rights”.

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third Committee [A/65/453], adopted **resolution 65/198** without vote [agenda item 65 (a) & (b)].

Indigenous issues

The General Assembly,

Recalling all relevant resolutions of the General Assembly, the Human Rights Council and the Economic and Social Council relating to the rights of indigenous peoples,

Recalling also its resolution 59/174 of 20 December 2004 on the Second International Decade of the World’s Indigenous People (2005–2014),

Recalling further the 2007 United Nations Declaration on the Rights of Indigenous Peoples, which addresses their individual and collective rights,

Recalling the 2005 World Summit Outcome and the outcome document of the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals,

Recalling also Human Rights Council resolution 15/14 of 30 September 2010, by which the Council decided to extend the mandate of the Special Rapporteur on the rights of indigenous peoples, and resolution 15/7 of 30 September 2010 on human rights and indigenous peoples,

Noting the first Peoples' World Conference on Climate Change and the Rights of Mother Earth, hosted by the Plurinational State of Bolivia in Cochabamba from 20 to 22 April 2010,

Concerned about the extreme disadvantages that indigenous peoples have typically faced across a range of social and economic indicators and about the impediments to their full enjoyment of their rights,

1. *Welcomes* the work of the Special Rapporteur on the rights of indigenous peoples, and takes note with appreciation of his report on the situation of human rights and fundamental freedoms of indigenous people and his report on the Second International Decade of the World's Indigenous People;

2. *Also welcomes* the report of the United Nations High Commissioner for Human Rights on the status of the United Nations Voluntary Fund for Indigenous Populations;

3. *Decides* to expand the mandate of the United Nations Voluntary Fund for Indigenous Populations so that it can assist representatives of indigenous peoples' organizations and communities to participate in sessions of the Human Rights Council and of human rights treaty bodies, based on diverse and renewed participation and in accordance with relevant rules and regulations, including Economic and Social Council resolution 1996/31 of 25 July 1996;

4. *Urges* Governments and intergovernmental and non-governmental organizations to continue to contribute to the United Nations Voluntary Fund for Indigenous Populations and the Trust Fund for the Second International Decade of the World's Indigenous People, and invites indigenous organizations and private institutions and individuals to do likewise;

5. *Encourages* those States that have not yet ratified or acceded to the International Labour Organization Indigenous and Tribal Peoples Convention, 1989 (No. 169) to consider doing so and to consider supporting the United Nations Declaration on the Rights of Indigenous Peoples, and welcomes the increased support by States for the Declaration;

6. *Takes note* of the report of the Secretary-General on the midterm assessment of the progress made in the

achievement of the goal and objectives of the Second International Decade;

7. *Calls upon* States to consider the recommendations contained in the midterm assessment of the implementation of the Second International Decade and to enhance national and international efforts, including international cooperation for the solution of problems faced by indigenous peoples in such areas as culture, education, health, human rights, the environment and social and economic development by means of action-oriented programmes and specific projects, increased technical assistance and relevant standard-setting activities;

8. *Decides* to organize a high-level plenary meeting of the General Assembly, to be known as the World Conference on Indigenous Peoples, to be held in 2014, in order to share perspectives and best practices on the realization of the rights of indigenous peoples, including to pursue the objectives of the United Nations Declaration on the Rights of Indigenous Peoples, and invites the President of the General Assembly to conduct open-ended consultations with Member States and with representatives of indigenous peoples within the framework of the Permanent Forum on Indigenous Issues, as well as with the Expert Mechanism on the Rights of Indigenous Peoples and the Special Rapporteur, in order to determine the modalities for the meeting, including the participation of indigenous peoples in the Conference;

9. *Requests* the Secretary-General, in consultation with Member States, relevant United Nations organizations and mechanisms and other stakeholders, including organizations representing indigenous peoples, to submit to the General Assembly at its sixty-seventh session a report that evaluates the progress made in the achievement of the goal and objectives of the Second International Decade and its impact on the achievement of the Millennium Development Goals;

10. *Decides* to continue consideration of the question at its sixty-sixth session under an item entitled "Rights of indigenous peoples".

Human rights country situations

In 2010, the General Assembly, the Human Rights Council, the Secretary-General, Special Rapporteurs and independent experts addressed the human rights situation in Member States.

In Africa, the human rights situation worsened in Côte d'Ivoire, following presidential elections in November, as well as in the Democratic Republic of the Congo, where impunity and the use of child soldiers remained serious concerns. In Somalia, indiscriminate attacks on civilian populations worsened the human rights and humanitarian situation, however, Somaliland saw a decrease in human right abuses and successful presidential elections in June. In Guinea, a new President, Alpha Condé, promised the establishment of a truth and reconciliation commission to ensure accountability for past human rights violations. The Sudan made some progress in institutional and legislative reform, but the justice sector and the police remained ill-equipped and under-resourced. General elections in April were largely orderly and peaceful, marking the country's first multiparty elections in 24 years.

In Asia, the human rights situation worsened in Afghanistan due to intensified armed conflict, and in Iran due to a crackdown on human rights defenders, women's rights activists, journalists and political opponents. The first Khmer Rouge trial was completed in Cambodia, where noteworthy progress was made in the promotion and protection of human rights. In Kyrgyzstan, loss of life occurred during protests leading to the change of government on 7 April and during renewed violence in May and June. In Myanmar, the human rights situation remained serious despite national parliamentary elections in November and a review of laws for conformity to international standards. The General Secretary of the National League for Democracy, Daw Aung San Suu Kyi, was released from house arrest, yet many other prisoners of conscience remained in detention. The Muslim community in Northern Rakhine State continued to face endemic discrimination.

Israel continued its blockade of the Gaza Strip and its restrictions of the movement of Palestinians through the construction of the wall in the West Bank, multiple checkpoints and the fragmentation of the West Bank and East Jerusalem. Impunity for violations of international human rights and humanitarian law remained widespread, the Palestinian people's right to self-determination was violated and the human rights situation in East Jerusalem worsened. On 31 May, Israel

attacked a flotilla of ships seeking to bring humanitarian aid to Gaza. An international fact-finding mission concluded that Israel had committed a series of violations of international law during the interception of the flotilla and the subsequent detention of passengers prior to deportation.

The Human Rights Council held two special sessions on particular human rights situations: its thirteenth special session (27–28 January) on support to the recovery process in Haiti after the earthquake of 12 January 2010; and its fourteenth special session (23 December) on the human rights situation in Côte d'Ivoire in relation to the conclusion of the 2010 presidential election.

General aspects

In the annual report on the activities undertaken by the Office of the High Commissioner for Human Rights (OHCHR) [A/HRC/16/20], the High Commissioner, Navanethem Pillay, reviewed the work of the Office at the country and regional levels, including its efforts to respond to deteriorating human rights situations. At the country level, its work was conducted through human rights field presences, support for human rights mechanisms and dialogue between the High Commissioner and Member States—including bilateral meetings, open or confidential communication, country visits by the High Commissioner, technical cooperation programmes and rapid response operations.

In December, OHCHR had 56 field presences: 12 regional presences, of which five included gender advisers; 12 offices at the country level; 15 human rights components in UN peace missions; and 17 human rights advisers in UN country teams. Regional presences included: Southern Africa (Pretoria, South Africa); East Africa (Addis Ababa, Ethiopia); West Africa (Dakar, Senegal); Southeast Asia (Bangkok, Thailand); the Pacific (Suva, Fiji); the Middle East (Beirut, Lebanon); Central Asia (Bishkek, Kyrgyzstan); Europe (Brussels, Belgium); Central America (Panama City); and Latin America (Santiago, Chile); as well as the United Nations Sub-Regional Centre for Human Rights and Democracy in Central Africa (Yaoundé, Cameroon) and the United Nations Human Rights Training and Documentation Centre for South-West Asia and the Arab Region (Doha, Qatar).

In May, OHCHR established a country office in Guinea, which was officially inaugurated in August. In December, the OHCHR country office in Mauritania started functioning. Country offices were located in Bolivia, Cambodia, Colombia, Guatemala, Guinea, Mauritania, Mexico, Nepal, Togo and Uganda. In addition, OHCHR maintained a presence in the Occupied Palestinian Territory and in Kosovo.

Within peace missions, OHCHR supported human rights components in Afghanistan, Burundi, the Central African Republic, Chad, Côte d'Ivoire, the Democratic Republic of the Congo, Guinea-Bissau, Haiti, Iraq, Liberia, Senegal, Sierra Leone, Somalia, the Sudan and Timor-Leste. In addition, OHCHR worked closely with the human rights officer based in Tajikistan. Human rights advisers were posted in Burundi (covering the Great Lakes region), Ecuador, Georgia (covering the Southern Caucasus), Guinea, Kenya, the former Yugoslav Republic of Macedonia, Moldova, Nicaragua, the Niger, Papua New Guinea, Paraguay, the Russian Federation, Rwanda, Serbia, Sri Lanka and Tajikistan.

The OHCHR Rapid Response Unit contributed to short-term missions, fact-finding missions and commissions of inquiry. In January, to respond to the protection crisis that followed the earthquake in Haiti, 15 staff members were deployed over a six-month period to monitor the human rights situation in camps for internally displaced persons and to lead the Protection Cluster. In February, as a result of the deteriorating human rights situation in Togo, OHCHR deployed three human rights officers and one logistician to assist the field office to monitor the situation and enhance national capacity for human rights monitoring. In response to the outbreak of violence in Kyrgyzstan in June, OHCHR deployed eight staff members to monitor the human rights situation.

The High Commissioner observed that human rights work was a collective effort in a historic movement, and strategic priorities were long term. Her Office would deepen its engagement against the background of an untenable financial situation stemming from the gap between increased requests for mandated activities, zero regular budget growth and shrinking extrabudgetary resources.

Africa

Burundi

Report of independent expert. In September [A/HRC/16/CRP.1], the independent expert on the situation of human rights in Burundi, Akich Okola (Kenya), reported on his eleventh (19–30 January 2009), twelfth (30 November–11 December 2009) and thirteenth (23–29 May 2010) visits to the country.

While noting some achievements in terms of peace consolidation, institution- and capacity-building, and the enactment of some progressive laws, the expert observed a significant deterioration in the human rights situation before and during the 2010 electoral period. Areas of concern included impunity, the situation of vulnerable groups, gender-based violence, the judiciary, prison conditions and respect for economic, social and cultural rights.

Regarding the electoral context, clashes between politically affiliated youth as well as several apparently politically motivated killings were reported ahead of the communal elections of 24 May 2010. Amid allegations of procedural irregularities, the security situation worsened, with a massive increase in grenade attacks: 72 of them were recorded in June prior to the presidential elections of 28 June, which was marked by three large explosions in Bujumbura. Numerous reports alleged arbitrary arrests, intimidation, and ill-treatment of members of the opposition. Allegations of torture had reappeared, following two years during which no systemic use of torture had been reported. All those issues were being addressed by the Human Rights and Justice Division of the United Nations Integrated Office in Burundi in the context of its monitoring and reporting activities.

The independent expert urged the Government to establish transitional justice mechanisms: a Truth and Reconciliation Commission and a Special Tribunal. He also called upon the Government and the Parliament to pass the law establishing the National Human Rights Commission. The expert noted that the Government had made no progress in investigating the Gatumba [YUN 2004, p. 149] and Munyinga massacres and in bringing the perpetrators to justice.

Appointment of independent expert. On 18 June, the Human Rights Council appointed Fatsah Ouguergouz (Algeria) as independent expert on the situation of human rights in Burundi.

Côte d'Ivoire

Human Rights Council special session

On 21 December, Nigeria, on behalf of the Group of African States, and the United States requested the convening of a special session of the Human Rights Council on 23 December to address the situation of human rights in Côte d'Ivoire since the 28 November elections. The request was supported by 31 States Members of the Council.

On 23 December [A/HRC/S-14/1 (res. S-14/1)], the Council, at its fourteenth special session, condemned the human rights violations that took place in different parts of the country in relation to the conclusion of the presidential election, including abductions, enforced or involuntary disappearances, arbitrary detentions, extra-

judicial, summary or arbitrary executions, acts of sexual violence, denial of right to peaceful assembly, the loss of lives and the destruction of property (see p. 177). The Council urged all media outlets to refrain from inciting violence, hostility and hate speech, and called for an end to media restrictions. The Government was urged to strengthen the protection of the civilian population, and to investigate and bring to justice perpetrators of violations of human rights and international humanitarian law. The international community was called on to support the Government in stabilizing the situation and to aid refugees, internally displaced persons (IDPs) and vulnerable populations. The High Commissioner was requested to report to the Council on the abuses and violations of human rights.

Democratic Republic of the Congo

Report of High Commissioner. In a report on the situation of human rights and the activities of her Office in the Democratic Republic of the Congo (DRC) [A/HRC/16/27], the High Commissioner highlighted a lack of improvement in the country since 2009. Challenges included arbitrary detention, prison conditions, torture and ill-treatment in detention, sexual violence and violations of economic and social rights. The situation of journalists, human rights defenders, victims and witnesses had worsened, and the judiciary lacked adequate resources and faced widespread corruption and political and military interference. During the reporting period, the United Nations Joint Human Rights Office (UNJHRO) reported serious violations by national security forces and armed groups. Conditions in detention facilities remained deplorable, with high numbers of deaths, rapes and physical assaults on detainees, and prison escapes through violence or complicity with corrections officers.

The High Commissioner recommended that the DRC protect the rights of persons in detention, ensure that UNJHRO had free access to places of detention, and provide compensation to persons detained arbitrarily; ensure that the judicial system brought the perpetrators of violence against women, including domestic violence, to justice; create a fund within the national budget to pay damages to victims of sexual violence committed by State agents; execute arrest warrants of the International Criminal Court; ensure access to affordable basic health care; ensure that health centres and hospitals had the necessary human, medical and financial resources; respect its international obligation to freedom of expression and the press; and implement a zero-tolerance policy for human rights violations. The Council should ensure the monitoring of the situation in the DRC by calling on the Government to interact more closely with the various human rights mechanisms and keep it regularly appraised of progress in formulating and implementing its plan

of action. The international community should assist the DRC by refraining from participation in the illegal exploitation of natural resources and by holding accountable those involved in illegal activities.

Report of mandate holders. In response to a request of the Human Rights Council [YUN 2009, p. 753], seven special procedures mandate holders in March issued a second joint report on the DRC [A/HRC/13/63]. The human rights situation continued to deteriorate and the recommendations made in the experts' initial report [YUN 2009, p. 752] had not been implemented. Systematic and gross violations of human rights and grave breaches of international humanitarian law took place, particularly in the east. Members of the armed forces and the police continued to commit serious violations, including summary execution; rape; arbitrary arrest and detention; forced labour; and torture and cruel, inhuman or degrading treatment. Non-State armed groups continued to breach humanitarian law and, in some instances, committed crimes against humanity. The Office for the Coordination of Humanitarian Affairs estimated that 1,859,078 Congolese had been internally displaced, mostly due to clashes between armed groups. Humanitarian access to the displaced and other crisis-affected populations remained difficult due to attacks on humanitarian workers. Acute malnutrition reached high levels in some parts of the country. The prevalence of sexual violence was explained by the climate of impunity, the absence of rule of law, and the general acceptance of and tolerance for violence against women and girls.

The experts recommended that the Government fight impunity and strengthen the law enforcement and justice sectors; ensure gender equality; and address economic root causes of human rights violations, such as the illegal exploitation of natural resources. They called for an end to the continued presence of perpetrators of serious violations in the security forces; reiterated the importance of transitional justice to address the violations that took place between 1993 and 2003; and welcomed the progress regarding identification and reintegration of child soldiers, while highlighting the continued recruitment and use of juveniles in conflict. Due to the high level of human rights violations, the Human Rights Council should consider the creation of a country-specific mandate.

Human Rights Council action. On 26 March [A/HRC/13/56 (res. 13/22)], the Council encouraged the DRC to pursue reforms in the framework of consolidating peace and national reconciliation, as well as in the justice system, the army and the national police. The Government was requested to develop a plan for implementing the recommendations received, particularly in the areas of protection of women and children, combating impunity, the rule of law, and the administration of justice. The Council invited the High Commissioner and the seven experts to report again in 2011.

Guinea

Human Rights Council action. On 26 March [A/HRC/13/56 (res. 13/21)], the Council condemned the massacre of unarmed civilians during a peaceful rally in Conakry on 28 September 2009 [YUN 2009, p. 229], and in particular the sexual violations committed by members of the security forces. The Council recommended that the authorities combat impunity of those responsible for, or involved in, serious human rights violations; protect the victims of violence; and reform the justice and security sectors. The Council appealed to the international community to provide the transitional authorities with assistance as a contribution to the restoration of peace and the constitutional order, and invited the High Commissioner to report to the Council in 2011.

Report of High Commissioner. In a later report [A/HRC/16/26] covering developments from April to December, the High Commissioner highlighted key human rights challenges, including impunity, corruption, discrimination and gender-based violence. The Government had expressed its intention to investigate and prosecute alleged human rights violations committed by members of the army and other security forces in September 2009; however, no prosecution had taken place. On 21 December, the new President, Alpha Condé, committed himself to establishing a truth and reconciliation commission to deal with past human rights abuses and ensure accountability. The High Commissioner recommended that measures be taken to combat impunity: reform the judicial and security systems; prevent, punish and eliminate all forms of violence against women and girls; and bring legislation in line with international standards. The international community should provide further assistance to the Government to strengthen its judiciary, assist in the establishment and operation of truth and reconciliation mechanisms, and encourage Guinea to continue to cooperate with OHCHR, including by providing access to all places of detention.

Sierra Leone

Report of High Commissioner. Reporting on assistance to Sierra Leone in the field of human rights in 2010 [A/HRC/16/78], the High Commissioner said that the country had made progress in building its capacity for human rights promotion and protection. The enactment of crucial laws in the fields of women's and children's rights had improved the legal framework to protect the rights of vulnerable groups. However, customs and traditions perpetuated harmful practices such as female genital mutilation and discrimination against women.

Socio-economic conditions remained challenging. Financial and capacity constraints limited the

ability of the national human rights institutions to carry out their tasks, negatively affecting the administration of justice and creating room for impunity. The constitutional review process had been delayed, and crucial recommendations made by the Truth and Reconciliation Commission, including the abolition of the death penalty and amendment of discriminatory legal provisions, had not been implemented. The Reparations Programme had been affected due to gaps in the financial requirements and lack of political will.

OHCHR had been involved in Sierra Leone since 1998, as part of successive UN missions, including the current United Nations Integrated Peacebuilding Office in Sierra Leone (UNIPSIL). The Human Rights Section of UNIPSIL had engaged with the Government in promoting legislation to protect human rights and had supported the Human Rights Commission of Sierra Leone and civil society in their efforts to advance human rights. The Section had engaged in training and advocacy activities with a wide range of stakeholders, had monitored the human rights situation and had provided advice and technical services to the authorities.

The High Commissioner recommended that the Government: ensure support to the Human Rights Commission to enable it to fully exercise its functions; enhance the capacity of the Human Rights Committee in Parliament, whose role was key to ensuring the enactment of human rights-related bills; and ensure the implementation of crucial recommendations in the 2004 report of the Truth and Reconciliation Commission.

Somalia

Reports of independent expert. In March [A/HRC/13/65], the independent expert on the situation of human rights in Somalia, Shamsul Bari (Bangladesh), reported to the Human Rights Council following his fourth visit to Kenya and Somalia (12–24 January). He visited Somaliland and Puntland but was unable to visit Mogadishu and south-central Somalia due to security concerns. The human rights situation continued to be deplorable, especially in the south-central region, where the conflict had worsened. Troops of the African Union Mission in Somalia who guarded Mogadishu and key Government installations were targeted by coordinated suicide attacks in late 2009. Civilians, especially women and children, continued to suffer from indiscriminate attacks and retaliatory acts from both Government forces and armed groups. Indiscriminate violence and attacks against civilians continued, including the use of heavy artillery, mortars and roadside bombs, targeted attacks, abduction and killings of aid workers and human rights defenders, and sexual and gender-

based violence. The expert recommended visits by Government ministers and senior officials to refugee camps in Kenya and Yemen to seek refugees' views and boost morale. To ensure the rule of law and good governance, corrupt, inefficient and uncommitted Government officials should be replaced with those who were dedicated and properly trained. The Government should focus on three priorities: creating livelihood opportunities, reopening schools and supporting education institutions, and strengthening medical services. UN offices were urged to move into Somalia rather than work from Nairobi, and international organizations were called on to pay further attention to piracy, mixed migrations, human trafficking and terrorism in Puntland and Somaliland.

In a report issued in September [A/HRC/15/48], the independent expert reported on his fifth mission to Somalia (26 July–6 August). He was again unable to visit south-central Somalia and Mogadishu for security reasons. Intensified fighting in August resulted in more civilian deaths and led to a serious decline in the human rights and humanitarian law situation. The lack of schooling for children led to further recruitment by armed groups; most children recruited received weapons training, with an increase in the use of girls for logistics, transport and intelligence-gathering. In territories controlled by armed insurgents, many civilians could not access humanitarian aid and were at increased risk of arbitrary interpretations of sharia law. The situation of human rights defenders deteriorated significantly and many journalists sought refuge in neighbouring countries. In Somaliland, successful presidential elections took place in June and a new President was inaugurated. The expert called on the parties to recognize that there was no military solution to achieving their objectives. The Government and the international community should prioritize creating jobs, setting up residential schools and offering international scholarships and training.

Human Rights Council action. On 18 June [A/HRC/14/37 (dec. 14/119)], the Council decided to hold an interactive dialogue with the participation of the Government, OHCHR, the independent expert and the Secretary-General's Special Representative for Somalia on the status of technical cooperation, capacity-building programmes and measures to improve the human rights situation. The interactive dialogue was held on 29 September.

On 1 October [A/HRC/15/60 (res. 15/28)], the Council expressed concern at the growing negative impact of the prolonged instability of Somalia on neighbouring countries and beyond. The root causes and effects of the socio-economic and political crisis should be addressed, including the increasing number of IDPs displaced persons and refugees in neighbouring countries, human trafficking and piracy. All parties should refrain from violence against the civilian population,

prevent human rights abuses and allow unhindered access to humanitarian assistance. The Council extended the mandate of the independent expert for one year.

Sudan

Reports of independent expert. In a report issued in May [A/HRC/14/41 & Corr.1] and covering the period from June 2009 to April 2010, the independent expert on the situation of human rights in the Sudan, Mohammed Chande Othman (United Republic of Tanzania), noted that the Government had made notable progress in institutional and legislative reform, yet serious deficiencies in the justice sector remained. He highlighted an ill-equipped and under-resourced police force, inadequate prison facilities and the near absence of basic rule of law infrastructure beyond major urban areas. In Darfur, violence continued and UN and humanitarian personnel faced significant risks to their lives, with some personnel abducted and held for long periods of time. National, state and local elections in April were largely orderly and peaceful, marking the first multiparty elections in 24 years and helping to prepare the country for the 2011 referendum on the South Sudan region.

The expert called on the Government to establish a National Human Rights Commission, intensify efforts to deploy police, prosecutors and judges to rural areas, and ratify the remaining international instruments for the protection of human rights, including the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The Government should institute a moratorium on the death penalty in the light of the continued application of the penalty for minors and in cases without due process. It should ensure that human rights defenders, humanitarian workers, members of the opposition, journalists and other members of civil society were not intimidated, arbitrarily arrested and detained, ill-treated or tortured by State agents. The Government of South Sudan should address the increasing levels of conflict in the region, ensure that all allegations of human rights violations were investigated and distribute the State budget among key sectors, such as education, health, social services, law enforcement and the rule of law.

In a May addendum [A/HRC/14/41/Add.1] pursuant to a Council request [YUN 2009, p. 758], the independent expert reported on the implementation of the recommendations of the Group of Experts on Darfur [YUN 2007, p. 806]. He concluded that the Government had taken significant steps towards implementing some recommendations, including the passage of key legislations, such as the Child Act and the Press

and Printed Materials Act, and the implementation of programmes to disarm, demobilize and reintegrate former child combatants. Nevertheless, several recommendations had not been implemented, and while the Government had taken initial steps with regard to other recommendations, these had not had a sufficient impact on the ground. The expert recommended that the Council keep the situation under review.

In September [A/HRC/15/CRP.1], the independent expert reported on developments between May and August. While the Government continued to take steps towards democratic transformation, the general human rights situation deteriorated. While the successful conduct of the elections in April marked an important milestone, the anticipated expansion of political space did not materialize. Instead, particularly in May and June, the country witnessed a pattern of political repression with a deteriorating environment for civil and political rights, including arrests of political opposition leaders, journalists and peaceful demonstrators, and restrictions on press freedom. In Darfur, the security and humanitarian situation deteriorated, with continued clashes between Government troops and the armed movements resulting in civilian casualties and further civilian displacement. In Southern Sudan, the post-election period was marred by violence and widespread human rights abuses, and the conduct of the army raised grave concerns.

Also in September [A/HRC/15/57], the independent expert provided an update on the implementation of the recommendations of the Group of Experts on Darfur. He welcomed the considerable progress made in collaboration with the United Nations in implementing programmes to disarm, demobilize and reintegrate child soldiers; however, he highlighted several recommendations, including protection against summary execution, arbitrary detention and torture, which had not been implemented.

Human Rights Council action. On 10 June [A/HRC/14/37 (dec. 14/117)], the Council extended the mandate of the independent expert until the end of its fifteenth session.

On 1 October [A/HRC/15/60 (res. 15/27)], the Council, by a recorded vote of 25 to 18, with 3 abstentions, urged all parties to implement the remaining obligations under the Comprehensive Peace Agreement [YUN 2005, p. 301]. The Government and the people of the Sudan were congratulated for organizing and widely participating in the April elections, which took place in a peaceful and orderly manner. Welcoming the passing of the Southern Sudan Referendum Bill and the establishment of the Southern Sudan Referendum Commission, the Council called on all parties to facilitate the holding of peaceful, fair and transparent referendums that reflected the will of the Southern

Sudanese people. The Council renewed the mandate of the independent expert for a year and requested him to report in 2011.

Americas

Bolivia

Report of High Commissioner. In a report on OHCHR activities in Bolivia in 2010 [A/HRC/16/20/Add.2], the High Commissioner said that noteworthy progress was registered with respect to legislative developments to implement the extensive range of human rights recognized in the Constitution, as well as legal, political and institutional reforms aimed at eliminating discrimination and the exclusion of indigenous peoples, Afro-Bolivians and other vulnerable groups. Regarding indigenous peoples, advances were observed in the field of political rights and representation and with regard to the strengthening of the indigenous autonomous regions. The right to consultation played a substantial role in the drafting of the bill on judicial boundaries, but was not instituted or was only partially applied with respect to other measures that could affect indigenous interests. The situation of the Guaraní people continued to raise concern. In a social context characterized by frequent manifestations of racism, discrimination and intolerance, especially against indigenous peoples, Afro-Bolivians and women, the promulgation of the Law against Racism and All Forms of Discrimination was a historic advance. The Law provided guidelines for a strong public policy on that matter; however, it also established restrictions to freedom of expression and the press that should be brought in line with international standards.

Economic, social and cultural rights indicators, such as school attendance and extreme poverty, registered some improvements, the High Commissioner said. Despite legislative and other measures adopted to address historical problems in the administration of justice, the judicial system remained immersed in a structural crisis that was susceptible to political and economic pressures and insufficient access to justice. The establishment of the new higher courts—whose magistrates would be elected, for the first time, by popular vote—did not take place within the established schedule. Trials for serious human rights violations showed some progress, but a high level of impunity remained. Some cases of deaths, torture and other inhuman, cruel or degrading treatment were reported; in most cases, responsibility was attributed to the police. She expressed concern for the violence against women, as well as the situation of human rights defenders and journalists.

The High Commissioner urged the Legislative Assembly to ensure that all laws adopted fully respected international human rights standards, and to amend them when found not in line with such standards. She encouraged the State, the private sector, the media and civil society to carry out programmes and actions to eliminate racism and discrimination. The Government and the Legislative Assembly should ensure the right to consultation of indigenous peoples regarding laws and administrative decisions affecting their rights. The Ministries of the Interior and Defence should adopt measures to eradicate the excessive use of force, torture and cruel, inhuman and degrading treatment by security officials.

Colombia

Report of High Commissioner. In a report on the human rights situation in Colombia [A/HRC/16/22], covering developments in 2010, the High Commissioner recognized the commitment to human rights expressed by the administration of President Juan Manuel Santos Calderón, which came into office in August, and welcomed the reduction in the practice known as false positives, which resulted in extrajudicial killings. However, the continuing internal armed conflict affected the enjoyment of human rights. All parties to the conflict, in particular guerrilla groups, continued to breach international humanitarian law. The situation was exacerbated by the violence caused by illegal armed groups that emerged after the demobilization of paramilitary organizations and by disputes among illegal armed actors to control drug trafficking. Other concerns included enforced disappearances, torture, sexual violence, discrimination and forced displacement. Cases of illegal wiretapping of emails, surveillance, information theft and harassment affecting members of social and political organizations were also reported. The High Commissioner recommended bold steps in the fight against impunity and corruption, as well as due process on alleged cases of extrajudicial executions attributed to members of security forces. The judicial authorities, especially the Attorney General, should provide further resources to continue investigations of killings and threats against human rights defenders. Plans should be prepared and implemented for the protection of indigenous peoples and Afro-Colombian communities.

Communication. In March [A/HRC/13/G/11], Colombia transmitted its comments on the High Commissioner's 2009 report [YUN 2009, p. 759].

Guatemala

Report of High Commissioner. In a report on OHCHR activities in Guatemala in 2010 [A/HRC/16/20/

Add.1 & Corr.1], the High Commissioner highlighted key human rights issues including the right to life; the proliferation and availability of firearms; the tendency to privatize public security; the fight against impunity; the deprivation of liberty; the vulnerability of human rights defenders; the right to food, education and health; and the lack of formal recognition of indigenous rights. During the year, OHCHR-Guatemala provided technical cooperation and advisory services to Congress, the Constitutional Court, the School of Judicial Trainers, the Public Prosecutor's Office, other State institutions and members of civil society. The High Commissioner called on the Government to implement the recommendations of the Presidential Commission on Human Rights (COPREDEH) and carry out an annual national evaluation of compliance with those recommendations. In preparation for the presidential and local elections of 2011, political parties should commit to the recommendations of COPREDEH and consider affirmative actions for women and indigenous people. The international community was called on to ensure that cooperation activities strengthened compliance with international human rights obligations.

Haiti

Human Rights Council special session

On 22 January [A/HRC/S-13/1], Brazil requested the convening of a special session of the Human Rights Council on 27 January on the support of the Council for the recovery process in Haiti after the earthquake of 12 January 2010: a human rights approach. The earthquake resulted in nearly 300,000 casualties, displaced more than 2 million people and destroyed a significant portion of the country's infrastructure, with serious consequences for the enjoyment of human rights. The request was supported by 38 States Members of the Council.

The Council held its thirteenth special session on 27 and 28 January [A/HRC/S-13/2 & Corr.1]. Expressing concern about the situation of children, women, IDPs, the elderly, persons with disabilities and the wounded, the Council on 28 January [A/HRC/S-13/2 (res. S-13/1)] underlined the need to ensure access to food, housing, health care, water and sanitation, education, work and the civil registry. The international community and the UN system, particularly the United Nations Children's Fund (UNICEF), were urged to continue to ensure adequate and coordinated support for the Government and the people of Haiti in their efforts to overcome the challenges arising from the earthquake, keeping in mind the importance of integrating a human rights approach.

Report of independent expert. In a report issued in May [A/HRC/14/44], the independent expert on the situation of human rights in Haiti, Michel Forst

(France), highlighted the difficult situation of vulnerable groups, which was aggravated by the earthquake, especially for women, children separated from their families, orphans, persons with pre-existing disabilities, and persons injured by the earthquake. He recommended that the authorities prioritize the question of violence against women, increase the number of female officers in the police force, and pay particular attention, in the fight against corruption, to the management of humanitarian aid funds.

In an addendum [A/HRC/14/44/Add.1], the independent expert reported on his visit to Haiti (21 April–1 May). He underlined the need to make protection a priority of the international community, and suggested improvements to the coordination of protection work, in particular the need to involve the Haitian authorities and organizations. He fleshed out his vision of the place of human rights in the reconstruction and proposed that civil society should be involved in decision-making. The human rights section of the United Nations Stabilization Mission in Haiti should be allocated additional human resources. Further resources were also needed to ensure that medical care was provided for persons with disabilities.

Statement by High Commissioner. In June [A/HRC/14/CRP.3], the High Commissioner reported on OHCHR support for the recovery and reconstruction process, focusing on the need to strengthen the State, to enhance human rights protection, especially of groups with special needs, and to ensure accountability and sustainability in the reconstruction effort.

Human Rights Council action. In a 30 September statement [A/HRC/15/60 (PRST/15/1)], the Council President reaffirmed the Council's solidarity with the Haitian people in the wake of the earthquake. The President stressed the need to tackle obstacles that were preventing the people from fully exercising their human rights, including access to food, decent housing, health care, drinking water, sanitation, education and employment. The independent expert, whose mandate was extended until September 2011, was invited to report to the Council in 2011.

Asia

Afghanistan

Report of High Commissioner. In a report on the situation of human rights in Afghanistan in 2010 [A/HRC/16/67], the High Commissioner said that the armed conflict had intensified throughout the country with a corresponding rise in civilian casualties. Targeted assassinations, executions, abductions and intimidation of thousands of civilians undermined international and Government efforts to provide

protection and security in conflict-affected areas. Air strikes and night searches by pro-Government forces continued to place civilians at risk. Civilians also suffered from displacement, destruction of property and disruption of health care, education and other essential services. Lack of political will to address human rights violations was a significant factor driving a deeply entrenched culture of impunity. Armed conflict, dysfunctional governance, widespread and deeply entrenched impunity, a weak rule of law and extreme marginalization of and violence against women posed significant challenges to the enjoyment of human rights. Women continued to face discrimination through laws, policies, attitudes and practices that violated their basic human rights. Child marriage, offering girls for dispute resolution, forced isolation in the home, exchange marriage and honour killings continued.

The High Commissioner recommended that: international military forces provide compensation for victims of all military operations that resulted in death or injury to civilians; religious leaders speak out about harmful practices that were inconsistent with Islamic teachings; and the Government take steps to ensure greater participation and representation of civil society, especially women's groups, in the peace and reintegration process.

Human Rights Council action. On 18 June [A/HRC/14/37 (res. 14/15)], the Council condemned attacks targeting innocent schoolchildren, particularly girls, in Afghanistan; expressed solidarity with the Government in its efforts to protect students from such attacks; urged all parties to take measures to protect children and uphold their rights; and encouraged Governments as well as UN and international agencies to respond positively to the requests made by Afghanistan for assistance in order to prevent and address such attacks.

Cambodia

Report of Secretary-General. In a report issued in September [A/HRC/15/47] pursuant to a Human Rights Council request [YUN 2009, p. 764], the Secretary-General highlighted the role and achievements of OHCHR in assisting the Government and people of Cambodia in the promotion and protection of human rights. Important steps were taken to strengthen the country's legal and institutional frameworks. Nevertheless, many poor rural and urban communities, including minority peoples in the north-eastern provinces, continued to be dispossessed of their land. The space for critical debate was eroded by threats and abusive use of defamation, disinformation and incitement lawsuits. Prosecution for acts of torture remained the exception and arbitrary detention was a serious problem. The Office welcomed the adoption of the Penal Code, the Law on Peaceful Demonstra-

tions, the Law on Expropriation, the Anti-Corruption Law and a Housing Rights Policy, as well as the drafting of a new correctional law and steps towards developing a national mechanism to prevent torture. Despite OHCHR's work with journalists' associations, UN agencies and NGOs to improve the professional ethics of journalists and protect their profession, no one had been brought to justice for the murders of journalists since 1994.

The Office worked with the UN country team, notably the Joint United Nations Programme on HIV/AIDS, UNICEF, the United Nations Development Programme, the World Food Programme and civil society and humanitarian organizations, as well as the Phnom Penh Municipality and national authorities, to promote better standards of resettlement for 42 families whose members were living with HIV, and who were evicted and relocated outside of the capital in 2009. In addition, the Office embarked on a human rights education project with the Ministry of Education, the United Nations Educational, Scientific and Cultural Organization and UNICEF to integrate human rights education into school curricula at primary and secondary levels.

Report of Special Rapporteur. In a report issued in September [A/HRC/15/46], the Special Rapporteur on the situation of human rights in Cambodia, Surya Subedi (Nepal), who visited the country twice in 2010 (17–30 January and 8–18 June), found progress regarding the protection and promotion of human rights, including the enactment of some major new laws. However, human rights violations continued in a number of areas. The major areas of concern related to access to land and housing rights, freedom of expression and the numerous challenges faced by the judiciary. The judiciary should apply the Press Law to allow for retractions, corrections and right of reply prior to legal proceedings. Public figures should tolerate more criticism and avoid using the courts to silence critics, and defamation and disinformation should be decriminalized. The Government should respect the independence of lawyers, create a transparent and competitive process of admission to training schools for judges and prosecutors, and provide special protection for people belonging to particular groups, such as a separate juvenile justice system. The Government should also ensure that those arrested and detained had proper legal representation and immediate access to a lawyer.

Communication. On 22 September [A/HRC/15/G/5], Cambodia submitted its comments on the report of the Special Rapporteur.

Human Rights Council action. On 30 September [A/HRC/15/60 (res. 15/20)], the Council reaffirmed the importance of the Extraordinary Chambers in the Courts of Cambodia as an independent and impartial

body; welcomed the completion of the first Khmer Rouge trial; and supported the position of the Government and the United Nations to proceed with the tribunal in a fair, efficient and expeditious manner, given the advanced age and frail health of the persons charged and the long-overdue justice. The Council welcomed efforts made by the Government in combating corruption, preventing the trafficking of persons and commercial sexual exploitation, implementing land reform, and adhering to international human rights obligations. The Secretary-General and the international community should continue to work with the Government to increase democracy and promote human rights. The Council extended the mandate of the Special Rapporteur by one year and requested him to report in 2011.

Democratic People's Republic of Korea

Communication. In a letter of 21 January to the Human Rights Council President [A/HRC/13/G/7/Rev.1], the Democratic People's Republic of Korea (DPRK) rejected the mandate of the Special Rapporteur on the situation of human rights in the DPRK and called for the Council to terminate the politicized procedure.

Report of Special Rapporteur. In his final report to the Council, submitted in February [A/HRC/13/47], the Special Rapporteur on the situation of human rights in the DPRK, Vitit Muntarbhorn (Thailand), reviewed the human rights situation from the middle of 2009 until the beginning of 2010. He said that the situation could be described as *sui generis*, given the multiple particularities and anomalies. There were many instances of human rights violations which were both harrowing and horrific. The responses from the authorities had been based mainly upon periodic law reform. Yet the sufferings of ordinary people continued. It was essential to mobilize more comprehensively the international system, especially the United Nations and its affiliates, to act in a more concerted manner, including through incentives and disincentives to influence the authorities. Resumption of the six-party talks to help denuclearize the country would be an added opportunity to provide space for an improved human rights environment.

The Rapporteur recommended that the DPRK: ensure effective provision of and access to food and other basic necessities for those in need of assistance; rectify the distorted pattern of food distribution; cooperate with UN agencies and other humanitarian actors on the issue; enable people to undertake economic activities to satisfy their basic needs and supplement their livelihood; adopt a moratorium on capital punishment; terminate public executions and abuses against the security of the person; end the punishment of those who sought asylum abroad and who were

sent back to the country; and cooperate to resolve the issue of foreigners abducted by the country.

Human Rights Council action. On 25 March [A/HRC/13/56 (res. 13/14)], the Council, by a recorded vote of 28 to 5, with 13 abstentions, expressed concern at the continued systematic, widespread and grave violations of civil, political, economic, social and cultural rights in the DPRK, as well as at the unresolved question of the abduction of foreign nationals. The Council urged the Government to ensure unimpeded access of humanitarian assistance. Regretting the Government's refusal to recognize the mandate of the Special Rapporteur and allow him access to the country, the Council extended the mandate for a year.

Appointment of Special Rapporteur. On 18 June, the Human Rights Council appointed Marzuki Darusman (Indonesia) as Special Rapporteur on the situation of human rights in the DPRK.

Note by Secretary-General. In September [A/65/364], the Secretary-General confirmed that the Special Rapporteur, due to his late appointment, would not be in a position to present a substantive report in 2010.

Report of Secretary-General. In a report issued in September on the human rights situation in the DPRK [A/65/391], submitted pursuant to General Assembly 64/175 [YUN 2009, p. 766] and covering developments from August 2009 to August 2010, the Secretary-General addressed continued human rights concerns and the deteriorating humanitarian situation. The Government was urged to ensure the enjoyment of the right to food, water, sanitation and health; ratify key international human rights conventions; submit outstanding reports; and engage with OHCHR to make use of technical cooperation. The Government should provide access to the Special Rapporteur; neighbouring countries and the international community should be reminded of their obligations under the 1951 Convention relating to the Status of Refugees [YUN 1951, p. 520] to provide protection to those fleeing the country in order to seek asylum; and the international community should not constrain humanitarian aid due to political and security concerns.

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third (Social, Humanitarian and Cultural) Committee [A/65/456/Add.3], adopted **resolution 65/225** by recorded vote (106-20-57) [agenda item 68 (c)].

Situation of human rights in the Democratic People's Republic of Korea

The General Assembly,

Reaffirming that States Members of the United Nations have an obligation to promote and protect human rights

and fundamental freedoms and to fulfil the obligations that they have undertaken under the various international instruments,

Mindful that the Democratic People's Republic of Korea is a party to the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women,

Noting the universal periodic review of the Democratic People's Republic of Korea by the Human Rights Council, in December 2009, and hoping that the review will encourage the engagement of the Democratic People's Republic of Korea in international cooperative efforts in the field of human rights so as to contribute to improving the situation of human rights in the country,

Recalling the concluding observations of the treaty-monitoring bodies under the four treaties to which the Democratic People's Republic of Korea is a party,

Noting with appreciation the collaboration established between the Government of the Democratic People's Republic of Korea and the United Nations Children's Fund and the World Health Organization in order to improve the health situation in the country, and the collaboration established with the United Nations Children's Fund in order to improve the quality of education for children,

Noting the decision on the resumption, on a modest scale, of the activities of the United Nations Development Programme in the Democratic People's Republic of Korea, and encouraging the engagement of the Government with the international community to ensure that the programmes benefit the persons in need of assistance,

Recalling its resolutions 60/173 of 16 December 2005, 61/174 of 19 December 2006, 62/167 of 18 December 2007, 63/190 of 18 December 2008 and 64/175 of 18 December 2009, Commission on Human Rights resolutions 2003/10 of 16 April 2003, 2004/13 of 15 April 2004 and 2005/11 of 14 April 2005, Human Rights Council decision 1/102 of 30 June 2006 and Council resolutions 7/15 of 27 March 2008, 10/16 of 26 March 2009 and 13/14 of 25 March 2010, and mindful of the need for the international community to strengthen its coordinated efforts aimed at achieving the implementation of those resolutions,

Noting that the Democratic People's Republic of Korea did agree to a survey of the food situation by the Food and Agriculture Organization of the United Nations and the World Food Programme,

Taking note of the report of the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea, regretting that he still has not been allowed to visit the country and that he received no cooperation from the authorities of the Democratic People's Republic of Korea, and taking note also of the comprehensive report of the Secretary-General on the situation of human rights in the Democratic People's Republic of Korea submitted in accordance with resolution 64/175,

Noting the importance of the inter-Korean dialogue, which could contribute to the improvement of the human rights and humanitarian situation in the country,

Taking note with appreciation of the recent reunion of separated families across the border, which is an urgent humanitarian concern of the entire Korean people, and

hoping that necessary arrangements for further reunions on a larger scale and a regular basis will be made as early as possible between the Democratic People's Republic of Korea and the Republic of Korea,

1. *Expresses its very serious concern at:*

(a) The persistence of continuing reports of systematic, widespread and grave violations of civil, political, economic, social and cultural rights in the Democratic People's Republic of Korea, including:

- (i) Torture and other cruel, inhuman or degrading treatment or punishment, including inhuman conditions of detention, public executions, extrajudicial and arbitrary detention; the absence of due process and the rule of law, including fair trial guarantees and an independent judiciary; the imposition of the death penalty for political and religious reasons; collective punishments; and the existence of a large number of prison camps and the extensive use of forced labour;
- (ii) Limitations imposed on every person who wishes to move freely within the country and travel abroad, including the punishment of those who leave or try to leave the country without permission, or their families, as well as punishment of persons who are returned;
- (iii) The situation of refugees and asylum-seekers expelled or returned to the Democratic People's Republic of Korea and sanctions imposed on citizens of the Democratic People's Republic of Korea who have been repatriated from abroad, leading to punishments of internment, torture, cruel, inhuman or degrading treatment or the death penalty, and in this regard urges all States to respect the fundamental principle of non-refoulement, to treat those who seek refuge humanely and to ensure unhindered access to the United Nations High Commissioner for Refugees and his Office, with a view to improving the situation of those who seek refuge, and once again urges States parties to comply with their obligations under the 1951 Convention relating to the Status of Refugees and the 1967 Protocol thereto in relation to refugees from the Democratic People's Republic of Korea who are covered by those instruments;
- (iv) All-pervasive and severe restrictions on the freedoms of thought, conscience, religion, opinion and expression, peaceful assembly and association, the right to privacy and equal access to information, by such means as the persecution of individuals exercising their freedom of opinion and expression, and their families, and the right of everyone to take part in the conduct of public affairs, directly or through freely chosen representatives, of his or her country;
- (v) The violations of economic, social and cultural rights, which have led to severe malnutrition, widespread health problems and other hardship for the population in the Democratic People's Republic of Korea, in particular for persons belonging to particularly exposed groups, inter alia, women, children and the elderly;

(vi) Continuing violations of the human rights and fundamental freedoms of women, in particular the trafficking of women for the purpose of prostitution or forced marriage and the subjection of women to human smuggling, forced abortions, gender-based discrimination, including in the economic sphere, and gender-based violence;

(vii) Continuing reports of violations of the human rights and fundamental freedoms of children, in particular the continued lack of access to basic economic, social and cultural rights for many children, and in this regard notes the particularly vulnerable situation faced by, inter alia, returned or repatriated children, street children, children with disabilities, children whose parents are detained, children living in detention or in institutions and children in conflict with the law;

(viii) Continuing reports of violations of the human rights and fundamental freedoms of persons with disabilities, especially on the use of collective camps and of coercive measures that target the rights of persons with disabilities to decide freely and responsibly on the number and spacing of their children;

(ix) Violations of workers' rights, including the right to freedom of association and collective bargaining, the right to strike as defined by the obligations of the Democratic People's Republic of Korea under the International Covenant on Economic, Social and Cultural Rights, and the prohibition of the economic exploitation of children and of any harmful or hazardous work of children as defined by the obligations of the Democratic People's Republic of Korea under the Convention on the Rights of the Child;

(b) The continued refusal of the Government of the Democratic People's Republic of Korea to recognize the mandate of the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea or to extend cooperation to him, despite the renewal of the mandate by the Human Rights Council in its resolutions 7/15, 10/16 and 13/14;

(c) The refusal of the Government of the Democratic People's Republic of Korea to articulate which recommendations enjoyed its support following its universal periodic review by the Human Rights Council, and regrets the lack of actions taken to date to implement the recommendations contained in the final outcome;

2. *Reiterates its very serious concern* at unresolved questions of international concern relating to abductions in the form of enforced disappearance, which violates the human rights of nationals of other sovereign countries, and in this regard strongly calls upon the Government of the Democratic People's Republic of Korea urgently to resolve these questions, including through existing channels, in a transparent manner, including by ensuring the immediate return of abductees;

3. *Expresses its very deep concern* at the precarious humanitarian situation in the country, partly as a result of frequent natural disasters, compounded by the misallocation of resources away from the satisfaction of basic needs,

and the increasing State restrictions on the cultivation and trade in foodstuffs, as well as the prevalence of chronic malnutrition, particularly among the most vulnerable groups, pregnant women, infants and the elderly, which, despite some progress, continues to affect the physical and mental development of a significant proportion of children, and urges the Government of the Democratic People's Republic of Korea, in this regard, to take preventive and remedial action, cooperating where necessary with international donor agencies and in accordance with international standards for monitoring humanitarian assistance;

4. *Commends* the Special Rapporteur for the activities undertaken so far and for his continued efforts in the conduct of his mandate despite the limited access to information;

5. *Strongly urges* the Government of the Democratic People's Republic of Korea to respect fully all human rights and fundamental freedoms and, in this regard:

(a) To immediately put an end to the systematic, widespread and grave violations of human rights mentioned above, *inter alia*, by implementing fully the measures set out in the above-mentioned resolutions of the General Assembly, the Commission on Human Rights and the Human Rights Council, and the recommendations addressed to the Democratic People's Republic of Korea by the Human Rights Council in the context of the universal periodic review and the United Nations special procedures and treaty bodies;

(b) To protect its inhabitants, address the issue of impunity and ensure that those responsible for violations of human rights are brought to justice before an independent judiciary;

(c) To tackle the root causes leading to refugee outflows and prosecute those who exploit refugees by human smuggling, trafficking and extortion, while not criminalizing the victims, and to ensure that citizens of the Democratic People's Republic of Korea expelled or returned to the Democratic People's Republic of Korea are able to return in safety and dignity, are humanely treated and are not subjected to any kind of punishment;

(d) To extend its full cooperation to the Special Rapporteur, including by granting him full, free and unimpeded access to the Democratic People's Republic of Korea, and to other United Nations human rights mechanisms so that a full needs assessment of the human rights situation may be made;

(e) To engage in technical cooperation activities in the field of human rights with the United Nations High Commissioner for Human Rights and her Office, as pursued by the High Commissioner in recent years, with a view to improving the situation of human rights in the country, and strive to implement the recommendations made in the universal periodic review by the Human Rights Council;

(f) To engage in cooperation with the International Labour Organization with a view to significantly improving workers' rights;

(g) To continue and reinforce its cooperation with United Nations humanitarian agencies;

(h) To ensure full, safe and unhindered access to humanitarian aid and take measures to allow humanitarian agencies to secure its impartial delivery to all parts of the country on the basis of need in accordance with humanitarian principles, as it pledged to do, and to en-

sure access to adequate food and implement food security policies, including through sustainable agriculture;

(i) To improve cooperation with the United Nations country team and development agencies so that they can directly contribute to improving the living conditions of the civilian population, including accelerating progress towards the achievement of the Millennium Development Goals, in accordance with international monitoring and evaluation procedures;

6. *Decides* to continue its examination of the situation of human rights in the Democratic People's Republic of Korea at its sixty-sixth session, and to this end requests the Secretary-General to submit a comprehensive report on the situation in the Democratic People's Republic of Korea and requests the Special Rapporteur to continue to report his findings and recommendations.

RECORDED VOTE ON RESOLUTION 65/225:

In favour: Afghanistan, Albania, Andorra, Argentina, Australia, Austria, Bahamas, Bahrain, Belgium, Belize, Benin, Bhutan, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burundi, Canada, Cape Verde, Central African Republic, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, El Salvador, Eritrea, Estonia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea-Bissau, Honduras, Hungary, Iceland, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kiribati, Kyrgyzstan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Maldives, Malta, Marshall Islands, Mexico, Micronesia, Monaco, Montenegro, Morocco, Nauru, Netherlands, New Zealand, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Lucia, Samoa, San Marino, Sao Tome and Principe, Sierra Leone, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Turkey, Tuvalu, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, United States, Uruguay, Vanuatu.

Against: Algeria, Belarus, China, Cuba, Democratic People's Republic of Korea, Egypt, Guinea, Iran, Libyan Arab Jamahiriya, Malaysia, Myanmar, Oman, Russian Federation, Somalia, Sudan, Syrian Arab Republic, Uzbekistan, Venezuela, Viet Nam, Zimbabwe.

Abstaining: Angola, Antigua and Barbuda, Azerbaijan, Bangladesh, Barbados, Bolivia, Brunei Darussalam, Burkina Faso, Cambodia, Cameroon, Colombia, Comoros, Congo, Democratic Republic of the Congo, Dominica, Dominican Republic, Ecuador, Ethiopia, Gambia, Grenada, Guyana, Haiti, India, Indonesia, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Mali, Mauritania, Mauritius, Mozambique, Namibia, Nepal, Nicaragua, Niger, Nigeria, Pakistan, Philippines, Qatar, Rwanda, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Singapore, South Africa, Sri Lanka, Suriname, Swaziland, Tajikistan, Thailand, Trinidad and Tobago, Turkmenistan, Uganda, Yemen, Zambia.

Iran

Report of Secretary-General. In a report issued in September on the human rights situation in Iran [A/65/370], submitted pursuant to General Assembly resolution 64/176 [YUN 2009, p. 769], the Secretary-General noted further negative developments. Submis-

sion of long-overdue periodic reports and the completion of the universal periodic review were overshadowed by an intensified crackdown on human rights defenders, in particular women's rights activists, journalists and Government opponents in relation to post-election unrest. Concerns remained regarding torture, arbitrary detentions and unfair trials, a dramatic increase in the application of the death penalty, including for political opponents and juveniles, and persistent discrimination against minority groups that in some cases amounted to persecution. In April, Iran was elected to the Committee on the Status of Women, although it had not ratified CEDAW. Women continued to be discriminated against in issues pertaining to marriage, divorce, nationality, child custody, inheritance, guardianship, the administration of justice and the right to hold any office of State. The law criminalized trafficking of persons and prohibited the forcing of women into prostitution and slavery; however, trafficking of women and girls remained a concern.

The Secretary-General was troubled by reports of excessive use of force, arbitrary arrests and detentions, unfair trials, torture and ill-treatment of opposition activists. While the authorities had taken steps to prevent stoning as a method of execution and limit the application of the death penalty to juveniles, the measures had not been fully enforced. Welcoming Iran's ratification of the Convention on the Rights of Persons with Disabilities, the Secretary-General called on the Government to ratify other international human rights treaties, in particular CEDAW and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, to ensure compliance with international human rights standards and to prevent discriminatory practices.

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third Committee [A/65/456/Add.3], adopted **resolution 65/226** by recorded vote (78-45-59) [agenda item 68 (c)].

Situation of human rights in the Islamic Republic of Iran

The General Assembly,

Guided by the Charter of the United Nations, as well as the Universal Declaration of Human Rights, the International Covenants on Human Rights and other international human rights instruments,

Recalling its previous resolutions on the situation of human rights in the Islamic Republic of Iran, the most recent of which is resolution 64/176 of 18 December 2009,

1. Takes note of the report of the Secretary-General submitted pursuant to resolution 64/176, which highlights further negative developments in the situation of human rights in the Islamic Republic of Iran, including an intensified crackdown on human rights defenders and reports of

excessive use of force, arbitrary detentions, unfair trials and allegations of torture;

2. Expresses deep concern at serious ongoing and recurring human rights violations in the Islamic Republic of Iran relating to, inter alia:

(a) Torture and cruel, inhuman or degrading treatment or punishment, including flogging and amputations;

(b) The continuing high incidence of and dramatic increase in death sentences carried out in the absence of internationally recognized safeguards, including public executions, notwithstanding a circular from the former head of the judiciary prohibiting public executions;

(c) The continuing imposition and carrying out of the death penalty against persons who at the time of their offence were under the age of 18, in violation of the obligations of the Islamic Republic of Iran under the Convention on the Rights of the Child and the International Covenant on Civil and Political Rights;

(d) The imposition of the death penalty for crimes that lack a precise and explicit definition, including *moharabeh* (enmity against God), or for crimes that do not qualify as the most serious crimes, in violation of international law;

(e) Stoning and suspension strangulation as methods of execution, and the fact that persons in prison continue to face sentences of execution by stoning, notwithstanding a circular from the former head of the judiciary prohibiting stoning;

(f) Pervasive gender inequality and violence against women, a continued crackdown on women's human rights defenders, arrests, violent repression and sentencing of women exercising their right to peaceful assembly and continuing discrimination against women and girls in law and in practice;

(g) Continuing discrimination and other human rights violations, at times amounting to persecution, against persons belonging to ethnic, linguistic, recognized religious or other minorities, including, inter alia, Arabs, Azeris, Baluchis, Kurds, Christians, Jews, Sufis and Sunni Muslims and their defenders;

(h) Increased incidents of persecution against unrecognized religious minorities, particularly members of the Baha'i faith, including attacks on Baha'is, including in State-sponsored media, increasing evidence of efforts by the State to identify, monitor and arbitrarily detain Baha'is, preventing members of the Baha'i faith from attending university and from sustaining themselves economically, the confiscation and destruction of their property, the vandalizing of their cemeteries and the sentencing of seven Baha'i leaders to ten years' imprisonment despite being repeatedly denied the due process of law that they are constitutionally guaranteed, including the right to timely and adequate access to legal representation of their choice and to a fair and open trial;

(i) Ongoing, systemic and serious restrictions of freedom of peaceful assembly and association and freedom of opinion and expression, including those imposed on the media, political opponents, human rights defenders, lawyers, journalists, Internet providers, Internet users, bloggers, clerics, artists, academics, students, labour leaders and trade unions from all sectors of Iranian society;

(j) The continuing harassment, intimidation and persecution, including by arbitrary arrest, detention or disappearance, as well as violent repression of, inter alia,

political opponents, human rights defenders, lawyers, journalists and other media representatives, Internet providers, Internet users, bloggers, clerics, academics, students and labour leaders from all sectors of Iranian society, noting in particular the continuing harassment and detention of staff members of the Defenders of Human Rights Centre;

(k) The continuing use of State security forces and Government-directed militias to forcibly disperse Iranian citizens engaged in the peaceful exercise of freedom of expression and freedom of peaceful assembly and association;

(l) Severe limitations and restrictions on the right to freedom of thought, conscience, religion or belief, including arbitrary arrest, indefinite detention and lengthy jail sentences, for those exercising this right, and the arbitrary demolition of places of worship;

(m) Persistent failure to uphold due process of law, and violations of the rights of detainees, including defendants held without charge or held incommunicado, the systematic and arbitrary use of prolonged solitary confinement, the lack of access of detainees to legal representation of their choice, the refusal to consider granting bail to detainees, as well as reports of detainees being subjected to torture, harsh interrogation techniques and the use of pressure exerted upon their relatives and dependants, including through arrest, to obtain false confessions that are then used at trials;

(n) Continuing arbitrary or unlawful interference by State authorities with the privacy of individuals, in particular related to private homes, and with their correspondence, including voicemail and e-mail communications, in violation of international law;

3. *Expresses particular concern* at the failure of the Government of the Islamic Republic of Iran to conduct any comprehensive investigation or to launch an accountability process for alleged violations in the period following the presidential elections of 12 June 2009, and reiterates its call upon the Government to launch a process of credible, independent and impartial investigations into reports of human rights violations and to end impunity for such violations;

4. *Calls upon* the Government of the Islamic Republic of Iran to address the substantive concerns highlighted in the report of the Secretary-General and the specific calls to action found in previous resolutions of the General Assembly, and to respect fully its human rights obligations, in law and in practice, in particular:

(a) To eliminate, in law and in practice, amputations, flogging and other forms of torture and other cruel, inhuman or degrading treatment or punishment;

(b) To abolish, in law and in practice, public executions and other executions carried out in the absence of respect for internationally recognized safeguards;

(c) To abolish, pursuant to its obligations under article 37 of the Convention on the Rights of the Child and article 6 of the International Covenant on Civil and Political Rights, executions of persons who at the time of their offence were under the age of 18;

(d) To abolish the use of stoning and suspension strangulation as methods of execution;

(e) To eliminate, in law and in practice, all forms of discrimination and other human rights violations against women and girls;

(f) To eliminate, in law and in practice, all forms of discrimination and other human rights violations against

persons belonging to religious, ethnic, linguistic or other minorities, recognized or otherwise, to refrain from monitoring individuals on the basis of their religious beliefs, and to ensure that the access of minorities to education and employment is on a par with that of all Iranians;

(g) To implement, inter alia, the 1996 report of the Special Rapporteur on religious intolerance, which recommended ways in which the Islamic Republic of Iran could emancipate the Baha'i community, and to accord the seven Baha'i leaders held since 2008 the due process of law and rights that they are constitutionally guaranteed, including the right to adequate legal representation and the right to timely, fair and open legal proceedings;

(h) To end the harassment, intimidation and persecution of political opponents, human rights defenders, labour leaders, students, academics, journalists, other media representatives, bloggers, clerics, artists and lawyers, including by releasing persons imprisoned arbitrarily or on the basis of their political views;

(i) To end restrictions placed on Internet users and Internet providers that violate the rights to freedom of expression, association and privacy;

(j) To end restrictions on the press and media representatives, including the selective jamming of satellite broadcasts;

(k) To end the use of State security forces and Government-directed militias to forcibly disperse Iranian citizens engaged in the peaceful exercise of their rights to freedom of expression, peaceful assembly and association;

(l) To uphold, in law and in practice, procedural guarantees to ensure due process of law;

5. *Also calls upon* the Government of the Islamic Republic of Iran to strengthen its national human rights institutions in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights ("the Paris Principles");

6. *Further calls upon* the Government of the Islamic Republic of Iran to consider ratifying or acceding to the international human rights treaties to which it is not already a party, to effectively implement those human rights treaties to which it is already a party and to withdraw any reservations it may have made upon signature or ratification of other international human rights instruments where such reservations are overly general, imprecise or could be considered incompatible with the object and purpose of the treaty;

7. *Calls upon* the Government of the Islamic Republic of Iran to cooperate fully with all international human rights mechanisms, and encourages the Government to continue exploring cooperation on human rights and justice reform with the United Nations, including the Office of the United Nations High Commissioner for Human Rights;

8. *Expresses deep concern* that, despite the Islamic Republic of Iran's standing invitation to all thematic special procedures mandate holders, it has not fulfilled any requests from those special mechanisms to visit the country in five years and has left unanswered the vast majority of the numerous and repeated communications from those special mechanisms, and strongly urges the Government of the Islamic Republic of Iran to fully cooperate with the special mechanisms, including facilitating their visits to its

territory, so that credible and independent investigations of all allegations of human rights violations can be conducted;

9. *Strongly encourages* the Government of the Islamic Republic of Iran to seriously consider all of the recommendations put forward at its universal periodic review by the Human Rights Council, with the full and genuine participation of civil society and other stakeholders;

10. *Strongly encourages* the thematic special procedures mandate holders to pay particular attention to, with a view to investigating and reporting on, the situation of human rights in the Islamic Republic of Iran, in particular the Special Rapporteur on extrajudicial, summary or arbitrary executions, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, the Special Rapporteur on the rights to freedom of peaceful assembly and of association, the Special Rapporteur on the situation of human rights defenders, the Special Rapporteur on freedom of religion or belief, the Special Rapporteur on the independence of judges and lawyers, the Special Rapporteur on violence against women, its causes and consequences, the Independent Expert on minority issues, the Working Group on Arbitrary Detention, the Working Group on Enforced or Involuntary Disappearances and the Working Group on Discrimination against Women in Law and in Practice;

11. *Requests* the Secretary-General to report to the General Assembly at its sixty-sixth session on the progress made in the implementation of the present resolution, including options and recommendations to improve its implementation, and to submit an interim report to the Human Rights Council at its sixteenth session;

12. *Decides* to continue its examination of the situation of human rights in the Islamic Republic of Iran at its sixty-sixth session under the item entitled "Promotion and protection of human rights".

RECORDED VOTE ON RESOLUTION 65/226:

In favour: Albania, Andorra, Argentina, Australia, Austria, Bahamas, Belgium, Belize, Bosnia and Herzegovina, Botswana, Bulgaria, Canada, Cape Verde, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, El Salvador, Estonia, Finland, France, Gambia, Germany, Greece, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kiribati, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Maldives, Malta, Marshall Islands, Mexico, Micronesia, Monaco, Montenegro, Nauru, Netherlands, New Zealand, Norway, Palau, Panama, Papua New Guinea, Peru, Poland, Portugal, Republic of Moldova, Romania, Rwanda, Saint Lucia, Samoa, San Marino, Sao Tome and Principe, Sierra Leone, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, Ukraine, United Kingdom, United States, Vanuatu.

Against: Afghanistan, Algeria, Armenia, Azerbaijan, Bahrain, Bangladesh, Belarus, Bolivia, Brunei Darussalam, Cambodia, China, Comoros, Cuba, Democratic People's Republic of Korea, Ecuador, Egypt, Eritrea, Guinea, Indonesia, Iran, Kazakhstan, Kuwait, Kyrgyzstan, Lebanon, Libyan Arab Jamahiriya, Malaysia, Mauritania, Myanmar, Nicaragua, Oman, Pakistan, Qatar, Russian Federation, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Tajikistan, Tunisia, Turkmenistan, United Arab Emirates, Uzbekistan, Venezuela, Viet Nam, Zimbabwe.

Abstaining: Angola, Antigua and Barbuda, Barbados, Benin, Bhutan, Brazil, Burkina Faso, Burundi, Cameroon, Central African Republic, Colombia, Congo, Democratic Republic of the Congo, Djibouti, Dominica, Ethiopia, Fiji, Gabon, Ghana, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, India, Jamaica, Jordan, Kenya, Lao People's Democratic Republic, Lesotho, Malawi, Mali, Mauritius, Mongolia, Morocco, Mozambique, Namibia, Nepal, Niger, Nigeria, Paraguay, Philippines, Republic of Korea, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Singapore, South Africa, Suriname, Swaziland, Thailand, Togo, Trinidad and Tobago, Tuvalu, Uganda, United Republic of Tanzania, Uruguay, Zambia.

Kyrgyzstan

Human Rights Council action. On 18 June [A/HRC/14/37 (res. 14/14)], the Council expressed concern at the loss of life that occurred on 7 April during the protests leading to the change of government, as well as at the recent inter-ethnic violence and at the loss of life sustained as a result. Condemning the human rights violations committed during the protests, as well as the provocations and violence in Osh and Jalalabad, the Council called on the Government to conduct a full and transparent investigation to hold perpetrators accountable for the loss of life in relation to the events of 7 April and during the recent inter-ethnic violence. The Council urged the Government to promote interethnic reconciliation, called upon all actors to refrain from violence and expressed support for efforts to restore democratic and constitutional order and the rule of law. The international community was requested to provide humanitarian relief and assistance. The High Commissioner was requested to provide technical assistance and to report to the Council in 2011.

Myanmar

Report of Special Rapporteur. In a report issued in March [A/HRC/13/48], the Special Rapporteur on the situation of human rights in Myanmar, Tomás Ojea Quintana (Argentina), noted that far too many people were denied the basic rights to food, shelter, health and education. He visited Myanmar from 15 to 19 February at the invitation of the Government, and found that conflicts along the border areas continued to abet serious abuses against civilian populations, including the recruitment of child soldiers. The Rapporteur remained concerned about the systematic discrimination, framed as an immigration problem, faced by the Muslim community in Northern Rakhine State, which included restriction of movement, limitations on permission to marry and forced labour. Given the extent and persistence of the violations, and the lack of accountability, there was an indication that those violations were the result of a State policy. The main issues highlighted in the report included

the situation of prisoners of conscience, conditions of detention, due process of law, freedom of expression, assembly and association in the light of the 2010 election, protection of civilians, discrimination, living conditions and humanitarian assistance. The Government should ensure credible elections and substantive changes to the human rights situation.

Human Rights Council action. On 26 March [A/HRC/13/56 (res. 13/25)], the Council expressed concern that urgent calls regarding the human rights situation had not been met; that restrictions imposed on the representatives of opposition parties continued to prevent dialogue, national reconciliation and transition to democracy; and that the General Secretary of the National League for Democracy, Daw Aung San Suu Kyi, remained under arbitrary house arrest. The Government was called on to lift restrictions on freedom of assembly, association, movement and expression, including for free and independent media, by ensuring the use of the Internet and mobile telephone services, and by ending censorship. The Government was urged to desist from carrying out further politically motivated arrests, release all prisoners of conscience and investigate reports of human rights violations, including enforced disappearances, arbitrary detentions, rape and other forms of sexual violence, and torture and other forms of ill-treatment. The Council extended the mandate of the Special Rapporteur for one year.

Report of Secretary-General. In a report issued in September [A/65/367], pursuant to General Assembly resolution 64/238 [YUN 2009, p. 774], the Secretary-General addressed developments from 26 August 2009 to 25 August 2010, including the release of political prisoners, human rights abuses and national reconciliation. Upon the reassignment of Ibrahim Gambari on 1 January 2010, the Secretary-General designated his Chef de Cabinet, Vijay Nambiar, as Special Adviser to oversee the good offices mandate. The Secretary-General said that addressing the challenges of national reconciliation, democratization and respect for human rights remained essential. He called for unity of purpose and unity of action among key Member States, regional entities, multilateral development actors and international financial institutions to encourage all domestic stakeholders to contribute to positive change.

Report of Special Rapporteur. In a report issued in September [A/65/368], in accordance with General Assembly resolution 64/238, the Special Rapporteur focused on human rights in relation to elections and the issue of justice and accountability. He noted increased tensions along the border, linked to the discrimination of ethnic groups and the vulnerability of civilians, and called for the Government to meet international standards when investigating human rights violations. The

Rapporteur recommended that the Government respect freedom of expression, opinion and assembly, release all prisoners of conscience, address justice and accountability, facilitate access for humanitarian assistance and continue developing cooperation with the international human rights system. An annex contained the responses of the Government to the report.

In a further report [A/HRC/16/59], the Rapporteur said that Myanmar had held national legislative elections for the first time in over two decades on 7 November, and that one week later Ms. Suu Kyi had been released unconditionally upon the end of her house arrest term.

Communication. In a letter of 20 October to the Secretary-General [A/C.3/65/2], Myanmar highlighted areas of achievements, including reductions in human trafficking, violence against women, allegations of forced labour and the recruitment of child soldiers.

GENERAL ASSEMBLY ACTION

On 24 December [meeting 73], the General Assembly, on the recommendation of the Third Committee [A/65/456/Add.3], adopted **resolution 65/241** by recorded vote (85-26-46) [agenda item 68 (c)].

Situation of human rights in Myanmar

The General Assembly,

Guided by the Charter of the United Nations and the Universal Declaration of Human Rights, and recalling the International Covenants on Human Rights and other relevant human rights instruments,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and the duty to fulfil the obligations they have undertaken under the various international instruments in this field,

Reaffirming also its previous resolutions on the situation of human rights in Myanmar, the most recent of which is resolution 64/238 of 24 December 2009, those of the Commission on Human Rights, and those of the Human Rights Council, the most recent of which are resolutions 12/20 of 2 October 2009 and 13/25 of 26 March 2010,

Welcoming the statements made by the President of the Security Council on 11 October 2007 and 2 May 2008, and the Security Council statements to the press of 22 May and 13 August 2009,

Welcoming also the report of the Secretary-General on the situation of human rights in Myanmar and the observations contained therein, and recalling his visit to the country on 3 and 4 July 2009 and the visits of his Special Adviser on Myanmar from 31 January to 3 February and on 26 and 27 June 2009, respectively, while regretting that no further visits have been allowed in the course of the past year for the purpose of the good offices mission,

Welcoming further the reports of the Special Rapporteur on the situation of human rights in Myanmar, and urging the implementation of the recommendations contained therein and in previous reports, while regretting that a request by the Special Rapporteur for a follow-up visit has been rejected by the Government of Myanmar,

Deeply concerned that the urgent calls contained in the above-mentioned resolutions, as well as the statements of other United Nations bodies concerning the situation of human rights in Myanmar, have not been heeded, and emphasizing that, without significant progress towards heeding those calls of the international community, the situation of human rights in Myanmar will continue to deteriorate,

Deeply concerned also at restrictions to effective and genuine participation of the representatives of the National League for Democracy, other political parties, pro-democracy actors, ethnic minorities and other relevant stakeholders in a genuine process of dialogue, national reconciliation and transition to democracy,

Calling upon the Government of Myanmar to cooperate with the international community in order to achieve concrete progress with regard to human rights and fundamental freedoms, and political processes,

Deeply regretting that the Government of Myanmar did not take the steps necessary to ensure a free, fair, transparent and inclusive electoral process, noting in particular, in this respect, the restrictions imposed by the electoral laws as enacted and implemented by the Government, including those placed on the registration of voters, parties and candidates, as well as the detention of political activists, the restrictions on free reporting and on freedom of assembly, the limited access to media, funding and campaigning possibilities, the reported incidents of official intimidation, the cancellation of elections in certain ethnic areas and the lack of independence of the electoral commission, and expressing serious concern about reports of fraud, including through advance voting arrangements,

1. *Strongly condemns* the ongoing systematic violations of human rights and fundamental freedoms of the people of Myanmar;

2. *Welcomes* the release of Daw Aung San Suu Kyi following the most recent period of her arbitrary house arrest, and, noting that her release is unconditional, calls upon the Government of Myanmar to ensure that no restrictions are placed on the exercise of all her human rights and fundamental freedoms in the future;

3. *Strongly urges* the Government of Myanmar, while also noting the earlier release from house arrest of the Vice-Chairman of the National League for Democracy, U Tin Oo, to release all other prisoners of conscience, currently estimated at more than 2,100, including the Chairman of the Shan Nationalities League for Democracy, U Hkun Htun Oo, the leader of the 88 Generation Students Group, U Min Ko Naing, and one of the founders of the 88 Generation Students Group, Ko Ko Gyi, without delay and without conditions, and to allow their full participation in the political process, and strongly calls upon the Government to reveal the whereabouts of persons who are detained or have been subjected to enforced disappearance and to desist from further politically motivated arrests;

4. *Reaffirms* the essential importance of a genuine process of dialogue and national reconciliation for a transition to democracy, regrets in this regard that the Government of Myanmar did not seize the opportunity to develop a substantive and meaningful dialogue with Daw Aung San Suu Kyi, and calls upon the new Government of Myanmar to take immediate measures to undertake a genuine dialogue

with Daw Aung San Suu Kyi and all other concerned parties, civil society groups and ethnic groups, and to permit them to consult freely among each other and with other domestic stakeholders;

5. *Strongly regrets* that the Government of Myanmar did not hold free, fair, transparent and inclusive elections and refused to allow international election observers and independent foreign or local journalists to freely monitor or report on the voting, and calls upon the Government to begin an inclusive post-election phase, including through meaningful dialogue and the participation of representatives of all groups in the political life of the country, within the framework of a transition to a civilian, legitimate and accountable system of government, based on the rule of law and respect for human rights and fundamental freedoms;

6. *Strongly calls upon* the Government of Myanmar to lift restrictions on the freedom of assembly, association and movement and the freedom of expression, including for free and independent media, including through the openly available and accessible use of Internet and mobile telephone services, and ending the use of censorship, including the use of restrictive laws to prevent the reporting of views critical of the Government;

7. *Expresses grave concern* at the continuing practice of arbitrary detentions, enforced disappearances, rape and other forms of sexual violence, torture and cruel, inhuman or degrading treatment or punishment, and urges the Government of Myanmar to undertake without further delay a full, transparent, effective, impartial and independent investigation into all reports of human rights violations and to bring to justice those responsible in order to end impunity for violations of human rights, and, regretting that previous calls to that effect have not been heeded, calls upon the Government to do so as a matter of priority and, if necessary, drawing on the assistance of the United Nations;

8. *Calls upon* the Government of Myanmar to undertake a transparent, inclusive and comprehensive review of compliance of the Constitution and all national legislation with international human rights law, while fully engaging with democratic opposition, civil society groups, ethnic groups and other stakeholders, while recalling once more that the procedures established for the drafting of the Constitution resulted in a de facto exclusion of opposition groups from the process;

9. *Urges* the Government of Myanmar to ensure the independence and impartiality of the judiciary and to guarantee due process of law, and to fulfil earlier assurances made to the Special Rapporteur on the situation of human rights in Myanmar to begin a dialogue on judicial reform;

10. *Expresses concern* about the conditions in prisons and other detention facilities and consistent reports of ill-treatment of prisoners of conscience, including torture, and about the moving of prisoners of conscience to isolated prisons far from their families where they cannot receive food and medicine;

11. *Expresses deep concern* about the risk of further armed conflict in some areas as a result of continued pressures imposed by the national authorities on certain ethnic groups and the exclusion of some key ethnic political parties from the election process, and calls upon the Government of Myanmar to protect the civilian population in all parts of the country and for all concerned to respect existing ceasefire agreements;

12. *Strongly calls upon* the Government of Myanmar to take urgent measures to put an end to continuing grave violations of international human rights and humanitarian law, including the targeting of persons based on their belonging to particular ethnic groups, the targeting of civilians as such in military operations, and rape and other forms of sexual violence, and to end impunity for such acts;

13. *Also strongly calls upon* the Government of Myanmar to end the practice of systematic forced displacement of large numbers of persons within their country and other causes of refugee flows into neighbouring countries;

14. *Expresses its concern* about the continuing discrimination, human rights violations, violence, displacement and economic deprivation affecting numerous ethnic minorities, including, but not limited to, the Rohingya ethnic minority in Northern Rakhine State, and calls upon the Government of Myanmar to take immediate action to bring about an improvement in their respective situations, and to grant citizenship to the Rohingya ethnic minority;

15. *Urges* the Government of Myanmar to provide, in cooperation with the Office of the United Nations High Commissioner for Human Rights, adequate human rights and international humanitarian law training for its armed forces, police and prison personnel, to ensure their strict compliance with international human rights law and international humanitarian law and to hold them accountable for any violations thereof;

16. *Calls upon* the Government of Myanmar to consider ratifying and acceding to remaining international human rights treaties, which would enable a dialogue with the other human rights treaty bodies;

17. *Also calls upon* the Government of Myanmar to allow human rights defenders to pursue their activities unhindered and to ensure their safety, security and freedom of movement in that pursuit;

18. *Strongly calls upon* the Government of Myanmar to put an immediate end to the continuing recruitment and use of child soldiers in violation of international law by all parties, to intensify measures to ensure the protection of children from armed conflict, to pursue its collaboration with the Special Representative of the Secretary-General for Children and Armed Conflict, to swiftly conclude and implement the new joint action plan for the national armed forces, to facilitate access for dialogue on action plans with other parties listed in the annual report of the Secretary-General on children and armed conflict, and to allow unrestricted access to all areas where children are recruited for these purposes;

19. *Notes with appreciation* the prolongation of the supplementary understanding between the International Labour Organization and the Government of Myanmar to eliminate the use of forced labour, and that some steps, particularly in relation to awareness-raising, have been taken with regard to it, but expresses grave concern at the continuing practice of forced labour, and calls upon the Government to intensify its cooperation with the International Labour Organization on the basis of the understanding, with a view to extending action against forced labour as widely as possible throughout the country and to fully implementing with urgency the recommendations of the Commission of Inquiry of the International Labour Organization;

20. *Welcomes* the agreement between the Government of Myanmar and the United Nations on a two-year joint

humanitarian initiative for Northern Rakhine State, and, in view of ongoing humanitarian needs throughout the country, encourages the Government to ensure that such cooperation is extended to other regions;

21. *Calls upon* the Government of Myanmar to ensure timely, safe, full and unhindered access to all parts of Myanmar, including conflict and border areas, for the United Nations, international humanitarian organizations and their partners, and, taking into account the need for a swift facilitation of requests for visa and in-country travel permission, encourages the Government to build on the experience of the Tripartite Core Group and to continue its cooperation to allow humanitarian assistance to reach all persons in need throughout the country, including displaced persons;

22. *Encourages* the Government of Myanmar to resume its humanitarian dialogue with the International Committee of the Red Cross and to allow it to carry out its activities according to its mandate, in particular by granting access to persons detained and to areas of internal armed conflict;

23. *Also encourages* the Government of Myanmar to continue to cooperate with international health entities on HIV/AIDS, malaria and tuberculosis;

24. *Reaffirms its full support* for the good offices of the Secretary-General pursued through his Special Adviser on Myanmar, consistent with the report of the Secretary-General on the situation of human rights in Myanmar, and urges the Government of Myanmar to cooperate fully with the good offices mission, including by facilitating the visits of the Special Adviser to the country and granting him unrestricted access to all relevant stakeholders, including the highest level of leadership within the army, political parties, human rights defenders, representatives of ethnic groups, student leaders and other opposition groups, and to respond substantively and without delay to the proposals of the Secretary-General, including the establishment of a United Nations office in support of the mandate of the good offices;

25. *Welcomes* the role played by countries neighbouring Myanmar and members of the Association of Southeast Asian Nations in support of the good offices mission of the Secretary-General;

26. *Also welcomes* the continued contribution of the Group of Friends of the Secretary-General on Myanmar in support of the work of the good offices mission;

27. *Urges* the Government of Myanmar to respond favourably to the requests of the Special Rapporteur to visit the country, and to cooperate fully with him in the exercise of his work as mandated by the Human Rights Council, and to implement the four core human rights elements recommended by the Special Rapporteur;

28. *Calls upon* the Government of Myanmar to engage in a dialogue with the Office of the High Commissioner with a view to ensuring full respect for all human rights and fundamental freedoms;

29. *Welcomes* the recent workshop held in cooperation with the Office of the High Commissioner in view of the upcoming universal periodic review by the Human Rights Council, and encourages the Government of Myanmar to seek further technical cooperation in the preparation of the universal periodic review and to cooperate fully and constructively throughout the process;

30. *Requests* the Secretary-General:

(a) To continue to provide his good offices and to pursue his discussions on the situation of human rights, the transition to democracy and the national reconciliation process with the Government and the people of Myanmar, involving all relevant stakeholders, including democracy and human rights groups, and to offer technical assistance to the Government in this regard;

(b) To give all necessary assistance to enable the Special Adviser and the Special Rapporteur to discharge their mandates fully, effectively and in a coordinated manner;

(c) To report to the General Assembly at its sixty-sixth session, as well as to the Human Rights Council, on the progress made in the implementation of the present resolution;

31. *Decides* to continue the consideration of the question at its sixty-sixth session, on the basis of the reports of the Secretary-General and the Special Rapporteur.

RECORDED VOTE ON RESOLUTION 65/241:

In favour: Afghanistan, Albania, Andorra, Argentina, Armenia, Australia, Austria, Belgium, Belize, Bosnia and Herzegovina, Botswana, Bulgaria, Burundi, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Guyana, Honduras, Hungary, Iceland, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Kazakhstan, Latvia, Lebanon, Liberia, Liechtenstein, Lithuania, Luxembourg, Malawi, Maldives, Malta, Marshall Islands, Mauritius, Mexico, Micronesia, Monaco, Mongolia, Montenegro, Morocco, Nauru, Netherlands, New Zealand, Nigeria, Norway, Palau, Panama, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Tonga, Turkey, Tuvalu, Ukraine, United Kingdom, United Republic of Tanzania, United States, Uruguay.

Against: Algeria, Azerbaijan, Bangladesh, Belarus, Brunei Darussalam, Cambodia, China, Cuba, Democratic People's Republic of Korea, Egypt, India, Indonesia, Iran, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Malaysia, Myanmar, Nicaragua, Oman, Russian Federation, Sri Lanka, Sudan, Syrian Arab Republic, Venezuela, Viet Nam, Zimbabwe.

Abstaining: Antigua and Barbuda, Bahrain, Barbados, Bhutan, Bolivia, Brazil, Burkina Faso, Cameroon, Colombia, Congo, Côte d'Ivoire, Djibouti, Dominican Republic, Ecuador, Eritrea, Ethiopia, Fiji, Gabon, Ghana, Grenada, Haiti, Jordan, Kuwait, Lesotho, Madagascar, Mali, Mauritania, Namibia, Nepal, Niger, Pakistan, Philippines, Qatar, Rwanda, Saudi Arabia, Senegal, Singapore, Swaziland, Thailand, Timor-Leste, Trinidad and Tobago, Turkmenistan, Uganda, United Arab Emirates, Yemen, Zambia.

Nepal

Report of High Commissioner. In a report on the human rights situation and the activities of her office, including technical cooperation, in Nepal [A/HRC/16/23], covering events in 2010, the High Commissioner noted some positive developments in relation to discrimination and impunity, yet highlighted that widespread inequality and discrimination

persisted. Challenges included delays in transitional justice, weakening of rule-of-law institutions, withdrawal of criminal cases due to political pressure, and gender- and caste-based discrimination. A draft National Human Rights Commission act was yet to be adopted and impunity persisted. The political situation had a negative effect on human rights.

The High Commissioner commended the Government for implementing the national plans of action on gender-related issues. She recommended that political parties in the Constituent Assembly make concrete progress on drafting the new Constitution and adopt important draft legislation consistent with the Government's commitments under international law. The Government should establish an external civilian oversight mechanism for the security forces and increase the capacity of all State bodies forming the criminal justice system. The Attorney General's Office should fully discharge its legal obligation to supervise criminal investigations by the police. The Government should also strengthen the key provisions of the draft bill on the elimination and punishment of caste-based discrimination and untouchability crimes, strengthen protection for victims of sexual and gender-based violence, and ensure access to justice and protection for victims and witnesses.

Europe and the Mediterranean

Cyprus

In accordance with a Human Rights Council request [YUN 2006, p. 760], the Secretary-General transmitted to the Council an OHCHR report on the question of human rights in Cyprus [A/HRC/16/21] covering the period up to 30 November. Human rights concerns included freedom of movement, missing persons, property rights, discrimination, the right to life, the right to education, freedom of religion and cultural rights. Positive developments included the opening of a new crossing point and legislative developments aimed at ensuring equal treatment of children of displaced mothers; however, the division of the island continued to constitute an obstacle to the full enjoyment of human rights. The Secretary-General hoped that the efforts by the Greek Cypriot and Turkish Cypriot leaders to negotiate a comprehensive settlement would improve the human rights situation.

Communications. In a note of 24 March [A/HRC/13/G/21], Turkey transmitted a letter reflecting the Turkish Cypriot views on the 2009 OHCHR report on the question of human rights in Cyprus [YUN 2009, p. 778]. Cyprus replied to that note by a letter of 27 April [A/HRC/13/G/23].

Middle East

Territories occupied by Israel

In 2010, human rights questions, including cases of violations in the territories occupied by Israel following the 1967 hostilities in the Middle East, were addressed by the Human Rights Council. Political and other aspects were considered by the Security Council, the General Assembly, the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (Committee on Israeli Practices) and other bodies (see PART ONE, Chapter VI).

Reports of High Commissioner. In response to Human Rights Council decision 2/102 [YUN 2006, p. 760], the High Commissioner in March submitted a report [A/HRC/13/68/Rev.1] on the issue of Palestinian pregnant women giving birth at Israeli checkpoints. The High Commissioner pointed out that the issue was best examined in the broader context of the severe restrictions on freedom of movement imposed by Israel on Palestinians in the Occupied Territory. No cases of such births had been reported since January 2009, and unless the Council requested a continuation of that reporting mandate, the issue would be covered in the periodic reports.

As requested by the Human Rights Council, the High Commissioner in March reported [A/HRC/13/54] on the implementation of Council resolutions S-9/1 [YUN 2009, p. 780] and S-12/1 [ibid., p. 787]. The report covered violations of human rights of the Palestinian people from 1 May 2009 to 3 February 2010, as well as the situation in East Jerusalem. The most critical violations included a lack of respect for the right to life; arbitrary detention; impediments to the right to freedom of religion; obstacles to the fulfilment of the right to health; restriction on freedom of movement; torture and other cruel, inhuman, or degrading treatment or punishment; a lack of remedy and redress for abuses and violations; and violence against women and children. The blockade of Gaza resulted in a breach of the right to health and the right to safe drinking water, while the construction of the wall in the West Bank, Israeli checkpoints, the fragmentation of the West Bank and the increasing separation of East Jerusalem brought into question the ability of Palestinians to exercise their right to self-determination. Many Palestinian families in East Jerusalem and Area C of the West Bank had been forcibly displaced, due to evictions and demolitions carried out by the Israeli authorities. Impunity for violations of human rights and international humanitarian law remained widespread. The High Commissioner recommended that Israel investigate allegations of human rights violations, lift the blockade of Gaza, ensure the supply of

essential humanitarian materials to Gaza, desist from evicting Palestinians or demolishing their homes, and dismantle all Israeli settlements in the West Bank and East Jerusalem. The Palestinian Authority should fulfil its obligation under the Palestinian Basic Law and international human rights and humanitarian laws, investigate allegations of human rights violations committed by its forces or agents, and carry out a campaign to raise awareness and prevent crimes against women committed in the name of honour.

In a further report covering the period from 4 February to 30 November [A/HRC/16/71], the High Commissioner said that serious violations of international human rights law had occurred due to acts or omissions by Israel, as well as by the Palestinian Authority and the de facto authorities in Gaza. Those included arbitrary detention, torture, use of the death penalty, restrictions on movement, breach of self-determination rights, demolition of property and arrests and detention of children. The human rights situation in East Jerusalem worsened, in particular due to frequent violence by Israeli settlers, the demolition or occupation of Palestinian homes, limited access for Palestinians to the Al-Aqsa Mosque and arbitrary detention by Israeli security forces. OHCHR had received reports that the Israeli police had increased arrests of children in the Silwan neighbourhood of Jerusalem, mostly arrested late at night and charged with threatening Israeli security. Military Orders Nos. 1649 and 1650 appeared to authorize the Israel Defense Forces to detain, prosecute, imprison and forcibly transfer an undefined number of people from the West Bank, in breach of multiple rights. The High Commissioner recommended that Israel lift the blockade of Gaza, bring policies and practices regarding the detention of persons from the Occupied Territory into compliance with the Fourth Geneva Convention, clarify restrictions on freedom of movement inside Gaza, end the demolition of Palestinian homes, desist from building settlements and facilitate access to religious sites in East Jerusalem. Israel should investigate and prosecute violent acts perpetrated by Israeli settlers, bring policies and practices regarding the arrest and detention of children into compliance with international legal obligations and ensure the freedoms of association and expression. The de facto authorities in Gaza should end the launching of rockets and mortars toward Israel by armed groups active in Gaza, abolish the use of the death penalty and refrain from carrying out torture and cruel, inhuman or degrading treatment.

Human Rights Council action. On 24 March [A/HRC/13/56 (res. 13/6)], the Council, by a recorded vote of 45 to 1, reaffirmed the right of the Palestinian people to self-determination, including their right to establish a sovereign, independent and democratic State. The Council reaffirmed its support for the solution of two States, Palestine

and Israel, living side by side in peace and security; stressed the need for preserving the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory, including East Jerusalem; and urged Member States and UN system bodies to assist the Palestinian people in realizing their right to self-determination.

On the same day [res. 13/7], the Council, by a recorded vote of 46 to 1, urged Israel to reverse the settlement policy in the Occupied Territories, including East Jerusalem and the Syrian Golan, and, as a first step towards their dismantlement, to stop the expansion of settlements. The Council urged the parties to give renewed impetus to the peace process.

On the same day [res. 13/8], the Council, by a recorded vote of 31 to 9, with 7 abstentions, expressed concern at the illegal actions by Israel undermining the sanctity and inviolability of religious sites in the Occupied Territory, in particular in Jerusalem, and condemned all forms of violence against civilians. The Council demanded that Israel end its occupation of Palestinian land, end all military attacks and operations in the Occupied Territory, and cease all diggings and excavation works beneath and around the Al-Aqsa Mosque and other religious sites in Jerusalem. Israel should stop its illegal demolition of Palestinian houses in East Jerusalem, lift the siege imposed on the Gaza Strip, open all borders and crossing points and allow free access to fuel, medicine, materials and equipment needed for the reconstruction of Gaza.

Reports of Special Rapporteur. In accordance with a Human Rights Council request [YUN 2007, p. 827], the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Richard Falk (United States), in August submitted a report [A/65/331] focusing on the impact of Israeli policies in the West Bank and East Jerusalem arising from prolonged occupation, which exhibited features of colonialism and apartheid, as well as transforming a de jure condition of occupation into a circumstance of de facto annexation. Attention was also devoted to concerns involving settlement growth in the West Bank and East Jerusalem, the problems posed by the continued construction of the separation wall, issues of collective punishment, and a variety of other human rights concerns, including concern over the health-related and other adverse impacts of the continuing blockade of the 1.5 million residents of Gaza, the flotilla incident of 31 May (see p. 439) and the effort to assess whether Israel and the Palestinian authorities had adequately investigated war crimes allegations arising from the Gaza conflict of 2008–2009. There were 121 Israeli settlements and approximately 102 “outposts” with a population of more than 462,000—with 271,400 settlers living in the West Bank and 191,000 in East Jerusalem. The Rapporteur stressed that Palestinian legal rights must

be respected in all attempts at a peaceful resolution of the conflict between the two peoples. The United Nations should lend its support to the worldwide boycott, divestment and sanctions campaign, so long as Israel unlawfully occupied Palestinian territories, and should endorse a non-violent “legitimacy war”, as an alternative to both failed peace negotiations and armed struggle, as the best available means of promoting Palestinian rights.

The General Assembly took note of that report on 21 December (**decision 65/536**).

In a further report [A/HRC/16/72], covering developments up to December, the Rapporteur documented the continuing expansion of settlements, the de facto annexation of East Jerusalem, expulsions from East Jerusalem as a means to annexation, the dual system of roads in the West Bank, international complicity in perpetuating the occupation, continuation of the Gaza blockade and abuse of children by Israeli authorities. The Rapporteur called for: efforts to have the International Court of Justice assess allegations that the occupation possessed elements of “colonialism”, “apartheid” and “ethnic cleansing”; efforts to attach legal consequences to the failure by Israel to end the blockade of the Gaza Strip; and measures to protect Palestinian children from illegal detention.

Occupied Syrian Golan. Pursuant to a Human Rights Council resolution on human rights in the occupied Syrian Golan [YUN 2009, p. 786], the Secretary-General in March submitted information [A/HRC/13/52] provided by five Governments (Algeria, Egypt, Morocco, Pakistan, Syrian Arab Republic) on their policy on the Golan.

On 24 March [A/HRC/13/56 (res. 13/5)], the Council, by a recorded vote of 31 to 1, with 15 abstentions, called on Israel to desist from the building of settlements, from the imposition of Israeli citizenship and identity cards on Syrian citizens in the occupied Syrian Golan and from repressive measures against them. Israel should allow the Syrian population of the occupied territory to visit their relatives in Syria through the Quneitra checkpoint and rescind its decision to prohibit those visits. Israel should release the Syrian detainees held in Israeli prisons and allow the International Committee of the Red Cross to visit prisoners to assess their health. The Secretary-General was requested to report on the matter to the Council in 2011.

Pursuant to that resolution, the Secretary-General in December [A/HRC/16/25] submitted information provided by three countries (Argentina, Democratic People’s Republic of Korea, Syria) on their implementation of the resolution.

Communication. On 5 August [A/HRC/15/G/1], Syria forwarded a letter on recent provocations and human rights violations in the occupied Syrian Golan, namely the arrest of Syrian citizens on false accusations.

Attacks against humanitarian flotilla

Human Rights Council action. On 2 June [A/HRC/14/37 (res. 14/1)], the Council, by a recorded vote of 32 to 3, with 9 abstentions, condemned the attack by Israeli forces against the flotilla of ships carrying humanitarian assistance (see p. 439), deplored the loss of life of innocent civilians and expressed sympathy and condolences to the victims and their families. The Council called on Israel to cooperate with the international community to seek and provide information on the whereabouts and condition of detained and injured persons, release all detained men and material and facilitate their return to their homelands. Israel should lift the siege on Gaza and ensure the unimpeded provision of humanitarian assistance. The Council decided to dispatch an independent international fact-finding mission to investigate violations of international law, including international humanitarian and human rights laws, resulting from the Israeli attacks on the flotilla.

Report of fact-finding mission. In a report issued in September [A/HRC/15/21], the international fact-finding mission described the events leading up to the interception on 31 May of the flotilla bound for Gaza, as well as the interception of a seventh ship on 6 June, the deaths of nine passengers and the wounding of many others, the detention of passengers in Israel and their deportation. The report concluded that the Israeli forces had committed violations of international humanitarian and human rights laws during the interception of the flotilla and during the detention of passengers in Israel prior to deportation. The firing of rockets and other munitions of war into Israeli territory from Gaza constituted serious violations of international law. But any response which constituted collective punishment of the civilian population in Gaza was not lawful in any circumstances. The conduct of the Israeli military towards the flotilla passengers was not only disproportionate but demonstrated levels of unnecessary and incredible violence. Those acts resulted in several offences: wilful killing, torture and inhumane treatment, and wilfully causing great suffering or serious injury to body or health, as well as violations of the right to life, right to liberty and security, right of detainees to be treated with humanity, and freedom of expression. The mission expressed the hope that Israel would identify the perpetrators of the more serious crimes and that those who suffered loss would be compensated.

Human Rights Council action. On 29 September [A/HRC/15/60 (res. 15/1)], the Council, by a recorded vote of 30 to 1, with 15 abstentions, welcomed the report of the international fact-finding mission, regretted the non-cooperation by Israel with the mission, endorsed the report's conclusions and called upon

all parties to ensure their implementation. The High Commissioner was requested to report to the Council in 2011.

Report of High Commissioner. In December [A/HRC/16/73], the High Commissioner provided information on follow-up to the report of the fact-finding mission. Turkey had expressed its interest in ensuring accountability for the violations of international law committed in the context of the attack on the flotilla, and regretted Israel's lack of cooperation with the international fact-finding mission.

Follow-up to 2009 Fact-Finding Mission on Gaza Conflict

Report of Secretary-General. Pursuant to General Assembly resolution 64/10 [YUN 2009, p. 785], the Secretary-General in February reported [A/64/651] on the follow-up to the report of the United Nations Fact-Finding Mission on the Gaza Conflict [YUN 2009, p. 783], providing the replies of Israel, Palestine and Switzerland on the implementation of that resolution. The Secretary-General noted that the process initiated by Israel, Palestine and Switzerland was ongoing, and no determination could be made on their implementation of the resolution.

GENERAL ASSEMBLY ACTION

On 26 February [meeting 72], the General Assembly adopted **resolution 64/254** [draft: A/64/L.48 & Add.1] by recorded vote (98-7-31) [agenda item 64].

Second follow-up to the report of the United Nations Fact-Finding Mission on the Gaza Conflict

The General Assembly,

Recalling its relevant resolutions, including resolution 64/10, adopted on 5 November 2009, in follow-up to the report of the United Nations Fact-Finding Mission on the Gaza Conflict,

Recalling also the relevant rules and principles of international law, including international humanitarian and human rights law, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, which is applicable to the Occupied Palestinian Territory, including East Jerusalem,

Recalling further the Universal Declaration of Human Rights and the other human rights covenants, including the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the Convention on the Rights of the Child,

Reaffirming the obligation of all parties to respect international humanitarian law and international human rights law,

Reiterating the importance of the safety and well-being of all civilians, and reaffirming the obligations under international law regarding the protection of civilians in armed conflict,

Stressing the need to ensure accountability for all violations of international humanitarian law and international human rights law in order to prevent impunity, ensure justice, deter further violations and promote peace,

Convinced that achieving a just, lasting and comprehensive settlement of the question of Palestine, the core of the Arab-Israeli conflict, is imperative for the attainment of a comprehensive, just and lasting peace and stability in the Middle East,

1. *Takes note* of the report of the Secretary-General of 4 February 2010, submitted pursuant to paragraph 6 of its resolution 64/10;

2. *Reiterates its call upon* the Government of Israel to conduct investigations that are independent, credible and in conformity with international standards into the serious violations of international humanitarian and international human rights law reported by the United Nations Fact-Finding Mission on the Gaza Conflict, towards ensuring accountability and justice;

3. *Reiterates its urging* for the conduct by the Palestinian side of investigations that are independent, credible and in conformity with international standards into the serious violations of international humanitarian and international human rights law reported by the Fact-Finding Mission, towards ensuring accountability and justice;

4. *Reiterates its recommendation* to the Government of Switzerland, in its capacity as depositary of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, to reconvene as soon as possible a Conference of High Contracting Parties to the Fourth Geneva Convention on measures to enforce the Convention in the Occupied Palestinian Territory, including East Jerusalem, and to ensure its respect in accordance with article 1, bearing in mind the convening of such a Conference and the statement adopted on 15 July 1999 as well as the reconvening of the Conference and the declaration adopted on 5 December 2001;

5. *Requests* the Secretary-General to report to the General Assembly, within a period of five months, on the implementation of the present resolution, with a view to the consideration of further action, if necessary, by the relevant United Nations organs and bodies, including the Security Council;

6. *Decides* to remain seized of the matter.

RECORDED VOTE ON RESOLUTION 64/254:

In favour: Algeria, Andorra, Argentina, Austria, Azerbaijan, Bahrain, Bangladesh, Belgium, Belize, Bolivia, Bosnia and Herzegovina, Brazil, Brunei Darussalam, Cambodia, Chile, China, Congo, Costa Rica, Cuba, Cyprus, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Estonia, Finland, France, Gabon, Greece, Iceland, India, Indonesia, Iran, Iraq, Ireland, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Monaco, Mongolia, Morocco, Mozambique, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Paraguay, Peru, Portugal, Qatar, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Serbia, Singapore, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, United Arab Emirates, United Kingdom, Uruguay, Venezuela, Viet Nam, Yemen, Zimbabwe.

Against: Canada, Israel, Micronesia, Nauru, Panama, the former Yugoslav Republic of Macedonia, United States.

Abstaining: Albania, Australia, Belarus, Bulgaria, Burkina Faso, Burundi, Colombia, Côte d'Ivoire, Croatia, Czech Republic, Georgia, Germany, Guatemala, Hungary, Italy, Latvia, Liberia, Lithuania, Mexico, Montenegro, Netherlands, Papua New Guinea, Poland, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Slovakia, Ukraine.

Report of Secretary-General. In March [A/HRC/13/55], pursuant to a Human Rights Council request [YUN 2009, p. 785], the Secretary-General reported on the implementation of the recommendations contained in the report of the United Nations Fact-Finding Mission.

Human Rights Council action. On 25 March [A/HRC/13/56 (res. 13/9)], the Council, by a recorded vote of 29 to 6, with 11 abstentions, called upon all parties to implement the recommendations of the United Nations Fact-Finding Mission. In the context of the follow-up to the report of the Mission, the Council established a Committee of independent experts in international humanitarian and human rights laws to monitor and assess any domestic, legal or other proceedings undertaken by the Government of Israel and the Palestinian side, in the light of General Assembly resolution 64/254 (see p. 786), including the independence, effectiveness and genuineness of those investigations and their conformity with international standards. The Council requested the Committee, the High Commissioner and the Secretary-General to report to the Council in 2011.

Reports of High Commissioner. In August [A/HRC/15/52], the High Commissioner provided information on the implementation of Council resolution 13/9 (see above).

In October [A/HRC/15/52/Add.1], the High Commissioner reported on the advice provided by the Office of Legal Affairs on the modalities for establishing an escrow fund pursuant to Council resolution 13/9.

Reports of Secretary-General. In August [A/64/890], pursuant to Assembly resolution 64/254, the Secretary-General submitted a second follow-up to the report of the Fact-Finding Mission. Annexed to the report were materials provided by Israel, Palestine and Switzerland.

In a September report [A/HRC/15/51] and a later report [A/HRC/16/28], the Secretary-General provided information on the implementation of the recommendations of the Fact-Finding Mission as of 8 December.

Report of Committee of independent experts. In September [A/HRC/15/50], the Committee of independent experts in international humanitarian and human rights laws reported that, due to a lack of cooperation from Israel, its bases of information were insufficient for a definitive assessment. Consequently, the Committee was not in a position to es-

establish whether the investigations carried out by Israel met international standards. The Committee pointed out that the dual role of Israel's Military Advocate General to provide legal advice to the Israel Defense Forces with respect to the planning and execution of "Operation Cast Lead" and to prosecute alleged misconduct by soldiers during the operation raised a conflict of interest. There was no indication that Israel had opened investigations into the actions of those who designed, planned, ordered and oversaw "Operation Cast Lead". Israel had not met its duty to investigate the report's charge that officials at the highest levels were complicit in violations.

The Independent Investigation Commission established by the Palestinian Authority had carried out a careful and detailed inquiry into the allegations addressed to the Palestinian Authority. Its report alleged that serious violations were committed by public officials in the West Bank. The Committee concluded that the investigation conformed to international standards and could be considered credible and genuine.

The de facto authorities in Gaza had established two committees of inquiry. The report of the first committee, made up of officials of the de facto Gaza

authorities, made no serious effort to address the allegations against the de facto authorities and focused on the allegations directed against Israel. The second report, prepared by three national and three international legal experts, provided some information about the actual measures taken to redress the alleged violations, but did not substantiate assertions that all political prisoners had been released and criminal prosecutions had taken place. The Committee could not conclude that the de facto authorities in Gaza had carried out credible and genuine investigations.

Human Rights Council action. On 29 September [A/HRC/15/60 (res. 15/6)], the Council, by a recorded vote of 27 to 1, with 19 abstentions, urged the Palestinian Independent Investigation Commission to complete its investigations about the allegations relating to the Gaza Strip made by the Fact-Finding Mission, and urged Israel to complete investigations into the serious violations reported by the Mission. The Council renewed the mandate of the Committee of independent experts and requested it to report to the Council in 2011. The High Commissioner was requested to report in 2011 on the implementation of the resolution.

PART THREE

Economic and social questions

Development policy and international economic cooperation

Five years away from the agreed target date of 2015 for achieving the Millennium Development Goals (MDGs), progress in poverty reduction was unbalanced across regions and threatened in some parts of the world. Despite the financial and economic crisis, the momentum of economic growth in developing countries was strong enough to sustain progress on poverty and to put the world on track to meet the poverty reduction target.

A number of initiatives were under way with a view to accelerating progress towards the MDGs and other internationally agreed development goals. The UN system was advancing the implementation of its nine joint crisis initiatives designed to help countries weather and recover from the economic crisis. A plan of action for the Second United Nations Development Decade for the Eradication of Poverty (2008–2017) sought to contribute to a system-wide response to the economic crisis and its impact. At the High-level Plenary Meeting of the General Assembly on MDGs in September, world leaders put forward a road map outlining what was needed to meet the goals by 2015.

The Economic and Social Council focused on a broad range of issues relevant to the implementation of the UN development agenda. The Commission on Sustainable Development reviewed progress in the follow-up to the 2002 World Summit on Sustainable Development and implementation of Agenda 21, the action plan on sustainable development adopted by the 1992 United Nations Conference on Environment and Development.

The Commission's session took place at a crucial time, as the international community was preparing for several high-level meetings, including the High-Level Plenary Meeting on the MDGs, the High-Level Event on a Five-Year Review of the Implementation of the Mauritius Strategy, the High-level Event on Biodiversity, as well as the United Nations Conference on Sustainable Development to be held in 2012, and the Fourth United Nations Conference on the Least Developed Countries (LDC-IV) scheduled in 2011.

The Commission on Science and Technology for Development conducted a five-year review of progress made in the follow-up to the 2003–2005 World Summit on the Information Society. The Committee for Development Policy addressed the impact of global crises on gender equality and the empowerment of

women; the international support measures available for least developed countries (LDCs); and UN system support for small island developing States. The Committee of Experts on Public Administration dealt with a review of the United Nations Programme in Public Administration and Finance.

The special problems of the 49 countries designated as least developed were considered in connection with the implementation of the Brussels Declaration and Programme of Action for the Least Developed Countries for the Decade 2001–2010 and preparations for LDC-IV. The Committee for Development Policy found that Equatorial Guinea and Maldives were on the path of smooth transition to post-LDC status. Samoa had suffered considerable human and economic losses from the September 2009 Pacific Ocean tsunami, and its economic outlook remained uncertain.

Implementation of the Almaty Programme of Action, which addressed the needs of landlocked developing countries, was reviewed by the General Assembly at its 2010 regular session as well as at the Ninth Annual Ministerial Meeting in September on the sidelines of the Assembly session. In September, the General Assembly conducted a high-level review to assess progress made in addressing the problems of small island development States.

International economic relations

Development and international economic cooperation

International economic cooperation was considered in 2010 by a number of UN bodies, including the General Assembly and the Economic and Social Council. The Assembly, by **decision 65/525** of 20 December, took note of the report of the Second (Economic and Financial) Committee [A/65/434 & Add.1–3] on macroeconomic policy questions, specifically international trade and development, the international financial system and development, and external debt sustainability and development.

At the general segment of its 2010 session, the Council had before it the Secretary-General's report on regional cooperation in the economic, social and

related fields [E/2010/15 & Add.1], submitted in response to Assembly resolution 1823(XVII) [YUN 1962, p. 266] and Council resolution 1817(LV) [YUN 1973, p. 449]. The report examined how the different regions were affected by and responded to the global economic and financial crisis, and highlighted lessons learned and how Governments could apply those lessons in order to avoid further impacts from the crises, including on the achievements of the MDGs (see p. 968).

High-level segment of Economic and Social Council

The high-level segment of the substantive session of the Economic and Social Council was held from 28 June to 2 July. It focused on a broad range of issues relevant to the implementation of the UN development agenda. At the annual ministerial review (28 June–1 July), the Council discussed progress made towards implementation of the UN development agenda and on concrete initiatives to accelerate the process, with a special focus on the goals and targets related to gender equality and the empowerment of women. Thirteen countries reported on progress made towards the goals and targets of the UN development agenda. The Development Cooperation Forum (29–30 June) discussed trends in international development cooperation, with a focus on the following aspects: promoting greater coherence; accountable and transparent development cooperation; the role of various forms of cooperation, including South-South and triangular cooperation; the impact of multiple crises; and achieving the MDGs by 2015. At the high-level policy dialogue on 2 July, the executive heads of international financial and trade institutions discussed the state of the world economy and its implications for the achievement of the UN development agenda.

Development Cooperation Forum. On 29 and 30 June, as part of its high-level segment, the Council held the second biennial Development Cooperation Forum. In preparation of the Forum, Austria presented the report [E/2010/98] of a High-level Symposium on the theme “Accountable and transparent development cooperation: towards a more inclusive framework” (Vienna, 12–13 November 2009).

Opening the Forum, the Council President said that the global economic landscape and the global aid architecture had both changed dramatically since the first Development Cooperation Forum in 2008 [YUN 2008, p. 902]. In that new context, the Forum had a unique value as a universal and authoritative platform for dialogue. It offered an opportunity to enhance the effectiveness and coherence of development cooperation in the regions that most needed assistance, as well as in countries with pockets of poverty or in fragile and post-conflict situations,

and to develop recommendations for achieving the MDGs on the basis of better development cooperation. A summary of the discussions held during the Forum would serve as an input for the negotiations at the High-level Plenary Meeting on MDGs in September (see p. 813), as well as for the Fourth High-level Forum on Aid Effectiveness, to be held in Seoul, Republic of Korea, in 2011.

The Forum considered a June report [E/2010/93] of the Secretary-General on trends and progress in international development cooperation, as requested by General Assembly resolution 61/16 [YUN 2006, p. 1589]. The report summarized progress in the implementation of certain aspects of the global partnership for development and discussed coherence in policies in both developed and developing countries. The report found that crucial development gains made over the past decade or more were beginning to erode as a result of the fundamental change in the global economic environment, which had brought with it a deep economic crisis, increased food insecurity, oil price volatility and climate change. Most areas of the global partnership for development were not living up to expectations and, without measures across the board, development cooperation would have limited impact.

Despite the atmosphere of anxiety and austerity in the global economy, development aid had risen in 2009 and most donors were expected to meet 2010 aid targets. Some countries not members of the Development Assistance Committee (DAC) of the Organization for Economic Cooperation and Development (OECD), many of them developing countries, were playing a critical role in delivering support to some of the poorest countries. Increasing support was also coming from foundations, private charities and civil society organizations, but some donors were well short of global commitments and many were likely to renege on pledges to sub-Saharan Africa. Some good work had been done on coherence procedures, but overall progress among OECD-DAC members had been weak and more political engagement was needed. Policies had to support progress towards the MDGs. In order for donors to make larger commitments, they needed clear and reliable information about aid operations and impact on the ground, while recipient countries needed guidance and technical assistance from donors if they were to improve their accountability procedures. The report recommended annual progress assessment, creation of a focal point to share best-practice lessons and full funding of the most useful mechanisms.

In November [E/2010/104], Finland presented to the Council's resumed substantive session the report of the Development Cooperation Forum High-level Symposium on the theme “Coherent development cooperation: maximizing impact in a changing world” (Helsinki, Finland, 3–4 June).

On 30 June, the Council held a special policy dialogue on “The role of women in countries in special situations” in the context of its discussion on the theme “Current global and national trends and challenges and their impact on gender equality and empowerment of women”. On 28 and 30 June and 1 July, the Council held its annual ministerial meeting on the theme “Implementing the internationally agreed goals and commitments in regard to gender equality and empowerment of women”, in accordance with Council decision 2008/258 [YUN 2008, p. 1268]. On 30 June, the Under-Secretary-General for Economic and Social Affairs introduced the report of the Secretary-General under the item [E/2010/4-E/CN.6/2010/2] (see p. 1134). On 2 July, the Council adopted a Ministerial Declaration [E/2010/L.8] of the high-level segment, entitled “Implementing the internationally agreed goals and commitments in regard to gender equality and empowerment of women” (see p. 1136). Also on 2 July, the Council held a high-level policy dialogue with international financial and trade institutions of the UN system on current developments in the world economy.

Communications. On 2 February [A/64/674], Kazakhstan transmitted to the Secretary-General the annual address by President Nursultan Nazarbayev on the implementation of the country’s development strategy until 2020. On 10 March [E/2010/47], Ghana presented to the President of the Council, as a contribution to the annual ministerial review and the Development Cooperation Forum, the Chair’s summary of the discussion of the Commission for Social Development (see p. 1072) on “Emerging issues: policy responses on employment and the social consequences of the financial and economic crisis, including its gender dimension”. On 24 August [A/65/336], Brazil transmitted to the President of the General Assembly a summary report on the conclusions reached at a forum held on the margins of the 2010 Council session, entitled “Feed minds, change lives: school feeding, the Millennium Development Goals and girls’ empowerment”. On 29 September [A/65/486], Yemen transmitted the Ministerial Declaration, adopted at the thirty-fourth annual meeting of Ministers for Foreign Affairs of the Group of 77 and China (New York, 28 September), which highlighted the need for a substantive and comprehensive reform of the international economic and financial system and architecture.

Globalization and interdependence

In response to General Assembly resolution 64/209 [YUN 2009, p. 794], the Secretary-General submitted an August report [A/65/272] which reviewed the major international economic and policy challenges for eq-

uitable and inclusive sustained economic growth and sustainable development, and the role of the United Nations in addressing these issues in the light of the New International Economic Order declared by the Assembly at its sixth special session [YUN 1974, p. 306]. The report examined the effects of globalization, which had created increasing interdependence, with tremendous opportunities for innovation as well as serious challenges in the uneven distribution of benefits and costs. That heightened the risk of social, economic and environmental shocks spreading from one country to another with adverse effects and increased economic insecurity. The poorest and most vulnerable population of developing countries, in particular, had borne the brunt of external shocks. The transmission of shocks—through channels of reduced trade, remittances, investment and financial flows—had exacerbated inequities associated with globalization, jeopardizing development and human welfare. With aid flows also declining, impacts had been even more devastating for low-income countries and the poor.

The challenge was to realize the potential benefits of globalization while minimizing the considerable costs, risks and vulnerabilities it had created. Nevertheless, the global crises had also provided a rare opportunity for the international community to guide the world economy onto the path of more sustainable economic growth and recovery by simultaneously addressing the problems of food and energy insecurity, climate change and the developmental aspirations of developing countries. That goal could be achieved through inclusive multilateralism and equitable participation of all countries, both developed and developing, as envisioned in the Declaration and the Programme of Action on the Establishment of a New International Economic Order.

GENERAL ASSEMBLY ACTION

On 20 December [meeting 69], the General Assembly, on the recommendation of the Second Committee [A/65/438/Add.1], adopted **resolution 65/168** without vote [agenda item 22 (a)].

Role of the United Nations in promoting development in the context of globalization and interdependence

The General Assembly,

Recalling its resolutions 62/199 of 19 December 2007, 63/222 of 19 December 2008 and 64/210 of 21 December 2009 on the role of the United Nations in promoting development in the context of globalization and interdependence,

Recalling also the Monterrey Consensus of the International Conference on Financing for Development and the Doha Declaration on Financing for Development: outcome document of the Follow-up International Conference on Financing for Development to Review the Implementation of the Monterrey Consensus,

Recalling further its resolution 63/303 of 9 July 2009 entitled “Outcome of the Conference on the World Financial and Economic Crisis and Its Impact on Development”,

Recalling the outcome document of the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals,

Recalling also its resolution 63/199 of 19 December 2008, in which it took note with interest of the adoption of the International Labour Organization Declaration on Social Justice for a Fair Globalization,

Recalling further the 2005 World Summit Outcome and all its relevant resolutions in the economic, social and related fields, in particular those that have built upon the 2005 World Summit Outcome, including its resolution 60/265 of 30 June 2006 entitled “Follow-up to the development outcome of the 2005 World Summit, including the Millennium Development Goals and the other internationally agreed development goals”,

Reaffirming the central role of the United Nations in promoting international cooperation for development and policy coherence on global development issues, including in the context of globalization and interdependence,

Reaffirming also the resolve expressed in the United Nations Millennium Declaration to ensure that globalization becomes a positive force for all,

Recognizing that globalization and interdependence imply that the economic performance of a country is increasingly affected by factors outside its geographical borders and that maximizing in an equitable manner the benefits of globalization requires responses to globalization to be developed through a strengthened global partnership for development to achieve the internationally agreed development goals, including the Millennium Development Goals,

Reaffirming its strong support for fair and inclusive globalization and the need to translate growth into poverty reduction and, in this regard, its resolve to make the goals of full and productive employment and decent work for all, including for women and young people, a central objective of relevant national and international policies as well as national development strategies, including poverty reduction strategies, as part of efforts to achieve the Millennium Development Goals,

1. *Recognizes* that some countries have successfully adapted to the changes and have benefited from globalization but that many others, especially the least developed countries, have remained marginalized in the globalizing world economy, and recognizes also that, as stated in the United Nations Millennium Declaration, the benefits are unevenly shared, while the costs are unevenly distributed;

2. *Reaffirms* the need for the United Nations to play a fundamental role in the promotion of international cooperation for development and the coherence, coordination and implementation of development goals and actions agreed upon by the international community, and resolves to strengthen coordination within the United Nations system in close cooperation with all other multilateral financial, trade and development institutions in order to support sustained economic growth, poverty eradication and sustainable development;

3. *Recognizes* that the scaling up of successful strategies, policies and approaches in the implementation and the achievement of the Millennium Development Goals needs

to be complemented by a strengthened global partnership for development;

4. *Reaffirms* the need to strengthen the central role of the United Nations in enhancing the global partnership for development, with a view to creating a supportive global environment for the attainment of the Millennium Development Goals, including by accelerating efforts to deliver and fully implement existing global partnership for development commitments;

5. *Stresses* that subregional, regional and interregional cooperation plays an important role in helping developing countries to integrate into the global economy and to achieve their development objectives and the Millennium Development Goals as well as in promoting the global partnership for development;

6. *Recognizes* that the increasing interdependence of national economies in a globalizing world and the emergence of rules-based regimes for international economic relations have meant that the space for national economic policy, that is, the scope for domestic policies, especially in the areas of trade, investment and international development, is now often framed by international disciplines, commitments and global market considerations and that it is for each Government to evaluate the trade-off between the benefits of accepting international rules and commitments and the constraints posed by the loss of policy space;

7. *Notes with concern* the continuing high levels of unemployment as a consequence of the global financial and economic crisis, recognizes that decent work remains one of the best routes out of poverty, and in this regard invites donor countries, multilateral organizations and other development partners to continue to assist Member States, in particular developing countries, in adopting policies consistent with the Global Jobs Pact adopted by the International Labour Conference at its ninety-eighth session, as a general framework within which each country can formulate policy packages specific to its situation and national priorities in order to promote a job-intensive recovery and sustainable development;

8. *Recognizes* that policies which link economic development and social development can contribute to reducing inequalities within and among countries with a view to guaranteeing that the poor and those living in the most vulnerable situations maximize their benefits from economic growth and development;

9. *Underlines* the fact that, in addressing the linkages between globalization and sustainable development, a particular focus should be placed on identifying and implementing mutually reinforcing policies and practices that promote sustained, inclusive and equitable economic growth and sustainable development and that this may benefit from efforts to improve policy coherence for development at the national, regional and international levels;

10. *Stresses* the need for all countries to harness knowledge and technology and to stimulate innovation if they are to improve their competitiveness, benefit from trade and investment and promote sustainable development, and in this regard underlines the importance of concrete actions to promote the development and dissemination of appropriate, affordable and sustainable technologies and the transfer of such technologies on fair, transparent and mutually agreed terms to developing countries in support of the implementation of their development strategies;

11. *Requests* the Secretary-General to submit to the General Assembly at its sixty-sixth session a report on the theme “Globalization and interdependence: sustained, inclusive and equitable economic growth for a fair and more equitable globalization for all, including job creation”;

12. *Decides* to include in the provisional agenda of its sixty-sixth session, under the item entitled “Globalization and interdependence”, the sub-item entitled “Role of the United Nations in promoting development in the context of globalization and interdependence”.

Also on 20 December, the Assembly, by **decision 65/526**, took note of the Secretary-General’s report.

New International Economic Order

The Secretary-General in an August report [A/65/272] on major economic and policy challenges for equitable and inclusive sustained economic growth and sustainable development, and the role of the United Nations in addressing these issues, said the world was witnessing the transformation of the international economic order, but hardly along the lines proposed by the 1974 New International Economic Order. The United Nations Development Agenda, derived from United Nations world conferences and summits since the 1990s, reflected some of the spirit of the New International Economic Order and aimed to achieve “development for all”.

GENERAL ASSEMBLY ACTION

On 20 December [meeting 69], the General Assembly, on the recommendation of the Second Committee [A/65/438], adopted **resolution 65/167** by recorded vote [126-1-52] [agenda item 22].

Towards a New International Economic Order

The General Assembly,

Bearing in mind the purposes and principles of the Charter of the United Nations to promote the economic advancement and social progress of all peoples,

Recalling the principles of the Declaration on the Establishment of a New International Economic Order and the Programme of Action on the Establishment of a New International Economic Order, as set out in resolutions 3201(S-VI) and 3202(S-VI), respectively, adopted by the General Assembly at its sixth special session, on 1 May 1974,

Recalling also its resolutions 63/224 of 19 December 2008 and 64/209 of 21 December 2009,

Reaffirming the United Nations Millennium Declaration,

Recalling the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals and its outcome document,

Recalling also the outcomes of the major United Nations conferences and summits in the economic, social and related fields, including the development goals and objectives contained therein, and recognizing the vital role played by those conferences and summits in shaping a broad development vision and in identifying commonly agreed objectives,

Stressing the need to fulfil all financing for development commitments, including those contained in the Monterrey Consensus of the International Conference on Financing for Development, the Doha Declaration on Financing for Development: outcome document of the Follow-up International Conference on Financing for Development to Review the Implementation of the Monterrey Consensus and other relevant outcomes of major United Nations conferences and summits,

Concerned about the multiple interrelated and mutually exacerbating current global crises, in particular the world financial and economic crisis, volatile energy prices, the food crisis and the challenges posed by climate change, which have a negative impact on the development prospects of developing countries, threaten to further widen the gap between developed and developing countries, including the technological and income gap, and could further undermine the achievement of the internationally agreed development goals, including the Millennium Development Goals,

Underlining the need for a more sustainable economic growth and recovery, and recognizing that this goal can be achieved through inclusive multilateralism and the equal participation of all countries, as envisioned, *inter alia*, in the Declaration and the Programme of Action,

Recognizing that innovative and enhanced approaches to financing for development are needed to address the challenges posed by the current global economic situation, poverty and the achievement of the internationally agreed development goals, including the Millennium Development Goals, and stressing that these new approaches should neither be a substitute for nor negatively affect the level of traditional sources of development financing, including official development assistance, and that they need to be developed in a spirit of partnership, cooperation and solidarity, bearing in mind the common interests and national priorities of each country,

Recognizing also that many relevant principles contained in the Declaration and the Programme of Action have not been fully realized and that enhanced efforts are needed to minimize the negative effects of globalization on developing countries and to ensure that it works as a positive force for all, in particular for developing countries,

Recognizing further that widespread financial deregulation has contributed to larger net capital outflows from developing countries to developed countries,

Stressing the need for policy space to allow the formulation of national development strategies by developing countries, aimed at bringing prosperity for all,

Reaffirming the need to enhance the voice and participation of developing countries in international economic decision-making and norm-setting,

1. *Takes note* of the report of the Secretary-General entitled “An overview of the major international economic and policy challenges for equitable and inclusive sustained economic growth and sustainable development and of the role of the United Nations in addressing these issues in the light of the New International Economic Order”;

2. *Reaffirms* the need to continue working towards a new international economic order based on the principles of equity, sovereign equality, interdependence, common interest, cooperation and solidarity among all States;

3. *Decides* to continue considering the international economic situation and its impact on development, and in that regard requests the Secretary-General to include in his report to the General Assembly at its sixty-seventh session, under the item entitled “Globalization and interdependence”, an updated overview of the major international economic and policy challenges for equitable and inclusive sustained economic growth and sustainable development and of the role of the United Nations in addressing these issues, as well as possible ways and means to overcome those challenges, bearing in mind the outcomes of the major United Nations conferences and summits in the economic, social and related fields and the principles contained therein, in the light of the relevant principles contained in the Declaration on the Establishment of a New International Economic Order and the Programme of Action on the Establishment of a New International Economic Order.

RECORDED VOTE ON RESOLUTION 65/167:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cameroon, Cape Verde, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Bosnia and Herzegovina.

Abstaining: Albania, Andorra, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Gabon, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom, United States.

New global human order

In an October report [A/65/483], submitted in accordance with General Assembly resolution 62/213 [YUN 2007, p. 839], the Secretary-General reviewed the key features of the new global human order that was first discussed in the Assembly at its 2000 ses-

sion [YUN 2000, p. 782]. The new global human order was intended to promote multilateral approaches to global problems through integrating the economic, environmental, social, cultural and political aspects of development while highlighting its multidimensional character. The report pointed out the common elements that the new global human order shared with the Copenhagen Declaration [YUN 1996, p. 1007] and the UN Millennium Declaration adopted by Assembly resolution 55/2 [YUN 2000, p. 49]. It assessed the implications of inequality for development and reviewed trends in inequality, its causes and implications for economic and social development. The report concluded that there was strong evidence that economic policies such as financial liberalization, privatization and structural adjustment programmes had contributed to increases in income inequality. The promotion of decent and productive employment for all had been identified as a key instrument for addressing inequality within countries; in addition, the structural transformation of labour markets was essential to reduce inequality and poverty, and the transition from lower to higher productivity work required investment in education and training. Labour standards and regulations had to be strengthened if inequality were to be reduced, and policies ensuring that women and men had equal access to decent work and avenues of political participation and influence were essential in that regard.

A pro-poor growth agenda emphasizing agricultural productivity through investment in the agricultural sector could reduce inequality and poverty. Since the majority of the world's poor worked in agriculture, it was essential to increase wages in this sector. Radical land reform in the early phase of development could contribute significantly to the reduction of inequality as well as to the promotion of growth, thus ensuring “shared” growth.

Redistributive measures funded through progressive taxation were associated with greater equality, and redistributive policies such as minimum wages and policies funded through progressive taxation should be implemented. Universal social protection including basic health care, pensions and unemployment insurance could help to insulate those on the lowest level of the income distribution from the worst effects of poverty.

The international community might consider establishing a new international mechanism for equitable development that could support the international coordination of policies to address inequality. Currently, if a Government attempted to implement a new policy aimed at reducing inequality, it was likely to cause capital flight, with the end result of harming that country. Global policy coordination would help overcome that problem. Such coordination had

already been achieved by the United Nations Environment Programme and the World Trade Organization (WTO) in respect of environment and trade issues.

GENERAL ASSEMBLY ACTION

On 10 December [meeting 62], the General Assembly adopted **resolution 65/120** [draft: A/65/L.38 & Add.1] without vote [agenda item 16].

The role of the United Nations in promoting a new global human order

The General Assembly,

Recalling its resolutions 55/48 of 29 November 2000, 57/12 of 14 November 2002 and 62/213 of 21 December 2007,

Acknowledging that peace and security, development and human rights are the pillars of the United Nations system and the foundations for collective security and well-being and that development, peace and security and human rights are interlinked and mutually reinforcing,

Reaffirming that development is a central goal by itself and that sustainable development in its economic, social and environmental aspects constitutes a key element of the overarching framework of United Nations activities,

Recognizing that the well-being of people and the full development of their potential is pivotal to sustainable development, and convinced of the urgency of international cooperation towards that end,

Deeply concerned about persistent and considerable disparities between rich and poor, both within and among countries, and about the adverse implications of these disparities for the promotion of human development throughout the world,

Stressing the multidimensional nature of inequality and unequal access to social and economic opportunities and their complex interrelationship with efforts to eradicate poverty, promote sustained, inclusive and equitable growth and sustainable development, and the full enjoyment of human rights, especially for those people living in situations of vulnerability,

Concerned by the prevalence of gender inequality in various forms worldwide, which is often expressed in poorer outcomes for women relative to men on many social development indicators,

Considering that inequalities continue to pose major barriers to attaining the Millennium Development Goals and that efforts to achieve the internationally agreed development goals, including the Millennium Development Goals, often take inadequate account of the relationship and impact of inequality on economic and social development,

Recognizing the action already under way by all Member States, the United Nations system and other international, regional and national forums and organizations and the progress made to implement the internationally agreed development goals, including the Millennium Development Goals,

1. *Takes note* of the report of the Secretary-General on the implementation of the new global human order;

2. *Recalls* the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals and its outcome, which includes a broad-based consensus for action that needs to be further strengthened, within a comprehensive and holistic framework towards the achieve-

ment of the development goals involving all actors, namely Governments, the United Nations system and other international organizations and relevant actors of civil society, including the private sector, non-governmental organizations and other relevant stakeholders at all levels;

3. *Underscores* the continued relevance of the outcomes of all major United Nations conferences and summits in the economic, social and related fields and the commitments set out therein, including the Millennium Development Goals, which have raised awareness and continue to generate real and important development gains, have played a vital role in shaping a broad development vision and constitute the overarching framework for the development activities of the United Nations, and strongly reiterates its determination to ensure the timely and full implementation of those outcomes and commitments;

4. *Recognizes* that the increased pace of globalization and growing interdependence have heightened the importance of international cooperation and multilateralism in meeting global challenges and solving common problems, including those that have arisen from the uneven impact of globalization on development and human well-being;

5. *Emphasizes* the need to promote human well-being and the full realization of human potential;

6. *Reaffirms* that national ownership and leadership are indispensable in the development process and that there is no one-size-fits-all approach, and reiterates that each country has primary responsibility for its own economic and social development and that the role of national policies, domestic resources and development strategies cannot be overemphasized; domestic economies are now interwoven with the global economic system and, therefore, the effective use of trade and investment opportunities can help countries to fight poverty, and development efforts at the national level need to be supported by an enabling national and international environment that complements national actions and strategies;

7. *Also reaffirms* the commitment to sound policies, good governance at all levels and the rule of law, to mobilizing domestic resources, fostering international financial flows, assuring long-term investment in human capital and infrastructure, promoting international trade as an engine for economic growth and development and increasing international financial and technical cooperation for development, sustainable debt financing and external debt relief, and to enhancing the coherence and consistency of the international monetary, financial and trading systems;

8. *Recognizes* that inequality within and among countries is a concern for all countries regardless of their level of development and that it represents a growing challenge with multiple implications for the realization of economic and social potential and the achievement of the internationally agreed development goals, including the Millennium Development Goals;

9. *Also recognizes* that attention must be focused on the particular needs of developing countries and on the large and increasing economic and social inequalities that exist, and further recognizes that disparities between developed and developing countries and inequalities between the rich and the poor and between rural and urban populations, inter alia, remain persistent and significant and need to be addressed;

10. *Calls upon* Member States to continue their ambitious efforts to address inequality;

11. *Stresses* that, while efforts to promote sustained, inclusive and equitable economic growth are necessary for accelerating progress towards achieving the Millennium Development Goals, as well as for promoting sustainable development, they are not sufficient and that growth should enable everyone, in particular the poor, to participate in and benefit from economic opportunities, should lead to job creation and income opportunities and be complemented by effective social policies;

12. *Considers* that promoting universal access to social services and providing social protection floors can make an important contribution to consolidating and achieving further development gains, and that social protection systems that address and reduce inequality and social exclusion are essential for protecting the gains made towards the achievement of the Millennium Development Goals;

13. *Encourages* greater consideration of the impact of social and economic inequalities in development, including in the design and implementation of development strategies, and in this regard also encourages further analytical and empirical research, in particular by the relevant institutions of the United Nations system, as well as the regional commissions and other national and international organizations;

14. *Recognizes* the efforts of many countries in addressing inequality, and acknowledges the need for strengthened international efforts to complement national efforts in this area;

15. *Also recognizes* that regional, subregional and inter-regional cooperation can facilitate the exchange of knowledge and experience and promote the most effective use of resources aimed at achieving human development and reducing inequalities;

16. *Requests* the Secretary-General to submit to the General Assembly at its sixty-seventh session a report on the implementation of the present resolution and to include in the report recommendations on ways and means to address inequality at all levels, in particular within the United Nations framework, as a contribution to ongoing efforts to achieve the internationally agreed development goals, including the Millennium Development Goals;

17. *Decides* to include in the provisional agenda of its sixty-seventh session the item entitled "The role of the United Nations in promoting a new global human order".

Industrial development

UNIDO report. By an August note [A/65/220], the Secretary-General transmitted a report on industrial development cooperation, prepared by the Director-General of the United Nations Industrial Development Organization (UNIDO) in accordance with Assembly resolution 63/231 [YUN 2008, p. 908]. The report highlighted trends in industrial development, particularly in the context of the global financial and economic crisis, and examined the extent to which manufacturing in developing countries had withstood the effects of the crisis. It further determined how global trends, including the food and fuel price crises, climate change and globalization, continued to impact

on the productive sectors and international trade in manufactures. It also examined the role of industrial development in helping enable those challenges to be met and the MDGs to be achieved. The specific and interlinked roles of green industry, access to modern forms of energy, and energy efficiency were also examined. In addition, the report described the response of UNIDO, as the specialized UN agency mandated to promote sustainable industrial development and international industrial cooperation, including the UNIDO contribution to the New Partnership for Africa's Development (see p. 908).

Statistics compiled by UNIDO led to the conclusion that world manufacturing had been strongly affected by the economic and financial crisis, but that developing countries as a group had continued along the path of growth. China and India were among those that accounted most for such growth, with the broader group of newly industrialized countries proving less resilient to the crisis. Trends in industrial development showed that growth in the productive sectors was providing the main impetus for growth in the wider economy, and for the achievement of the MDGs. However, success in reducing poverty and in achieving growth and the MDGs would depend on how developing countries and the international community reacted to an array of interrelated global megatrends, including the persistence of the food, fuel and financial crises; demographic change; gender equality; globalization; the illicit economy; climate change; and the emergence of green industry. The latter provided developing countries with opportunities to decouple the consumption of materials, water and energy from economic growth; at the same time, it could help reduce poverty by increasing productivity, promoting the founding of new industries and the provision of greater access to global markets, and creating new employment opportunities that supported environmental improvements and resource efficiency.

Access to modern forms of energy and improvements in energy efficiency were in the interest of both developed and developing countries and were essential for the achievement of the MDGs. International consensus should be achieved on delivering the goals elaborated by the Secretary-General's Advisory Group on Energy and Climate Change, namely, the attainment of universal access to modern, affordable and reliable energy by 2030, and an increase in energy efficiency by 40 per cent by the same year.

GENERAL ASSEMBLY ACTION

On 20 December [meeting 69], the General Assembly, on the recommendation of the Second Committee [A/65/440/Add.2], adopted **resolution 65/175** without vote [agenda item 24 (b)].

Industrial development cooperation

The General Assembly,

Recalling its resolutions 49/108 of 19 December 1994, 51/170 of 16 December 1996, 53/177 of 15 December 1998, 55/187 of 20 December 2000, 57/243 of 20 December 2002, 59/249 of 22 December 2004, 61/215 of 20 December 2006 and 63/231 of 19 December 2008 on industrial development cooperation,

Recalling also the United Nations Millennium Declaration, the Monterrey Consensus of the International Conference on Financing for Development and the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),

Recalling further the 2005 World Summit Outcome and its resolution 60/265 of 30 June 2006 on the follow-up to the development outcome of the 2005 World Summit, including the Millennium Development Goals and the other internationally agreed development goals,

Recalling the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals and its outcome document,

Recognizing that industrialization is an essential driver of sustained economic growth, sustainable development and poverty eradication in developing countries and countries with economies in transition, including the least developed countries, landlocked developing countries and African countries, through, inter alia, the creation of productive employment, income generation and the facilitation of social integration, including the integration of women into the development process,

Stressing the importance of international cooperation to promote equitable and sustainable patterns of industrial development,

Recognizing the role of the business community, including the private sector, in enhancing the dynamic process of the development of the industrial sector, underlining the importance of the benefits of foreign direct investment in that process, and recognizing also in this regard that an enabling domestic environment is vital for mobilizing domestic resources, increasing productivity, reducing capital flight, encouraging the private sector and making effective use of international investment and assistance and that efforts to create such an environment should be supported by the international community,

Recognizing also the important and positive role of small and medium-sized enterprise clusters and organizations in the social and solidarity economy field, including cooperatives, as vehicles for promoting small-scale industry and for the implementation of the development goals in such fields as employment policy, social integration, regional and rural development, agriculture and environmental protection,

Recognizing further the importance of the transfer of technology on mutually agreed terms to developing countries and countries with economies in transition as an effective means of international cooperation in the pursuit of poverty eradication and sustainable development,

Noting the important role played by the United Nations Industrial Development Organization, including in the development of the public and private sectors, productivity growth, trade capacity-building, corporate social responsibility, environmental protection, energy access, energy ef-

ficiency, the promotion of renewable sources of energy and the implementation of energy interconnection initiatives among developing countries,

Noting also that the ongoing programme for change in and organizational renewal of the United Nations Industrial Development Organization aims to enhance its capacity to achieve focused, effective and efficient development results,

Recognizing the important role of international cooperation in promoting the development of small and medium-sized enterprises and their integration into productive chains at the regional and national levels,

1. *Takes note* of the report of the Director-General of the United Nations Industrial Development Organization;

2. *Reaffirms* the importance of the creation of wealth for poverty reduction and support for actions in favour of more vulnerable communities, especially with regard to women, through the development and strengthening of productive capacities in developing countries and countries with economies in transition, including through the development of the private sector and entrepreneurship, small and medium-sized enterprises and the promotion of agro-industry, enterprise upgrading, training, education and skills enhancement and an enabling environment for the transfer of technology on mutually agreed terms, the flow of investments and participation in global supply chains;

3. *Also reaffirms* the essential contribution of industrial development to the achievement of the internationally agreed development goals, including the Millennium Development Goals, and that industrial development is a key driver of sustained, inclusive and equitable economic growth as well as sustainable development, poverty eradication, income generation, greater access to education and health care, and productive employment opportunities in developing countries;

4. *Emphasizes* the need to promote, in the context of industrial development, gender equality and the empowerment of women at all levels and in decision-making processes;

5. *Stresses* the importance of access to modern forms of energy and renewable energy, advanced energy technology, including cleaner fossil fuel technologies, and the promotion of energy efficiency for advancing industrial development and achieving the internationally agreed development goals, including the Millennium Development Goals;

6. *Emphasizes* that, in order to create the right environment for sustainable industrial development, the international community and the private sector should accelerate measures to facilitate the development, transfer and diffusion of environmentally sound technologies, on mutually agreed terms, to developing countries, as appropriate;

7. *Also emphasizes* that each country must take primary responsibility for its own industrial development and that national efforts should be supported by development partners, as appropriate, and need to be complemented by a rules-based multilateral trading system that facilitates trade and provides opportunities for developing countries to expand their export product mix, by strengthening their capacities and facilitating the structural transformation and diversification of their economies, which can help to promote economic growth and development;

8. *Calls for* the continuing use of official development assistance for sustainable industrial development, the achievement of greater efficiency and effectiveness of official development assistance resources and industrial develop-

ment cooperation between developing countries and with countries with economies in transition;

9. *Underlines* the importance of mobilizing resources for sustainable industrial development at the country level;

10. *Calls for* the continuing use of all other resources, including private and public resources and foreign and domestic resources, for industrial development in developing countries and countries with economies in transition;

11. *Underlines* the importance of promoting the creation and development of small and medium-sized enterprises as a strategy to achieve industrial development, economic dynamism and poverty eradication, including through the mobilization of resources and measures to foster social inclusion and to enable cooperatives to effectively compete in their markets, on equal terms with other forms of enterprise, in order to strengthen their positive role and their ability to act as vehicles for building or increasing small and medium-sized enterprises;

12. *Recognizes* the key role of the United Nations Industrial Development Organization in promoting sustainable industrial development and in industrial development cooperation, and welcomes its clear programmatic focus on three thematic priorities, namely, poverty reduction through productive activities, trade capacity-building, and environment and energy;

13. *Calls upon* the United Nations Industrial Development Organization to play an active role in implementing General Assembly resolution 62/208 of 19 December 2007 on the triennial comprehensive policy review of operational activities for development of the United Nations system and Assembly resolution 64/289 of 2 July 2010 on system-wide coherence;

14. *Welcomes* the increased cooperation of the United Nations Industrial Development Organization with the United Nations Conference on Trade and Development, the International Trade Centre UNCTAD/WTO, the World Trade Organization, the United Nations Development Programme, the United Nations Environment Programme, the World Health Organization, the Food and Agriculture Organization of the United Nations, the World Intellectual Property Organization and the regional commissions, and invites the United Nations Industrial Development Organization to continue to build and strengthen its partnership with other United Nations organizations having complementary mandates and activities, as well as with other entities, including in the private sector, with a view to achieving greater effectiveness and development impact and promoting increased coherence within the United Nations system;

15. *Notes* the importance placed by the United Nations Industrial Development Organization on South-South cooperation and triangular cooperation, inter alia, through its centres for South-South industrial cooperation and through the promotion of various forms of public and private partnerships and the exchange of experience in private sector development, at the global, regional, subregional and country levels;

16. *Welcomes* the continued support of the United Nations Industrial Development Organization for the New Partnership for Africa's Development, the African Agribusiness and Agro-industries Development Initiative and other programmes of the African Union aimed at further strengthening the industrialization process in Africa through, inter alia, its role as the convener of the industry,

trade and market access cluster of the regional consultation meetings led by the Economic Commission for Africa;

17. *Recognizes* the importance of industrial development in post-conflict countries, particularly through employment-generating activities and energy access, and encourages the United Nations Industrial Development Organization to assist in these efforts within its mandate, including, where applicable, by providing assistance in the implementation of the integrated peacebuilding strategies of the Peacebuilding Commission;

18. *Encourages* the United Nations Industrial Development Organization to continue to assist developing countries and countries with economies in transition in participating in productive activities, including in the agro-industrial sector, as well as to strengthen their capacity to engage in international trade through small and medium-sized enterprise development and to help them to meet international product and process standards;

19. *Also encourages* the United Nations Industrial Development Organization to continue to promote environmentally sound and sustainable production, including through its programmes on cleaner production, industrial water management, industrial energy efficiency and the utilization of efficient, modern and affordable forms of energy for productive use, especially in rural areas, as well as through cooperation with United Nations organizations and other organizations to promote global goals on access to modern forms of energy and on energy efficiency;

20. *Further encourages* the United Nations Industrial Development Organization to strengthen its delivery of sustainable development and poverty eradication by assisting developing countries and countries with economies in transition, inter alia, by making use of its network of centres, in developing sustainable human and institutional capacities and enhancing international competitiveness;

21. *Encourages* the United Nations Industrial Development Organization to strengthen its delivery of sustainable development and poverty eradication and to promote the development of competitive industries in the least developed countries, and in this regard encourages that Organization to assist such countries in building human and institutional capacities, enhancing international competitiveness, promoting investments and technology transfer on mutually agreed terms and developing the agro-industrial, renewable energy, energy efficiency and pharmaceutical sectors;

22. *Also encourages* the United Nations Industrial Development Organization to continue to develop its effectiveness in each of its four capacities of technical cooperation, research and analysis, normative assistance and global forum activities, with the aim of enhancing the quality of the services it provides to developing countries and countries with economies in transition;

23. *Requests* the Secretary-General to submit to the General Assembly at its sixty-seventh session a report on the implementation of the present resolution.

Sustainable development

In 2010, several UN bodies, including the General Assembly, the Economic and Social Council, and the Commission on Sustainable Development, considered the implementation of the 2002 World Sum-

mit on Sustainable Development [YUN 2002, p. 821], particularly the Johannesburg Declaration and Plan of Implementation, which outlined actions and targets for stepping up the implementation of Agenda 21—a programme of action for sustainable development worldwide, adopted at the 1992 United Nations Conference on Environment and Development [YUN 1992, p. 670]—and of the Programme for the Further Implementation of Agenda 21, adopted by the Assembly at its nineteenth special session in 1997 [YUN 1997, p. 792].

The General Assembly, by **decision 64/564** of 13 September, decided to continue to dedicate a specific meeting focused on development, including an assessment of progress over the previous year, of each Assembly session during the debate on the follow-up to the UN Millennium Declaration and the 2005 World Summit Outcome, adopted by Assembly resolution 60/1 [YUN 2005, p. 48].

Commission on Sustainable Development

As the main body responsible for coordinating and monitoring implementation of the Summit outcomes, the Commission on Sustainable Development at its eighteenth (review) session (New York, 15 May 2009 and 3–14 May 2010) [E/2010/29] discussed, in line with the multi-year programme adopted by the Council in resolution 2003/61 [YUN 2003, p. 842], the thematic cluster for the 2010–2011 implementation cycle: transport; chemicals; waste management; mining; and a 10-year framework of programmes on sustainable consumption and production patterns. For its discussion, the Commission had before it a report of the Secretary-General providing an overview of progress towards sustainable development and a review of the implementation of Agenda 21, the Programme for the Further Implementation of Agenda 21 and the Johannesburg Plan of Action [E/CN.17/2010/3]; and reviews of the implementation of Agenda 21 and the Johannesburg Plan of Action, pertaining to its thematic cluster, that is, with regard to transport [E/CN.17/2010/4], chemicals [E/CN.17/2010/5], waste management [E/CN.17/2010/6], mining [E/CN.17/2010/7] and a 10-year framework of programmes on sustainable consumption and production patterns [E/CN.17/2010/8 & Corr.1]. Also before the Commission were discussion papers by major groups pertaining to the thematic cluster items [E/CN.17/2010/11 & Add.1–9] and a report of the Secretary-General on partnerships for sustainable development [E/CN.17/2010/13].

The Commission [dec. 18/1] approved the requests of three intergovernmental organizations—International Lead and Zinc Study Group, International Copper Study Group and International Nickel Study

Group—to participate as observers in the work of its session.

The Commission also [dec. 18/2] took note of the Secretary-General's note [E/CN.17/2010/12] on the proposed strategic framework for 2012–2013, subprogramme 4, Sustainable development of programme 7, Economic and social affairs.

Intersessional events. On 3 May, the Commission heard presentations on the outcomes of the following intersessional activities and events: Inaugural Meeting of the Regional 3R (Reduce, Reuse, Recycle) Forum in Asia (Tokyo, Japan, 11–12 November 2009); Workshop on Case Studies in the Sound Management of Chemicals (Geneva, 3–4 December 2009); international expert group meeting entitled “United Nations Forum on Climate Change Mitigation, Fuel Efficiency and Sustainable Development of Urban Transport” (Seoul, Republic of Korea, 16–17 March 2010); and International Consultative Meeting on Expanding Waste Management Services in Developing Countries (Tokyo, 18–19 March 2010).

Regional implementation meetings. The Commission, in 2003, had invited the regional commissions, in collaboration with its secretariat, to consider organizing regional implementation meetings in order to contribute to the work of the Commission. To provide an opportunity for presentation of the outcomes of those five regional meetings [E/CN.17/2010/10 & Add.1–5] and for exchanging experiences on region-specific barriers and constraints, lessons learned and best practices in relation to the thematic clusters of the issues under review, the Commission organized five regional discussions and one cross-regional interactive discussion. Participants highlighted the need to address the gap between policy development and implementation, and many emphasized the continued need for increased technology transfer and capacity-building on the cluster issues, as well as financial support.

High-level segment. The Commission's high-level segment (12–14 May) addressed the five thematic areas under consideration. On 12 and 13 May, respectively, the Commission held parallel round tables on sustainable production and consumption patterns and on managing mining for sustainable development, and on meeting the challenge of transportation needs in the twenty-first century and on strategies for sustainable chemicals and waste management. On 13 May, the Commission held an interactive ministerial dialogue with UN system representatives and heads of the Governing Councils of UN organizations and major groups, and on 14 May, an interactive ministerial discussion took place on the topic “The way forward”.

The Council, on 21 July, by **decision 2010/234**, took note of the Commission's report and approved the provisional agenda for its nineteenth (2011) session.

Other reports. Other documents issued in 2010, to be addressed during the Commission's 2011 session, included reports of the Secretary-General on policy options and actions for expediting progress in implementation of the five thematic cluster issues for the 2010–2011 implementation cycle: transport [E/CN.17/2011/4]; chemicals [E/CN.17/2011/5]; waste management [E/CN.17/2011/6]; mining [E/CN.17/2011/7]; and a 10-year framework of programmes on sustainable consumption and production patterns [E/CN.17/2011/8]. Another report [E/CN.17/2011/3] dealt with interlinkages and cross-cutting issues among the thematic clusters.

Trade and Development Board. The theme of the high-level segment at the Trade and Development Board's fifty-seventh session [TD/B/57/8] (see p. 964) was "Towards sustainable recovery". The Board held a substantive discussion with a panel of high-level government representatives and experts, reviewing national and global experiences of the economic and financial crisis, and the effectiveness of the policies that were put in place to help support demand and ward off complete financial collapse.

Implementation of Agenda 21, Programme for Further Implementation of Agenda 21 and Johannesburg Plan of Implementation

Report of Secretary-General. In response to General Assembly resolution 64/236 [YUN 2009, p. 802], the Secretary-General submitted an August report [A/65/298] on the implementation of Agenda 21, the Programme for the Further Implementation of Agenda 21 and the outcomes of the World Summit on Sustainable Development. He reviewed actions taken by Governments, UN organizations and major groups in advancing the implementation of sustainable development goals and targets, including through partnerships for sustainable development. The report also covered progress in the preparations for the United Nations Conference on Sustainable Development to be held in 2012 (see below).

The Secretary-General noted that political commitment to sustainable development had waned, due to its mismatch with existing arrangements and approaches as well as with the economic framework. A third mismatch existed between needs (especially in developing countries) and essential—financial as well as technical—resources, which were mainly in developed countries. Sustainable development implied that all countries viewed development and poverty eradication as a common global agenda, and it required a "development transition", extending

the benefits of science and technology to all inhabitants of the planet, just as much as it needed a resource transition (decoupling human welfare from increased resource use) and the demographic transition. The multiple threats seen in recent years, including those to development agendas and the MDGs, as well as the emergence of planetary boundaries, highlighted the urgency of renewed political commitment and decisive action to bring those dimensions together, to integrate environment, development and society.

Implementation of sustainable development principles, goals and policies was continuing at all levels, but the multiple crises had heightened perceptions in policymaking circles and the general public of possible trade-offs among the pillars of sustainable development. That only served to reinforce the importance of taking an integrated and holistic approach, based on an understanding of the interlinkages and synergies among economic, social and environmental goals. Broad participation in implementation of all stakeholders was needed, and a practical focus on specific sectors, problems and solutions should be developed. Hence, the Secretary-General recommended that the Assembly call on Governments, UN organizations and major groups to deepen their commitments to sustainable development by redoubling their efforts to implement Agenda 21, the Programme for the Further Implementation of Agenda 21 and the Johannesburg Plan of Implementation, and that it call on Governments to continue providing support to the Commission on Sustainable Development.

Preparations for UN Conference on Sustainable Development. By resolution 64/236 [YUN 2009, p. 802], the General Assembly decided to organize in 2012 the United Nations Conference on Sustainable Development at the highest possible level, including Heads of State and Government, with the objective of securing "renewed political commitment for sustainable development, assessing the progress to date and the remaining gaps in the implementation of the outcomes of the major summits on sustainable developments, and addressing new and emerging challenges". By the same resolution, the Assembly accepted Brazil's offer to host the conference. In accordance with the Assembly's decision, a preparatory committee was established within the framework of the Commission on Sustainable Development. In order to steer the preparatory process, a Bureau was elected at the first session of the Preparatory Committee (New York, 17–19 May) [A/CONF.216/PC/5]. To underpin its debate, the Committee had before it the Secretary-General's April report [A/CONF.216/PC/2] assessing progress and gaps in the implementation of sustainable development decisions since 1992,

as well as providing an analysis of the themes of the Conference.

Substantive discussions at the first session of the Preparatory Committee focused on the objective and thematic areas of the Conference as defined by Assembly resolution 64/236 [YUN 2009, p. 802], notably the green economy in the context of sustainable development and poverty eradication, and institutional framework for sustainable development. On the procedural side, participants met in contact groups to consider how to organize their work in the lead-up to 2012, and discussed the Conference rules of procedure. To advance the preparatory process, the Committee requested the secretariat to prepare a report on progress to date and remaining gaps in the implementation of the outcomes of the major summits in the area of sustainable development, as well as an analysis of the themes of the Conference; and a synthesis report on best practices and lessons learned on the Conference objectives and themes. In addition, it was decided to organize open-ended intersessional meetings for a total duration of not more than six days. A questionnaire had been sent to Member States, the UN system and major groups to collect the information necessary for preparing the reports requested, which would be discussed during the second session of the Preparatory Committee scheduled for 7–8 March 2011.

GENERAL ASSEMBLY ACTION

On 20 December [meeting 69], the General Assembly, on the recommendation of the Second Committee [A/65/436/Add.1], adopted **resolution 65/152** without vote [agenda item 20 (a)].

Implementation of Agenda 21, the Programme for the Further Implementation of Agenda 21 and the outcomes of the World Summit on Sustainable Development

The General Assembly,

Recalling its resolutions 55/199 of 20 December 2000, 56/226 of 24 December 2001, 57/253 and 57/270 A of 20 December 2002 and 57/270 B of 23 June 2003, as well as its resolution 64/236 of 24 December 2009 and all other previous resolutions on the implementation of Agenda 21, the Programme for the Further Implementation of Agenda 21 and the outcomes of the World Summit on Sustainable Development,

Recalling also the Rio Declaration on Environment and Development, Agenda 21, the Programme for the Further Implementation of Agenda 21, the Johannesburg Declaration on Sustainable Development and the Plan of Implementation of the World Summit on Sustainable Development (“Johannesburg Plan of Implementation”), as well as the Monterrey Consensus of the International Conference on Financing for Development, the Doha Declaration on Financing for Development: outcome document of the Follow-up International Conference on Financing for De-

velopment to Review the Implementation of the Monterrey Consensus and the outcome document of the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals,

Recalling further the Programme of Action for the Sustainable Development of Small Island Developing States, the Declaration and state of progress and initiatives for the future implementation of the Programme of Action for the Sustainable Development of Small Island Developing States, the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States and the outcome document of the High-level Review Meeting on the Implementation of the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States,

Reaffirming the commitment to implement Agenda 21, the Programme for the Further Implementation of Agenda 21, the Johannesburg Plan of Implementation, including the time-bound goals and targets, and the other internationally agreed development goals, including the Millennium Development Goals,

Recalling the 2005 World Summit Outcome,

Reaffirming the decisions taken at the eleventh session of the Commission on Sustainable Development,

Recalling that the Johannesburg Plan of Implementation designated the Commission to serve as the focal point for discussion on partnerships that promote sustainable development and contribute to the implementation of intergovernmental commitments in Agenda 21, the Programme for the Further Implementation of Agenda 21 and the Johannesburg Plan of Implementation,

Noting with satisfaction that the Commission, at its eighteenth session, undertook an in-depth evaluation of progress in implementing Agenda 21, the Programme for the Further Implementation of Agenda 21 and the Johannesburg Plan of Implementation, focusing on the thematic cluster of issues, namely, transport, chemicals, waste management, mining and a ten-year framework of programmes on sustainable consumption and production patterns, taking into account their interlinkages as well as addressing the cross-cutting issues, including means of implementation, and identified best practices, constraints and obstacles in the process of implementation,

Reaffirming that eradicating poverty, changing unsustainable patterns of production and consumption and protecting and managing the natural resource base of economic and social development are overarching objectives of and essential requirements for sustainable development,

Recognizing that eradicating poverty is the greatest global challenge facing the world today and an indispensable requirement for sustainable development, in particular for developing countries, and that although each country has the primary responsibility for its own sustainable development and poverty eradication and the role of national policies and development strategies cannot be overemphasized, concerted and concrete measures are required at all levels to enable developing countries to achieve their sustainable development goals as related to the internationally agreed poverty-related targets and goals, including those contained in Agenda 21, the relevant outcomes of other United

Nations conferences and the United Nations Millennium Declaration,

Recalling that the Economic and Social Council should increase its role in overseeing system-wide coordination and the balanced integration of economic, social and environmental aspects of United Nations policies and programmes aimed at promoting sustainable development, and reaffirming that the Commission should continue to be the high-level body responsible for sustainable development within the United Nations system and to serve as a forum for the consideration of issues related to the integration of the three dimensions of sustainable development,

Recognizing that good governance within each country and at the international level is essential for sustainable development,

Noting with appreciation the offer of the Government of Panama to host, in January 2011, the intersessional meeting of the Commission on sustainable consumption and production patterns,

Noting with appreciation also the offer of the Government of Japan to host, in February 2011, the intersessional meeting of the Commission on sustainable waste management and that the Governments of Chile and Morocco hosted, in November 2010, the intersessional senior expert group meeting on the topic "Sustainable development of lithium resources in Latin America: emerging issues and opportunities" and the intersessional consultative meeting on the topic "Solid waste management in Africa" respectively,

Recalling its decision to hold the United Nations Conference on Sustainable Development in Brazil in 2012,

Expressing deep concern that the resources available in the Commission trust fund are insufficient to fund the participation of delegates from developing countries, as well as representatives of major groups, in the meetings of the preparatory process of the Conference and in the Conference itself,

1. *Takes note* of the report of the Preparatory Committee for the United Nations Conference on Sustainable Development on its first session;

2. *Also takes note* of the report of the Secretary-General;

3. *Reiterates* that sustainable development is a key element of the overarching framework for United Nations activities, in particular for achieving the internationally agreed development goals, including the Millennium Development Goals, and those contained in the Johannesburg Plan of Implementation;

4. *Calls upon* Governments, all relevant international and regional organizations, the Economic and Social Council, the United Nations funds and programmes, the regional commissions and specialized agencies, the international financial institutions, the Global Environment Facility and other intergovernmental organizations, in accordance with their respective mandates, as well as major groups, to take action to ensure the effective implementation of and follow-up to the commitments, programmes and time-bound targets adopted at the World Summit on Sustainable Development, and encourages them to report on concrete progress in that regard;

5. *Calls for* the effective implementation of the commitments, programmes and time-bound targets adopted at the World Summit on Sustainable Development and for the fulfilment of the provisions relating to the means of

implementation, as contained in the Johannesburg Plan of Implementation;

6. *Reiterates* that the Commission on Sustainable Development is the high-level body responsible for sustainable development within the United Nations system and serves as a forum for the consideration of issues related to the integration of the three dimensions of sustainable development, and underlines the need to further support the work of the Commission, taking into account its existing mandate and the decisions taken at its eleventh session;

7. *Emphasizes* the importance of a consensus outcome and action-oriented policy sessions;

8. *Recalls* the decision of the Commission at its eleventh session that activities during Commission meetings should provide for balanced involvement of participants from all regions, as well as for gender balance;

9. *Encourages* donor countries to support the participation of representatives from developing countries in the nineteenth session of the Commission, inter alia, through contributions to the Commission trust fund;

10. *Reaffirms* the objective of strengthening the implementation of Agenda 21, including through the mobilization of financial and technological resources, as well as capacity-building programmes, in particular for developing countries, and in this regard invites donor Governments and international financial institutions, together with the international community, to support the efforts of developing countries to overcome barriers and constraints identified during the review year in the thematic cluster of issues, namely, transport, chemicals, waste management, mining and a ten-year framework of programmes on sustainable consumption and production patterns;

11. *Also reaffirms* the objective of enhancing the participation and the effective involvement of civil society and other relevant stakeholders, as well as promoting transparency and broad public participation, in the implementation of Agenda 21;

12. *Requests* the secretariat of the Commission to co-ordinate the participation of the relevant major groups in the thematic discussions at the nineteenth session of the Commission and the reporting on the fulfilment of corporate responsibility and accountability with respect to the thematic cluster of issues, in accordance with the provisions of the Johannesburg Plan of Implementation;

13. *Reaffirms* the need to promote corporate social responsibility and accountability as envisaged by the Johannesburg Plan of Implementation;

14. *Requests* the secretariat of the Commission to make arrangements to facilitate the balanced representation of major groups from developed and developing countries in the sessions of the Commission, and in this regard invites donor countries to consider supporting the participation of major groups from developing countries, inter alia, through contributions to the Commission trust fund;

15. *Reiterates its invitation* to the relevant United Nations funds and programmes, the regional commissions and specialized agencies, the international and regional financial and trade institutions and the Global Environment Facility, as well as the secretariats of the multilateral environmental agreements and other relevant bodies, within their mandates, to actively participate in and to effectively contribute to the work of the Commission at its nineteenth session;

16. *Encourages* Governments and organizations at all levels, as well as major groups, to undertake results-oriented initiatives and activities to support the work of the Commission and to promote and facilitate the implementation of Agenda 21, the Programme for the Further Implementation of Agenda 21 and the Johannesburg Plan of Implementation, including through voluntary multi-stakeholder partnership initiatives;

17. *Underlines* the importance of setting aside, at the nineteenth session of the Commission, adequate time for all activities envisaged in the policy sessions, including negotiations on policy options and possible actions, and in this regard notes the importance of having all required documents, including the draft negotiating document of the Chair, made available for consideration prior to the beginning of the session;

18. *Reaffirms* its decision to hold the United Nations Conference on Sustainable Development in Brazil in 2012;

19. *Endorses* the recommendations contained in chapter IV, "Organizational and procedural matters: report of Contact Group 1 on the review of the preparatory process, including organizational and procedural matters, leading up to the United Nations Conference on Sustainable Development in 2012", and annex II to the report of the Preparatory Committee for the Conference on its first session;

20. *Requests* the Secretary-General to provide all appropriate support to the work of the preparatory process of the Conference and of the Conference itself and to ensure inter-agency cooperation and effective participation and coherence within the United Nations system, as well as the efficient use of resources, in order to address all the objectives and themes of the Conference;

21. *Invites* Governments and all relevant stakeholders, including regional commissions, United Nations organizations and bodies, other relevant intergovernmental and regional organizations, international financial institutions and major groups involved in sustainable development, to participate fully and effectively at all levels and to provide ideas and proposals reflecting their experiences and lessons learned as a contribution to the preparatory process of the Conference, as agreed in the preparatory process by Member States;

22. *Encourages* Governments to actively involve and to coordinate inputs from all national agencies responsible for economic development, social development and environmental protection in their national preparations for the Conference;

23. *Encourages* the United Nations development system to support, as appropriate, national country preparations for the Conference, upon the request of national authorities;

24. *Calls upon* international and bilateral donors and other countries in a position to do so to provide voluntary contributions to the Commission trust fund, requests the Secretary-General to make further efforts to use the limited resources in the trust fund in an efficient and effective way in order to enhance the active participation of representatives from developing countries in the preparatory process of the Conference and in the Conference itself, and in this regard encourages the Secretary-General, when using the resources of the trust fund, to prioritize the coverage of economy class air tickets, daily subsistence and terminal expenses;

25. *Decides* to include in the provisional agenda of its sixty-sixth session, under the item entitled "Sustainable development", the sub-item entitled "Implementation of Agenda 21, the Programme for the Further Implementation of Agenda 21 and the outcomes of the World Summit on Sustainable Development", and requests the Secretary-General, at that session, to submit a report on the implementation of the present resolution, including on the progress of the preparations for the United Nations Conference on Sustainable Development.

Human security

Pursuant to paragraph 143 of the 2005 World Summit Outcome and General Assembly resolution 60/1, in which the Heads of State and Government committed themselves to discuss and define the notion of human security, the Secretary-General provided in a March report [A/64/701] an update on developments related to the advancement of human security and taking stock of discussions on human security, its various definitions and its relationship to State sovereignty and the responsibility to protect. The report also outlined the principles and the approach for advancing human security and its application to the current UN priorities. Key human security initiatives by Governments, regional and subregional intergovernmental organizations, as well as UN organizations and bodies, were presented as examples of the reach of that concept and its growing acceptance. The report concluded by identifying the core elements and the added value of human security, and provided recommendations as a follow-up to the commitment contained in the World Summit Outcome.

Human security was based on a fundamental understanding that Governments retained the primary role for ensuring the survival, livelihood and dignity of their citizens. Broadly defined, human security encompassed freedom from fear and freedom from want and freedom to live in dignity. At the United Nations, notable contributions had been made in advancing the human security concept and developments on human security at the global level were similarly reflected in the agendas and policy debates among regional intergovernmental organizations.

The broad understanding of human security was at the centre of the work of the United Nations, the Secretary-General said. With a mandate to address security, development and human rights, the UN system was instrumental in addressing human security issues. The application of the human security concept did not bring additional layers to the work of the Organization, but rather complemented and focused its activities in those areas. At the Secretariat, the United Nations Trust Fund for Human Security (see p. 902) played an important role in addressing human security challenges. The Secretary-General, acknowl-

edging the support by Greece, Japan, Slovenia and Thailand, urged other Member States to contribute to the Trust Fund's valuable work. In concluding, he requested the General Assembly to take into account the added value of the human security concept and to discuss how best to mainstream human security in UN activities; to encourage Member States to give financial support to the work of the Trust Fund; and to request a periodic report on progress in mainstreaming human security in UN activities.

General Assembly debate. At the initiative of the General Assembly President, the Assembly held a debate on the notion of human security on 20 and 21 May [A/64/PV.87–89].

GENERAL ASSEMBLY ACTION

On 16 July [meeting 107], the Assembly adopted **resolution 64/291** [draft: A/64/L.61 & Add.1] without vote [agenda items 48, 114].

Follow-up to paragraph 143 on human security of the 2005 World Summit Outcome

The General Assembly,

Reaffirming its respect for all the purposes and principles of the Charter of the United Nations,

Recalling the 2005 World Summit Outcome, especially paragraph 143 thereof,

1. *Takes note* of the first formal debate, organized by the President of the General Assembly on 20 and 21 May 2010, in which different views on the notion of human security were presented by Member States, including on the report of the Secretary-General;

2. *Also takes note* of the ongoing efforts to define the notion of human security, and recognizes the need to continue the discussion and to achieve an agreement on the definition thereof in the General Assembly;

3. *Requests* the Secretary-General to seek the views of the Member States on the notion of human security, including on a possible definition thereof, and to submit a report to the General Assembly at its sixty-sixth session;

4. *Decides* to continue its consideration of the notion of human security.

Education for sustainable development

By an August note [A/65/279], the Secretary-General transmitted a mid-term review of the United Nations Decade of Education for Sustainable Development, 2005–2014, prepared by the United Nations Educational, Scientific and Cultural Organization (UNESCO), in accordance with General Assembly resolution 59/237 [YUN 2004, p. 832]. The report reviewed the work undertaken by UNESCO, the UN system, Member States, civil society organizations and other stakeholders in implementing the Decade and enhancing education for sustainable develop-

ment, including progress made, obstacles faced and needs arising, and made recommendations to maintain visibility and momentum on the subject between the midpoint and the completion of the Decade. The Decade, which had been declared by Assembly resolution 57/254 [YUN 2002, p. 826], aimed to integrate the principles, practices and values of sustainable development into all aspects of education and learning.

The report concluded that the Decade offered countries the opportunity to rethink and reorient various dimensions of education and skills training so that learners, and their communities, were empowered to imagine and devise sustainable local solutions to development problems. As lead agency and international coordinator, UNESCO was committed to serving as a change agent, through education, to mobilize countries, partners, communities and individuals to implement the Decade, as well as to encourage the UN family to support countries and stakeholders in their efforts to promote its vision and goals. All UN agencies needed to support and engage in activities to promote the ends of the Decade, and countries needed to be in the driver's seat for ensuring its implementation at national level.

GENERAL ASSEMBLY ACTION

On 20 December [meeting 69], the General Assembly, on the recommendation of the Second Committee [A/65/436/Add.8], adopted **resolution 65/163** without vote [agenda item 20 (h)].

United Nations Decade of Education for Sustainable Development (2005–2014)

The General Assembly,

Recalling its resolution 59/237 of 22 December 2004 and all relevant previous resolutions on the United Nations Decade of Education for Sustainable Development,

Acknowledging the importance of education for achieving sustainable development, including in the context of the Millennium Development Goals, Agenda 21, the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"), the upcoming United Nations Conference on Sustainable Development and the Education for All initiative,

Recognizing the importance of promoting a holistic approach towards education for sustainable development and the need to reinforce the interdisciplinary linkages of the three pillars of sustainable development, including different branches of knowledge,

Recognizing also the role of education for sustainable development in promoting the eradication of poverty and more sustainable patterns of consumption and production, particularly in the context of the nineteenth session of the Commission on Sustainable Development, to be held in New York in May 2011,

1. *Takes note* of the report of the Director-General of the United Nations Educational, Scientific and Cultural Organization on the mid-Decade review of the United Na-

tions Decade of Education for Sustainable Development, 2005–2014, including the areas identified for further action in the remaining half of the Decade;

2. *Also takes note* of the Bonn Declaration of the United Nations Educational, Scientific and Cultural Organization World Conference on Education for Sustainable Development, held from 31 March to 2 April 2009, including the areas identified for further action in the remaining half of the Decade;

3. *Recognizes* that, while progress has been made in raising awareness of the significance of education for sustainable development, such progress remains unevenly distributed;

4. *Encourages* the international community to reinforce its collective commitment to raise awareness of the significance of education for sustainable development, including by mobilizing resources, supporting national efforts and establishing processes that will continue beyond the end of the Decade;

5. *Encourages* Governments to continue implementing the Decade at the international, national and local levels, including by working with all relevant stakeholders, particularly education systems at all levels, introducing, as appropriate, the concept of sustainable development into curricula and cooperating in order to conserve, protect and restore the health and integrity of the Earth's ecosystem;

6. *Invites* Governments to continue to promote public awareness of and wider participation in the Decade, inter alia, through cooperation with and initiatives engaging civil society and other relevant stakeholders;

7. *Requests* the United Nations Educational, Scientific and Cultural Organization, as the designated lead agency, to continue its coordination role in promoting the Decade, in cooperation with other relevant United Nations organizations, funds and programmes;

8. *Notes* that the End-of-Decade World Conference on Education for Sustainable Development will be hosted jointly by the Government of Japan and the United Nations Educational, Scientific and Cultural Organization in 2014;

9. *Requests* the Secretary-General to invite the Director-General of the United Nations Educational, Scientific and Cultural Organization to prepare, in cooperation with other relevant United Nations organizations, funds and programmes, a review of the implementation of the Decade for submission to the General Assembly at its seventieth session, under the sub-item entitled "United Nations Decade of Education for Sustainable Development".

Tourism

In August [A/65/275], the Secretary-General transmitted the report of the World Tourism Organization (UNWTO) on the implementation of the Global Code of Ethics for Tourism. The Code was adopted by the UNWTO General Assembly in 1999 and acknowledged by General Assembly resolution 56/212 [YUN 2001, p. 752], and consisted of a voluntary, comprehensive set of nine basic principles to guide tourism development with the objective of minimizing the negative impact of tourism on the natural environment, cultural heritage and local communities while

maximizing its benefits in promoting sustainable development, including by alleviating poverty.

The report, prepared in response to General Assembly resolution 60/190 [YUN 2005, p. 921], noted that 49 member States had implemented the Code into their legislative texts, while 48 had indicated that the principles were being used to guide the development of new laws and regulations. The Code's dissemination had been greatly enhanced through its translation into 43 national or local languages.

Much of UNWTO work was directly or indirectly in line with the Code and its principles. Issues such as climate change; biodiversity; poverty reduction; protection of vulnerable groups; economic and social sustainability of tourism development; empowerment of local and indigenous communities; and access to education, training and decent employment, as well as responsible business practices in the tourism sector constituted important areas of work for UNWTO, its members and tourism stakeholders. As such, the Code had been instrumental in promoting and developing sustainable forms of tourism based on ethical principles.

GENERAL ASSEMBLY ACTION

On 20 December [meeting 69], the General Assembly, on the recommendation of the Second Committee [A/65/436 & Corr.1], adopted **resolution 65/148** without vote [agenda item 20].

Global Code of Ethics for Tourism

The General Assembly,

Recalling its resolutions 56/212 of 21 December 2001 and 60/190 of 22 December 2005,

Recalling also the Manila Declaration on World Tourism of 10 October 1980, the Rio Declaration on Environment and Development and Agenda 21 of 14 June 1992, the Amman Declaration on Peace through Tourism of 11 November 2000, the Johannesburg Declaration on Sustainable Development and the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"), the Declaration of Barbados and the Programme of Action for the Sustainable Development of Small Island Developing States, the Mauritius Declaration and the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States, and the Brussels Declaration and the Programme of Action for the Least Developed Countries for the Decade 2001–2010,

Recalling further the outcome document of the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals, the outcome document of the High-level Review Meeting on the Implementation of the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States and the ministerial declaration of the high-level segment of the substantive session of 2010 of the Economic and Social Council, on the theme "Implementing the internationally agreed goals and com-

mitments in regard to gender equality and empowerment of women”.

Recognizing the important dimension and role of tourism as a positive instrument towards the eradication of poverty, the protection of the environment and the improvement of the quality of life for all people, its potential to make a contribution to sustainable development, especially of developing countries, and its emergence as a vital force for the promotion of international understanding, peace and prosperity,

1. *Takes note* of the report of the World Tourism Organization on the implementation of the Global Code of Ethics for Tourism;

2. *Welcomes* the work of the World Tourism Organization and its World Committee on Tourism Ethics in the implementation of the Global Code of Ethics for Tourism, as adopted by the General Assembly of the World Tourism Organization in 1999, and welcomes the establishment of the permanent secretariat of the Committee in Rome;

3. *Encourages* the World Tourism Organization, through its World Committee on Tourism Ethics and the permanent secretariat of the Committee, to continue to promote and disseminate the Global Code of Ethics for Tourism and to monitor the implementation of the ethical principles related to tourism by both the public and the private sectors;

4. *Welcomes* the growing interest among Member States, especially among the States and territories members of the World Tourism Organization, and their increasing institutional and legal commitment towards the implementation of the Global Code of Ethics for Tourism, reiterates the invitation to those Member States and other tourism stakeholders, in particular in the private sector, that have not yet done so to introduce, as appropriate, the content of the Global Code of Ethics for Tourism into their relevant laws, regulations, professional practices and codes of conduct, and in this regard recognizes with appreciation those Member States and industry practitioners that have already done so;

5. *Recognizes* the need to promote the development of sustainable tourism, including non-consumptive tourism and ecotourism, taking into account the spirit of the International Year of Ecotourism, 2002, the United Nations Year for Cultural Heritage, 2002, the World Ecotourism Summit, 2002, the Quebec Declaration on Ecotourism and the Global Code of Ethics for Tourism, in order to increase the benefits from tourism resources for the population in host communities, while maintaining the cultures and the environmental integrity of those communities and enhancing the protection of ecologically sensitive areas and the natural heritage, and to promote the development of sustainable tourism and capacity-building in order to contribute to the strengthening of rural and local communities, taking into account the need to address, inter alia, the challenges of climate change and to halt the loss of biodiversity;

6. *Invites* States Members of the United Nations and other stakeholders to support the activities undertaken by, inter alia, the World Tourism Organization for the promotion of responsible and sustainable tourism, including in the context of emergency preparedness and response to natural disasters, as well as for capacity-building in order

to achieve the internationally agreed development goals, including the Millennium Development Goals, by extending the benefits of tourism to all sectors of society, in particular the most vulnerable and marginalized groups of the population, while minimizing its negative impact;

7. *Requests* the Secretary-General to report to the General Assembly at its seventieth session on developments related to the implementation of the present resolution on the basis of the reports of the World Tourism Organization.

Also on 20 December [meeting 69], the Assembly, on the recommendation of the Second Committee [A/65/440], adopted **resolution 65/173** without vote [agenda item 24].

Promotion of ecotourism for poverty eradication and environment protection

The General Assembly,

Recalling the 2005 World Summit Outcome,

Recalling also the United Nations Millennium Declaration, the Monterrey Consensus of the International Conference on Financing for Development, the Rio Declaration on Environment and Development, the Plan of Implementation of the World Summit on Sustainable Development (“Johannesburg Plan of Implementation”), the Doha Declaration on Financing for Development: outcome document of the Follow-up International Conference on Financing for Development to Review the Implementation of the Monterrey Consensus, the Outcome of the Conference on the World Financial and Economic Crisis and Its Impact on Development and the outcome document of the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals,

Recalling further its resolution 53/200 of 15 December 1998 entitled “Proclamation of 2002 as the International Year of Ecotourism”,

Stressing that poverty is a multifaceted problem that requires a multifaceted and integrated approach in addressing its economic, political, social, environmental and institutional dimensions at all levels,

Stressing also that ecotourism can, within the framework of sustainable tourism, contribute to the fight against poverty, the protection of the environment and the promotion of sustainable development,

Welcoming the efforts of the World Tourism Organization, the United Nations Environment Programme, the United Nations Conference on Trade and Development, the United Nations Educational, Scientific and Cultural Organization and the Convention on Biological Diversity to promote ecotourism and sustainable tourism worldwide,

Welcoming also the efforts of the Marrakech Process on sustainable consumption and production, and in particular its task force on sustainable tourism development, as a cross-sectoral example of more sustainable consumption and production practices,

Noting the initiatives launched and the events organized at the subregional, regional and international levels in the field of ecotourism and sustainable development,

1. *Recognizes* that the development of ecotourism, within the framework of sustainable tourism, can have a positive impact on income generation, job creation and education, and thus on the fight against poverty and hunger, and can contribute directly to achieving the internationally agreed development goals, including the Millennium Development Goals;

2. *Emphasizes* the need to maximize the economic, social and environmental benefits stemming from ecotourism activities in all countries, particularly developing countries, including African countries, the least developed countries and small island developing States;

3. *Also emphasizes* that ecotourism can contribute to sustainable development, in particular environment protection, and improve the well-being of local and indigenous communities;

4. *Recognizes* that ecotourism creates significant opportunities for the conservation, protection and sustainable use of natural areas by encouraging local and indigenous communities in host countries and tourists alike to preserve and respect the natural and cultural heritage;

5. *Also recognizes* the potential of ecotourism to reduce poverty by improving individual livelihoods in local communities and to generate resources for community development projects;

6. *Underlines*, in this regard, the importance of establishing, at the national level and in accordance with national priorities, appropriate guidelines and regulations for promoting and supporting ecotourism and minimizing its potential negative impact, and encourages Member States to promote investment in ecotourism, in accordance with their national legislation, which may include creating small- and medium-sized enterprises and facilitating access to finance, including through microcredit initiatives for the poor, local and indigenous communities in areas with high ecotourism potential, including rural areas;

7. *Also underlines* the importance of conducting an environmental impact assessment, in accordance with national legislation, for the development of ecotourism opportunities;

8. *Stresses* that indigenous cultures, traditions and knowledge, in all their aspects, are to be fully considered, respected and promoted in ecotourism policy development, and underlines the importance of promoting the full participation and involvement of local and indigenous communities in decisions that affect them and of integrating indigenous and local knowledge, heritage and values in ecotourism initiatives, as appropriate;

9. *Emphasizes* the need for effective measures in the context of ecotourism initiatives to ensure the full empowerment of women, including equal participation of women and men at all levels and in decision-making processes in all areas;

10. *Calls upon* the United Nations system, in the context of the global campaign for the Millennium Development Goals, to promote ecotourism as an instrument that can contribute to achieving those Goals, in particular the Goals of eradicating extreme poverty and of ensuring environmental sustainability, and to support the efforts and policies of developing countries in this field;

11. *Encourages* the regional and international financial institutions to provide adequate support to programmes

and projects related to ecotourism, taking into account the economic and environmental benefits of such activities;

12. *Recognizes* the role of North-South cooperation in promoting ecotourism as a means to achieve economic growth, to reduce inequalities and to improve living standards in developing countries, and also recognizes that South-South and triangular cooperation, as complements to North-South cooperation, have potential for promoting ecotourism;

13. *Requests* the Secretary-General to submit to the General Assembly at its sixty-seventh session, in collaboration with the World Tourism Organization and other relevant United Nations agencies and programmes, a report on the implementation of the present resolution, including recommendations on ways and means to promote ecotourism as a tool for fighting poverty and promoting sustainable development.

Eradication of poverty

Second UN Decade for the Eradication of Poverty

In August, pursuant to General Assembly resolution 64/216 [YUN 2009, p. 809], the Secretary-General submitted a report [A/65/230] on the implementation of the Second United Nations Decade for the Eradication of Poverty (2008–2017), proclaimed by the Assembly in 2007 [YUN 2007, p. 847]. The report detailed the response of the UN system to the theme of the Decade, “Full employment and decent work for all”, set by the Assembly in resolution 63/230 [YUN 2008, p. 917]. It reviewed current progress, highlighting the system-wide plan of action for the Second Decade, which was endorsed by the High-level Committee on Programmes of the United Nations Chief Executives Board for Coordination in 2009 [YUN 2009, p. 809], and presented initiatives and activities by UN organizations in response to the plan of action. The major threat to global poverty eradication efforts during the Second Decade would be the crises and their impacts on employment and decent work opportunities. An effective response would require renewed efforts to enhance policy coherence and cooperation in the UN system. The successful implementation of the goals of the Second Decade, including the system-wide plan of action, required increased efforts and collaboration by Member States, civil society, non-governmental organizations (NGOs), and all relevant partners. The Second Decade was an important framework for action to enhance UN system activities in support of national efforts to eradicate poverty, in particular national development strategies, the Secretary-General said. Its aim of coordinating international support for poverty eradication served as a key link in support of the integrated follow-up to the implementation of the internationally agreed development goals, including the MDGs.

GENERAL ASSEMBLY ACTION

On 20 December [meeting 69], the General Assembly, on the recommendation of the Second Committee [A/65/440/Add.1], adopted **resolution 65/174** without vote [agenda item 24 (a)].

**Second United Nations Decade
for the Eradication of Poverty (2008–2017)**

The General Assembly,

Recalling its resolutions 47/196 of 22 December 1992, 48/183 of 21 December 1993, 50/107 of 20 December 1995, 56/207 of 21 December 2001, 57/266 of 20 December 2002, 58/222 of 23 December 2003, 59/247 of 22 December 2004, 60/209 of 22 December 2005, 61/213 of 20 December 2006, 62/205 of 19 December 2007, 63/230 of 19 December 2008 and 64/216 of 21 December 2009,

Recalling also the United Nations Millennium Declaration, adopted by Heads of State and Government on the occasion of the Millennium Summit, as well as the international commitment to eradicate extreme poverty and to halve, by 2015, the proportion of the world's people whose income is less than one dollar a day and the proportion of people who suffer from hunger,

Recalling further the 2005 World Summit Outcome,

Recalling its resolutions 60/265 of 30 June 2006 on the follow-up to the development outcome of the 2005 World Summit, including the Millennium Development Goals and the other internationally agreed development goals, its resolution 61/16 of 20 November 2006 on the strengthening of the Economic and Social Council and its resolution 63/303 of 9 July 2009 entitled "Outcome of the Conference on the World Financial and Economic Crisis and Its Impact on Development",

Recalling also its resolution 57/265 of 20 December 2002 on the establishment of the World Solidarity Fund,

Welcoming the poverty-related discussions in the annual ministerial reviews held by the Economic and Social Council, which play an important supporting role in the implementation of the Second United Nations Decade for the Eradication of Poverty (2008–2017),

Noting with appreciation the ministerial declaration adopted at the high-level segment of the substantive session of 2006 of the Economic and Social Council on creating an environment at the national and international levels conducive to generating full and productive employment and decent work for all, and its impact on sustainable development, and Economic and Social Council resolution 2010/25 of 23 July 2010 entitled "Recovering from the world financial and economic crisis: a Global Jobs Pact",

Recalling the Doha Declaration on Financing for Development: outcome document of the Follow-up International Conference on Financing for Development to Review the Implementation of the Monterrey Consensus,

Recalling also the outcomes of the World Summit for Social Development and of the twenty-fourth special session of the General Assembly,

Recalling further the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals and its outcome document,

Underlining the fact that, in the face of the ongoing adverse impacts of the multiple, interrelated global crises and challenges, such as the financial and economic crisis, the food crisis, volatile energy and commodity prices and climate change, cooperation and increased commitment by all relevant partners, including the public sector, the private sector and civil society, are needed more than ever, and recognizing in this context the urgent need to achieve the internationally agreed development goals, including the Millennium Development Goals,

Expressing concern that, after the First United Nations Decade for the Eradication of Poverty (1997–2006) and five years from the 2015 target date of the Millennium Development Goals, while there has been progress in reducing poverty in some regions, this progress has been uneven and the number of people living in poverty in some countries continues to increase, with women and children constituting the majority of the most affected groups, especially in the least developed countries and, in particular, in sub-Saharan Africa,

Recognizing that rates of economic growth vary among countries and that these differences must be addressed by, among other actions, promoting pro-poor growth and social protection,

Concerned about the global nature of poverty and inequality, and underlining the fact that the eradication of poverty and hunger is an ethical, social, political and economic imperative of humankind,

Reaffirming that the eradication of poverty is one of the greatest global challenges facing the world today, in particular in Africa and the least developed countries, and underlining the importance of accelerating sustainable broad-based and inclusive economic growth, including full, productive employment generation and decent work,

Recognizing that the mobilization of financial resources for development at the national and international levels and the effective use of those resources are central to a global partnership for development in support of the achievement of the internationally agreed development goals, including the Millennium Development Goals,

Recognizing also the contributions of South-South cooperation and triangular cooperation to the efforts of developing countries to eradicate poverty and to pursue sustainable development,

Acknowledging that good governance at the national and international levels and sustained and inclusive economic growth, supported by full employment and decent work, rising productivity and a favourable environment, including public and private investment and entrepreneurship, are necessary to eradicate poverty, to achieve the internationally agreed development goals, including the Millennium Development Goals, and to realize a rise in living standards and that corporate social responsibility initiatives play an important role in maximizing the impact of public and private investment,

Underlining the priority and urgency given by Heads of State and Government to the eradication of poverty, as expressed in the outcomes of the major United Nations conferences and summits in the economic and social fields,

1. *Reaffirms* that the objective of the Second United Nations Decade for the Eradication of Poverty (2008–2017) is to support, in an efficient and coordinated manner,

the follow-up to the implementation of the internationally agreed development goals, including the Millennium Development Goals, relating to the eradication of poverty and to coordinate international support to that end;

2. *Also reaffirms* that each country must take primary responsibility for its own development and that the role of national policies and strategies cannot be overemphasized for the achievement of sustainable development and poverty eradication, and recognizes that increased effective national efforts should be complemented by concrete, effective and supportive international programmes, measures and policies aimed at expanding the development opportunities of developing countries, while taking into account national conditions and ensuring respect for national ownership, strategies and sovereignty;

3. *Calls upon* the international community, including Member States, to address the root causes of extreme poverty and hunger;

4. *Emphasizes* the need to accord the highest priority to poverty eradication within the United Nations development agenda, while stressing the importance of addressing the causes and challenges of poverty through integrated, coordinated and coherent strategies at the national, inter-governmental and inter-agency levels;

5. *Reiterates* the need to strengthen the leadership role of the United Nations in promoting international cooperation for development, which is critical for the eradication of poverty;

6. *Calls upon* the international community to continue to give priority to the eradication of poverty, and calls upon donor countries in a position to do so to support the effective national efforts of developing countries in this regard, through adequate, predictable financial resources on either a bilateral or a multilateral basis;

7. *Stresses* the importance of ensuring, at the national, intergovernmental and inter-agency levels, coherent, comprehensive and integrated activities for the eradication of poverty in accordance with the outcomes of the major United Nations conferences and summits in the economic, social and related fields;

8. *Reaffirms* the commitment to promote opportunities for full, freely chosen and productive employment, including for the disadvantaged, as well as decent work for all, with full respect for fundamental principles and rights at work under conditions of equity, equality, security and dignity, and also reaffirms that macroeconomic policies should, inter alia, support employment creation, taking fully into account the social and environmental impact and dimensions of globalization and that these concepts are key elements of sustainable development for all countries and therefore a priority objective of international cooperation;

9. *Emphasizes* that education and training are among the critical factors in empowering those living in poverty, while recognizing the complexity of the challenge of poverty eradication, and in this regard recognizes the role of the United Nations Educational, Scientific and Cultural Organization in coordinating the Education for All partners and in promoting the development of sector-wide education policies by, inter alia, elaborating pedagogical tools for grass-roots organizations and policymakers;

10. *Recognizes* the role of other specialized agencies and United Nations funds and programmes, including the

United Nations Children's Fund and the United Nations Development Programme, in contributing to international advocacy for eradicating poverty, including through education and training;

11. *Reaffirms* the need to fulfil all official development assistance commitments, including the commitments by many developed countries to achieve the target of 0.7 per cent of gross national product for official development assistance to developing countries by 2015 and to reach a level of at least 0.5 per cent of gross national product for official development assistance by 2010, as well as a target of 0.15 per cent to 0.20 per cent of gross national product for official development assistance to the least developed countries;

12. *Welcomes* the increasing efforts to improve the quality of official development assistance and to increase its development impact, recognizes that the Development Cooperation Forum of the Economic and Social Council, together with recent initiatives such as the high-level forums on aid effectiveness, which produced the 2005 Paris Declaration on Aid Effectiveness and the 2008 Accra Agenda for Action, make important contributions to the efforts of those countries which have made commitments to them, including through the adoption of the fundamental principles of national ownership, alignment, harmonization and managing for results, and bears in mind that there is no one-size-fits-all formula that will guarantee effective assistance and that the specific situation of each country needs to be fully considered;

13. *Resolves* to work to operationalize the World Solidarity Fund established by the General Assembly, invites Member States, international organizations, the private sector, relevant institutions, foundations and individuals to make voluntary contributions to the Fund, and requests the Secretary-General to include in his report on the implementation of the present resolution information on measures taken to better operationalize the Fund and recommendations in that regard;

14. *Recognizes* that sustained and inclusive economic growth is essential for eradicating poverty and hunger, in particular in developing countries, and stresses that national efforts in this regard should be complemented by an enabling international environment;

15. *Calls upon* Member States to continue their ambitious efforts to strive for more inclusive, equitable, balanced, stable and development-oriented sustainable socio-economic approaches to overcoming poverty and inequality;

16. *Recognizes* the appointment of the Under-Secretary-General for Economic and Social Affairs as the coordinator for the Second Decade;

17. *Reiterates its call* to the relevant organizations of the United Nations system to consider activities to implement the Second Decade, in consultation with Member States and other relevant stakeholders;

18. *Recalls* the inter-agency system-wide plan of action for poverty eradication involving more than twenty-one agencies, funds, programmes and regional commissions, and requests the Secretary-General to provide details on the implementation of the plan of action to Member States;

19. *Reaffirms* the need to give the highest priority to its consideration of the question of poverty eradication, and in that regard recalls its decision, in resolution 63/230, as a contribution to the Second Decade, to convene, at its

sixty-eighth session, a meeting of the General Assembly at the highest appropriate political level centred on the review process devoted to the theme relating to the issue of poverty eradication, and stresses that the meeting and the preparatory activities should be carried out within the budget level proposed by the Secretary-General for the biennium 2012–2013 and should be organized in the most effective and efficient manner;

20. *Calls upon* Member States to continue to support the theme “Full employment and decent work for all” for the Second Decade;

21. *Notes with concern* the continuing high levels of unemployment as a consequence of the global financial and economic crisis, recognizes that decent work remains one of the best routes out of poverty, and in this regard invites donor countries, multilateral organizations and other development partners to continue to assist Member States, in particular developing countries, in adopting policies consistent with the Global Jobs Pact adopted by the International Labour Conference at its ninety-eighth session, as a general framework within which each country can formulate policy packages specific to its situation and national priorities in order to promote a job-intensive recovery and sustainable development;

22. *Urges* the international community, including the United Nations system, to implement the outcome documents relating to the internationally agreed development goals, including the Millennium Development Goals;

23. *Also urges* the international community, including the United Nations system, to implement the Outcome of the Conference on the World Financial and Economic Crisis and Its Impact on Development in support of the objectives of the Second Decade;

24. *Calls upon* the relevant organizations of the United Nations system, within their respective mandates and resources, to support Member States, at their request, in strengthening their macroeconomic policy capacity and national development strategies so as to contribute to achieving the objectives of the Second Decade;

25. *Encourages* greater inter-agency convergence and collaboration within the United Nations system in sharing knowledge, promoting policy dialogue, facilitating synergies, mobilizing funds, providing technical assistance in the key policy areas underlying the decent work agenda and strengthening system-wide policy coherence on employment issues, including by avoiding duplication of effort;

26. *Decides* to include in the provisional agenda of its sixty-sixth session, under the item entitled “Eradication of poverty and other development issues”, the sub-item entitled “Implementation of the Second United Nations Decade for the Eradication of Poverty (2008–2017)”, and requests the Secretary-General to submit to the General Assembly at its sixty-sixth session a report on the implementation of the present resolution.

Microcredit and microfinance in the eradication of poverty

In an August report [A/65/267], submitted in response to General Assembly resolution 63/229 [YUN 2008, p. 921], the Secretary-General assessed the ben-

efits and limitations of microcredit and microfinance as a poverty eradication strategy, reviewed the impact of the financial and economic crisis on microfinance and addressed measures that Governments were taking to improve the delivery of microfinance services and to build inclusive financial systems. The report underscored the contributions of microfinance to reducing vulnerability among people living in poverty by smoothing consumption and generating self-employment, which could play a social protection role. The impact of microfinance might be reflected less in income measures than in broader dimensions of poverty, such as access to health or education. That perspective highlighted the need to complement microfinance services with other development strategies focused on building human capital and creating an enabling environment to maximize the poverty eradication potential of microfinance.

In the wake of the financial and economic crisis, the fundamentals of microfinance might offer lessons for a new, more stable financial model. With the world's attention focused on financial policy reform, Governments should seize the opportunity to extend access to financial services and policies should provide for regulatory frameworks that permitted diverse institutions and bank agents to deliver varied and innovative financial services. Additional measures should include regularly collecting and managing data on financial access, developing sound market infrastructures and promoting financial literacy. Electronic government-to-person payments might be considered as a cost-effective means to increase financial access. Financial inclusion policies should be developed in coordination with other social, economic and environmental policies to ensure adequate attention to and investment in areas such as health care, energy, education and livelihood skills, technology and transport, which complemented and supported the positive effects and potential of microfinance.

The report recommended that Governments adapt regulatory frameworks to expand the range of institutions permitted to provide savings and other non-lending services by providing for proportional supervision so as to enhance competition and widen financial access for people living in poverty; expand regulatory frameworks to enable agent banking, with a view to supporting the scaling-up of branchless banking; establish clear reporting guidelines for regulated financial institutions while supporting the development of and coordination with an effective market infrastructure, including in particular credit bureaus, to facilitate the availability of regular and accurate market data for use in product development and regulation; expand partnerships and coordinated investment in employment and in the development of entrepreneurial skills and infrastructure as key means of enhancing microfinance outcomes among excluded

households and enterprises; develop mechanisms to strengthen financial policy coordination to improve responses to complex and interlinked development challenges, including poverty, climate change and social exclusion; strengthen support to local and community banks and to financial literacy programmes, and promote know-your-client principles so as to ensure long-term financial sustainability; and encourage empirical research into the impact of microcredit and microfinance on accelerating poverty reduction and expanding social protection, including improved data collection.

The General Assembly took note of that report by **decision 65/528** of 20 December.

Millennium Development Goals

The Millennium Development Goals Report 2010, published by DESA [Sales No. E.10.1.7 & Add.1,2] and based on data available as at June, summarized the progress made in various regions on official MDG indicators. According to the report, data and analysis provided clear evidence that targeted interventions, sustained by adequate funding and political commitment, had resulted in rapid progress in some areas, while unmet commitments, inadequate resources, lack of focus and accountability, and insufficient dedication to sustainable development, aggravated by the global food and economic and financial crises, had created shortfalls in others, and the poorest groups, those without education or living in remote areas, had been neglected.

Nevertheless, the economic growth momentum in developing regions remained strong and, given the many successes of even the most challenged countries, achieving the MDGs was still within grasp. Progress on poverty reduction was being made, despite significant setbacks due to the 2008–2009 economic downturn and food and energy crises. The developing world as whole remained on track to achieve the poverty reduction target by 2015. Major advances had been made in getting children into school in many of the poorest countries, most of them in sub-Saharan Africa, and remarkable improvements in key interventions had cut child deaths from 12.5 million in 1990 to 8.8 million in 2008. The rate of deforestation, although still alarmingly high, appeared to have slowed, and increased use of improved water sources in rural areas narrowed the gap with urban areas. Other advances concerned the number of people receiving antiretroviral therapy, accelerated delivery of malaria interventions, and mobile telephone use for m-banking, disaster management and other non-voice applications for development.

Nevertheless, progress was uneven and without a major push forward, many of the MDG targets were likely to be missed in most regions. Old and new chal-

lenges threatened to further slow progress in some areas or even undo successes achieved. The most severe impact of climate change was being felt by vulnerable populations who had contributed least to the problem. The risk of death or disability and economic loss due to natural disasters was increasing globally and was concentrated in poorer countries. Armed conflict remained a major threat to human security and to hard-won MDG gains. Large populations of refugees remained in camps with limited opportunities to improve their lives. The number of undernourished people had continued to grow, while progress in reducing the prevalence of hunger stalled, or even reversed itself in some regions. The effects of the global financial crisis were likely to persist and poverty rates were expected to be higher. In the areas of gender equality and the empowerment of women, progress had been sluggish on all fronts, from education to access to political decision-making.

Achieving the MDGs would also require increased attention to those most vulnerable. Policies and interventions would be needed to eliminate the inequalities between the rich and the poor, between those living in rural or remote areas or in slums versus better-off urban populations, and to help those disadvantaged by geographic location, sex, age, disability or ethnicity. Looking towards 2015, the MDGs were still attainable; the critical question was how to transform the pace of change during the past decade into dramatically faster progress. The experience of the last ten years offered ample evidence of what worked and provided tools for achieving the MDGs by 2015.

Report of Secretary-General. A June report of the Secretary-General on regional cooperation in the economic, social and related fields [E/2010/15] (see p. 968), submitted in accordance with General Assembly resolution 1823(XVII) [YUN 1962, p. 266] and Economic and Social Council resolution 1817(LV) [YUN 1973, p. 449], examined progress by different regions towards the MDGs and lessons learned from the global economic and financial crisis to address fallbacks, and suggested measures to accelerate the process of achieving the MDGs.

High-level Plenary Meeting on MDGs

In accordance with General Assembly resolution 64/184 [YUN 2009, p. 1375], Heads of State and Government gathered at UN Headquarters (New York, 20–22 September) for a High-level Plenary Meeting on the MDGs. By adopting an outcome document entitled “Keeping the promise: united to achieve the Millennium Development Goals”, world leaders reaffirmed their commitment to the MDGs and called for intensified collective action and the expansion of successful approaches. They called for action to en-

sure equal access by women and girls to education, basic services, health care, economic opportunities and decision-making, recognizing that achieving the MDGs depended largely on women's empowerment. World leaders also stressed that accelerated action on the goals required sustainable, inclusive and equitable economic growth—growth that enabled everyone to benefit from progress and share in economic opportunities. To accelerate progress towards the MDGs, the Secretary-General launched at the meeting the Global Strategy for Women's and Children's Health (see p. 1140).

Report of Secretary-General. The High-level Plenary Meeting had before it a February report of the Secretary-General [A/64/665] on progress made in achieving the MDGs, submitted pursuant to General Assembly resolution 64/184. In the report, the Secretary-General suggested an action agenda from 2011 to 2015, by creating the policy and fiscal space to accelerate and sustain progress; expanding global partnership in support of the MDG agenda; and harnessing private sector potential for sustainable development. The Secretary-General set out five key principles for the actions of individuals, organizations, private companies and Governments: national ownership and leadership, complemented by supportive global programmes, measures and policies that aligned with national priorities and respected national sovereignty, were essential; the interdependence of human rights, gender equality, governance, development, and peace and security must be recognized to attain success and sustainability; the need to look at the MDGs through a gender lens was critical and all of the action areas needed to include specific strategies for tackling challenges faced by girls and women; the norms and values embedded in the Millennium Declaration [YUN 2000, p. 49] and international human rights instruments must provide the foundation for engagement; and the need to empower the poor through scaled-up efforts focused on citizen monitoring of MDG delivery, capacity-building and improving access to financial and legal services remained crucial.

Communications. By a 26 March letter [A/65/75], the Chair of the forty-third session of the Commission on Population and Development (see p. 1052) brought to the attention of the General Assembly President the work of the Commission at its forty-second session in 2009 [YUN 2009, p. 1045], which had considered as its special theme the contribution of the Programme of Action of the International Conference on Population and Development [YUN 1994, p. 955] to the internationally agreed development goals, including the MDGs, and had adopted a resolution on the topic [YUN 2009, p. 1047]. By a 9 July note [A/65/117], prepared pursuant to resolution 64/184 [YUN 2009, p. 1375], the General Assembly President

transmitted the summary of informal interactive hearings with representatives of NGOs, civil society organizations and the private sector (New York, 14–15 June). By a 3 September letter [A/65/360], China transmitted the Kunming Declaration of Poverty Alleviation, adopted at the Conference on Poverty Alleviation (Kunming, China, 13–18 July) of the International Conference of Asian Political Parties, as a contribution to the High-level Plenary Meeting. By a 16 September letter [A/65/525], Australia presented a declaration entitled "Advance global health: achieve the Millennium Development Goals", adopted at the sixty-third annual Conference of the UN Department of Public Information for Non-Governmental Organizations (Melbourne, Australia, 1 September). By a 15 September letter [A/65/384], Cuba transmitted the third national report on its progress in achieving the MDGs. On 27 September [A/65/508], the African Union (AU) transmitted the statement made by the Chairperson of the AU Commission at the High-level Plenary Meeting. By a 6 October letter [A/65/501], Madagascar, referring to its decision to decline the podium during the general debates of the High-level Plenary Meeting and of the Assembly session, transmitted the text of two statements its Minister for Foreign Affairs would have delivered on 22 and 29 September, respectively. Madagascar explained it had taken that decision not only with a view to preventing counterproductive statements, but also in order to preserve the peaceful unfolding of the Assembly. On 30 November [A/65/599], Namibia transmitted a statement by the 123rd Assembly of the Inter-Parliamentary Union (Geneva, October), endorsing the statement by the General Assembly President on the MDGs.

Intersessional panel meeting. The intersessional panel of the Commission on Science and Technology for Development was held in Geneva (15–17 December) [E/CN.16/2011/CRP.1].

GENERAL ASSEMBLY ACTION

On 13 September [meeting 121], the General Assembly adopted **resolution 64/299** [draft: A/64/L.72] without vote [agenda items 48 & 114].

Draft outcome document of the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals

The General Assembly,

Recalling its resolutions 63/302 of 9 July 2009 and 64/184 of 21 December 2009,

Recalling also its decision 64/555 of 15 April 2010,

Decides to refer the draft outcome document annexed to the present resolution to the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals, to be held from 20 to 22 September 2010, for its consideration.

ANNEX

Keeping the promise: united to achieve the Millennium Development Goals

[For text, see General Assembly resolution 65/1 below.]

On 22 September [meeting 9], the General Assembly adopted **resolution 65/1** [draft: A/65/L.1] without vote [agenda items 13 & 115].

Keeping the promise: united to achieve the Millennium Development Goals*The General Assembly*

Adopts the following outcome document of the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals at its sixty-fifth session:

Keeping the promise: united to achieve the Millennium Development Goals

1. We, Heads of State and Government, gathered at United Nations Headquarters in New York from 20 to 22 September 2010, welcome the progress made since we last met here in 2005, while expressing deep concern that it falls far short of what is needed. We reaffirm our resolve to work together for the promotion of the economic and social advancement of all peoples, recalling the development goals and commitments emanating from the United Nations Millennium Declaration and the 2005 World Summit Outcome.

2. We reaffirm that we continue to be guided by the purposes and principles of the Charter of the United Nations and with full respect for international law and its principles.

3. We also reaffirm the importance of freedom, peace and security, respect for all human rights, including the right to development, the rule of law, gender equality and an overall commitment to just and democratic societies for development.

4. We underscore the continued relevance of the outcomes of all major United Nations conferences and summits in the economic, social and related fields and the commitments contained therein, including the Millennium Development Goals, which have raised awareness and continue to generate real and important development gains. Together these outcomes and commitments have played a vital role in shaping a broad development vision and constitute the overarching framework for the development activities of the United Nations. We strongly reiterate our determination to ensure the timely and full implementation of these outcomes and commitments.

5. We recognize that progress, including in poverty eradication, is being made despite setbacks, including setbacks caused by the financial and economic crisis. In this context, we recognize the deeply inspiring examples of progress made by countries in all regions of the world through cooperation, partnerships, actions and solidarity. We are deeply concerned, however, that the number of people living in extreme poverty and hunger surpasses one billion and that inequalities between and within countries remain a significant challenge. We are also deeply concerned about the alarming global levels of maternal and child mortality. We believe that eradication of poverty and hunger, as well as combating inequality at all levels, is essential to create a more prosperous and sustainable future for all.

6. We reiterate our deep concern at the multiple and interrelated crises, including the financial and economic crisis, volatile energy and food prices and ongoing concerns over food security, as well as the increasing challenges posed by climate change and the loss of biodiversity, which have increased vulnerabilities and inequalities and have adversely affected development gains, in particular in developing countries. But this will not deter us in our efforts to make the Millennium Development Goals a reality for all.

7. We are determined to collectively advance and strengthen the global partnership for development, as the centrepiece of our cooperation, in the years ahead. The global partnership has been reaffirmed in the Millennium Declaration, the Monterrey Consensus of the International Conference on Financing for Development, the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"), the 2005 World Summit Outcome and the Doha Declaration on Financing for Development: outcome document of the Follow-up International Conference on Financing for Development to Review the Implementation of the Monterrey Consensus.

8. We are committed to making every effort to achieve the Millennium Development Goals by 2015, including through actions, policies and strategies defined in the present outcome document in support of developing countries, in particular those countries that are lagging most behind and those Goals that are most off track, thus improving the lives of the poorest people.

9. We are convinced that the Millennium Development Goals can be achieved, including in the poorest countries, with renewed commitment, effective implementation and intensified collective action by all Member States and other relevant stakeholders at both the domestic and international levels, using national development strategies and appropriate policies and approaches that have proved to be effective, with strengthened institutions at all levels, increased mobilization of resources for development, increased effectiveness of development cooperation and an enhanced global partnership for development.

10. We reaffirm that national ownership and leadership are indispensable in the development process. There is no one size fits all. We reiterate that each country has primary responsibility for its own economic and social development and that the role of national policies, domestic resources and development strategies cannot be overemphasized. At the same time, domestic economies are now interwoven with the global economic system and, therefore, an effective use of trade and investment opportunities can help countries to fight poverty. Development efforts at the national level need to be supported by an enabling national and international environment that complements national actions and strategies.

11. We acknowledge that good governance and the rule of law at the national and international levels are essential for sustained, inclusive and equitable economic growth, sustainable development and the eradication of poverty and hunger.

12. We recognize that gender equality, the empowerment of women, women's full enjoyment of all human rights and the eradication of poverty are essential to economic and social development, including the achievement

of all the Millennium Development Goals. We reaffirm the need for the full and effective implementation of the Beijing Declaration and Platform for Action. Achieving gender equality and empowerment of women is both a key development goal and an important means for achieving all of the Millennium Development Goals. We welcome the establishment of the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), and pledge our full support for its operationalization.

13. We acknowledge that peace and security, development and human rights are the pillars of the United Nations system and the foundations for collective security and well-being. We recognize that development, peace and security and human rights are interlinked and mutually reinforcing. We reaffirm that our common fundamental values, including freedom, equality, solidarity, tolerance, respect for all human rights, respect for nature and shared responsibility, are essential for achieving the Millennium Development Goals.

14. We are convinced that the United Nations, on the basis of its universal membership, legitimacy and unique mandate, plays a vital role in the promotion of international cooperation for development and in supporting the acceleration of the implementation of the internationally agreed development goals, including the Millennium Development Goals. We reaffirm the need for a strong United Nations to meet the challenges of the changing global environment.

15. We recognize that all the Millennium Development Goals are interconnected and mutually reinforcing. We therefore underline the need to pursue these Goals through a holistic and comprehensive approach.

16. We acknowledge the diversity of the world and recognize that all cultures and civilizations contribute to the enrichment of humankind. We emphasize the importance of culture for development and its contribution to the achievement of the Millennium Development Goals.

17. We call on civil society, including non-governmental organizations, voluntary associations and foundations, the private sector and other relevant stakeholders at the local, national, regional and global levels, to enhance their role in national development efforts as well as their contribution to the achievement of the Millennium Development Goals by 2015, and we commit ourselves as national Governments to the inclusion of these stakeholders.

18. We acknowledge the role of national parliaments in furthering the achievement of the Millennium Development Goals by 2015.

A mixed story: successes, uneven progress, challenges and opportunities

19. We recognize that developing countries have made significant efforts towards achieving the Millennium Development Goals and have had major successes in realizing some of the targets of the Millennium Development Goals. Successes have been made in combating extreme poverty, improving school enrolment and child health, reducing child deaths, expanding access to clean water, improving prevention of mother-to-child transmission of HIV, expanding access to HIV/AIDS prevention, treatment and care, and controlling malaria, tuberculosis and neglected tropical diseases.

20. We acknowledge that much more needs to be done in achieving the Millennium Development Goals as progress has been uneven among regions and between and within countries. Hunger and malnutrition rose again from 2007 through 2009, partially reversing prior gains. There has been slow progress in reaching full and productive employment and decent work for all, advancing gender equality and the empowerment of women, achieving environmental sustainability and providing basic sanitation, and new HIV infections still outpace the number of people starting treatment. In particular, we express grave concern over the slow progress being made in reducing maternal mortality and improving maternal and reproductive health. Progress on other Millennium Development Goals is fragile and must be sustained to avoid reversal.

21. We underline the central role of the global partnership for development and the importance of Goal 8 in achieving the Millennium Development Goals. We recognize that without substantial international support, several of the Goals are likely to be missed in many developing countries by 2015.

22. We are deeply concerned about the impact of the financial and economic crisis, the worst since the Great Depression. It has reversed development gains in many developing countries and threatens to seriously undermine the achievement of the Millennium Development Goals by 2015.

23. We take note of the lessons learned and the successful policies and approaches in the implementation and achievement of the Millennium Development Goals and recognize that with increased political commitment these could be replicated and scaled up for accelerating progress, including by:

(a) Strengthening national ownership and leadership of development strategies;

(b) Adopting forward-looking, macroeconomic policies that promote sustainable development and lead to sustained, inclusive and equitable economic growth, increase productive employment opportunities and promote agricultural and industrial development;

(c) Promoting national food security strategies that strengthen support for smallholder farmers and contribute to poverty eradication;

(d) Adopting policies and measures oriented towards benefiting the poor and addressing social and economic inequalities;

(e) Supporting participatory, community-led strategies aligned with national development priorities and strategies;

(f) Promoting universal access to public and social services and providing social protection floors;

(g) Improving capacity to deliver quality services equitably;

(h) Implementing social policies and programmes, including appropriate conditional cash-transfer programmes, and investing in basic services for health, education, water and sanitation;

(i) Ensuring the full participation of all segments of society, including the poor and disadvantaged, in decision-making processes;

(j) Respecting, promoting and protecting all human rights, including the right to development;

(k) Increasing efforts to reduce inequality and eliminate social exclusion and discrimination;

(l) Enhancing opportunities for women and girls and advancing the economic, legal and political empowerment of women;

(m) Investing in the health of women and children to drastically reduce the number of women and children who die from preventable causes;

(n) Working towards transparent and accountable systems of governance at the national and international levels;

(o) Working towards greater transparency and accountability in international development cooperation, in both donor and developing countries, focusing on adequate and predictable financial resources as well as their improved quality and targeting;

(p) Promoting South-South and triangular cooperation, which complement North-South cooperation;

(q) Promoting effective public-private partnerships;

(r) Expanding access to financial services for the poor, especially poor women, including through adequately funded microfinance plans, programmes and initiatives supported by development partners;

(s) Strengthening statistical capacity to produce reliable disaggregated data for better programmes and policy evaluation and formulation.

24. We recognize that the scaling-up of the successful policies and approaches outlined above will need to be complemented by a strengthened global partnership for development, as set out in the action agenda below.

25. We take note of the first formal debate organized by the President of the General Assembly in which different views on the notion of human security were presented by Member States, as well as the ongoing efforts to define the notion of human security, and recognize the need to continue the discussion and to achieve an agreement on the definition of human security in the General Assembly.

26. We recognize that climate change poses serious risks and challenges to all countries, especially developing countries. We commit ourselves to addressing climate change in accordance with the principles and provisions of the United Nations Framework Convention on Climate Change, including the principle of common but differentiated responsibilities and respective capabilities. We maintain the Framework Convention as the primary international, intergovernmental forum for negotiating the global response to climate change. Addressing climate change will be of key importance in safeguarding and advancing progress towards achieving the Millennium Development Goals.

27. We recognize that attention must be focused on the particular needs of developing countries and on the large and increasing economic and social inequalities. Disparities between developed and developing countries and inequalities between the rich and the poor, and between rural and urban populations, *inter alia*, remain persistent and significant and need to be addressed.

28. We recognize that policies and actions must focus on the poor and those living in the most vulnerable situations, including persons with disabilities, so that they may benefit from progress towards achieving the Millennium Development Goals. In this respect, there is a particular

need to provide more equitable access to economic opportunities and social services.

29. We recognize the urgency of paying attention to the many developing countries with specific needs, and the unique challenges they confront in achieving the Millennium Development Goals.

30. We acknowledge that the least developed countries face significant constraints and structural impediments in their development efforts. We express grave concern that the least developed countries are lagging behind in meeting internationally agreed development goals, including the Millennium Development Goals. In that context, we call for continued implementation of the Brussels Programme of Action for the Least Developed Countries for the Decade 2001–2010 and look forward to the Fourth United Nations Conference on the Least Developed Countries, to be held in Istanbul, Turkey, in 2011, which would further invigorate the international partnership to address the special needs of these countries.

31. We reiterate our recognition of the special needs of and challenges faced by the landlocked developing countries, caused by their lack of territorial access to the sea, aggravated by remoteness from world markets and also the concern that the economic growth and social well-being of landlocked developing countries remain very vulnerable to external shocks. We stress the need to overcome these vulnerabilities and build resilience. We call for the full, timely and effective implementation of the Almaty Programme of Action: Addressing the Special Needs of Landlocked Developing Countries within a New Global Framework for Transit Transport Cooperation for Landlocked and Transit Developing Countries, as reaffirmed in the Declaration of the high-level meeting of the sixty-third session of the General Assembly on the midterm review of the Almaty Programme of Action.

32. We recognize the unique and particular vulnerabilities of small island developing States and reaffirm our commitment to take urgent and concrete action to address those vulnerabilities through the full and effective implementation of the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States. We also recognize that the adverse effects of climate change and sea-level rise present significant risks to the sustainable development of small island developing States. We note the uneven progress of small island developing States in achieving the Millennium Development Goals and express concern that progress in some areas has been lagging. In this regard, we welcome the five-year high-level review of the Mauritius Strategy to be conducted on 24 and 25 September 2010 to assess progress made in addressing the vulnerabilities of small island developing States.

33. We recognize that more attention should be given to Africa, especially those countries most off track to achieve the Millennium Development Goals by 2015. Progress has been made in some African countries, but the situation in others remains a grave concern, not least because the continent is among the hardest hit by the financial and economic crisis. We note that aid to Africa has increased in recent years; however, it still lags behind the commitments that have been made. We therefore strongly call for the delivery of those commitments.

34. We recognize also the specific development challenges of middle-income countries. These countries face unique challenges in their efforts to achieve their national development goals, including the Millennium Development Goals. We also reiterate that their efforts in that regard should be based on national development plans that integrate the Millennium Development Goals and should be adequately supported by the international community, through various forms, taking into account the needs and the capacity to mobilize domestic resources of these countries.

35. We acknowledge that disaster risk reduction and increasing resilience to all types of natural hazards, including geological and hydro-meteorological hazards, in developing countries, in line with the Hyogo Framework for Action 2005–2015: Building the Resilience of Nations and Communities to Disasters, can have multiplier effects and accelerate achievement of the Millennium Development Goals. Reducing vulnerabilities to these hazards is therefore a high priority for developing countries. We recognize that small island developing States continue to grapple with natural disasters, some of increased intensity, including as a result of the effects of climate change, impeding progress towards sustainable development.

The way forward: an action agenda for achieving the Millennium Development Goals by 2015

36. We resolve to promote and strengthen national ownership and leadership of development as a key determinant of progress in achieving the Millennium Development Goals, with each country taking the primary responsibility for its own development. We encourage all countries to continue to design, implement and monitor development strategies tailored to their specific situations, including through broad consultations and participation of all relevant stakeholders, as appropriate for each national context. We call on the United Nations system and other development actors to support the design and implementation of these strategies, at the request of Member States.

37. We recognize that the increasing interdependence of national economies in a globalizing world and the emergence of rules-based regimes for international economic relations have meant that the space for national economic policy, that is, the scope for domestic policies, especially in the areas of trade, investment and international development, is now often framed by international disciplines, commitments and global market considerations. It is for each Government to evaluate the trade-off between the benefits of accepting international rules and commitments and the constraints posed by the loss of policy space.

38. We reaffirm the Monterrey Consensus and the Doha Declaration on Financing for Development in their entirety, and their integrity and holistic approach, and recognize that mobilizing financial resources for development and the effective use of all those resources are central to the global partnership for development, including in support of the achievement of the internationally agreed development goals, including the Millennium Development Goals.

39. We call for the expeditious delivery of commitments already made by developed countries in the context of the Monterrey Consensus and the Doha Declaration on Financing for Development. Short-term liquidity, long-term development financing and grants, in accordance with

these commitments, will be utilized to assist developing countries to adequately respond to their development priorities. In our common pursuit of growth, poverty eradication and sustainable development, a critical challenge is to ensure the necessary internal conditions for mobilizing domestic resources, both public and private, sustaining adequate levels of productive investment and increasing human capacity. Private international capital flows, particularly foreign direct investment, along with international financial stability, are vital complements to national and international development efforts.

40. We stress the need for further reform and modernization of the international financial institutions to better enable them to respond to and prevent financial and economic emergencies, effectively promote development and better serve the needs of Member States. We reaffirm the importance of enhancing the voice and representation of developing countries in the World Bank and the International Monetary Fund, and note the reforms undertaken by the World Bank and the progress made by the International Monetary Fund in that direction.

41. We call for increased efforts at all levels to enhance policy coherence for development. We affirm that achievement of the Millennium Development Goals requires mutually supportive and integrated policies across a wide range of economic, social and environmental issues for sustainable development. We call on all countries to formulate and implement policies consistent with the objectives of sustained, inclusive and equitable economic growth, poverty eradication and sustainable development.

42. We reiterate the important role of trade as an engine of growth and development and its contribution to the attainment of the Millennium Development Goals. We emphasize the need to resist protectionist tendencies and to rectify any trade distorting measures already taken that are inconsistent with World Trade Organization rules, recognizing the right of countries, in particular developing countries, to fully utilize their flexibilities consistent with their World Trade Organization commitments and obligations. The early and successful conclusion of the Doha Round with a balanced, ambitious, comprehensive and development-oriented outcome would provide much needed impetus to international trade and contribute to economic growth and development.

43. We stress that promoting sustained, inclusive and equitable economic growth is necessary for accelerating progress towards achieving the Millennium Development Goals, as well as for promoting sustainable development, but it is not sufficient: growth should enable everyone, in particular the poor, to participate in and benefit from economic opportunities and should lead to job creation and income opportunities and be complemented by effective social policies.

44. We commit ourselves to redoubling our efforts to reduce maternal and child mortality and improve the health of women and children, including through strengthened national health systems, efforts to combat HIV/AIDS, improved nutrition, and access to safe drinking water and basic sanitation, making use of enhanced global partnerships. We stress that accelerating progress on the Millennium Development Goals related to health is essential for making headway also with the other Goals.

45. We reiterate our commitment to ensure that by 2015 children everywhere, boys and girls alike, will be able to complete a full course of primary education.

46. We emphasize the importance of addressing energy issues, including access to affordable energy, energy efficiency and sustainability of energy sources and use, as part of global efforts for the achievement of the Millennium Development Goals and the promotion of sustainable development.

47. We recognize the importance of developing economic and social infrastructure and productive capacities for sustained, inclusive and equitable economic growth and sustainable development, particularly in developing countries, bearing in mind the need to enhance employment and income opportunities for all, with a special focus on the poor.

48. We stress the need to create full and productive employment and decent work for all and further resolve to promote the Global Jobs Pact as a general framework within which each country can formulate policy packages specific to its situation and national priorities in order to promote a job intensive recovery and sustainable development. We call on Member States to take effective measures for promoting social inclusion and integration and incorporate these into their national development strategies.

49. We resolve to take further effective measures and actions, in conformity with international law, to remove obstacles and constraints, strengthen support and meet the special needs of the regions and countries struggling to achieve economic and social development, including the least developed countries, landlocked developing countries, small island developing States, middle-income countries, Africa, and people living in areas affected by complex humanitarian emergencies and in areas affected by terrorism. In addition, we acknowledge the need to take concerted actions, in conformity with international law, to remove the obstacles to the full realization of the rights of peoples living under foreign occupation to promote the achievement of the Millennium Development Goals.

50. We recognize the specific development challenges related to peacebuilding and early recovery in countries affected by conflict and the effect of these challenges on their efforts to achieve the Millennium Development Goals. We request donor countries to provide adequate, timely and predictable development assistance in support of these efforts, tailored to country-specific needs and situations, at the request of the recipient country. We are determined to strengthen international partnerships to address these needs, demonstrate progress and enable improved international support.

51. We consider that promoting universal access to social services and providing social protection floors can make an important contribution to consolidating and achieving further development gains. Social protection systems that address and reduce inequality and social exclusion are essential for protecting the gains towards the achievement of the Millennium Development Goals.

52. We stress that fighting corruption at both the national and international levels is a priority and that corruption is a serious barrier to effective resource mobilization and allocation and diverts resources away from activities that are vital for poverty eradication, the fight against hun-

ger and sustainable development. We are determined to take urgent and decisive steps to continue to combat corruption in all of its manifestations, which requires strong institutions at all levels, and urge all States that have not yet done so to consider ratifying or acceding to the United Nations Convention against Corruption and to begin its implementation.

53. We recognize that the respect for and promotion and protection of human rights is an integral part of effective work towards achieving the Millennium Development Goals.

54. We acknowledge the importance of gender equality and empowerment of women to achieve the Millennium Development Goals. Women are agents of development. We call for action to ensure the equal access of women and girls to education, basic services, health care, economic opportunities and decision-making at all levels. We stress that investing in women and girls has a multiplier effect on productivity, efficiency and sustained economic growth. We recognize the need for gender mainstreaming in the formulation and implementation of development policies.

55. We reaffirm that States should, in accordance with international law, take concerted, positive steps to ensure respect for all human rights and fundamental freedoms of indigenous people, on the basis of equality and non-discrimination and recognizing the value and diversity of their distinctive identities, cultures and social organization.

56. We resolve to work with all stakeholders and strengthen partnerships in achieving the Millennium Development Goals. The private sector plays a vital role in development in many countries, including through public-private partnerships and by generating employment and investment, developing new technologies and enabling sustained, inclusive and equitable economic growth. We call upon the private sector to further contribute to poverty eradication, including by adapting its business models to the needs and possibilities of the poor. Foreign direct investment and trade, as well as public-private partnerships, are important for the scaling-up of initiatives. In this connection we note the work of the United Nations Global Compact, in which companies have committed to corporate social responsibility and action in support of the Millennium Development Goals.

57. We stress the importance of strengthening regional and subregional cooperation for accelerating national development strategy implementation, including through regional and subregional development banks and initiatives. We also emphasize the importance of strengthening regional and subregional institutions to provide effective support to regional and national development strategies.

58. We reaffirm that the United Nations funds, programmes and regional commissions, and the specialized agencies, in accordance with their respective mandates, have an important role to play in advancing development and in protecting development gains, in accordance with national strategies and priorities, including progress towards achieving the Millennium Development Goals. We will continue to take steps for a strong, well-coordinated, coherent and effective United Nations system in support of the Millennium Development Goals. We emphasize the principle of national ownership and leadership, support the initiative of some countries to use, on a voluntary basis,

common country programme documents, and emphasize our support for all countries that wish to continue using the existing frameworks and processes for country-level programming.

59. We stress the need for adequate quantity and quality of funding for the operational activities of the United Nations development system as well as the need to make funding more predictable, effective and efficient. We also reaffirm, in this context, the importance of accountability, transparency and improved results-based management and further harmonized results-based reporting on the work of the United Nations funds and programmes and the specialized agencies.

60. We resolve to enhance efforts to mobilize adequate and predictable financial and high-quality technical support, as well as to promote the development and dissemination of appropriate, affordable and sustainable technology and the transfer of such technologies on mutually agreed terms, which is crucial for the achievement of the Millennium Development Goals.

61. We consider that innovative financing mechanisms can make a positive contribution in assisting developing countries to mobilize additional resources for financing for development on a voluntary basis. Such financing should supplement and not be a substitute for traditional sources of financing. While recognizing the considerable progress in innovative sources of financing for development, we call for scaling-up of present initiatives, where appropriate.

62. We welcome the ongoing efforts to strengthen and support South-South cooperation and triangular cooperation. We stress that South-South cooperation is not a substitute for, but rather a complement to, North-South cooperation. We call for the effective implementation of the outcome document of the High-level United Nations Conference on South-South Cooperation, held in Nairobi from 1 to 3 December 2009.

63. We recognize the regional efforts being made to advance the achievement of the Millennium Development Goals by 2015. In this regard, we welcome the convening of the fifteenth ordinary session of the Summit of the African Union in Kampala from 19 to 27 July 2010, with the theme "Maternal, infant and child health and development in Africa", the launch of the African Union Campaign on Accelerated Reduction of Maternal Mortality in Africa; the slogan "Africa cares: no woman should die while giving life"; the Special Ministerial Meeting to Review the Millennium Development Goals in Asia and the Pacific: run-up to 2015, held in Jakarta on 3 and 4 August 2010; the report of the Economic Commission for Latin America and the Caribbean on progress in Latin America and the Caribbean towards achieving the Millennium Development Goals; and similar reports produced by other regional commissions, all of which have contributed positively to the High-level Plenary Meeting of the General Assembly, as well as to the achievement of Millennium Development Goals by 2015.

64. We welcome the increasing efforts to improve the quality of official development assistance and to increase its development impact, and recognize that the Development Cooperation Forum of the Economic and Social Council, along with recent initiatives such as the high-level forums on aid effectiveness, which produced the 2005 Paris Declaration on Aid Effectiveness and the 2008 Accra Agenda

for Action, make important contributions to the efforts of those countries which have committed to them, including through the adoption of the fundamental principles of national ownership, alignment, harmonization and managing for results. We also bear in mind that there is no one-size-fits-all formula that will guarantee effective assistance and that the specific situation of each country needs to be fully considered.

65. We encourage continued efforts in the Development Cooperation Forum, as the focal point within the United Nations system, to carry out a holistic consideration of issues related to international development cooperation, with the participation of all relevant stakeholders.

66. We consider that the cultural dimension is important for development. We encourage international cooperation in the cultural field, aimed at achieving development objectives.

67. We recognize that sport, as a tool for education, development and peace, can promote cooperation, solidarity, tolerance, understanding, social inclusion and health at the local, national and international levels.

68. We recognize that all countries require adequate, timely, reliable and disaggregated data, including demographic data, in order to design better programmes and policies for sustainable development. We commit ourselves to strengthening our national statistical systems, including for effectively monitoring progress towards the Millennium Development Goals. We also reiterate the need to increase efforts in support of statistical capacity-building in developing countries.

69. We take note of the Global Pulse initiative to develop more up-to-date and actionable data as a joint effort among all relevant stakeholders for rapid impact and vulnerability analysis.

Millennium Development Goal 1— Eradicate extreme poverty and hunger

70. We commit ourselves to accelerating progress in order to achieve Millennium Development Goal 1, including by:

(a) Addressing the root causes of extreme poverty and hunger, while noting that the eradication of extreme poverty and hunger has a direct impact on the achievement of all the other Millennium Development Goals;

(b) Adopting forward-looking economic policies that lead to sustained, inclusive and equitable economic growth and sustainable development, and which increase employment opportunities, promote agricultural development and reduce poverty;

(c) Increasing efforts at all levels to mitigate the social and economic impacts, particularly on poverty and hunger, of the multiple crises through global responses that are comprehensive, effective, inclusive and sustainable, taking into account the needs of developing countries;

(d) Pursuing job-intensive, sustained, inclusive and equitable economic growth and sustainable development to promote full and productive employment and decent work for all, including for women, indigenous people, young people, people with disabilities and rural populations, and promoting small- and medium-sized enterprises through initiatives such as skills enhancement and technical training programmes, vocational training and entrepreneurial

skills development. Employers and workers' representatives should be closely associated with these initiatives;

(e) Improving opportunities for young people to gain access to productive employment and decent work through increased investment in youth employment, active labour-market support and public-private partnerships, as well as through the creation of enabling environments to facilitate the participation of young people in labour markets, in accordance with international rules and commitments;

(f) Taking appropriate steps to assist one another in the elimination of the worst forms of child labour, strengthening child protection systems and combating trafficking in children through, *inter alia*, enhanced international co-operation and assistance, including support for social and economic development, poverty eradication programmes and universal education;

(g) Promoting comprehensive systems of social protection that provide universal access to essential social services, consistent with national priorities and circumstances, by establishing a minimum level of social security and health care for all;

(h) Promoting inclusive financial services, particularly microfinance, and including affordable and accessible credit, savings, insurance and payments products for all segments of society, especially women, people in vulnerable situations and those who would not normally be served, or are underserved, by traditional financial institutions, as well as for micro-, small- and medium-sized enterprises;

(i) Promoting the empowerment and participation of rural women as critical agents for enhancing agricultural and rural development and food security and ensuring their equal access to productive resources, land, financing, technologies, training and markets;

(j) Reaffirming the international commitment to eliminating hunger and to securing access to food for all and reiterating, in this regard, the important role of relevant organizations, particularly the United Nations system;

(k) Supporting the Five Rome Principles for Sustainable Global Food Security contained in the Declaration of the World Summit on Food Security;

(l) Strengthening international coordination and governance for food security, through the Global Partnership for Agriculture, Food Security and Nutrition, of which the Committee on World Food Security is a central component, and reiterating that it is essential to enhance global governance, building on existing institutions and fostering effective partnerships;

(m) Promoting efforts to improve capacity-building in sustainable fisheries management, especially in developing countries, as fish is an important source of animal protein for millions of people and is an essential component in the fight against malnutrition and hunger;

(n) Supporting a comprehensive and coordinated response to address the multiple and complex causes of the global food crisis, including the adoption of political, economic, social, financial and technical solutions in the short, medium and long term by national Governments and the international community, including for mitigating the impact of the high volatility of food prices on developing countries. The relevant United Nations organizations have an important role to play in this regard;

(o) Promoting at all levels a strong enabling environment for enhancing agricultural production, productivity and sustainability in developing countries, including through public and private investment, land-use planning, efficient water management, adequate rural infrastructure, including irrigation, and developing strong agricultural value chains and improving access of farmers to markets and land and supportive economic policies and institutions at the national and international levels;

(p) Supporting small-scale producers, including women, to increase production of a wide spectrum of traditional and other crops and livestock, and improving their access to markets, credits and inputs, thereby increasing income-earning opportunities for poor people and their ability to purchase food and improve their livelihoods;

(q) Increasing the rate of agricultural productivity growth in developing countries through promotion of the development and dissemination of appropriate, affordable and sustainable agricultural technology, as well as the transfer of such technologies on mutually agreed terms, and supporting agricultural research and innovation, extension services and agricultural education in developing countries;

(r) Increasing the sustainable production and augmenting the availability and quality of food, including through long-term investment, access of smallholder farmers to markets, credit and inputs, improved land-use planning, crop diversification, commercialization, and development of an adequate rural infrastructure and enhanced market access for developing countries;

(s) Delivering on the commitments made to achieve global food security, and providing adequate and predictable resources through bilateral and multilateral channels, including the commitments set out in the Aquila Food Security Initiative;

(t) Addressing environmental challenges to sustainable agricultural development such as water quality and availability, deforestation and desertification, land and soil degradation, dust, floods, drought and unpredictable weather patterns and loss of biodiversity, and promoting the development and dissemination of appropriate, affordable and sustainable agricultural technologies and the transfer of such technologies on mutually agreed terms;

(u) Reaffirming the right of everyone to have access to safe, sufficient and nutritious food, consistent with the right to adequate food and the fundamental right of everyone to be free from hunger, so as to be able to fully develop and maintain his or her physical and mental capacities;

(v) Making special efforts to meet the nutritional needs of women, children, older persons and persons with disabilities, as well as those living in vulnerable situations, through targeted and effective programming;

(w) Accelerating progress on the challenges faced by indigenous peoples in the context of food security, and in this regard taking special actions to combat the root causes of the disproportionately high level of hunger and malnutrition among indigenous peoples.

Millennium Development Goal 2— Achieve universal primary education

71. We commit ourselves to accelerating progress in achieving Millennium Development Goal 2, including by:

(a) Realizing the right of everyone to education and re-emphasizing that education shall be directed to the full development of the human personality and the sense of its dignity and shall strengthen respect for human rights and fundamental freedoms;

(b) Making further progress towards the goal of universal primary education by building on the gains made during the past decade;

(c) Removing barriers, outside and within education systems, so as to provide equitable educational and learning opportunities for all children, since knowledge and education are key factors for sustained, inclusive and equitable economic growth and for the achievement of all the Millennium Development Goals, through continued political emphasis on education and by promoting, with the support of the international community, civil society and the private sector, appropriate and targeted, evidence-based measures such as abolishing school fees, providing school meals, ensuring that schools have separate sanitation facilities for boys and girls and in other ways making primary education for all children available, accessible and affordable;

(d) Addressing the root causes of the inequalities, disparities and diverse forms of exclusion and discrimination affecting children, particularly out-of-school children, including by enhancing enrolment, retention, participation and achievement of children, by developing and operationalizing an inclusive education and defining targeted, proactive strategies, policies and programmes, including cross-sectoral approaches, to promote accessibility and inclusion. In this regard, additional efforts should be undertaken to work across sectors to reduce drop-out, repetition and failure rates, especially for the poor, and to eliminate the gender gap in education;

(e) Ensuring quality education and progression through the school system. This requires establishing learner-friendly schools and institutions; increasing the number of teachers and enhancing their quality through comprehensive policies that address issues of recruitment, training, retention, professional development, evaluation, employment and teaching conditions as well as the status of teachers through increased national capacity; and building more classrooms and improving the material conditions of school buildings and infrastructure as well as the quality and content of the curriculum, pedagogy and learning and teaching materials, harnessing the capabilities of information and communications technology and the assessment of learning outcomes;

(f) Strengthening the sustainability and predictability of funding for national education systems by ensuring adequate national education budgets to, inter alia, address infrastructural, human resources, financial and administrative constraints. These systems should be supported by adequate and predictable development assistance and international cooperation for education, including through new, voluntary and innovative approaches for education financing that should supplement and not be a substitute for traditional sources of finance;

(g) Continuing to implement national programmes and measures to eliminate illiteracy worldwide as part of the commitments made in the Dakar Framework for Action, adopted in 2000 at the World Education Forum, and in the Millennium Development Goals. In this regard,

we recognize the important contribution of South-South and triangular cooperation through, inter alia, innovative pedagogical methods in literacy;

(h) Supporting the efforts of national Governments to strengthen their capacity to plan and manage education programmes by involving all education providers in line with national policies and educational systems;

(i) Giving greater focus to the transition from primary education and access to secondary education, vocational training and non-formal education and entry into the labour market;

(j) Strengthening efforts to ensure primary education as a fundamental element of the response to and preparedness for humanitarian emergencies, ensuring that affected countries are supported, at their request, in their efforts to restore their education systems by the international community.

Millennium Development Goal 3— Promote gender equality and empower women

72. We commit ourselves to accelerating progress to achieve Millennium Development Goal 3, including by:

(a) Taking action to achieve the goals of the Beijing Declaration and Platform for Action and its twelve critical areas of concern, our commitments in the Programme of Action of the International Conference on Population and Development and the obligations and commitments of States parties to the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child;

(b) Ensuring access to education and successful schooling of girls by removing barriers and expanding support for girls' education through measures such as providing free primary education, a safe environment for schooling and financial assistance such as scholarships and cash transfer programmes; promoting supportive policies to end discrimination against women and girls in education; and tracking completion and attendance rates with a view to retaining girls in schools through secondary levels;

(c) Empowering women, in particular women living in poverty, through, inter alia, social and economic policies that guarantee them full and equal access to all levels of quality education and training and vocational training, including technical, managerial and entrepreneurial training, and to affordable and adequate public and social services;

(d) Ensuring that women benefit from policy measures to generate full and productive employment and decent work for all, in accordance with commitments by States to International Labour Organization conventions, including policy measures to promote, inter alia, access of women and girls, including mothers and pregnant women, to formal and non-formal education, equal skills development and employment opportunities, and closing wage gaps between women and men, recognizing women's unpaid work, including care work;

(e) Investing in infrastructure and labour-saving technologies, especially in rural areas, benefiting women and girls by reducing their burden of domestic activities, affording the opportunity for girls to attend school and women to engage in self-employment or participate in the labour market;

(f) Taking action to improve the numbers and active participation of women in all political and economic decision-making processes, including by investing in women's leadership in local decision-making structures and processes, encouraging appropriate legislative action and creating an even playing field for men and women in political and Government institutions, and intensifying our efforts for the equal participation of women and men as key stakeholders at all levels in the prevention and resolution of conflicts and peacebuilding processes;

(g) Strengthening comprehensive national laws and policies as well as programmes to enhance accountability and raise awareness, prevent and combat all forms of violence against women and girls everywhere, which undermine their full enjoyment of all human rights, and to ensure that women have access to justice and protection, and that all perpetrators of such violence are duly investigated, prosecuted and punished in order to end impunity, in conformity with national legislation, international humanitarian law and international human rights law;

(h) Improving national-level capacity to monitor and report on progress, gaps and opportunities through better generation and use of sex- and age-disaggregated data, including with the support of the international community;

(i) Enhancing the impact of development assistance in advancing gender equality and empowerment of women and girls through targeted activities including capacity-building, as well as through gender mainstreaming and enhanced dialogue between donors and partners, involving, as appropriate, civil society and the private sector, with a view to ensuring adequate funding;

(j) Facilitating access by women to affordable micro-finance, in particular microcredit, which can contribute to poverty eradication, gender equality and the empowerment of women;

(k) Promoting and protecting women's equal access to adequate housing, property and land, including rights to inheritance, and enabling them to secure access to credit through appropriate constitutional, legislative and administrative measures;

(l) Promoting women's economic empowerment and ensuring women's access to productive resources. In this regard, strengthening gender responsive public management, in order to ensure gender equality in resource allocation, capacity development and benefit sharing in all sectors, including in central and local level governments.

Promoting global public health for all to achieve the Millennium Development Goals

73. We commit ourselves to accelerating progress in promoting global public health for all, including by:

(a) Realizing the values and principles of primary health care, including equity, solidarity, social justice, universal access to services, multisectoral action, transparency, accountability, community participation and empowerment, as the basis for strengthening health systems, and recall, in this regard, the Declaration of Alma-Ata;

(b) Strengthening the capacity of national health systems to deliver equitable and quality health-care services and promoting the widest possible access to health-care services at the point of use, especially to those in vulnerable situations, through public policies that remove barriers

to access to and use of health-care services, complemented by the support of international programmes, measures and policies that align with national priorities;

(c) Providing and strengthening comprehensive and affordable community-based primary health-care services so as to ensure a continuum from health promotion and disease prevention to care and rehabilitation, while paying particular attention to poor people and populations, especially in rural and remote areas, with a view to extending health protection to all those in need;

(d) Improving the quality and effectiveness of health-care services delivery by providing integrated health-care services through coordinated approaches at the country level, the increased use of common platforms and the integration of relevant services of other sectors, including water and sanitation;

(e) Realizing the international commitment to supporting national efforts in strengthening health systems that deliver equitable health outcomes as a basis for a comprehensive approach that includes health financing, the training and retention of the health workforce, procurement and distribution of medicines and vaccines, infrastructure, information systems and service delivery;

(f) Strengthening basic infrastructure, human and technical resources and the provision of health facilities so as to improve health systems and ensure the accessibility, affordability and quality, especially in rural and remote areas, of health-care services, as well as sustainable access to safe drinking water and basic sanitation, bearing in mind the commitment to halving, by 2015, the proportion of the population without sustainable access to safe drinking water and basic sanitation as a means of fighting waterborne diseases;

(g) Stressing the importance of multisectoral and inter-ministerial approaches in formulating and implementing national policies that are crucial for promoting and protecting health, and reiterating that Governments will play the central role, in collaboration with civil society organizations, including academia and the private sector, in implementing national strategies and action plans on social service delivery and in making progress towards ensuring more equitable health outcomes;

(h) Improving national health governance, including through the participation of civil society, the private sector and other relevant stakeholders, as well as strengthening international support, as appropriate, in order to ensure that national health systems are sustainable, well prepared and capable of responding to challenges, including crises and pandemics;

(i) Developing appropriate policies and actions to promote health education and literacy, including among young people, in order to address the lack of awareness about health and, in some cases, harmful practices which significantly inhibit women's and children's access to health-care services, and to ensure respect for human rights, promote gender equality and the empowerment of women as essential means of addressing the health of women and girls, and to address the stigmatization of people living with and affected by HIV and AIDS;

(j) Supporting the use of national data collection, monitoring and evaluation systems that can track sex-disaggregated access to health-care services and provide

rapid feedback for improving the effectiveness and quality of health systems;

(k) Strengthening the effectiveness of health systems and proven interventions to address evolving health challenges such as the increased incidence of non-communicable diseases, road traffic injuries and fatalities, and environmental and occupational health hazards;

(l) Reviewing national recruitment, training and retention policies and developing national health workforce plans, based on lessons learned, that address the lack of health workers as well as their uneven distribution within countries, including in remote and rural areas, and throughout the world, which undermines the health systems of developing countries, in particular the shortage in Africa, and in this regard recognizing the importance of national and international actions to promote universal access to health-care services that take into account the challenges facing developing countries in the retention of skilled health personnel, in light of the adoption of the World Health Organization Global Code of Practice on the International Recruitment of Health Personnel, adherence to which is voluntary;

(m) Further strengthening international cooperation, inter alia, through exchange of best practices in strengthening health systems, improving access to medicines, encouraging the development of technology and the transfer of technology on mutually agreed terms, the production of affordable, safe, effective and good quality medicines, fostering the production of innovative medicines, generics, vaccines and other health commodities, the training and retaining of health personnel and work to ensure that international cooperation and assistance, in particular external funding, become more predictable, better harmonized and better aligned with national priorities for capacity-building and channelled to recipient countries in ways that strengthen national health systems;

(n) Further promoting research and development, knowledge-sharing and the provision and use of information and communications technology for health, including by facilitating affordable access by all countries, especially developing countries;

(o) Enhancing public-private partnerships for health-care service delivery, encouraging the development of new and affordable technologies and their innovative application and developing new and affordable vaccines and medicines needed, in particular, in developing countries;

(p) Welcoming the Secretary-General's Global Strategy for Women's and Children's Health, undertaken by a broad coalition of partners, in support of national plans and strategies, in order to significantly reduce the number of maternal, newborn and under-five child deaths as a matter of immediate concern by scaling up a priority package of high-impact interventions and integrating efforts in sectors such as health, education, gender equality, water and sanitation, poverty reduction and nutrition;

(q) Welcoming also the various national, regional and international initiatives on all the Millennium Development Goals, including those undertaken bilaterally and through South-South cooperation, in support of national plans and strategies in sectors such as health, education, gender equality, energy, water and sanitation, poverty

reduction and nutrition as a way to reduce the number of maternal, newborn and under-five child deaths.

Millennium Development Goal 4— Reduce child mortality

74. We commit ourselves to accelerating progress in order to achieve Millennium Development Goal 4, including by:

(a) Scaling up efforts to achieve integrated management of childhood illnesses, particularly actions to address and prevent the main causes of child mortality, including newborn and infant mortality, these being, inter alia, pneumonia, diarrhoea, malaria and malnutrition. This can be achieved by developing, implementing and evaluating appropriate national strategies, policies and programmes for child survival, preventive pre-natal, para-natal and post-natal measures, vaccinations and immunization and by working to ensure that medicines, medical products and technologies are affordable and available. In addition, this can be achieved by improved nutrition, including nutrition prior to birth, as well as by strengthening specific health interventions, including emergency obstetric care and skilled attendance at birth to reduce maternal and child mortality. International support to national efforts, including financial resources, will continue to be key in this regard;

(b) Sustaining major successes and scaling up prevention and vaccination programmes as one of the most efficient tools to reduce child mortality, including the measles, polio, tuberculosis and tetanus campaigns, by ensuring sufficient funding, political commitment and conscientious implementation of control activities, especially in priority countries;

(c) Taking action to improve child nutrition through an integrated package of essential interventions and services, including, in particular, access to nutritious food, appropriate supplements, prevention and early management of diarrhoeal diseases and information and support for exclusive breastfeeding and for the treatment of severe acute malnutrition;

(d) Maintaining progress with regard to combating malaria and the extension of the use of insecticide-treated bed nets;

(e) Stepping up the fight against pneumonia and diarrhoea through the greater use of proven highly effective preventive and treatment measures, as well as new tools, such as new vaccines, which are affordable even in the poorest countries;

(f) Scaling up efforts, including awareness raising, to address the critical impact of increasing access to safe drinking water, sanitation coverage and hygienic care, including hand washing with soap, on reducing the death rate among children as a result of diarrhoeal diseases;

(g) Working to ensure that the next generation is born HIV-free by providing, on an urgent basis, extended and sustainable coverage and improved quality of services to prevent mother-to-child transmission as well as increasing access to paediatric HIV treatment services.

Millennium Development Goal 5— Improve maternal health

75. We commit ourselves to accelerating progress in order to achieve Millennium Development Goal 5, including by:

(a) Taking steps to realize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, including sexual and reproductive health;

(b) Addressing reproductive, maternal and child health, including newborn health, in a comprehensive manner, *inter alia*, through the provision of family planning, prenatal care, skilled attendance at birth, emergency obstetric and newborn care and methods for the prevention and treatment of sexually transmitted diseases and infections, such as HIV, within strengthened health systems that provide accessible and affordable integrated health-care services and include community-based preventive and clinical care;

(c) Building on effective, multisectoral and integrated approaches. We emphasize the need for the provision of universal access to reproductive health by 2015, including integrating family planning, sexual health and health-care services in national strategies and programmes;

(d) Taking action at all levels to address the interlinked root causes of maternal mortality and morbidity, such as poverty, malnutrition, harmful practices, lack of accessible and appropriate health-care services, information and education and gender inequality, and paying particular attention to eliminating all forms of violence against women and girls;

(e) Ensuring that all women, men and young people have information about, access to and choice of the widest possible range of safe, effective, affordable and acceptable methods of family planning;

(f) Expanding the provision of comprehensive obstetric care and strengthening the role of skilled health-care providers, including midwives and nurses, through their training and retention in order to fully utilize their potential as trusted providers of maternal health-care services, as well as expanding family planning within local communities and expanding and upgrading formal and informal training in sexual and reproductive health care and family planning for all health-care providers, health educators and managers, including training in interpersonal communications and counselling.

Millennium Development Goal 6— Combat HIV/AIDS, malaria and other diseases

76. We commit ourselves to accelerating progress in order to achieve Millennium Development Goal 6, including by:

(a) Redoubling efforts to achieve universal access to HIV/AIDS prevention, treatment, care and support services as an essential step in achieving Millennium Development Goal 6 and as a contribution to reaching the other Millennium Development Goals;

(b) Significantly intensifying prevention efforts and increasing access to treatment by scaling up strategically aligned programmes aimed at reducing the vulnerability of persons more likely to be infected with HIV, combining biomedical, behavioural and social and structural interventions, and through the empowerment of women and adolescent girls so as to increase their capacity to protect themselves from the risk of HIV infection and through the promotion and protection of all human rights. Prevention programmes should take into account local circumstances,

ethics and cultural values, including information, education and communication in languages most understood by local communities and should be respectful of cultures, with the aim of reducing risk-taking behaviours and encouraging responsible sexual behaviour, including abstinence and fidelity; expanded access to essential commodities, including male and female condoms and sterile injecting equipment; harm-reduction efforts related to drug use; expanded access to voluntary and confidential counselling and testing; safe blood supplies; and early and effective treatment of sexually transmitted infections, and should promote policies that ensure effective prevention and accelerate research and development into new tools for prevention, including microbicides and vaccines;

(c) Dealing with HIV/AIDS from a developmental perspective, which requires a national network of sound and workable institutions and multisectoral prevention, treatment, care and support strategies, addressing the stigmatization of and discrimination against people living with HIV and promoting their social integration, rehabilitation and greater involvement in HIV response, as well as strengthening national efforts at HIV/AIDS prevention, treatment, care and support and strengthening efforts to eliminate the mother-to-child transmission of HIV;

(d) Building new strategic partnerships to strengthen and leverage the linkages between HIV and other health- and development-related initiatives, expanding, to the greatest extent possible and with the support of international cooperation and partnerships, national capacity to deliver comprehensive HIV/AIDS programmes, as well as new and more effective antiretroviral treatments, in ways that strengthen existing national health and social systems, as well as using HIV platforms as a foundation for the expansion of service delivery. In this regard, expediting action to integrate HIV information and services into programmes for primary health care, sexual and reproductive health, including voluntary family planning and mother and child health, treatment for tuberculosis, hepatitis C and sexually transmitted infections and care for children affected, orphaned or made vulnerable by HIV/AIDS, as well as nutrition and formal and informal education;

(e) Planning for long-term sustainability, including addressing the expected increase in demand for second and third line drug regimens to treat HIV, malaria and tuberculosis;

(f) Strengthening support to affected countries in order to respond to HIV co-infection with tuberculosis, as well as multi-drug resistant and extensively drug resistant tuberculosis, including through earlier detection of all forms of tuberculosis;

(g) Sustaining national efforts and programmes, with the support of the international community, to address the challenges posed by malaria by strengthening effective prevention, diagnosis and treatment strategies, including by ensuring the accessibility to and availability of affordable, quality and effective medicines, generics, including artemisinin-combination therapy, as well as progress in the use of long-lasting, safe insecticide-treated bed nets to combat malaria and strengthening ongoing research for the prompt development of malaria vaccines;

(h) Renewing efforts to prevent and treat neglected tropical diseases, prevention and treatment services for

malaria and tuberculosis, including by improving national health information systems, strengthening international cooperation, accelerating further research and development, developing innovative vaccines and medicines and adopting comprehensive prevention strategies;

(j) Undertaking concerted action and a coordinated response at the national, regional and global levels in order to adequately address the developmental and other challenges posed by non-communicable diseases, namely cardiovascular diseases, cancers, chronic respiratory diseases and diabetes, working towards a successful high-level meeting of the General Assembly in 2011;

(j) Increasing efforts to achieve universal access to HIV prevention, treatment, care and support, strengthening the fight against malaria, tuberculosis and other diseases, including by providing adequate funding for the Global Fund to Fight AIDS, Tuberculosis and Malaria and through the agencies, funds and programmes of the United Nations system and other multilateral and bilateral channels, strengthening innovative financing mechanisms, as appropriate, and contributing to the long-term sustainability of the response.

Millennium Development Goal 7— Ensure environmental sustainability

77. We commit ourselves to accelerating progress in order to achieve Millennium Development Goal 7, including by:

(a) Pursuing sustainable development, in accordance with the principles contained in the Rio Declaration on Environment and Development, including the principle of common but differentiated responsibilities, and taking into account the respective capabilities of countries, with a view to effectively implementing the outcomes of the major summits on sustainable development and addressing new and emerging challenges;

(b) Pursuing environmental sustainability through nationally owned comprehensive and coherent planning frameworks and the adoption of national legislation, in accordance with national circumstances and the appropriate implementation capacity; supporting developing countries in this regard in building capacity and providing financial resources; and promoting the development and dissemination of appropriate, affordable and sustainable technology and the transfer of such technologies on mutually agreed terms;

(c) Supporting the implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa, through joint action of the international community in addressing the causes and poverty impacts of desertification and land degradation in arid, semi-arid and dry sub-humid areas, consistent with articles 1, 2 and 3 of the Convention, taking into account the ten-year strategic plan and framework to enhance the implementation of the Convention (2008–2018), and supporting the exchange of best practices and lessons learned, including from regional cooperation, and the mobilization of adequate and predictable financial resources;

(d) Strengthening political commitment and action at all levels to effectively implement the global objectives on forest and the sustainable forest management of all types of forests in order to reduce the loss of forest cover and

improve the livelihoods of those that depend on forests through the development of a comprehensive and more effective approach to financing activities, involvement of local and indigenous communities and other relevant stakeholders, promoting good governance at the national and international levels, and enhancing international cooperation to address the threats posed by illicit activities;

(e) Continuing to pursue more efficient and coherent implementation of the three objectives of the Convention on Biological Diversity and addressing implementation gaps, where appropriate, including through the fulfilment of commitments significantly reducing the rate of loss of biodiversity, including by preserving and maintaining knowledge, innovations and practices of indigenous and local communities; and continuing ongoing efforts towards elaborating and negotiating an international regime on access and benefit sharing. We look forward to the successful outcome of the tenth meeting of the Conference of the Parties to the Convention on Biological Diversity, to be held in Nagoya, Japan, from 18 to 29 October 2010;

(f) Supporting the implementation of national policies and strategies to combine, as appropriate, the increased use of new and renewable energy sources and low emission technologies, the more efficient use of energy, greater reliance on advanced energy technologies, including cleaner fossil fuel technologies, and the sustainable use of traditional energy resources, as well as promoting access to modern, reliable, affordable and sustainable energy services and enhancing national capacities to meet the growing energy demand, as appropriate, supported by international cooperation in this field and by the promotion of the development and dissemination of appropriate, affordable and sustainable energy technologies and the transfer of such technologies on mutually agreed terms;

(g) Maintaining that the United Nations Framework Convention on Climate Change is the primary international, intergovernmental forum for negotiating the global response to climate change, calling upon States to take urgent global action to address climate change in accordance with the principles identified in the Convention, including the principle of common but differentiated responsibilities and respective capabilities, and looking forward to a successful and ambitious outcome of the sixteenth session of the Conference of the Parties to the Convention and the sixth session of the Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol, to be held in Cancun, Mexico, from 29 November to 10 December 2010;

(h) Continuing to increase sustainable access to safe drinking water and basic sanitation by prioritizing integrated water and sanitation strategies, which include the restoration, upgrading and maintenance of infrastructure, including water pipelines and sewage networks, as well as promoting integrated water management in national planning and exploring innovative ways of improving the tracking and monitoring of water quality;

(i) Promoting integrated waste management systems, in partnership with all relevant stakeholders and with international financial and technological support, as appropriate;

(j) Redoubling efforts to close the sanitation gap through scaled-up ground-level action, supported by

strong political will and increased community participation, in accordance with national development strategies, promoting the mobilization and provision of adequate financial and technological resources, technical know-how and capacity-building for developing countries in order to increase the coverage of basic sanitation, especially for the poor, and noting in this regard the global effort to realize "Sustainable sanitation: the five-year drive to 2015";

(k) Working towards cities without slums, beyond current targets, by reducing slum populations and improving the lives of slum-dwellers, with adequate support of the international community, by prioritizing national urban planning strategies with the participation of all stakeholders, by promoting equal access for people living in slums to public services, including health, education, energy, water and sanitation and adequate shelter, and by promoting sustainable urban and rural development;

(l) Taking measures to ensure the sustainable management of marine biodiversity and ecosystems, including fish stocks, which contribute to food security and hunger and poverty eradication efforts, including through ecosystem approaches to ocean management, and to address the adverse effects of climate change on the marine environment and marine biodiversity;

(m) Supporting the efforts of countries to preserve fragile mountain ecosystems as an important source of fresh water and as repositories of rich biological diversity, with a view to achieving sustainable development and eradicating poverty;

(n) Promoting sustainable consumption and production patterns, in accordance with the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation");

(o) Fostering a greater level of coordination among national and local institutions responsible for economic and social development and environmental protection, including with respect to the promotion of investments relevant for sustainable development;

(p) Working towards a successful United Nations Conference on Sustainable Development in 2012.

Millennium Development Goal 8— Develop a global partnership for development

78. We commit ourselves to accelerating progress in order to achieve Millennium Development Goal 8, including by:

(a) Accelerating efforts to deliver on and fully implement existing Millennium Development Goal 8 commitments by enhancing the global partnership for development to ensure the achievement of the Millennium Development Goals by 2015;

(b) Supporting the implementation of national development strategies by developing countries to meet the Millennium Development Goals by 2015, including through external financial and technical support, to further promote economic growth and to respond to the increased challenges posed by the impact of the multiple crises, as well as long-term structural obstacles;

(c) Recognizing that the commitments made by developed and developing countries in relation to the Millennium Development Goals require mutual accountability;

(d) Strengthening the central role of the United Nations in enhancing global partnerships for development, with a view to creating a supportive global environment for the attainment of the Millennium Development Goals;

(e) Enhancing financing for development in the areas of domestic resource mobilization, foreign direct investment, international trade, international financial and technical cooperation for development, and debt and systemic issues by meeting our commitments made in the Monterrey Consensus and reaffirmed in the Doha Declaration on Financing for Development and all other relevant outcomes of major United Nations conferences and summits in the economic, social and related fields, thus expanding fiscal capacity for financing the attainment of the Millennium Development Goals;

(f) The fulfilment of all official development assistance commitments is crucial, including the commitments by many developed countries to achieve the target of 0.7 per cent of gross national product for official development assistance to developing countries by 2015 and to reach the level of at least 0.5 per cent of gross national product for official development assistance by 2010, as well as a target of 0.15 to 0.20 per cent of gross national product for official development assistance to least developed countries. To reach their agreed timetables, donor countries should take all necessary and appropriate measures to raise the rate of aid disbursements to meet their existing commitments. We urge those developed countries that have not yet done so to make additional concrete efforts towards the target of 0.7 per cent of gross national product for official development assistance to developing countries, including the specific target of 0.15 to 0.20 per cent of gross national product for official development assistance to least developed countries in line with the Brussels Programme of Action for the Least Developed Countries for the Decade 2001–2010, in accordance with their commitments. To build on progress achieved in ensuring that official development assistance is used effectively, we stress the importance of democratic governance, improved transparency and accountability, and managing for results. We strongly encourage all donors to establish, as soon as possible, rolling indicative timetables that illustrate how they aim to reach their goals, in accordance with their respective budget allocation process. We stress the importance of mobilizing greater domestic support in developed countries towards the fulfilment of their commitments, including by raising public awareness, and by providing data on aid effectiveness and demonstrating tangible results;

(g) Making rapid progress to fulfil the Gleneagles and other donors' substantial commitments to increase aid through a variety of means. We are concerned that at the current rate the commitment of doubling aid to Africa by 2010 will not be reached;

(h) Exploring new innovative finance mechanisms and strengthening and scaling up existing ones, where appropriate, given their potential to contribute to the achievement of the Millennium Development Goals. Such voluntary mechanisms should be effective and should aim to mobilize resources that are stable and predictable, they should supplement and not be a substitute for traditional sources of finance and should be disbursed in accordance with the priorities of developing countries and not unduly burden them. We note the ongoing work in this regard, including by the Leading Group on Innovative Financing for Development.

opment as well as by the Task Force on International Financial Transactions for Development and the Task Force on Innovative Financing for Education;

(j) Enhancing and strengthening domestic resource mobilization and fiscal space, including, where appropriate, through modernized tax systems, more efficient tax collection, broadening the tax base and effectively combating tax evasion and capital flight. While each country is responsible for its tax system, it is important to support national efforts in these areas by strengthening technical assistance and enhancing international cooperation and participation in addressing international tax matters. We look forward to the upcoming report by the Secretary-General examining the strengthening of institutional arrangements to promote international cooperation in tax matters;

(j) Implementing measures to curtail illicit financial flows at all levels, enhancing disclosure practices and promoting transparency in financial information. In this regard, strengthening national and multinational efforts to address this issue is crucial, including support to developing countries and technical assistance to enhance their capacities. Additional measures should be implemented to prevent the transfer abroad of stolen assets and to assist in the recovery and return of such assets, in particular to their countries of origin, consistent with the United Nations Convention against Corruption;

(k) Fully supporting and further developing a universal, rules-based, open, non-discriminatory, equitable and transparent multilateral trading system, *inter alia*, by working expeditiously towards a balanced and ambitious, comprehensive and development-oriented outcome of the Doha Development Agenda of multilateral trade negotiations, in order to bring benefits to all and contribute to enhancing the integration of developing countries into the system, while recognizing the importance of making progress in key areas of the Doha Development Agenda of special interest to developing countries, and reaffirming the importance of special and differential treatment referred to therein;

(l) Emphasizing the critical importance of rejecting protectionism and not turning inward in times of financial uncertainty, mindful of the importance of trade for economic growth and development and for the achievement of the Millennium Development Goals by 2015;

(m) Implementing duty-free and quota-free market access for all least developed countries in conformity with the Hong Kong Ministerial Declaration adopted by the World Trade Organization in 2005;

(n) Further implementing aid for trade, including through the Enhanced Integrated Framework for Trade-related Technical Assistance to Least Developed Countries, to help strengthen and enhance the trade capacity and international competitiveness of developing countries so as to ensure equitable benefits from increased trading opportunities and to foster economic growth;

(o) Strengthening regional integration and trade as it is crucial for significant development benefits, growth and jobs and for generating resources to sustain progress towards the achievement of the Millennium Development Goals;

(p) Fulfilling, in the Doha Development Agenda, the 2005 pledge of members of the World Trade Organization to ensure the parallel elimination in agriculture of all forms

of export subsidies and disciplines on all export measures with equivalent effect to be completed by the end of 2013;

(q) Assisting developing countries in ensuring long-term debt sustainability through coordinated policies aimed at fostering debt financing, debt relief and debt restructuring, as appropriate, while noting also that developing countries can seek to negotiate, as a last resort, on a case-by-case basis and through existing frameworks, agreements on temporary debt standstills between debtors and creditors in order to help mitigate the adverse impacts of the crisis and stabilize negative macroeconomic developments;

(r) Considering enhanced approaches to sovereign debt restructuring mechanisms based on existing frameworks and principles, the broad participation of creditors and debtors, the comparable treatment of all creditors and an important role for the Bretton Woods institutions, and in this regard welcoming and calling upon all countries to contribute to the ongoing discussion in the International Monetary Fund and the World Bank and other forums on the need for, and feasibility of, a more structured framework for international cooperation in this area;

(s) Increasing partnerships with businesses to achieve positive development outcomes by mobilizing private sector resources that contribute to the achievement of the Millennium Development Goals;

(t) Reaffirming the right to use, to the full, the provisions contained in the World Trade Organization Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement), the Doha Declaration on the TRIPS Agreement and Public Health, the decision of the General Council of the World Trade Organization of 30 August 2003 on the implementation of paragraph of the Doha Declaration on the TRIPS Agreement and Public Health, and, when formal acceptance procedures are completed, the amendment to article 31 of the Agreement, which provide flexibilities for the protection of public health, and, in particular, to promote access to medicines for all, and encourage the provision of assistance to developing countries in this regard. We also call for a broad and timely acceptance of the amendment to article 31 of the Agreement, as proposed by the General Council of the World Trade Organization in its decision of 6 December 2005;

(u) Promoting the strategic role of science and technology, including information technology and innovation in areas relevant for the achievement of the Millennium Development Goals, in particular agricultural productivity, water management and sanitation, energy security and public health. The capacity for technological innovation needs to be greatly enhanced in developing countries, and there is an urgent need for the international community to facilitate the availability of environmentally sound technologies and corresponding know-how by promoting the development and dissemination of appropriate, affordable and sustainable technology, and the transfer of such technologies on mutually agreed terms, in order to strengthen national innovation and research and development capacity;

(v) Strengthening public-private partnerships in order to close the large gaps that remain in access to and affordability of information and communications technology across countries and income groups, including by upgrad-

ing the quality and quantity of existing telecommunication infrastructure, particularly in the least developed countries, to support more modern information and communications technology applications and greatly increase connectivity, access and investment in innovation and development and the effective use of innovative information and communications technology applications and e-governance tools; and in this regard encouraging further operationalizing of the voluntary Digital Solidarity Fund;

(w) Strengthening cooperation between originating and receiving countries to lower the transaction costs of remittances, especially promoting conditions for cheaper, faster and safer transfers of remittances, which can contribute to national efforts for development.

Staying engaged to achieve the Millennium Development Goals

79. We request the General Assembly to continue to review, on an annual basis, the progress made towards the achievement of the Millennium Development Goals, including in the implementation of the present outcome document. We request the President of the General Assembly at its sixty-eighth session to organize a special event in 2013 to follow up efforts made towards achieving the Millennium Development Goals.

80. We reaffirm the role that the Charter of the United Nations and the General Assembly have vested in the Economic and Social Council as a principal body for coordination, policy review, policy dialogue and recommendations on issues of economic and social development and for the follow-up to the Millennium Development Goals, particularly through the annual ministerial review and the Development Cooperation Forum. We look forward to the upcoming review of the strengthening of the Council during the current session of the Assembly.

81. We request the Secretary-General to report annually on progress in the implementation of the Millennium Development Goals until 2015 and to make recommendations in his annual reports, as appropriate, for further steps to advance the United Nations development agenda beyond 2015.

On 23 November [meeting 52], the General Assembly adopted **resolution 65/10** [draft: A/65/12 & Add.1] without vote [agenda item 13].

Sustained, inclusive and equitable economic growth for poverty eradication and achievement of the Millennium Development Goals

The General Assembly,

Recalling the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals and its outcome,

Stressing that the promotion of sustained, inclusive and equitable economic growth is necessary for accelerating progress towards achieving the Millennium Development Goals, as well as for promoting sustainable development, but is not sufficient, and that growth should enable everyone, in particular the poor, to participate in and benefit from economic opportunities and should lead to job creation and income opportunities, and be complemented by effective social policies,

Recognizing that national efforts in this regard should be complemented by an enabling international environment,

Recognizing also, in this regard, the need to further explore policies for sustained, inclusive and equitable economic growth to accelerate poverty eradication, achieve the Millennium Development Goals and promote sustainable development through the follow-up process of the outcome of the high-level plenary meeting of the sixty-fifth session of the General Assembly,

1. *Invites* Member States, in particular within the United Nations framework, to share best practices and lessons learned in the process of pursuing sustained, inclusive and equitable economic growth;

2. *Invites* the regional commissions to facilitate discussions of this issue in each region, including through their analytical work and support in the sharing of best practices and lessons learned, and the promotion of regional and subregional economic cooperation;

3. *Requests* the Economic and Social Council to hold a panel discussion at its substantive session of 2011 on sustained, inclusive and equitable economic growth for accelerating poverty eradication and achievement of the Millennium Development Goals, and invites civil society, the private sector and other relevant stakeholders to contribute to the discussion;

4. *Requests* the Secretary-General to include in his annual report on progress in the implementation of the Millennium Development Goals until 2015 an analysis of and policy recommendations on sustained, inclusive and equitable economic growth for accelerating poverty eradication and achievement of the Millennium Development Goals.

Science and technology for development

In 2010, several UN bodies dealt with the issue of science and technology for development and reviewed implementation and follow-up to the outcomes of the World Summit on the Information Society (wsis) in Geneva in 2003 [YUN 2003, p. 857] and Tunis in 2005 [YUN 2005, p. 933] and related themes. The Commission on Science and Technology held a five-year review of progress made in the follow-up to wsis. The United Nations Group on the Information Society, established in 2006 under the CEB [YUN 2006, p. 1000], held its sixth meeting during the wsis Forum 2010 (Geneva, 10–14 May), which addressed critical issues in multi-stakeholder discussions and consultations.

Commission on Science and Technology for Development

At its thirteenth session (Geneva, 17–21 May) [E/2010/31], the Commission on Science and Technology for Development (CSTD) undertook a five-year review of the progress made in the implementation of and follow-up to the outcomes of wsis at the regional and international levels. In addition, the Commis-

sion considered two priority themes, “Improvement and innovation in existing financial mechanisms” and “New and emerging technologies”. The session included a panel discussion on the theme “Gender and science and technology”, and a segment on science, technology and innovation policy reviews for Ghana and Lesotho.

The session included a ministerial segment and four multi-stakeholder panel discussions on: progress made in implementing wsis outcomes; enhanced co-operation; outcome of the 2009 Internet Governance Forum meeting [YUN 2009, p. 821]; and gender and science and technology. More than 15 Member States were represented at the ministerial level. Participants also included heads of UN system organizations or their representatives, as well as representatives of the Council of Europe and AU, and representatives of civil society and of business entities.

At its fourteenth session, the Commission selected two priority themes for consideration: “Technology to address challenges in areas such as agriculture and water”; and “Measuring the impact of information and communications technologies (ICTs) for development”. Member States welcomed the focus of the new priority theme on the impact of ICTs for development and encouraged the Commission, in examining the theme, to broaden its focus beyond the economic impact of such technologies so as to encompass their social and cultural impact. The Commission recommended to the Economic and Social Council the adoption of two draft resolutions and four draft decisions. It drew to the attention of the Council the agreement of the Commission to transmit the summary by the Chair of the panel discussion on the theme “Gender and science and technology” [E/2010/92] as an input to the Council’s annual ministerial review in 2010 of the theme “Implementing the internationally agreed goals and commitments in regard to gender equality and empowerment of women”.

The Commission had before it reports of the Secretary-General on progress made in the implementation of and follow-up to the outcomes of wsis at the regional and international levels [A/65/64-E/2010/12]; improvements and innovations in existing financing mechanisms for ICT for development [E/CN.16/2010/3]; new and emerging technologies: renewable energy for development [E/CN.16/2010/4]; and enhanced cooperation on public policy issues pertaining to the Internet [YUN 2009, p. 821]. In addition, the Commission had before it a compilation of reports from international organizations and other stakeholders as inputs to the Secretary-General’s report on progress in wsis implementation and follow-up [E/CN.16/2010/CRP.2], as well as a summary report by UNCTAD on the CSTD intersessional panel meeting in November 2009 [YUN 2009, p. 816].

The Secretary-General’s March report on financing mechanisms for ICT for development presented findings and recommendations drawn from the 2009–2010 CSTD intersessional panel discussions, contributions by Commission members and other relevant literature. He concluded that financing mechanisms remained crucial and that further efforts were needed to address the access gap, develop new content and applications and build capacity. Capacity development and relevant content often lagged behind infrastructure and hardware investments. Financing those “soft” and less visible components, which were key to the use of technologies, remained a challenge. Those were areas where it had been more difficult to generate funds from the private sector—an indication of the importance of support from Governments and bilateral and multilateral donor organizations.

The March report on new and emerging technologies sought to identify ways to overcome the challenges associated with the deployment and scaling-up of new and emerging renewable energy technologies in developing countries. Improved access to energy services was widely accepted as being of crucial importance to achieving the MDGs. Added to this priority was the need to enhance energy security through diversification of energy supply, taking into account concerns about climate change. Renewable energy technologies (RETS) provided a viable way of achieving those objectives. The international community had a large role to play in assisting Governments to promote the deployment of RETs, by providing technical assistance in training, capacity-building and strategic planning. International financial institutions should make concessionary financing a priority, in order to mobilize large-scale resources to finance the development and deployment of RETs. Given the importance of building local innovative capabilities in the technology transfer process, the international community could serve as an important knowledge hub. Intergovernmental forums, such as CSTD, could provide a platform for the sharing of examples of good practice, and for promoting North-South and South-South partnerships. UNCTAD was particularly well placed to play a role in supporting Governments’ deployment of RETs.

Committee of Experts on Public Administration. At its April session, the Committee of Experts on Public Administration had before it a Secretariat note [E/C.16/2010/4] on and dealt with ICT and gender equality: new opportunities and challenges for public administration to implement the internationally agreed development goals, including the MDGs.

UNCTAD expert meeting. In January [TD/B/C.II/MEM.1/CRP.1], the UNCTAD secretariat submitted to the second session of the UNCTAD Multi-year Expert Meeting on Enterprise Development Policies and

Capacity-building in Science, Technology and Innovation (Geneva, 20–22 January) [TD/B/C.II/MEM.1/7] a note entitled “Science, technology and innovation indicators for policymaking in developing countries: an overview of experiences and lessons learned”. The experts concluded that improved innovation policies offered major opportunities to accelerate growth, reduce poverty and improve health and welfare; further work on innovation and best practices, therefore, had the potential of high and sustained returns.

Communication. On 25 May [A/64/803-E/2010/91], Spain transmitted to the Secretary-General the Madrid Declaration entitled “Towards a new stage in the bioregional partnership: innovation and technology for sustainable development and social inclusion”, adopted by the Heads of State and Government meeting at the sixth summit of the European Union and the Latin American and Caribbean States (Madrid, 18 May).

ECONOMIC AND SOCIAL COUNCIL ACTION

On 19 July [meeting 39], the Economic and Social Council, on the recommendation of the Commission on Science and Technology for Development [E/2010/31], adopted **resolution 2010/3** without vote [agenda item 13 (b)].

Science and technology for development

The Economic and Social Council,

Recalling the 2005 World Summit Outcome, which recognizes that science and technology, including information and communications technologies, are vital for the achievement of the internationally agreed development goals, and reaffirming the commitments contained therein, especially the commitment to support the efforts of developing countries, individually and collectively, to harness new agricultural technologies in order to increase agricultural productivity through environmentally sustainable means,

Recalling also that the United Nations Conference on Trade and Development is the secretariat of the Commission on Science and Technology for Development,

Recalling further the work of the Commission on Science and Technology for Development during the intersessional period 2008–2009 on its two priority themes, “Science, technology and engineering for innovation and capacity-building in education and research” and “Development-oriented policies for a socio-economically inclusive information society, including access, infrastructure and an enabling environment”,

Welcoming the work of the Commission on Science and Technology for Development on its two current priority themes, “New and emerging technologies” and “Improvements and innovations in existing financing mechanisms”, and its role as the United Nations torch-bearer for science, technology and innovation,

Recognizing the critical role of innovation in maintaining national competitiveness in the global economy,

Recognizing also the importance of science, technology and innovation policy reviews in assisting developing countries to improve their innovation systems,

Recalling the commitments made at the Fourth World Conference on Women, held in Beijing from 4 to 15 September 1995, in particular the strategic objectives and actions contained in section K, Women and the environment, of chapter IV of the Beijing Platform for Action,

Recalling also its call for mainstreaming a gender perspective into all policies and programmes of the United Nations system,

Taking note of the outcomes of the intersessional panel meeting of the Commission on Science and Technology for Development, held in Geneva from 9 to 11 November 2009, and of the summary report prepared by the secretariat of the United Nations Conference on Trade and Development,

Taking note also of the reports of the Secretary-General submitted to the Commission on Science and Technology for Development at its thirteenth session,

Extending its appreciation to the Secretary-General of the United Nations Conference on Trade and Development for his role in helping to ensure completion of the aforementioned reports in a timely manner,

Noting that the achievement of the internationally agreed development goals and objectives, including the Millennium Development Goals, is highly dependent on an increase in access to modern energy services and that the deployment of renewable energy technologies should be one of the key components of any strategy aimed at achieving this increase,

Recognizing that the deployment of renewable energy technologies requires the application of new and emerging technologies, including, among others, materials science, nanotechnology, biotechnology and information and communications technologies,

Recognizing also that the sustainable deployment of emerging technologies can be facilitated by the transfer of technology, under mutually agreed conditions, an increase in domestic capabilities to develop, deploy and maintain technologies to meet local needs, the adoption of innovative financial mechanisms to power investment and the integration into national development agendas of strategies for the deployment of renewable energy technologies,

Recognizing further that any such strategy must be complemented by the transfer of skills and expertise to develop, adapt and modify renewable energy technologies, where necessary, to local conditions and capabilities, including the needs and capabilities of women, and must be supported by financing as well as technology, science and engineering training centres and knowledge networks in order to maximize the use and promote the enhancement of such capabilities,

Decides to make the following recommendations for consideration by Governments, the Commission on Science and Technology for Development and the United Nations Conference on Trade and Development:

(a) Governments are encouraged to take into account the findings of the Commission and take the following actions:

- (i) Ensure that governmental priorities incorporate multi-stakeholder engagement in decision-making in regard to programme design, implementation, deployment, monitoring and evaluation and take

- into consideration local populations and mainstreaming of a gender perspective in the deployment of new and emerging and renewable energy technologies;
- (ii) Provide an enabling environment that encourages private and public sector initiatives in new and emerging technologies and the generation and dissemination of renewable energy technologies, including supporting universities and research centres linked to global learning networks and national diaspora, funded through a range of sources such as Governments, donors, venture capitalists and/or public-private partnerships dedicated to renewable energy technologies;
 - (iii) Adopt economic, regulatory and governmental procurement policies to foster competition and private sector development and attract domestic and foreign direct investment;
 - (iv) Consider the application of appropriate policy instruments in the private sector, such as incentives, subsidy schemes, feed-in tariffs, tax credits, financial guarantees and reduction of import duties, to support technology deployment in market niches and encourage joint ventures and foreign direct investment in the manufacture and use of renewable energy technologies;
 - (v) Enhance local innovative capabilities in the area of new and emerging technologies and renewable energy technologies with improved efficiency, developed and adapted to local conditions, through support for research, extension services, capacity-building and other related activities;
 - (vi) Encourage private enterprises to adopt and deploy renewable energy technologies through public-private partnerships;
 - (vii) Promote the establishment of science and technology parks, business incubators and innovation clusters to induce private sector participation in the development, growth and commercialization of new and emerging technologies, including renewable energy technologies;
- (b) The international community is encouraged to enhance the provision of technical assistance in capacity-building and strategic planning to promote new and emerging technologies and renewable energy technologies;
- (c) The Commission on Science and Technology for Development:
- (i) Is encouraged to continue serving as a platform for sharing examples of good practices and promoting North-South and South-South partnerships, especially in regard to new and emerging technologies and the transfer and deployment of renewable energy technologies;
 - (ii) Is encouraged to promote, in the context of the Internet-based science, technology and innovation collaborative network established in response to Economic and Social Council resolution 2009/8 of 24 July 2009, collaborative networking as well as the initiation and hosting of sub-regional networks as operational models for replication, with the cooperation of the secretariat of the United Nations Conference on Trade and Development and the International Trade Centre;
 - (iii) Is invited to make a contribution, in close collaboration with its Gender Advisory Board, to the consideration by the Commission on the Status of Women at its fifty-fifth session of the theme "Access and participation of women and girls in education, training and science and technology, including for the promotion of women's equal access to full employment and decent work";
 - (iv) Is encouraged to collaborate with the World Intellectual Property Organization in the facilitation of access to the database of research for development and innovation at minimum cost for all developing countries;
- (d) The United Nations Conference on Trade and Development is encouraged:
- (i) To increase significantly its efforts to conduct science, technology and innovation policy reviews, in response to a high demand from member countries, in close collaboration with other relevant international organizations, particularly the United Nations Educational, Scientific and Cultural Organization, and with the Commission on Science and Technology for Development, the regional commissions and other appropriate stakeholders, including the World Bank and other international and regional development banks, with a view to assisting developing countries in strengthening their science, technology and innovation systems;
 - (ii) To carry out, in collaboration with other relevant international organizations, such as the United Nations Industrial Development Organization, the United Nations Educational, Scientific and Cultural Organization and the International Renewable Energy Agency, a review of national experiences in developing local innovative capabilities related to new and emerging technologies and renewable energy technologies, including educational programmes and long-term training activities;
 - (iii) To survey collaborative research and development mechanisms that have been effective in facilitating the development and deployment of new and emerging technologies and renewable energy technologies through the global science and innovation infrastructure, including universities, institutions, centres of excellence, business incubators and science and technology parks, as well as through other innovation modalities, with a view to assisting developing countries to build capabilities;
 - (iv) To carry out research into methods for developing countries to integrate the deployment of renewable energy technologies into their national development and science, technology and innovation strategies, especially those related to poverty reduction and meeting the internationally agreed development goals and objectives, including the Millennium Development Goals, taking into account a gender perspective.

By **decision 2010/229** of the same date, the Council took note of the report of the Commission on its thirteenth session and approved the provisional agenda and documentation for its fourteenth (2011) session.

Intersessional panel meeting. The CSTD intersessional panel meeting (Geneva, 15–17 December) [E/CN.16/2011/CRP.1] considered technologies to address challenges such as agriculture and water; measuring the impact of ICTs for development; and follow-up to WSIS.

Participation in Commission work

On 19 July, the Council adopted three decisions, inviting NGOs and civil society entities, on an exceptional basis, to participate in the work of CSTD until 2011 (**decision 2010/226**); extending the arrangements for the participation of academic entities in the Commission's work (**decision 2010/227**); and extending the arrangements for the participation of business sector entities, including the private sector (**decision 2010/228**).

Information and communication technologies

During 2010, the United Nations continued to consider that the benefits of new technologies, especially ICT, were available to all, in keeping with recommendations contained in the ministerial declaration adopted by the Economic and Social Council at its 2000 high-level segment [YUN 2000, p. 799], the Millennium Declaration [ibid., p. 49], and the Declaration of Principles and Plan of Action [YUN 2003, p. 857] adopted at the first phase of the World Summit on the Information Society (WSIS) [ibid.], and the Tunis Commitment and the Digital Solidarity Agenda adopted at its second phase [YUN 2005, p. 933].

GENERAL ASSEMBLY ACTION

On 20 December [meeting 69], the General Assembly, on the recommendation of the Second Committee [A/65/433], adopted **resolution 65/141** without vote [agenda item 17].

Information and communications technologies for development

The General Assembly,

Recalling its resolutions 56/183 of 21 December 2001, 57/238 of 20 December 2002, 57/270 B of 23 June 2003, 59/220 of 22 December 2004, 60/252 of 27 March 2006, 62/182 of 19 December 2007, 63/202 of 19 December 2008 and 64/187 of 21 December 2009, Economic and Social Council resolutions 2006/46 of 28 July 2006, 2008/3 of 18 July 2008 and 2009/7 of 24 July 2009 and other relevant resolutions,

Taking note of Economic and Social Council resolution 2010/2 of 19 July 2010 on the assessment of the progress made in the implementation of and follow-up to the outcomes of the World Summit on the Information Society,

Noting that cultural diversity is the common heritage of humankind and that the information society should be founded on and stimulate respect for cultural identity, cultural and linguistic diversity, traditions and religions and foster dialogue among cultures and civilizations, and noting also that the promotion, affirmation and preservation of diverse cultural identities and languages as reflected in relevant agreed United Nations documents, including the Universal Declaration on Cultural Diversity of the United Nations Educational, Scientific and Cultural Organization, will further enrich the information society,

Recalling the Declaration of Principles and the Plan of Action adopted by the World Summit on the Information Society at its first phase, held in Geneva from 10 to 12 December 2003, and endorsed by the General Assembly, and the Tunis Commitment and the Tunis Agenda for the Information Society adopted by the Summit at its second phase, held in Tunis from 16 to 18 November 2005, and endorsed by the General Assembly,

Recalling also the 2005 World Summit Outcome,

Recalling further the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals and its outcome document,

Taking note of the report of the Secretary-General on progress made in the implementation of and follow-up to the outcomes of the World Summit on the Information Society at the regional and international levels,

Noting the establishment of the Broadband Commission for Digital Development at the invitation of the Secretary-General of the International Telecommunication Union and the Director-General of the United Nations Educational, Scientific and Cultural Organization, and taking note of the report of the Commission prepared in cooperation with the International Telecommunication Union and the United Nations Educational, Scientific and Cultural Organization entitled "A 2010 Leadership Imperative: The Future Built on Broadband", which calls for broadband-friendly practice and policies towards the attainment of the internationally agreed development goals, including the Millennium Development Goals, to ensure that the potential of broadband connectivity and content are at the service of development,

Taking note of the report of the Secretary-General on enhanced cooperation on public policy issues pertaining to the Internet, and recognizing the need to promote the participation of intergovernmental organizations from developing countries in future consultations,

Taking note also of the note by the Secretary-General on the continuation of the Internet Governance Forum,

Recognizing the role of the Commission on Science and Technology for Development in assisting the Economic and Social Council as the focal point in the system-wide follow-up, in particular the review and assessment of the progress made in implementing the outcomes of the World Summit on the Information Society, while at the same time maintaining its original mandate on science and technology for development,

Noting the thirteenth session of the Commission on Science and Technology for Development, held in Geneva from 17 to 21 May 2010,

Recognizing that, while in recent years considerable progress has been made in access to information and communications technologies, including the steady increase in Internet access to nearly one quarter of the world's population, the expanding penetration of cellular telephony and the availability of multilingual content and Internet addresses, the need remains to reduce the digital divide and to ensure that the benefits of new technologies, especially information and communications technologies, are available to all, and recognizing in this regard that less than 18 per cent of the population in developing countries uses the Internet, compared to more than 60 per cent in developed countries,

Reaffirming the need to harness the potential of information and communications technologies to promote the achievement of the internationally agreed development goals, including the Millennium Development Goals, and sustainable economic growth,

Expressing concern about the impact of the world financial and economic crisis on the positive trends in the diffusion of information and communications technology and the investment needed to ensure universal access to information and communications technologies,

Stressing the need to reduce the digital divide, including with regard to such issues as international interconnection charges for Internet use, and to ensure that the benefits of new technologies, especially information and communications technologies, are available to all,

Acknowledging that the Internet, a central element of the infrastructure of the information society, has evolved from a research and academic facility into a global facility available to the public,

Recognizing that the international management of the Internet should be multilateral, transparent and democratic, with the full involvement of Governments, the private sector, civil society and international organizations, as stated in paragraph 29 of the Tunis Agenda,

Recognizing also the importance of the Internet Governance Forum and its mandate as a forum for multi-stakeholder dialogue on various matters, including public policy issues related to key elements of Internet governance, in order to foster the sustainability, robustness, security, stability and development of the Internet, as well as its role in building partnerships among different stakeholders so as to help in addressing the various issues of Internet governance, while acknowledging the calls for improvements in its working methods,

Emphasizing the significance and urgency of the process towards enhanced cooperation in full consistency with the mandate provided in paragraph 71 of the Tunis Agenda and the need for enhanced cooperation to enable Governments on an equal footing to carry out their roles and responsibilities in respect of international public policy issues pertaining to the Internet but not in respect of the day-to-day technical and operational matters that do not impact upon those issues,

Recalling the consultations, at the fourth meeting of the Internet Governance Forum, held in Sharm el-Sheikh, Egypt, from 15 to 18 November 2009, on the future of the Forum, which generally welcomed the renewal of its

mandate and recognized the need for further discussion on the improvement of its working methods,

Welcoming the efforts undertaken by the host countries in organizing the first, second, third, fourth and fifth meetings of the Internet Governance Forum, held in Athens in 2006, in Rio de Janeiro, Brazil, in 2007, in Hyderabad, India, in 2008, in Sharm el-Sheikh, Egypt, in 2009 and in Vilnius in 2010, respectively,

Noting the contribution of the Global Alliance for Information and Communications Technologies and Development to the work of the Commission on Science and Technology for Development,

Recognizing the pivotal role of the United Nations system in promoting development, including with respect to enhancing access to information and communications technologies, inter alia, through partnerships with all relevant stakeholders,

Welcoming, in view of the existing gaps in information and communications technologies infrastructure, the Connect Africa summits held in Kigali in 2007 and in Cairo in 2008, the Connect the Commonwealth of Independent States summit held in Minsk in 2009 and the meeting of Commonwealth countries held in Colombo in 2010, which are regional initiatives aimed at mobilizing human, financial and technical resources to accelerate the implementation of the connectivity goals of the World Summit on the Information Society,

1. *Recognizes* that information and communications technologies have the potential to provide new solutions to development challenges, particularly in the context of globalization, and can foster economic growth, competitiveness, access to information and knowledge, poverty eradication and social inclusion that will help to expedite the integration of all countries, especially developing countries, in particular the least developed countries, into the global economy;

2. *Expresses concern* regarding the digital divide in access to information and communications technology tools and broadband connectivity between countries at different levels of development, which affects many economically and socially relevant applications in areas such as government, business, health and education, and further expresses concern with regard to the special challenges faced in the area of broadband connectivity by developing countries, including the least developed countries, small island developing States and landlocked developing countries;

3. *Acknowledges* that a gender divide exists as part of the digital divide, and encourages all stakeholders to ensure the full participation of women in the information society and women's access to the new technologies, especially information and communications technologies for development;

4. *Stresses* that, for the majority of the poor, the development promise of science and technology, including information and communications technologies, remains unfulfilled, and emphasizes the need to effectively harness technology, including information and communications technologies, to bridge the digital divide;

5. *Also stresses* the important role of Governments in the design of public policies and in the provision of public services responsive to national needs and priorities through, inter alia, the effective use of information and communica-

tions technologies, including on the basis of a multi-stakeholder approach, to support national development efforts;

6. *Recognizes* that, in addition to financing by the public sector, financing of information and communications technologies infrastructure by the private sector has come to play an important role in many countries and that domestic financing is being augmented by North-South flows and South-South cooperation;

7. *Also recognizes* that information and communications technologies present new opportunities and challenges and that there is a pressing need to address the major impediments that developing countries face in accessing the new technologies, such as insufficient resources, infrastructure, education, capacity, investment and connectivity and issues related to technology ownership, standards and flows, and in this regard calls upon all stakeholders to provide adequate resources, enhanced capacity-building and technology transfer, on mutually agreed terms, to developing countries, particularly the least developed countries;

8. *Further recognizes* the immense potential that information and communications technologies have in promoting the transfer of technologies in a wide spectrum of socio-economic activity;

9. *Recognizes* that South-South and triangular cooperation can be useful tools for promoting the development of information and communications technologies;

10. *Encourages* strengthened and continuing cooperation between and among stakeholders to ensure the effective implementation of the outcomes of the Geneva and Tunis phases of the World Summit on the Information Society through, inter alia, the promotion of national, regional and international multi-stakeholder partnerships, including public-private partnerships, and the promotion of national and regional multi-stakeholder thematic platforms, in a joint effort and dialogue with developing and least developed countries, development partners and actors in the information and communications technologies sector;

11. *Welcomes* the efforts undertaken by Tunisia, host of the second phase of the World Summit on the Information Society in collaboration with the United Nations Conference on Trade and Development, the International Telecommunication Union and other relevant international and regional organizations, for organizing annually the ICT 4 All Forum and technological exhibition as a platform within the framework of the follow-up to the Summit to promote a dynamic business environment for the information and communications technologies sector worldwide;

12. *Encourages* the United Nations funds and programmes and the specialized agencies, within their respective mandates, to contribute to the implementation of the outcomes of the World Summit on the Information Society, and emphasizes the need for resources in this regard;

13. *Notes* the organization of the World Summit on the Information Society Forum 2010 by the International Telecommunication Union, the United Nations Conference on Trade and Development, the United Nations Development Programme and the United Nations Educational, Scientific and Cultural Organization to facilitate interaction among actors implementing the Summit's action lines, and invites organizers to fully engage Governments, international or-

ganizations, civil society and the private sector in the preparations for the World Summit on the Information Society Forum 2011, to be held in Geneva from 16 to 20 May 2011;

14. *Recognizes* the urgent need to harness the potential of knowledge and technology, and in this regard encourages the United Nations development system to continue its effort to promote the use of information and communications technologies as a critical enabler of development and a catalyst for the achievement of the internationally agreed development goals, including the Millennium Development Goals;

15. *Also recognizes* the role of the United Nations Group on the Information Society as an inter-agency mechanism of the United Nations System Chief Executives Board for Coordination designed to coordinate United Nations implementation of the outcomes of the World Summit on the Information Society;

16. *Further recognizes* that the Internet governance-related outcomes of the World Summit on the Information Society, namely the process towards enhanced cooperation and the convening of the Internet Governance Forum, are to be pursued by the Secretary-General through two distinct processes, and recognizes that the two processes may be complementary;

17. *Decides* to extend the mandate of the Internet Governance Forum for a further five years, and in this regard invites the Secretary-General to continue to convene the Forum for multi-stakeholder policy dialogue on Internet governance issues according to its mandate as set out in paragraph 72 of the Tunis Agenda for the Information Society, while at the same time recognizing the need to improve the Forum, with a view to linking it to the broader dialogue on global Internet governance;

18. *Welcomes* the decision of the Economic and Social Council, in paragraph 30 of its resolution 2010/2, to invite the Chair of the Commission on Science and Technology for Development to establish, in an open and inclusive manner, a working group which would seek, compile and review inputs from all Member States and all other stakeholders on improvements to the Internet Governance Forum, in line with the mandate set out in the Tunis Agenda, and would make recommendations, as appropriate, to the Commission at its fourteenth session, in 2011, in a report that would constitute an input from the Commission to the General Assembly, through the Council;

19. *Stresses* that the consideration of improvements to the Internet Governance Forum should be based on the inputs to be provided to the working group by all Member States and all other stakeholders, including those comments received during the online consultation and the consultation undertaken by the Under-Secretary-General for Economic and Social Affairs during the fourth meeting of the Forum, held in Sharm el-Sheikh, Egypt, in November 2009, with particular consideration for, inter alia, enhancing the participation of developing countries, exploring further voluntary options for financing the Forum and improving the modalities of the preparation process and the work and functioning of the secretariat of the Forum;

20. *Decides* that the desirability of the continuation of the Internet Governance Forum will be considered again by Member States in the General Assembly in the context

of a ten-year review of the implementation of the outcome of the World Summit on the Information Society in 2015;

21. *Stresses* the need for the enhanced participation of developing countries, in particular the least developed countries, in all Internet Governance Forum meetings, and in this regard invites Member States, as well as other stakeholders, to support the participation of Governments and other stakeholders from developing countries in the Forum itself, as well as in the preparatory meetings;

22. *Welcomes* the decision of the Economic and Social Council, in paragraph 24 of its resolution 2010/2, to invite the Secretary-General to convene open and inclusive consultations involving all Member States and all other stakeholders with a view to assisting the process towards enhanced cooperation in order to enable Governments on an equal footing to carry out their roles and responsibilities in respect of international public policy issues pertaining to the Internet but not in respect of the day-to-day technical and operational matters that do not impact upon those issues, through a balanced participation of all stakeholders, especially developing countries, in their respective roles and responsibilities, as stated in paragraph 35 of the Tunis Agenda, requests the Secretary-General to submit to the General Assembly for consideration at its sixty-sixth session, through the Council, a report on the outcome of those consultations, and takes note of the invitation circulated by the Under-Secretary-General for Economic and Social Affairs to participate in the open consultations on enhanced cooperation on international public policy issues pertaining to the Internet;

23. *Requests* the Secretary-General to submit to the General Assembly at its sixty-sixth session, through the Commission on Science and Technology for Development and the Economic and Social Council, a report on the status of the implementation of and follow-up to the present resolution, as part of his annual reporting on the progress made in the implementation of and follow-up to the outcomes of the World Summit on the Information Society at the regional and international levels;

24. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "Information and communications technologies for development".

Cooperation on governance policy issues pertaining to the Internet

In a May note [A/65/78-E/2010/68], submitted in response to General Assembly resolution 60/252 [YUN 2006, p. 999], the Secretary-General, in consultation with Forum participants, examined the desirability of continuing the Internet Governance Forum beyond the initial five years. He recommended that the Assembly extend the Forum's mandate; in addition, based on the views expressed by participants, a number of improvements to its format, functions and operations should be considered.

The Economic and Social Council took note of that report by **decision 2010/230** of 19 July.

Internet Governance Forum. Established in 2006 [YUN 2006, p. 1001] to support the Secretary-

General in carrying out the wsis mandate to convene a multi-stakeholder policy dialogue on Internet governance issues, the Internet Governance Forum held its fifth annual meeting (Vilnius, Lithuania, 14–17 September) on the theme "Developing the Future Together". Its sessions addressed managing critical Internet resources; access and diversity; security, openness and privacy; Internet governance for development; emerging issues—cloud computing; and taking stock of Internet governance and the way forward. The 2010 Forum devoted more space to regional and national initiatives. More than 1,400 participants from 107 countries attended the event. By a letter of 21 October [A/C.2/65/2], Lithuania transmitted the Chair's summary of the 2010 Forum.

Global Alliance for ICT and Development. The Global Alliance for Information and Communications Technologies and Development, established in 2006 [YUN 2006, p. 1004], continued to focus its attention on helping developing countries integrate ICTs into their development strategies and programmes and on mainstreaming ICT into the UN development agenda. The fifth annual forum of the Global Alliance (Abu Dhabi, United Arab Emirates, 5–6 December) discussed how best to use ICTs to achieve the MDGs.

Follow-up to World Summit on the Information Society

In response to Economic and Social Council resolutions 2006/46 [YUN 2006, p. 1001], 2007/8 [YUN 2007, p. 853], 2008/3 [YUN 2008, p. 931] and 2009/7 [YUN 2009, p. 822], the Secretary-General reported in March [A/65/64-E/2010/12] on progress made in the implementation of and follow-up to the wsis outcomes at the regional and international levels, also identifying obstacles and constraints encountered. E-government had become a powerful tool of development and essential to the achievement of the MDGs. Countries that had embraced e-government had experienced its transformative power—in revitalizing public administration, overhauling public management, fostering inclusive leadership and moving civil services towards higher efficiency, transparency and accountability. Even in small, least developed countries (LDCs) with limited economies of scale, the mobile revolution and growth of high-speed broadband and wireless access had begun to have a measurable economic impact, reinforced by expansion of e-government capacity in the public sector. The report highlighted the need for capacity-building, policy, content and indicators in order to build a more inclusive society and bridge the digital divide. In particular, capacity-building programmes at the international and regional levels were important. Bridging the digital divide was a prior-

ity area of concern for all regional commissions. The United Nations Economic Commission for Europe noted that the gap between the most and least developed European countries in terms of broadband penetration was widening. Similarly, the Economic Commission for Latin America and the Caribbean observed the need to reduce the digital divide in terms of access and quality of access in building a more inclusive information society. In the region of the Economic and Social Commission for Asia and the Pacific, the level and speed of ICT uptake varied considerably. Remote and poor rural areas were particularly underserved and usage was less prevalent among women and certain disadvantaged communities. The Economic Commission for Africa noted that many African countries had made great progress towards harmonizing national e-strategies and plans as well as building subregional frameworks for regional economic integration.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 19 July [meeting 39], the Economic and Social Council, on the recommendation of the Commission on Science and Technology for Development [E/2010/31], adopted **resolution 2010/2** without vote [agenda item 13(b)].

Assessment of the progress made in the implementation of and follow-up to the outcomes of the World Summit on the Information Society

The Economic and Social Council,

Recalling the outcomes of the World Summit on the Information Society,

Recalling also its resolution 2006/46 of 28 July 2006 entitled "Follow-up to the World Summit on the Information Society and review of the Commission on Science and Technology for Development" and the mandate that it gave to the Commission,

Recalling further its resolution 2009/7 of 24 July 2009 on the assessment of the progress made in the implementation of and follow-up to the outcomes of the World Summit,

Recalling General Assembly resolution 64/187 of 21 December 2009 on information and communication technologies for development,

Taking note with satisfaction of the report of the Secretary-General on the progress made in the implementation of and follow-up to the outcomes of the World Summit at the regional and international levels,

Taking note of the report of the Secretary-General entitled "Improvements and innovations in existing financing mechanisms: information and communication technology for development",

Expressing its appreciation to the Secretary-General of the United Nations Conference on Trade and Development for his role in helping to ensure completion of the aforementioned reports in a timely manner,

Taking stock: reviewing the implementation of the outcomes of the World Summit on the Information Society

1. *Notes* the ongoing implementation of the outcomes of the World Summit on the Information Society, emphasizing in particular its multi-stakeholder nature, the roles played in this regard by leading agencies as action line facilitators and the roles of the regional commissions and the United Nations Group on the Information Society, and expresses its appreciation for the role of the Commission on Science and Technology for Development in assisting the Economic and Social Council as the focal point in the system-wide follow-up to the World Summit;

2. *Takes note* of the respective reports of many United Nations entities, with their own executive summaries, submitted as inputs for the elaboration of the annual report of the Secretary-General to the Commission on Science and Technology for Development and published on the website of the Commission as mandated in Economic and Social Council resolution 2007/8 of 25 July 2007, and recalls the importance of close coordination among the leading action line facilitators and with the secretariat of the Commission;

3. *Notes* the implementation of the outcomes of the World Summit at the regional level facilitated by the regional commissions, as observed in the report of the Secretary-General on progress made in the implementation of and follow-up to the outcomes of the World Summit at the regional and international levels, including the steps taken in this respect, and emphasizes the need to continue to address issues of specific interest to each region, focusing on the challenges and obstacles that each may be facing with regard to the implementation of all goals and principles established by the World Summit, with particular attention to information and communications technology for development;

4. *Reiterates* the importance of maintaining a process of coordinating the multi-stakeholder implementation of the outcomes of the World Summit through effective tools, with the goals of exchanging information among action line facilitators, identifying issues that need improvement and discussing the modalities of reporting the overall implementation process, encourages all stakeholders to continue to contribute information to the stocktaking database on the implementation of the goals established by the World Summit, maintained by the International Telecommunication Union, and invites United Nations entities to update information on their initiatives in the stocktaking database;

5. *Notes* the benefits of forums such as the ICT 4 All Forum convened by Tunisia on 24 and 25 November 2009, which provided an opportunity to share national experiences in the use of information and communications technology for the development and promotion of entrepreneurship and competitiveness;

6. *Highlights* the urgent need for the incorporation of the recommendations of the outcomes of the World Summit in the revised guidelines for United Nations country teams on preparing the common country assessments and United Nations Development Assistance Frameworks, including the addition of an information and communications technology for development component;

7. *Notes* the holding in Geneva from 10 to 14 May 2010 of the World Summit on the Information Society Forum 2010, organized by the International Telecommunication Union, the United Nations Educational, Scientific and

Cultural Organization, the United Nations Conference on Trade and Development and the United Nations Development Programme as a multi-stakeholder platform for the implementation of the outcomes of the World Summit and to facilitate the implementation of the World Summit action lines;

8. *Calls upon* all States, in building the information society, to take steps to avoid and to refrain from taking any unilateral measure not in accordance with international law and the Charter of the United Nations that impedes the full achievement of economic and social development by the population of the affected countries and hinders their well-being;

9. *Reaffirms* that, while the digital divide may be shrinking in some areas, many challenges remain unaddressed, with significant gaps existing within economies and societies that affect the demand for and the ability to use information and communications technologies;

10. *Notes with dissatisfaction* that, for the majority of the poor, the development promise of science and technology, including information and communications technologies, remains unfulfilled, and emphasizes the need to effectively harness technology, including information and communications technologies, to bridge the digital divide;

11. *Recognizes* that information and communications technologies present new opportunities and challenges and that there is a pressing need to address the major impediments that developing countries face in accessing the new technologies, such as insufficient resources, infrastructure, education, capacity, investment and connectivity and issues related to technology ownership, standards and flows, and in this regard calls upon all stakeholders to provide adequate resources, enhanced capacity-building and transfer of technology to developing countries, particularly the least developed countries;

12. *Expresses its concern* regarding the widening gap in broadband connectivity between countries at different levels of development, which affects many economically and socially relevant applications in areas such as government, business, health and education, and also expresses its concern with regard to the special challenges in the area of broadband connectivity faced by the least developed countries, the small island developing States, the landlocked developing countries and the heavily indebted poor countries;

13. *Notes with concern* the inequality of access to broadband infrastructure and services between developed and developing nations and within nations and, in particular, the broadband divide that further marginalizes the poor, rural communities and other disadvantaged groups such as women, the disabled and the elderly, and in this context recognizes the importance of current initiatives aimed at achieving rapid broadband deployment and the need to prioritize innovative approaches within national and regional development strategies in this regard;

14. *Welcomes* the recent establishment of the Broadband Commission for Digital Development at the initiative of the International Telecommunication Union and the United Nations Educational, Scientific and Cultural Organization, with the key aim of accelerating the attainment of the aforementioned goals through the introduction of ubiquitous access to broadband connectivity within the global partnership for development;

15. *Notes* that, while a solid foundation for capacity-building in information and communications technology

has been laid in many areas with regard to building the information society, there is still a need for continuing efforts to address the ongoing challenges, especially those faced by developing countries and the least developed countries, and draws attention to the positive impact of broadened capacity development that involves institutions, organizations and entities dealing with information and communications technologies and Internet governance issues;

16. *Recognizes* the need to focus on capacity development policies and sustainable support to further enhance the impact of activities and initiatives at the national and local levels aimed at providing advice, services and support, with a view to building a people-centred, inclusive and development-oriented information society;

17. *Notes* that topics that were not central at the first and second phases of the World Summit continue to emerge, such as the potential of information and communications technologies to combat climate change, the protection of online privacy and the empowerment and protection of vulnerable groups of society, in particular children and young people, particularly against cyberexploitation and abuse;

18. *Reiterates* the importance of information and communications technology indicators as a monitoring and evaluation tool for measuring the digital divide between countries and within societies and in informing decision makers when formulating policies and strategies for social, cultural and economic development, and emphasizes that the standardization and harmonization of reliable and regularly updated information and communications technology indicators that capture the performance, efficiency, affordability and quality of goods and services is essential for implementing information and communications technology policies;

Internet governance

19. *Reaffirms* the principles enunciated at the World Summit that the Internet has evolved into a global facility available to the public, that its governance should constitute a core issue of the information society agenda and that the international management of the Internet should be multilateral, transparent and democratic, with the full involvement of Governments, the private sector, civil society and international organizations and should ensure an equitable distribution of resources, facilitate access for all and ensure a stable and secure functioning of the Internet, taking into account multilingualism;

20. *Reaffirms also* paragraph 35 of the Tunis Agenda for the Information Society, which states that the management of the Internet encompasses both technical and public policy issues and should involve all stakeholders and relevant intergovernmental and international organizations and that:

(a) Policy authority for Internet-related public policy issues is the sovereign right of States, which have rights and responsibilities for international Internet-related public policy issues;

(b) The private sector has had, and should continue to have, an important role in the development of the Internet, in both the technical and the economic fields;

(c) Civil society has played an important role in Internet matters, especially at the community level, and should continue to play such a role;

(d) Intergovernmental organizations have had, and should continue to have, a facilitating role in the coordination of Internet-related public policy issues;

(e) International organizations have had, and should continue to have, an important role in the development of Internet-related technical standards and relevant policies;

21. *Recognizes* that the Internet governance-related outcomes of the World Summit, namely the process towards enhanced cooperation and the convening of the Internet Governance Forum, are to be pursued by the Secretary-General of the United Nations through two distinct processes, and also recognizes that the two processes may be complementary;

Enhanced cooperation

22. *Recalls* paragraphs 68 to 71 of the Tunis Agenda;

23. *Takes note* of the report of the Secretary-General on enhanced cooperation on public policy issues pertaining to the Internet, which summarizes the responses of international organizations to the request to provide an annual report on efforts made towards enhanced cooperation, and notes the interactive deliberations of the Commission on Science and Technology for Development, at its thirteenth session, regarding enhanced cooperation;

24. *Invites* the Secretary-General to convene open and inclusive consultations involving all Member States and all other stakeholders with a view to assisting the process towards enhanced cooperation in order to enable Governments on an equal footing to carry out their roles and responsibilities in respect of international public policy issues pertaining to the Internet but not in respect of the day-to-day technical and operational matters that do not impact upon those issues, through a balanced participation of all stakeholders, in their respective roles and responsibilities, as stated in paragraph 35 of the Tunis Agenda, and requests that the consultations be held before the end of 2010 and their outcome reported to the General Assembly for consideration at its sixty-sixth session, through the Economic and Social Council;

Internet Governance Forum

25. *Notes* the deliberations of the Commission on Science and Technology for Development on the outcome of the fourth meeting of the Internet Governance Forum, held in Sharm el-Sheikh, Egypt, from 15 to 18 November 2009;

26. *Expresses its appreciation* for the work done by the Chair, the secretariat and the host Governments of the meetings of the Internet Governance Forum, and looks forward to the results of the fifth meeting, to be held in Vilnius from 14 to 17 September 2010;

27. *Notes* the recent emergence of several forums on Internet governance at the regional and national levels;

28. *Notes also* the deliberations of the Internet Governance Forum at its meetings, in which all stakeholders engage in a multi-stakeholder policy dialogue on a wide range of Internet governance issues, as mandated in paragraph 72 of the Tunis Agenda;

29. *Notes further* the interactive discussions of the Internet Governance Forum at its fourth meeting, including those held during the stocktaking session chaired by the Under-Secretary-General for Economic and Social Affairs in response to paragraph 76 of the Tunis Agenda, in which the Secretary-General of the United Nations was requested to examine the desirability of the continuation of the Forum, in consultation with Forum participants, within five years of its creation, and to make recommendations to the Member States in this regard, and notes the engagement

of Forum participants through online contributions and through statements delivered during the stocktaking session;

30. *Invites* the Chair of the Commission on Science and Technology for Development to establish, in an open and inclusive manner, a working group which would seek, compile and review inputs from all Member States and all other stakeholders on improvements to the Internet Governance Forum, in line with the mandate set out in the Tunis Agenda, and would make recommendations, as appropriate, to the Commission at its fourteenth session, in 2011, in a report that would constitute an input from the Commission to the General Assembly, through the Economic and Social Council, should the mandate of the Internet Governance Forum be extended;

The road ahead

31. *Urges* United Nations entities still not actively cooperating in the implementation of and follow-up to the outcomes of the World Summit, through the United Nations system, to take the necessary steps and commit to a people-centred, inclusive and development-oriented information society and to catalyse the attainment of the internationally agreed development goals, including those contained in the United Nations Millennium Declaration;

32. *Calls upon* all stakeholders to keep as a priority concern the goal of bridging the digital divide, to put into effect sound strategies that contribute to the development of e-government and to continue to focus on pro-poor information and communications technology policies and applications, including with regard to broadband access at the grass-roots level, with a view to narrowing the digital divide between and within countries;

33. *Urges* all stakeholders to prioritize the development of innovative approaches that will stimulate the provision of universal access to affordable broadband infrastructure for developing countries and the use of relevant broadband services in order to ensure the development of a people-centred, inclusive and development-oriented information society, and to minimize the digital divide;

34. *Calls upon* international and regional organizations to continue to assess and report on a regular basis on the universal accessibility of nations to information and communications technologies, with the aim of creating equitable opportunities for the growth of the information and communications technology sectors of developing countries;

35. *Urges* all countries to make concrete efforts to fulfil their commitments under the Monterrey Consensus of the International Conference on Financing for Development;

36. *Calls upon* United Nations organizations and other relevant organizations and forums, in accordance with the outcomes of the World Summit, to periodically review and modify the methodologies for information and communications technology indicators, taking into account different levels of development and national circumstances;

37. *Invites* the international community to make voluntary contributions to the special trust fund established by the United Nations Conference on Trade and Development to support the review and assessment work of the Commission on Science and Technology for Development regarding follow-up to the World Summit;

38. *Requests* the Secretary-General to submit to the Commission on Science and Technology for Development, on a yearly basis, a report on the implementation of the rec-

ommendations contained in Economic and Social Council resolutions on the assessment of the progress made in the implementation of and follow-up to the outcomes of the World Summit.

Economic and social trends

The *World Economic Situation and Prospects 2011* [Sales No.E.11.II.C.2], jointly issued by the UN Department of Economic and Social Affairs (DESA) and UNCTAD and the five UN regional commissions, stated that after a year of fragile and uneven recovery, global economic growth had started to decelerate in mid-2010. Weaknesses in major developed economies hindered the global recovery and posed risks for world economic stability. The unprecedented scale of the policy measures taken by Governments during the early stage of the crisis had helped stabilize financial markets and jump-start recovery. The policy response weakened during 2010, however, as widening fiscal deficits and rising public debt undermined support for further fiscal stimuli. Many Governments, particularly those in developed countries, were shifting towards fiscal austerity. Weaker global growth was expected due to remaining multiple risks to global recovery. The recovery had been dragged down by the developed economies, and developing country growth was also moderating. The crisis caused significant setbacks in progress towards the Millennium Development Goals. Between 2007 and the end of 2009, at least 30 million jobs were lost worldwide, and long-term unemployment was rising.

As more Governments embarked on fiscal tightening, the prospects for a quick recovery of employment looked gloomy. Inflation rates remained at low levels despite the massive monetary expansion. World trade had seen a 10.5 per cent rebound in 2010, but was expected to grow by only about 6.5 per cent in both 2011 and 2012. Financial factors were exacerbating the volatility in food and other commodity prices. Net transfers from developing to developed countries had increased again in 2010, amounting to an estimated \$557 billion—a slight increase compared to the previous year. Net private capital flows to developing countries had increased significantly. The crisis had heightened the need for official development assistance, yet aid delivery was falling short of commitments by the donor community. The debt situation in many developing countries had improved, but problems remained. The total external debt (public and private) of developing countries as a share of gross domestic product had risen to 24.8 per cent in 2009.

Five challenges had to be addressed, according to the report. Additional fiscal stimulus, in tandem with appropriate monetary policies, was needed in the

short run to boost the global recovery. Fiscal policy needed to be redesigned to strengthen its impact on employment and aid in the transition towards promoting structural change for more sustainable economic growth. Fiscal and monetary stimulus required more synergy, while counteracting damaging international spillover effects in the form of increased currency tensions and volatile short-term capital flows. Developing countries needed more predictable access to development finance. Finally, major economies had to find ways to arrive at credible and effective policy coordination.

A report issued in May [E/2010/73] provided an update, as at mid-2010, of the *World Economic Situation and Prospects 2010* report [YUN 2009, p. 916].

Retooling global development was the main theme of the *World Economic and Social Survey 2010* [Sales No. E.10.II.C1; overview E/2010/50], issued in April. The global economic crisis, coming on top of the food, fuel and climate change crises, had exposed systemic weaknesses which the international community had to find ways to overcome. Those weaknesses derived from the incoherence between the current set of institutions and rules established more than 60 years prior, together with the founding of the United Nations and related institutions, and the much more extensive economic interdependence and complexity induced by decades of globalization. Reshaping global mechanisms and strengthening national capabilities in support of the shared goal of poverty reduction and development offered a feasible path towards overcoming those weaknesses and achieving policy coherence within the global economy. A central concern of the new thinking would be the need for a focus on sustainable development entailing an approach that would balance material wealth improvements with protection of the natural environment and ensure social equity and justice—rather than a focus narrowly concentrated on economic growth and private wealth generation based on market incentives. The complexity of global challenges required a new kind of thinking and the striking of a new balance between national and global decision-making.

Development policy and public administration

Committee for Development Policy

The Committee for Development Policy (CDP), at its twelfth session (New York, 22–26 March) [E/2010/33], addressed three themes: the impact of global crises on gender equality and the empowerment of women; the international support measures specifically available for least developed countries (LDCs); UN system support

for small island developing States, and coherence of the climate change agenda in relation not only to its own financial architecture, but also with respect to other development policies. It also monitored the development progress of countries graduating from the LDC category: Equatorial Guinea, Maldives and Samoa. Women were likely to be disproportionately affected by crises because of their weaker position in the economic, legal, political and sociocultural spheres, which prevailed owing to deeply ingrained structural inequalities. If not tackled immediately, the ongoing crises—the financial crisis, the food security crisis under the looming shadow of climate change, and the crisis of human rights and security—threatened and might reverse some of the advances made since the Fourth World Conference on Women in 1995 [YUN 1995, p. 1168]. With regard to the effectiveness of the international support measures under the Programmes of Action for LDCs, the Committee called attention to the fact that those measures had achieved limited results. It considered that there was a need to review the existing international support measures so as to indicate how they could be improved and possibly complemented by additional national and international measures.

In reviewing UN system support for small island developing States, the Committee took note of shortcomings in the way the international strategy for the sustainable development of those countries had been designed, which made it more difficult to monitor and compromised its effectiveness. The Committee also noted that reporting on implementation needed to be enhanced and made more comprehensive and systematic. Finally, the Committee considered issues of coherence in climate change in the post-Copenhagen context, in particular with respect to its financing architecture. It warned that the postponement of mitigation measures would result in costlier adaptation. It noted that funding for adaptation and mitigation was far from adequate, despite a proliferation of financing mechanisms. The Committee proposed that the regime of the financial architecture for climate change should come under the aegis of the UN Climate Change Conference, and that policies involving climate should facilitate economic development in a sustainable way.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 22 July [meeting 45], the Economic and Social Council adopted **resolution 2010/9** [draft: E/2010/L.30] without vote [agenda item 13 (a)].

Report of the Committee for Development Policy on its twelfth session

The Economic and Social Council,

Recalling General Assembly resolution 59/209 of 20 December 2004 on a smooth transition strategy for countries

graduating from the list of least developed countries, and resolution 63/227 of 19 December 2008 on the implementation of the Brussels Programme of Action for the Least Developed Countries for the Decade 2001–2010,

Recalling also its resolutions 2007/34 of 27 July 2007, 2009/17 of 29 July 2009 and 2009/35 of 31 July 2009,

Expressing its conviction that countries graduating from the least developed country category should be able to continue and sustain their progress and development,

1. Takes note of the report of the Committee for Development Policy on its twelfth session;

2. Decides to forward the chapter of the report on international support measures for the least developed countries to the Preparatory Committee for the Fourth United Nations Conference on the Least Developed Countries for further consideration with regard to the preparations for that Conference;

3. Requests the Committee for Development Policy, at its thirteenth session, to examine and make recommendations on the themes chosen by the Economic and Social Council for the high-level segment of its substantive session of 2011;

4. Takes note of the proposals made by the Committee regarding its future programme of work;

5. Reiterates the importance for development partners to implement concrete measures in support of the transition strategy for ensuring durable graduation;

6. Requests the Committee to continue to monitor the development progress of countries graduating from the list of least developed countries and to include its findings in its annual report to the Council;

7. Invites the Chair and, as necessary, other members of the Committee to continue the practice of reporting orally on the work of the Committee.

Appointment. By a May note [E/2010/9/Add.14], the Secretary-General nominated Victor Polterovich (Russian Federation) to replace Vladimir Popov on the Committee, following his resignation. The Economic and Social Council, by **decision 2010/201 C** of 20 July, appointed Mr. Polterovich for a term expiring on 31 December 2012.

Public administration

Committee of Experts. The Committee of Experts on Public Administration, at its ninth session (New York, 19–23 April) [E/2010/44], had before it Secretariat notes on challenges to and opportunities for public administration in the context of the financial and economic crisis [E/C.16/2010/2]; a review of the United Nations Programme in Public Administration and Finance [E/C.16/2010/3]; and the public administration perspective on the internationally agreed development goals and commitments in regard to gender equality and empowerment of women [E/C.16/2010/4]. The Committee recommended to the Economic and Social Council adoption of a draft resolution on the Committee's report.

In considering the challenges to and opportunities for public administration in the context of the

financial and economic crisis, the Committee, having examined a case study of Singapore, made recommendations for enhanced public governance for speedy and coordinated policy response; leadership capacity-building in the public sector in the context of the financial and economic crisis; citizen-centred public service delivery; and transparency and accountability. Reviewing the United Nations Programme of Public Administration and Finance, the Committee welcomed the positive changes presented by the Division for Public Administration and Development Management in its new strategy. It urged the Division to pay due attention to the differences among developing countries and recognize the meagre information on countries in the South. Specifically, the Committee recommended that the Division focus on accurate, authentic and relevant data and the creation of databases with indicators of significance to public administration, given current matters of concern to Member States, such as local governments and the resources they received from the central government; the ratio of public sector employees to the overall population and within public sector budget allocations per services area; indicators that reflected the new model of open government; processes and actions of repositioning the public sector in development; and trends of public administration development per country and according to relevant criteria, such as transparency, accountability and citizen-centric service delivery. The Committee recognized that other international organizations, such as OECD, the World Bank and the World Economic Forum, were using the indicators of the UN e-government survey, one of the Division's products, in their own reports. The Committee also welcomed the public administration knowledge space initiative currently being constructed. In three working groups, the Committee discussed innovative ways to enrich collaboration with the Division. The groups focused on development management and citizen engagement; E-mobile governmental development; and institutional and human resources development in the public sector development.

Following a discussion of the public administration perspective on the theme of the annual ministerial review of the Economic and Social Council: implementing the internationally agreed goals and commitments in regard to gender equality and empowerment of women, the Committee recommended, among others, that gender equality remain an important goal, with ICT providing a potent tool for advancing women's empowerment, and that greater attention be paid to women's underrepresentation in public administration, especially high civil service positions. Recognizing the monetary value of domestic labour and care work performed mainly by women, the Committee recommended that the Secretariat develop a method-

ology to consider inclusion of such values in official national accounts. The Committee adopted a multi-year programme for 2011–2013, on the theme "Public governance for results to improve the quality of human life", with different subthemes for each of the three years. For its 2011 session, the subthemes were: a conceptual framework; public governance for results in post-conflict and post-crisis countries; social protection for vulnerable populations; and performance management in governance. Papers on the themes would be prepared by selected Committee experts.

The Council, by **decision 2010/239** of 21 July, decided that the tenth session of the Committee would be held at UN Headquarters from 4 to 8 April 2011, and approved the provisional agenda for the session. By **decision 2010/256** of 23 July, the Council deferred consideration of the Committee's report until a later stage, but before its 2011 substantive session.

Groups of countries in special situations

On 17 September, the General Assembly, on the recommendation of the General Committee, included in the agenda of its sixty-fifth session the item entitled "Groups of countries in special situations", covering the Fourth United Nations Conference on Least Developed Countries and the landlocked and transit developing countries, and allocated it to the Second Committee. On 20 December, by **decision 65/527**, the Assembly took note of the report of the Second Committee [A/65/439] on its consideration of the item.

Least developed countries

The special problems of the officially designated least developed countries (LDCs) were considered in several UN forums in 2010, particularly through the implementation of the Brussels Declaration and Programme of Action for LDCs for the Decade 2001–2010, adopted at the Third United Nations Conference on LDCs in 2001 [YUN 2001, p. 770] and endorsed by the General Assembly in resolution 55/279 in July of that year [ibid., p. 771]. In addition to the Office of the High Representative for LDCs, Landlocked Developing Countries and Small Island Developing States (OHRLLS), the Committee for Development Policy (CDP) and the United Nations Conference on Trade and Development (UNCTAD) also dealt with LDC-related issues. *The Least Developed Countries Report 2010* [Sales No. E.10.II.D.5], published by UNCTAD, called for improved international support mechanisms (ISMS) specifically targeted at LDCs, as

well as for a new international development architecture (NIDA) for LDCs. The Report proposed five major pillars for NIDA: finance, trade, commodities, technology, and climate change adaptation and mitigation. The new generation of special ISMs should be located and contextualized as part of a larger agenda that included reforming global governance and enhancing the effectiveness of the international development architecture for all developing countries.

LDC list

The number of countries officially designated as LDCs remained at 49: Afghanistan, Angola, Bangladesh, Benin, Bhutan, Burkina Faso, Burundi, Cambodia, the Central African Republic, Chad, the Comoros, the Democratic Republic of the Congo, Djibouti, Equatorial Guinea, Eritrea, Ethiopia, the Gambia, Guinea, Guinea-Bissau, Haiti, Kiribati, the Lao People's Democratic Republic, Lesotho, Liberia, Madagascar, Malawi, Maldives, Mali, Mauritania, Mozambique, Myanmar, Nepal, the Niger, Rwanda, Samoa, Sao Tome and Principe, Senegal, Sierra Leone, Solomon Islands, Somalia, the Sudan, Timor-Leste, Togo, Tuvalu, Uganda, the United Republic of Tanzania, Vanuatu, Yemen and Zambia.

CDP, at its 2010 session (see p. 840), reviewed the development progress of Equatorial Guinea, Maldives and Samoa. The Committee found that the economic crisis did not appear to have derailed Equatorial Guinea and Maldives from their transition to non-least developed country status. Samoa, however, had suffered human and economic losses from the Pacific Ocean tsunami of 29 September 2009, and its economic outlook would continue to be subject to considerable uncertainty, if not adequately supported by the international community.

GENERAL ASSEMBLY ACTION

On 7 September [meeting 115], the General Assembly adopted **resolution 64/295** [draft: A/64/L.55/Rev.1] without vote [agenda item 42].

Extension of the transition period preceding the graduation of Samoa from least developed country status

The General Assembly,

Recalling its resolutions 59/209 of 20 December 2004 and 62/97 of 17 December 2007,

Reaffirming its commitment to the process of graduation from least developed country status and to encouraging smooth transition measures for graduating countries,

Giving due consideration to the unprecedented human and material losses which Samoa suffered as a result of the Pacific Ocean tsunami of 29 September 2009, and to the severe disruption this natural disaster caused to the socio-economic progress the nation had for several years been demonstrating,

Inviting the international community to further support the rehabilitation, reconstruction and risk reduction efforts undertaken by the Government of Samoa,

1. *Expresses its deep concern* at the consequences for Samoa of the Pacific Ocean tsunami of 29 September 2009;

2. *Decides* to extend by a period of three years, until 1 January 2014, the transition period Samoa is presently benefiting from, until 16 December 2010, before graduation from least developed country status takes place;

3. *Underlines* the exceptional nature of this decision, taken in the context of the unique disruption caused to Samoa by the tsunami.

Programme of Action

In compliance with General Assembly resolution 64/213 [YUN 2009, p. 835] and Economic and Social Council resolution 2009/31 [ibid., p. 833], the Secretary-General in May submitted a report [A/65/80-E/2010/77] on the implementation of the Brussels Programme of Action for LDCs. The report included the state of the preparations for the Fourth United Nations Conference on LDCs in 2011 (LDC-IV) and reviewed the progress made towards the international goals and targets contained in the Brussels Programme of Action.

The report concluded that one indicator for the limited success of the Brussels Programme of Action was the low number of graduating countries; only one country (Cape Verde) had graduated from the group of LDCs since 2001. Two more were scheduled to graduate before the 2011 Conference. The UN system and other international development partners supported graduating countries in aiming to secure a "smooth transition" from LDC to post-LDC status. Maldives, which was expected to exit the LDC category in January 2011, was expected to benefit from the smooth transition-related policy of the EU and was negotiating similar concessions with other partners. However, progress was threatened by slow economic growth, diminished resources, fewer trade opportunities and possible reductions in aid flows from donor nations. At the same time, the effects of climate change were becoming increasingly apparent, with a potentially devastating effect on LDCs. In that context, the commitments to building a global partnership for development embodied in the Brussels Programme of Action needed to be reaffirmed and strengthened.

As timely and reliable data were a precondition for both policy planning and monitoring of results, more attention of Governments and donors should focus on the development of sustainable statistical systems. As the Gorée Island Declaration on the development of statistics of November 2009 [YUN 2009, p. 973] reaffirmed, all countries had to be encouraged and supported to define their own priorities, integrating user needs, and set out their own pathways for statistics, from collection to dissemination. Gender needed to be further mainstreamed in a future development

partnership between LDCs and their development partners. Positive action to improve the numbers and influence of women in all political decision-making should be introduced and women's work burden had to be reduced. Investments for gender equality had to be scaled up, including by institutionalizing "gender-responsive budgeting".

LDCs needed to be able to protect infant industries, use subsidies, especially in agriculture, use countervailing duties for subsidized imports, give preferential treatment to sectors with a competitive potential, and improve fiscal space to deal with external shocks. The growing heterogeneity among LDCs made it evident that policies needed to be tailored to country circumstances. The 2011 Conference needed to focus on specific vulnerabilities of LDCs. That included adequate capacities to design and implement a long-term development strategy as well as concrete measures to address country-specific vulnerabilities from the high concentration of production and exports, dependency on external resources, low human capital and high risks from external shocks, including from climate change. During Conference preparations, the concerns of LDCs needed to be given greater attention in international forums, in particular at the High-level Plenary Meeting on the MDGs in September.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 23 July [meeting 46], the Economic and Social Council adopted **resolution 2010/27** [draft: E/2010/L.20 & E/2010/SR.46] without vote [agenda item 6 (b)].

Implementation of the Programme of Action for the Least Developed Countries for the Decade 2001–2010

The Economic and Social Council,

Recalling the Brussels Declaration and the Programme of Action for the Least Developed Countries for the Decade 2001–2010,

Recalling also the declaration adopted by the Heads of State and Government and heads of delegations participating in the high-level meeting of the sixty-first session of the General Assembly on the midterm comprehensive global review of the implementation of the Programme of Action, in which they recommitted themselves to addressing the special needs of the least developed countries by making progress towards the goals of poverty eradication, peace and development,

Reaffirming the ministerial declaration of the high-level segment of its substantive session of 2010 on the theme "Implementing the internationally agreed goals and commitments in regard to gender equality and empowerment of women",

Recalling its resolution 2009/31 of 31 July 2009 on the implementation of the Programme of Action for the Least Developed Countries for the Decade 2001–2010,

Recalling also General Assembly resolutions 63/227 of 19 December 2008 and 64/213 of 21 December 2009, in which the Assembly decided to convene, at a high level in

2011, the Fourth United Nations Conference on the Least Developed Countries,

Welcoming the progress made in the preparatory process for the Fourth United Nations Conference on the Least Developed Countries at the country, regional and global levels, and taking note of the outcomes of the Africa regional preparatory meeting and the High-level Asia-Pacific Policy Dialogue,

Emphasizing that the Fourth United Nations Conference on the Least Developed Countries should strengthen concerted global actions in support of the least developed countries,

1. *Takes note* of the annual progress report of the Secretary-General;

2. *Notes* the economic and social progress of many of the least developed countries in recent years, which has led to a number of them proceeding towards graduation from the list of the least developed countries and some of them being on track to achieving the growth and universal primary enrolment targets of the Programme of Action for the Least Developed Countries for the Decade 2001–2010 by 2010;

3. *Remains concerned*, however, about the uneven and insufficient progress achieved in the implementation of the Programme of Action at a time when the international community has embarked on the preparations for the Fourth United Nations Conference on the Least Developed Countries, which will undertake a comprehensive appraisal of such implementation, and stresses the urgent need to address areas of weakness in the implementation of the Programme of Action and the continued precarious socio-economic situation in many least developed countries through a strong commitment to the objectives, goals and targets of the Programme of Action;

4. *Underlines* the fact that, for the further implementation of the Programme of Action, the least developed countries and their development partners must be guided by an integral approach, a broader genuine partnership, country ownership, market considerations and results-oriented actions aimed, inter alia, at:

- (a) Fostering a people-centred policy framework;
- (b) Ensuring good governance at both the national and the international levels as essential for the implementation of the commitments embodied in the Programme of Action;
- (c) Building human and institutional capacities;
- (d) Building productive capacities to make globalization work for the least developed countries;
- (e) Enhancing the role of trade in development;
- (f) Reducing vulnerability and protecting the environment;
- (g) Mobilizing financial resources;

5. *Urges* the least developed countries to strengthen country ownership in the implementation of the Programme of Action by, inter alia, translating its goals and targets into specific measures within their national development frameworks and poverty eradication strategies, including, where they exist, poverty reduction strategy papers, by promoting broad-based and inclusive dialogue on development with relevant stakeholders, including civil society and the private sector, and by enhancing domestic resource mobilization and aid management;

6. *Urges* development partners to fully implement, in a timely and effective manner, commitments made in the Programme of Action and to make individual best efforts to continue, in line with their commitments, to increase their financial and technical support for its effective implementation, taking into account the need for increased resources to address the structural handicaps and constraints being faced by least developed countries in their development efforts, including through capacity-building;

7. *Expresses concern* that, despite efforts to reduce poverty during the decade 2001–2010, the severity and persistence of poverty remains a serious challenge for the least developed countries, and emphasizes that the Fourth United Nations Conference on the Least Developed Countries should strengthen global partnership for development and concerted global actions in support of the least developed countries to accelerate sustained economic growth, sustainable development and poverty eradication;

8. *Also expresses concern* that the economic and social progress made so far by the least developed countries towards the achievement of the internationally agreed development goals, including the Millennium Development Goals, is now threatened by the continuing severe impact of multiple global crises, such as the financial and economic crisis, concerns regarding food security, the energy crisis and the adverse impacts of climate change, and resolves to take appropriate policy measures at all levels, both in the short and long term, and actions in support of the policies and measures of the least developed countries to enable them to overcome the negative impacts created by these crises;

9. *Recognizes* the important role that foreign direct investment can play in the augmentation of domestic savings, generation of employment and transfer of technology, and encourages appropriate measures to support the least developed countries in attracting inflows of foreign direct investment;

10. *Notes with appreciation* the efforts made to address the debt problem of the least developed countries, including through the Heavily Indebted Poor Country Initiative and the Multilateral Debt Relief Initiative, expresses concern that debt sustainability and indebtedness remain serious challenges for the least developed countries, and in this regard stresses the need to continue to take effective measures, preferably within the existing frameworks, to address the debt problems of the least developed countries;

11. *Calls for* an effective implementation of the outcome of the 2005 Hong Kong Ministerial Conference of the World Trade Organization concerning least developed countries, welcomes the actions taken by some individual countries since Monterrey towards the goal of full duty-free and quota-free market access for all least developed countries, and calls upon other developed and developing countries declaring themselves in a position to do so to take steps towards this objective;

12. *Also calls for* an early, ambitious, successful, balanced and development-oriented conclusion of the Doha Round of trade negotiations;

13. *Acknowledges* the important nexus between international migration and development and the need to deal with the challenges and opportunities that migration presents to countries of origin, transit and destination, recog-

nizes that migration brings benefits as well as challenges to the global community, and commits to allowing labour migration to meet labour market needs, while complying with relevant national legislation and applicable international instruments;

14. *Strongly encourages* all development partners and other stakeholders, including relevant organizations of the United Nations system and the Bretton Woods institutions, to make concerted efforts and adopt appropriate policies and strategies in support of national strategies and programmes with a view to enabling the least developed countries to meet all the Millennium Development Goals targets by 2015;

15. *Emphasizes* the critical importance of the Fourth United Nations Conference on the Least Developed Countries, to be convened in Istanbul, Turkey, in 2011, in line with paragraph 4 of General Assembly resolution 63/227;

16. *Invites* all development partners and other relevant stakeholders, including Member States, the Bretton Woods institutions, the World Trade Organization and other relevant international and regional organizations, within their respective mandates, parliaments, civil society, non-governmental organizations and the private sector, to continue to remain fully engaged in the preparatory process, including through the organization of thematic pre-conference and parallel events, in order to ensure a successful outcome of the Fourth United Nations Conference on the Least Developed Countries, in line with previous resolutions of the Economic and Social Council and the General Assembly in this regard;

17. *Expresses its concern* about the insufficient resources in the trust fund for the least developed countries, and, while expressing its appreciation to those countries that have made voluntary contributions, invites Governments, intergovernmental and non-governmental organizations, major groups and other donors to contribute to the trust fund in a timely manner to support the substantive preparations for the Fourth United Nations Conference on the Least Developed Countries as well as to support the participation of representatives of the least developed countries in both the preparatory process and the Conference itself;

18. *Welcomes with appreciation* the generous offer of the Government of Turkey to host the Fourth United Nations Conference on the Least Developed Countries in Istanbul from 30 May to 3 June 2011;

19. *Reiterates its request* to the Secretary-General to include the issues of concern to the least developed countries in all relevant reports in the economic, social, environmental and related fields in order to ensure follow-up to the development of those countries in the broader context of the world economy and contribute to preventing their marginalization while promoting their further integration into the world economy;

20. *Requests* the Secretary-General to submit a ten-year comprehensive report on the implementation of the Programme of Action for the Least Developed Countries for the Decade 2001–2010 to the Fourth United Nations Conference on the Least Developed Countries, identifying, inter alia, lessons learned and best practices as well as structural constraints and handicaps encountered, resource requirements and resource gaps in achieving the set objectives of the Programme of Action.

Preparatory process for Fourth UN Conference on LDCs

By resolution 63/227 [YUN 2008, p. 944], the General Assembly decided to convene LDC-IV at a high level in 2011, with the mandate to comprehensively assess the implementation of the Programme of Action for LDCs for the Decade 2001–2010 [YUN 2001, p. 770]. By the same resolution, the Assembly decided to convene, towards the end of 2010, and/or early in 2011, no more than two meetings of the intergovernmental preparatory committee, to be preceded by two regional-level preparatory meetings, supported by broad-based and inclusive country-level preparations. By resolution 64/213 [YUN 2009, p. 835], the Assembly welcomed and accepted Turkey's offer to host the Conference. The meeting of the intergovernmental preparatory committee would be held in New York in two parts, from 10 to 14 January 2011 and from 18 to 25 April. The Assembly mandated that OHRLS be the focal point for the Conference preparations. In July, the Secretary-General appointed Cheick Sidi Diarra (Mali), Special Adviser on Africa and High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States, as the Secretary-General of LDC-IV.

The first regional review meeting [A/CONF.219/IPC/4], the High-level Asia-Pacific Policy Dialogue on the Brussels Programme of Action for LDCs (Dhaka, Bangladesh, 18–20 January), adopted the Dhaka Outcome Document, which was taken note of by ESCAP at its sixty-sixth annual session (Incheon, Republic of Korea, May). The outcome of the second regional meeting (Addis Ababa, Ethiopia, 8–9 March) [A/CONF.219/IPC/3] was endorsed by the Third Annual Joint African Union Conference of Ministers of Economy and Finance and the ECA Conference of Ministers of Finance, Planning and Economic Development (Lilongwe, Malawi, March).

The Secretary-General appointed a Group of Eminent Persons, co-chaired by Alpha Oumar Konaré, former President of Mali, and James Wolfensohn, former President of the World Bank, to advise on the international support measures needed to accelerate development in LDCs. The Group held its first meeting in New York on 13 October. The Ministerial Meeting of LDCs held on 27 September on the margins of the general debate of the General Assembly adopted a Ministerial Declaration identifying priority actions and expectations of concrete deliverables at the Conference and highlighting the need for greater visibility of LDCs on the international agenda. In cooperation with the UN Department of Public Information, OHRLS formulated a communication strategy, which included a conference-specific website. It also prepared a project document to mobi-

lize resources in support of the preparations for the Conference.

Trade and Development Board action. At its fifty-first executive session (Geneva, 29–30 November, 2 December) [A/66/15 (Part I)], the Trade and Development Board had before it three reports as contributions to the preparatory process of and to LDC-IV: on UNCTAD's contribution to LDC-IV [TD/B/EX(51)/3]; and on proposals [TD/B/EX(51)/4] stemming from the International High-level Meeting of Experts on Sustainable Tourism for Development in the Least Developed Countries (Caen, France, 12–14 October) [UNCTAD/ALDC/2010/3]. In agreed conclusions adopted on 2 December, the Board called for an effective monitoring and review of the implementation of the outcome of LDC-IV, with a view to identifying remaining challenges, evaluating progress and proposing further policy actions. It urged UNCTAD to contribute to the substantive and technical implementation of the LDC-IV outcome and requested its Secretary-General to ensure that adequate provisions were made to carry out mandated UNCTAD activities in follow-up to the LDC-IV outcomes.

GENERAL ASSEMBLY ACTION

On 20 December [meeting 69], the General Assembly, on the recommendation of the Second Committee [A/65/439/Add.1], adopted **resolution 65/171** without vote [agenda item 23 (a)].

Fourth United Nations Conference on the Least Developed Countries

The General Assembly,

Recalling the Brussels Declaration and the Programme of Action for the Least Developed Countries for the Decade 2001–2010, adopted at the Third United Nations Conference on the Least Developed Countries, held in Brussels from 14 to 20 May 2001,

Recalling also the United Nations Millennium Declaration of 8 September 2000,

Recalling further the 2005 World Summit Outcome of 16 September 2005,

Recalling its resolution 63/227 of 19 December 2008, in which it decided to convene the Fourth United Nations Conference on the Least Developed Countries at a high level in 2011,

Recalling also its resolution 64/213 of 21 December 2009 on the Fourth United Nations Conference on the Least Developed Countries, in which it decided to convene the Conference in the first half of 2011 for a duration of five days,

Recalling further Economic and Social Council resolution 2010/27 of 23 July 2010 on the implementation of the Programme of Action for the Least Developed Countries for the Decade 2001–2010,

Taking note of the Ministerial Declaration adopted at the Ministerial Meeting of the Least Developed Countries, held in New York on 27 September 2010,

Recalling the Cotonou Strategy for the Further Implementation of the Programme of Action for the Least Developed Countries for the Decade 2001–2010, as an initiative owned and led by the least developed countries,

Recalling also its resolutions 46/206 of 20 December 1991 and 59/209 of 20 December 2004, in which it stressed and reiterated the importance of a smooth transition for countries graduating from least developed country status, in order to avoid disruption to their development progress,

Recalling further the outcome document of the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals, in which Heads of State and Government acknowledged the significant constraints and structural impediments faced by the least developed countries in their development efforts, expressed grave concern that such countries are lagging behind in meeting internationally agreed development goals, including the Millennium Development Goals, and in that context, inter alia, looked forward to the Conference, which would further invigorate the international partnership to address the special needs of these countries,

Emphasizing that the Conference should strengthen concerted global actions in support of the least developed countries,

1. *Takes note* of the report of the Secretary-General on the implementation of the Programme of Action for the Least Developed Countries for the Decade 2001–2010;

2. *Decides* to convene the Fourth United Nations Conference on the Least Developed Countries in Istanbul, Turkey, from 9 to 13 May 2011 at the highest possible level, in line with the mandate specified by the General Assembly in resolution 63/227, in view of the critical importance of the Conference;

3. *Also decides* to reschedule the second session of the Intergovernmental Preparatory Committee and to hold it in New York from 4 to 8 April 2011, for five working days;

4. *Welcomes* the progress being made in the preparatory process of the Conference, and takes note of the outcome of the Asia-Pacific regional preparatory meeting, held in Dhaka from 18 to 20 January 2010, and the outcome of the Africa regional preparatory meeting, held in Addis Ababa on 8 and 9 March 2010;

5. *Notes with appreciation* the Ministerial Meeting on the theme “Enhancing the mobilization of financial resources for the development of the least developed countries”, held in Lisbon on 2 and 3 October 2010;

6. *Looks forward* to the Ministerial Meeting on the theme “Harnessing the positive contribution of South-South cooperation for the development of the least developed countries”, to be hosted by the Government of India in New Delhi early in 2011;

7. *Welcomes* the establishment by the Secretary-General of the Group of Eminent Persons for the Fourth United Nations Conference on the Least Developed Countries;

8. *Also welcomes* the appointment by the Secretary-General of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States as the Secretary-General of the Fourth United Nations Conference on the Least Developed Countries;

9. *Requests* the Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States, as the focal

point for the preparations for the Conference, to ensure effective, efficient and timely preparations for the Conference and to further mobilize and coordinate the active involvement of the organizations of the United Nations system;

10. *Recognizes* the importance of the contribution of civil society actors at the Conference and during its preparatory process, and in this regard stresses the need for their active participation in accordance with the rules of procedure of the General Assembly;

11. *Requests* the President of the General Assembly to organize, within existing resources, a day of informal interactive hearings with civil society actors in due time before the second session of the Intergovernmental Preparatory Committee, in consultation with Member States, in particular the least developed countries, the Bureau of the Intergovernmental Preparatory Committee, the Civil Society Steering Committee and the representatives of non-governmental organizations in consultative status with the Economic and Social Council, as appropriate;

12. *Invites* the President of the General Assembly and the Secretary-General of the Conference to preside jointly over the informal interactive hearings, and requests the President of the Assembly to prepare a summary of the hearings, to be issued as an Assembly document prior to the Conference;

13. *Invites* the President of the General Assembly to consult with the Bureau of the Intergovernmental Preparatory Committee, the Civil Society Steering Committee, the representatives of non-governmental organizations in consultative status with the Economic and Social Council and Member States, in particular the least developed countries, as appropriate, concerning the list of representatives of non-governmental organizations and civil society organizations that may participate in the informal interactive hearings with civil society, in the meetings of the Civil Society Forum of the Conference and in the Conference itself;

14. *Invites* all development partners and other relevant stakeholders, including Member States, the Bretton Woods institutions, the World Trade Organization and other relevant international and regional organizations, within their respective mandates, parliaments, civil society, non-governmental organizations, philanthropic organizations and the private sector, to continue to remain fully engaged in the preparatory process of the Conference, including through the organization of thematic pre-conference and parallel events, in order to ensure a successful outcome of the Conference, in line with its previous resolutions in this regard;

15. *Reiterates* the critical importance of the effective participation of Government representatives from the least developed countries in the meetings of the Intergovernmental Preparatory Committee and in the Conference itself;

16. *Expresses its concern* about the insufficiency of resources in the Trust Fund for the Least Developed Countries, and, while expressing its appreciation to those countries that have made voluntary contributions, urges Governments, intergovernmental and non-governmental organizations, major groups and other donors to contribute to the Trust Fund in a timely manner in order to support the substantive preparations for the Conference and the participation of representatives of each least developed country in the preparatory process of the Conference and to defray the cost of the participation of two representatives from each least developed country in the meetings of

the Intergovernmental Preparatory Committee and in the Conference itself;

17. *Requests* the Secretary-General of the Conference and the Office of the High Representative to intensify mobilization efforts to ensure sufficient extrabudgetary funding from all possible sources for the preparatory process of the Conference and for the Conference itself and to provide information on the status of the Trust Fund;

18. *Requests* the Secretary-General of the United Nations, with the assistance of concerned organizations and bodies of the United Nations system, including the Department of Public Information of the Secretariat, in collaboration with the Office of the High Representative, to take the measures necessary to intensify their public information efforts and other appropriate initiatives to enhance advocacy and public awareness in favour of the Conference, including by highlighting its objectives and significance;

19. *Also requests* the Secretary-General to submit to the Conference a ten-year comprehensive report on the implementation of the Programme of Action for the Least Developed Countries for the Decade 2001–2010 identifying, inter alia, lessons learned and best practices as well as structural constraints and handicaps encountered, resource requirements and resource gaps in achieving the set objectives of the Programme of Action;

20. *Further requests* the Secretary-General to submit to the General Assembly at its sixty-sixth session a report on the outcome of the Conference;

21. *Requests* the Secretary-General to report to the General Assembly at its sixty-seventh session on the national transition strategies prepared by Governments of graduating countries and the support measures provided by development and trading partners for the States that have graduated or are graduating from least developed country status, in line with resolution 59/209, including on the possible need and likely ways to reinforce the smooth transition;

22. *Decides* to include in the provisional agenda of its sixty-sixth session, under the item entitled “Groups of countries in special situations”, a sub-item entitled “Follow-up to the Fourth United Nations Conference on the Least Developed Countries”.

Small island developing States

During 2010, UN bodies continued to review progress in the implementation of the Programme of Action for the Sustainable Development of Small Island Developing States (Barbados Programme of Action), adopted in 1994 [YUN 1994, p. 783]. The Commission on Sustainable Development (CSD) reviewed the Mauritius Strategy for the Further Implementation (MSI) of the Programme of Action for the Sustainable Development of Small Island Developing States, adopted by the 2005 International Meeting to Review the Implementation of the 1994 Programme of Action [YUN 2005, p. 946]. MSI set forth actions and strategies in 19 priority areas for the period 2005 to 2015, including the original themes of the Barbados Programme of Action. It was the only global strategy to address specifically and exclusively the problems of

island States. By resolution 62/191 [YUN 2007, p. 868], the General Assembly decided to review at its 2010 session the progress made in addressing the vulnerabilities of small island developing States through the implementation of MSI. Resolutions 63/213 [YUN 2008, p. 946] and 64/199 [YUN 2009, p. 838] further clarified the expectations of Member States and the processes involved in the review. The UN Department of Economic and Social Affairs (DESA), through its Small Island Developing States Unit, OHRLS, the regional commissions and other UN entities provided support for preparations of the review process. A series of national assessment reports formed the substantive basis of the review. The regional review meetings (Port Vila, Vanuatu, 8–9 February; Male, Maldives, 9–10 March; St. George’s, Grenada, 16–18 March) resulted in regional outcome statements [CSD18/2010/BP8, CSD18/2010/BP9, CSD18/2010/BP10] and in-depth regional synthesis reports. An interregional meeting of small island developing States (New York, 8 May) was followed by the observance of Small Island Developing States Day (New York, 10 May), during the eighteenth session of CSD. The Economic and Social Commission for Asia and the Pacific, in its resolution 66/2 of 19 May, invited member States to support the Port Vila outcome statement.

By **decision 64/555** of 15 April, the General Assembly decided to hold a two-day high-level review, from 24 to 25 September, to assess progress made on MSI, pursuant to resolution 64/199 [YUN 2009, p. 838].

Committee for Development Policy. In accordance with Economic and Social Council resolution 2009/17 [YUN 2009, p. 837], CDP, at its twelfth session in March [E/2010/33], considered the findings in the Secretary-General’s 2009 report [YUN 2009, p. 837] on the follow-up to and implementation of MSI. The Committee reviewed the specific development challenges faced by small island developing States as a result of their size, location, geographical characteristics, environmental and economic vulnerabilities, and external dependency. Climate change, including rising sea levels, had serious implications for small island developing States, and some low-lying island States faced existential threats. The Committee noted that on the whole, small island developing States had consistently maintained good levels of social, economic and infrastructural development, above the average of other developing countries. Yet it was clear that small island developing States were not a homogenous group—some had small populations, were archipelagic, low-lying, had no permanent streams or rivers and were particularly remote. Others did not share those extreme features, and 10 small island developing States lagged behind and were classified as LDCs.

Commission on Sustainable Development. CSD in 2010 [E/2010/29] served as the Preparatory Committee for the High-Level Event on a Five-Year Review of the Implementation of the Mauritius Strategy. In accordance with Commission resolution 17/2 [YUN 2009, p. 837] and Council decision 2009/236 [ibid., p. 801], CSD, acting as the Preparatory Committee, reviewed progress made in addressing the vulnerabilities of small island developing States through the implementation of MSI.

In accordance with the Commission's May 2009 decision [ibid., p. 837] and Assembly resolution 64/199 [ibid., p. 838], the Preparatory Committee was convened during the eighteenth session of the Commission. The Committee held two meetings on 10 May [A/CONF.218/PC/1]. It had before it an April report of the Secretary-General [E/CN.17/2010/9] on a review of MSI implementation, providing an initial global synthesis of the national and regional five-year review. The Director of the DESA Division for Sustainable Development introduced a report of the Secretary-General [E/CN.17/2010/14] on the integrated review of the thematic cluster of mining, chemicals, waste management, transport, and sustainable consumption and production in small island developing States. On the same date, the Commission recommended to the General Assembly the adoption of a decision on the organization of the high-level review to assess progress made in addressing the vulnerabilities of small island developing States through the implementation of MSI.

On 9 July, by **decision 64/561**, the Assembly, on the recommendation of the Preparatory Committee, requested its President to conduct further consultations with Member States with a view to resolving the pending procedural aspects of the high-level review to be held on 24–25 September.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 23 July [meeting 47], the Economic and Social Council adopted **resolution 2010/34** [draft: E/2010/L.33] without vote [agenda item 13 (a)].

Review of United Nations support for small island developing States

The Economic and Social Council,

Guided by the Charter of the United Nations,

Recalling the Declaration of Barbados, the Programme of Action for the Sustainable Development of Small Island Developing States and the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States,

Recalling also Economic and Social Council resolution 2009/17 of 29 July 2009 on the review of United Nations support for small island developing States,

Taking note of the report of the Committee for Development Policy on its twelfth session containing the independent

views and perspectives of the Committee on United Nations support for small island developing States,

Recalling that the Council, by its resolution 2009/17, decided to make available a summary of the debate held during its substantive session of 2010 together with the independent views and perspectives of the Committee as a contribution to the two-day high-level review, to be conducted during the sixty-fifth session of the General Assembly, of progress made in addressing the vulnerabilities of small island developing States,

Recognizing that, although they are afflicted by economic difficulties and confronted by development imperatives similar to those of developing countries generally, small island developing States also have their own particular vulnerabilities and characteristics, which render the difficulties that they face in the pursuit of sustainable development particularly severe and complex,

1. *Decides* to make available the independent views and perspectives of the Committee for Development Policy, together with a summary of the debate held during the present substantive session, as a contribution to the two-day high-level review, to be conducted during the sixty-fifth session of the General Assembly, of progress made in addressing the vulnerabilities of small island developing States;

2. *Requests* the Secretary-General, in consultation with the Inter-agency Consultative Group on Small Island Developing States, and taking into account the views and perspectives contained in chapter V of the report of the Committee for Development Policy on how to improve monitoring of United Nations support for the implementation of the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States, and the views of Member States, to submit a report to the Economic and Social Council, for consideration at its substantive session of 2011, on concrete recommendations on how United Nations support for small island developing States could be more targeted, cost-efficient, measurable and effective.

Reports of Secretary-General. In a July report [A/65/115], the Secretary-General provided a global synthesis of the preparatory national and regional five-year reviews of MSI, updating his April report [E/CN.17/2010/9] by taking into account material that had since become available, in particular the final outcomes of the preparatory meetings and national assessment reports, UN documents and newer data.

The report summarized the overall progress of small island developing States in terms of macroeconomic development, progress made towards achieving the MDGs and vulnerability trends. In general, the report concluded, substantial progress had been made in terms of MSI implementation and progress towards achievements of the MDGs, but renewed efforts were needed. While small island developing States shared many of the characteristics of other developing countries, they faced unique challenges. They continued

to be highly vulnerable to external shocks, and many of the hard-earned gains appeared threatened by the adverse impact of climate change, natural disasters and the global food, fuel and financial crises which, according to anecdotal evidence, had overstretched the limited coping capacities of those States.

In the light of the progress made, lessons learned and continuing challenges and constraints in implementing MSI, the Secretary-General suggested that Member States might wish to consider strengthening support for national development planning, focused on building resilience to external shocks; vulnerability-resilience profiling; further focus on key thematic areas; support of partnership initiatives for further implementation of the Barbados Programme of Action; strengthening access to and provision of financial resources; and institutionalizing special support measures.

In August, the Secretary-General presented a report [A/65/301] entitled "Towards the sustainable development of the Caribbean Sea for present and future generations".

Communications. By a letter of 31 August [A/65/352], the Vice-President of the Economic and Social Council transmitted to the General Assembly President the summary of the Council debate on the review of UN support for small island developing States, held on 20 and 21 July, during the general segment of the substantive session of the Council. By a letter of 9 September [A/65/361], the Council President transmitted to the Assembly President the independent views and perspectives of CDP on UN support for small island developing States, as contained in the Committee's report [E/2010/33].

GENERAL ASSEMBLY ACTION

On 13 September [meeting 121], the General Assembly adopted **resolution 64/300** [draft: A/64/L.68] without vote [agenda item 53 (b)].

Draft outcome document of the High-level Review Meeting on the Implementation of the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States

The General Assembly,

Recalling its resolutions 63/213 of 19 December 2008 and 64/199 of 21 December 2009,

Recalling also its decision 64/555 of 15 April 2010,

Decides to refer the annexed draft outcome document to the High-level Review Meeting on the Implementation of the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States, to be held on 24 and 25 September 2010, for its consideration.

ANNEX

Draft outcome document of the High-level Review Meeting on the Implementation of the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States

[For text, see General Assembly resolution 65/2 below.]

On the same date, by **decision 64/566**, the Assembly, on the proposal of its President, decided on the modalities for the high-level review.

High-level review. Heads of State and Government, Ministers and Member States representatives gathered at a high-level meeting at UN Headquarters (New York, 24–25 September) to undertake a five-year review of MSI and to assess the progress made in addressing the vulnerabilities of small island developing States through the implementation of the Mauritius Strategy.

GENERAL ASSEMBLY ACTION

On 25 September [meeting 18], the General Assembly adopted **resolution 65/2** [draft: A/65/L.2] without vote [agenda item 20 (b)].

Outcome document of the High-level Review Meeting on the Implementation of the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States

The General Assembly

Adopts the following outcome document of the High-level Review Meeting on the Implementation of the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States:

Outcome document of the High-level Review Meeting on the Implementation of the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States

We, Heads of State and Government, Ministers and representatives of Member States, gathered at a high-level meeting at United Nations Headquarters in New York on 24 and 25 September 2010 to undertake a five-year review of the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States to assess the progress made in addressing the vulnerabilities of small island developing States through the implementation of the Mauritius Strategy,

1. Recall that the unique and particular vulnerabilities of small island developing States have been acknowledged by the international community since the United Nations Conference on Environment and Development, held in Rio de Janeiro, Brazil, in 1992, the Global Conference on the Sustainable Development of Small Island Developing States, held in Barbados in 1994, the World Summit on Sustainable Development, held in Johannesburg, South

Africa, in 2002, and the International Meeting to Review the Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States, held in Mauritius in 2005;

2. Reaffirm our commitment to support the efforts of small island developing States, in view of their unique and particular vulnerabilities, towards their sustainable development through the further full and effective implementation of the Barbados Programme of Action and the Mauritius Strategy, including through the achievement of the internationally agreed development goals, including those contained in the United Nations Millennium Declaration;

3. Acknowledge that small island developing States have demonstrated their commitment to promoting sustainable development, and will continue to do so, in mainstreaming sustainable development principles into national development strategies, in enhancing political commitments and public awareness of the importance of sustainable development issues, in establishing protected areas, including marine, coastal and terrestrial, through the demonstration of strong leadership in protecting biodiversity, in adopting strategies for promoting renewable energy and in mitigating the negative effects of the global financial and economic crisis on their economies. To that effect, small island developing States have mobilized resources at the national and regional levels despite their limited resource base, and in this regard additional resources should be mobilized to support their efforts;

4. Note with concern that notwithstanding these efforts, small island developing States continue to face sustainable development challenges. The long-standing co-operation and support provided by the international community has played an important role and should play an even more critical role in helping small island developing States to make progress in addressing their vulnerabilities and in supporting their sustainable development efforts;

5. Also note with concern that, while small island developing States have progressed in the areas of gender, health, education and the environment, their overall progress towards achieving the Millennium Development Goals has been uneven. Small island developing States have made less progress than most other groupings, or even regressed, in economic terms, especially in terms of poverty reduction and debt sustainability. Small island developing States have not achieved sustained high levels of economic growth owing in part to the ongoing negative impacts of the financial and economic crisis. The small size, remoteness, narrow resource and export base, and exposure to global environmental challenges of most small island developing States have worked against efforts towards sustainable development;

6. Acknowledge that climate change and sea-level rise continue to pose a significant risk to small island developing States and their efforts to achieve sustainable development and, for some, represent the gravest of threats to their survival and viability;

7. Recall resolution 63/281 of 3 June 2009, and in that context emphasize the need to consider and address the issue of climate change, including its possible security implications for small island developing States;

8. Maintain that the United Nations Framework Convention on Climate Change is the primary international, intergovernmental forum for negotiating the global response

to climate change. We also call upon States to take urgent global action to address climate change in accordance with the principles identified in the Convention, including the principle of common but differentiated responsibilities and respective capabilities;

9. Call upon the international community to continue to enhance its support for the development and implementation of small island developing States national climate change mitigation and adaptation strategies and programmes, as well as to facilitate regional and interregional cooperation, in view of the urgent need to build the resilience of small island developing States to the adverse impacts of climate change;

10. Also call upon the international community to enhance support for the efforts of small island developing States to adapt to the adverse impacts of climate change, including through the provision of dedicated sources of financing, capacity-building and the transfer of appropriate technologies to address climate change;

11. Recognize that small island developing States continue to grapple with the effects of natural disasters, some with increased intensity, including those due to climate change, which impede progress towards sustainable development;

12. Also recognize the need to enhance and establish, if necessary, means and tools at the international level aimed at implementing a preventive approach for natural disasters in small island developing States, reducing risks and properly integrating risk management into development policies and programmes, including through the further implementation of the internationally agreed framework for disaster risk reduction, the Hyogo Framework for Action 2005–2015. We call upon the international community to continue to support small island developing States in enhancing their efforts to strengthen regional and national efforts in disaster risk reduction, management and coordination, including creating or strengthening insurance mechanisms, where appropriate, for natural and environmental disasters in small island developing States;

13. Reiterate that energy dependence is a major source of economic vulnerability for many small island developing States. While those States are particularly suited to renewable energy options and in spite of the fact that many are endowed with extensive renewable energy resources, these remain underdeveloped. We also reiterate the need to support small island developing States in their efforts to develop and utilize new and renewable energy as well as foster energy efficiency and conservation, inter alia, through financing from all sources, technical assistance and capacity-building aimed at developing a sustainable energy sector, to be the foundation of the development sector of small island developing States. We underscore the importance of facilitating access by small island developing States to finance, including access to investment funds for renewable energy, and are ready to assist them to this effect. In this regard, we welcome regional mechanisms and initiatives for energy cooperation and integration to build and develop energy infrastructure, direct supplies and social projects in order to achieve their energy sustainability;

14. Recognize the importance of North-South cooperation, complemented by South-South cooperation, cooperation among small island developing States and triangular cooperation, in order to promote programmes for those

States for the effective implementation of the Barbados Programme of Action and the Mauritius Strategy;

15. Also recognize that small island developing States continue to be heavily dependent on their coastal and marine resources, and that their development challenges include limited access to financing, technologies and equipment, global overfishing and destructive fishing practices, and barriers to increased participation in fisheries and related activities;

16. Reiterate the need for improved conservation of coastal and marine resources and integrated coastal management. We urge the international community to continue and enhance its support for small island developing States to strengthen their implementation of integrated coastal zone management strategies and their scientific research capacity;

17. Emphasize that small island developing States and the relevant regional and international development partners should work together to develop and implement regional initiatives to promote conservation and the sustainable management of coastal and marine resources;

18. Reiterate the need for the adoption and implementation of effective measures at the international, regional and national levels that provide for the long-term sustainable use of fisheries resources, given their vital importance to the sustainable development of small island developing States. In this regard, we agree:

(a) To reaffirm the commitment to urgently reduce the capacity of the world's fishing fleets to levels commensurate with the sustainability of fish stocks;

(b) To promote the full participation of small island developing States in regional fisheries management organizations;

(c) To assist small island developing States in developing their fisheries sector, including through building the capacity of those States, so as to facilitate a greater level of participation in high seas fisheries, including for straddling fish stocks and highly migratory fish stocks, to enable them to receive greater benefits from sustainable fisheries for such stocks, to develop their own fisheries, and to improve their market access;

(d) To further strengthen, through international support, the capacities of small island developing States to carry out monitoring and implement enforcement measures to combat illegal, unreported and unregulated fishing, and overfishing;

(e) To urge the mainstreaming of efforts to assist small island developing States with other relevant international development strategies, with a view to enhancing international coordination so as to enable them to develop their national capacity to exploit fishery resources, consistent with the duty to ensure the conservation and management of those fisheries resources;

19. Call upon the international community to continue enhancing the efforts of small island developing States to foster agricultural production, productivity and sustainability and to prioritize food security. This should be achieved through diversification and value-added activities, research and development, improved land use, sustainable forest management, access to and the appropriate use of modern technology and access to markets, as well as the empowerment of small-scale farmers, including women, indigenous peoples and rural communities;

20. Recall that for most small island developing States, tourism is an important contributor to employment, foreign exchange and economic growth, and that the Mauri-

tius Strategy recognizes the need for sustainable tourism. Climate change, along with other sources of environmental degradation, can have an adverse impact on the sustainability of the tourism industry in small island developing States. We therefore call upon the World Tourism Organization, the relevant United Nations agencies and other relevant stakeholders to support the development and implementation by small island developing States of measures to promote sustainable tourism in such States;

21. Call upon the international community to further assist small island developing States in the development of appropriate systems for recycling, waste minimization and treatment, reuse and management, and mechanisms to protect the oceans and coastal areas from waste and toxic materials, including through the creation and strengthening of systems and networks for the dissemination of information on appropriate environmentally sound technologies, recycling and disposal technologies;

22. Note with concern that water quality and availability constitute serious constraints in small island developing States, and, although some small island developing States are implementing measures such as demand-side management, wastewater treatment, enhancing water-use efficiency and increasing public awareness, such efforts are hampered by financial and capacity constraints, and request the international community to provide assistance to small island developing States for capacity-building for the development and further implementation of freshwater and sanitation programmes;

23. Call upon the international community to assist the efforts of small island developing States to strengthen national disaggregated data and information systems as well as analytical capabilities for decision-making, tracking progress and development of vulnerability-resilience country profiles; the efforts of small island developing States in developing databases and in institutionalizing national indicators for monitoring and evaluating sustainable development should also be supported and utilized by United Nations agencies where available;

24. Reiterate the importance of facilitating the exchange of knowledge, success stories, experiences and information among small island developing States;

25. Recognize that the objectives of the Convention on Biological Diversity are vital and indispensable elements to achieving the sustainable development of small island developing States, and encourage small island developing States, with the necessary support of the international community, to make further efforts to incorporate biodiversity protection into their national development strategies; we call upon the international community to increase assistance to small island developing States to strengthen biodiversity protection and address the current and emerging threats posed by invasive alien species. We look forward to a successful outcome of the tenth meeting of the Conference of the Parties to the Convention, to be held in Nagoya, Japan;

26. Also recognize the need to address the specific trade- and development-related needs and concerns of small island developing States so as to enable them to fully integrate into the multilateral trading system in accordance with the Doha mandate on small economies, and agree to facilitate the accession of small island developing States to the World Trade Organization, where appropriate, through enhanced technical assistance;

27. Urge development partners, in view of the current global economic situation, to further pay due attention to the unique and particular vulnerabilities of small island developing States in the context of their trade and partnership agreements and trade preference programmes, in accordance with World Trade Organization rules and provisions, to help economic recovery in those States;

28. Reiterate the importance of aid for trade as a means of delivering coordinated, effective and targeted trade-related technical assistance and capacity-building programmes, as established in the Hong Kong Ministerial Declaration of 2005, and in this context call for assistance to be provided, where appropriate, to address the special constraints of small island developing States with respect to building their supply-side capacities and their competitiveness, as part of their national development strategies;

29. Acknowledge that the specific circumstances of each small island developing State should be taken into account in addressing long-term debt sustainability and that better access to international capital markets needs to be ensured for small island developing States;

30. Urge the international financial institutions to continue to take into account the specific circumstances, situations and vulnerabilities of each small island developing State to enable them to have adequate access to financial resources, including concessionary financing for investment in sustainable development;

31. Reiterate the importance for development partners of implementing concrete measures in support of the transition strategy for small island developing States that have recently graduated or are about to graduate from least developed country status so as to ensure the sustainability of the progress made, and recognize the importance of the review of the criteria used in determining graduation from least developed country status within the relevant United Nations mandates;

32. Request the Secretary-General to include a chapter in his report to the General Assembly at its sixty-sixth session on the follow-up to and implementation of the Mauritius Strategy on the collection, analysis and dissemination of data on the sustainable development of those States, and to make recommendations on how to address the challenges relating to these issues;

33. Also request the Secretary-General, since the present review has highlighted some shortcomings in the institutional support for small island developing States as well as other constraints to the full and effective implementation of the Mauritius Strategy and the Barbados Programme of Action, to submit a report that puts forward concrete recommendations to enhance the implementation of the Barbados Programme of Action and the Mauritius Strategy and refocus efforts towards a results-oriented approach and to consider what improved and additional measures might be needed to more effectively address the unique and particular vulnerabilities and development needs of small island developing States. The report should be prepared in consultation with Member States as well as the relevant specialized agencies, funds, programmes and regional commissions, taking into account the work done by the United Nations system, and submitted to the General Assembly at its sixty-sixth session. Within the scope of that report, we further request the Secretary-General to conduct a comprehensive review and examine ways to enhance the

coherence and coordination of the United Nations system's support for small island developing States and to put forward concrete recommendations to Member States in this regard. This should include reviewing the work and respective mandates of all relevant United Nations entities within their areas of expertise as they relate to the Barbados Programme of Action and the Mauritius Strategy, including with regard to paragraphs 101 and 102 of the Strategy;

34. Renew our resolve to fulfil our commitments to further implement the Mauritius Strategy and underscore the urgency of finding additional solutions to the major challenges facing small island developing States in a concerted manner. We recognize that the way forward for sustainable development requires that coordinated, balanced and integrated actions be taken at all levels, including through the strengthening of collaborative partnerships between small island developing States and the international community, with the aim of building the resilience of small island developing States in overcoming their unique and particular vulnerabilities and in reflecting their respective national priorities and needs.

On 20 December [meeting 69], the General Assembly, on the recommendation of the Second Committee [A/65/436/Add.2], adopted **resolution 65/156** without vote [agenda item 20 (b)].

Follow-up to and implementation of the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States

The General Assembly,

Reaffirming the Declaration of Barbados and the Programme of Action for the Sustainable Development of Small Island Developing States, adopted by the Global Conference on the Sustainable Development of Small Island Developing States on 6 May 1994, and recalling its resolution 49/122 of 19 December 1994 on the Global Conference,

Reaffirming also the Mauritius Declaration and the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States, adopted by the International Meeting to Review the Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States on 14 January 2005,

Recalling the outcome document of the High-level Review Meeting on the Implementation of the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States, held on 24 and 25 September 2010,

Reaffirming the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"), including chapter VII on the sustainable development of small island developing States,

Recalling its resolution 64/199 of 21 December 2009 and all its other previous resolutions on the subject,

Recalling also the 2005 World Summit Outcome,

Recalling further the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals, held from 20 to 22 September 2010, and its outcome document,

Reaffirming that the Commission on Sustainable Development is the primary intergovernmental forum for moni-

toring the implementation of the Barbados Programme of Action and the Mauritius Strategy,

Recalling that the unique and particular vulnerabilities of small island developing States have been acknowledged by the international community since the United Nations Conference on Environment and Development, held in Rio de Janeiro, Brazil, in 1992, the Global Conference on the Sustainable Development of Small Island Developing States, held in Barbados in 1994, the World Summit on Sustainable Development, held in Johannesburg, South Africa, in 2002, and the International Meeting to Review the Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States, held in Mauritius in 2005,

Acknowledging the importance of the upcoming United Nations Conference on Sustainable Development,

Reaffirming that the adverse effects of climate change and sea-level rise present significant and specific risks to the sustainable development of small island developing States, that the effects of climate change may threaten the very existence of some small island developing States and that, given their vulnerability, adaptation to the adverse effects of climate change and sea-level rise therefore remains a major priority for small island developing States,

Recognizing the need to promote the development of regional and national capacities for disaster risk reduction, including through early warning systems, as well as the reconstruction and rehabilitation of areas affected by natural disasters, including through the further implementation of the internationally agreed framework for disaster risk reduction, the Hyogo Framework for Action 2005–2015: Building the Resilience of Nations and Communities to Disasters,

Acknowledging that small island developing States have demonstrated, and will continue to demonstrate, their commitment to promoting sustainable development and, to that effect, have mobilized resources at the national and regional levels despite their limited resource base,

Recognizing, in this regard, the urgent need to increase the level of resources provided to small island developing States for the effective implementation of the Mauritius Strategy,

Acknowledging the particular relationship of small island developing States with the oceans and the need for sustainable development and management of their ocean and marine resources,

Taking note of the report of the Secretary-General on the five-year review of the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States,

1. *Urges* the full and effective implementation of the outcome document of the High-level Review Meeting on the Implementation of the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States, adopted by the General Assembly on 25 September 2010;

2. *Requests* the Secretary-General to transmit the outcome document to all relevant international and regional organizations, United Nations funds and programmes, the specialized agencies and regional commissions, international financial institutions and the Global Environment Facility, as well as other intergovernmental organizations and major groups;

3. *Urges* Governments and all relevant international and regional organizations, United Nations funds and programmes, the specialized agencies and regional commissions, international financial institutions and the Global Environment Facility, as well as other intergovernmental organizations and major groups, to take timely action for the effective implementation of and follow-up to the Mauritius Declaration and the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States, including the further development and operationalization of concrete projects and programmes;

4. *Invites* the United Nations funds and programmes to mainstream and integrate the Programme of Action for the Sustainable Development of Small Island Developing States and the Mauritius Strategy into their respective processes and within their respective mandates, in order to promote coherence and coordination in support of their implementation;

5. *Recognizes* the progress made and the continuing challenges faced in the implementation of the Mauritius Strategy, while noting the importance of paragraphs 87, 88 and 101 of the Strategy and taking into account cross-cutting implementation issues;

6. *Calls upon* the international community to enhance support for the efforts of small island developing States to adapt to the adverse effects of climate change, including through the provision of dedicated sources of financing, capacity-building and the transfer of appropriate technologies to address climate change;

7. *Calls upon* all relevant regional and inter-governmental organizations to enhance cooperation, coherence and coordination through, inter alia, the Inter-agency Consultative Group on Small Island Developing States in strengthening support to small island developing States in further advancing the Mauritius Strategy;

8. *Underlines* the importance of providing the Small Island Developing States Unit of the Department of Economic and Social Affairs of the Secretariat with adequate, stable and predictable funding and staffing to facilitate the full and effective implementation of its mandates in accordance with the priority accorded to the Unit and in view of the demand for its services, in particular with respect to the provision of assistance, technical cooperation services and support to small island developing States;

9. *Acknowledges with appreciation* the contribution of Member States and other international donors to support activities related to small island developing States, including through the voluntary trust fund ("Small Island Developing States Trust Fund"), and invites donor countries to make further voluntary contributions in this regard;

10. *Recognizes* the importance of North-South cooperation, complemented by South-South cooperation, cooperation among small island developing States and triangular cooperation, in order to promote programmes for small island developing States for the effective implementation of the Barbados Programme of Action and the Mauritius Strategy;

11. *Invites* all relevant organizations, funds, programmes and bodies within the United Nations system, in consultation with interested States, to coordinate relevant activities with regional and national marine scientific and technological centres in small island developing States, as

appropriate, to ensure the more effective achievement of their objectives in accordance with relevant United Nations development programmes and strategies relating to small island developing States;

12. *Requests* the Secretary-General to submit to the General Assembly at its sixty-sixth session a report on the follow-up to and implementation of the Mauritius Strategy, taking into account paragraph 32 of the outcome document of the High-level Review Meeting on the Implementation of the Strategy, and in preparing that report to consult with Member States as well as the relevant United Nations funds and programmes, the specialized agencies and regional commissions, taking into account the work done by the United Nations system, as well as all relevant national, regional and subregional organizations;

13. *Decides* to include in the provisional agenda of its sixty-sixth session, under the item entitled "Sustainable development", the sub-item entitled "Follow-up to and implementation of the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States".

On the same date, the Assembly also adopted **resolution 65/155** on the topic "Towards the sustainable development of the Caribbean Sea for present and future generations" (see p. 1035).

Landlocked developing countries

Communication. By a letter of 25 June [A/64/856], Paraguay, as chair of the Group of Landlocked Developing Countries, transmitted the Declaration adopted at the Meeting of Trade Ministers of Landlocked Developing Countries (Ezulwini, Swaziland, 21–22 October 2009), dealing with the global economic crisis, multilateral trade negotiations, trade facilitation, accession to the World Trade Organization (WTO), resource mobilization, new and emerging challenges, and multilateral cooperation arrangements.

Report of Secretary-General. Pursuant to General Assembly resolution 64/214 [YUN 2009, p. 841], the Secretary-General in August reported [A/65/215] on the implementation of the Almaty Programme of Action: Addressing the Special Needs of Landlocked Developing Countries within a New Global Framework for Transit Transport Cooperation for Landlocked and Transit Developing Countries, adopted in 2003 by the International Ministerial Conference of Landlocked and Transit Developing Countries and Donor Countries and International Financial and Development Institutions on Transit Transport Cooperation [YUN 2003, p. 875], and the 2008 declaration on the midterm review of the Programme in Assembly resolution 63/2 [YUN 2008, p. 949]. Both the Almaty Programme and the outcome document of the midterm review underscored the need to strengthen global partnerships in recognition of the special needs and challenges confronted by the landlocked devel-

oping countries (LLDCs) in their efforts to eradicate poverty, sustain economic growth and integrate better into the world economy.

Ten years after the adoption of the MDGs [YUN 2000, p. 49], the report also reviewed the progress made by LLDCs towards their attainment and highlighted some of the challenges experienced, including climate change. Given their inherent geographical difficulties depriving them of direct access to seaborne trade, LLDCs found themselves on a disadvantaged development path, compounded by the long distance from major international markets, cumbersome transit procedures, inadequate transport infrastructure and dependence on the political stability, infrastructure and institutional quality of coastal transit countries. The Almaty Programme, with its overarching goal to forge partnerships to overcome the special problems of landlocked developing countries, contributed to the achievement of the MDGs by that vulnerable group. The report concluded that smooth and reliable transport systems, which lay at the very core of the global framework for transit cooperation embodied in the Almaty Programme, played a key role for the overall economic and social progress of LLDCs, for their cooperation with transit neighbours and the achievement of their development goals.

The Secretary-General recommended that the international community address the special development concerns and needs of LLDCs through increased financial support to help them accelerate progress towards the achievement of the MDGs and strengthen their capacity to mitigate and adapt to climate change. Critical transport solutions included the re-engineering of the transit system to simplify and harmonize documentation requirements, the creation of one-stop border posts to avoid duplication of procedures, the automation of customs to reduce direct contact with officials, the reform of tracking regulation to promote competition, and the establishment of island clearance centres or dry ports to anticipate clearance procedures.

Private sector involvement was crucial for the success of transit transport and trade policy reform projects. UNCTAD, the regional commissions and regional organizations should strengthen their support and capacity-building activities in that regard. ECA, the AU Commission, the World Bank, the African Development Bank and OHRLS should strengthen their support to elaborate and conclude an intergovernmental agreement on the Trans-African Highway. Corridor-monitoring indicators should be developed to measure the performance of trade corridors linking LLDCs to seaports and their progress on changes in logistics and trade facilitation practices. The Office of the High Representative, the regional commissions, the World Bank and other organizations should cooperate to

develop an international agreement on use of a common corridor monitoring framework.

The international community should provide greater market access for goods originating in LLDCs to mitigate high trade transaction costs stemming from their geographical disadvantages. That should be coupled by the broad application of preferential rules of origin to increase the utilization rate of current schemes and serve as an incentive for foreign direct investments in LLDCs. Increased technical assistance should be extended to LLDCs to ensure their effective participation in WTO negotiations, particularly concerning trade facilitation and the implementation of agreements. LLDCs stood to gain by highlighting the linkages between aid for trade and the implementation of the Almaty Programme priorities, particularly developing trade and transport infrastructure and implementing trade facilitation measures. In order to do so, LLDCs should increase their ownership of the aid for trade initiative by mainstreaming trade into their development strategies. Donor countries and financial and development institutions should provide increased financial resources to transit transport infrastructure and trade facilitation projects, so as to enhance intraregional connectivity, complete missing links and ensure the proper functioning of strategic sea corridors. While the recent scale-up of aid for trade flows was welcome, coverage and predictability remained problematic. Donor countries and the international financial and development institutions were invited to make voluntary contributions to the trust fund established to facilitate implementation of the outcome of and follow-up to the Almaty International Ministerial Conference.

Ninth Annual Ministerial Meeting. Under the theme “Further implementation of the Almaty Programme of Action to support acceleration of the progress towards the achievement of the MDGs by the LLDCs”, the Foreign Ministers of LLDCs met on the sidelines of the General Assembly for their Ninth Annual Ministerial Meeting (New York, 24 September). In a communiqué issued on that day, the Ministers reaffirmed their commitment towards the implementation of the Almaty Programme of Action through partnerships between landlocked and transit countries and their development partners, as well as between the public and private sectors—partnerships that were essential to the achievement of the internationally agreed development goals including the MDGs, and the full integration of LLDCs into the global economy.

GENERAL ASSEMBLY ACTION

On 20 December [meeting 69], the General Assembly, on the recommendation of the Second Committee [A/65/439/Add.2], adopted **resolution 65/172** without vote [agenda item 23 (b)].

Groups of countries in special situations: specific actions related to the particular needs and problems of landlocked developing countries: outcome of the International Ministerial Conference of Landlocked and Transit Developing Countries and Donor Countries and International Financial and Development Institutions on Transit Transport Cooperation

The General Assembly,

Recalling its resolutions 58/201 of 23 December 2003, 60/208 of 22 December 2005, 61/212 of 20 December 2006, 62/204 of 19 December 2007, 63/228 of 19 December 2008 and 64/214 of 21 December 2009,

Recalling also the United Nations Millennium Declaration,

Recalling further the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals and its outcome document,

Recalling the Almaty Declaration and the Almaty Programme of Action: Addressing the Special Needs of Landlocked Developing Countries within a New Global Framework for Transit Transport Cooperation for Landlocked and Transit Developing Countries,

Recalling also its resolution 63/2 of 3 October 2008, by which it adopted the Declaration of the high-level meeting of the sixty-third session of the General Assembly on the midterm review of the Almaty Programme of Action,

Taking note of the Ezulwini Declaration, adopted at the Third Meeting of Trade Ministers of Landlocked Developing Countries, held in Ezulwini, Swaziland, on 21 and 22 October 2009,

Taking note also of the communiqué of the Ninth Annual Ministerial Meeting of Landlocked Developing Countries, held at United Nations Headquarters on 24 September 2010,

Recognizing that the lack of territorial access to the sea, aggravated by remoteness from world markets, and prohibitive transit costs and risks continue to impose serious constraints on the export earnings, private capital inflow and domestic resource mobilization of landlocked developing countries and therefore adversely affect their overall growth and socio-economic development,

Expressing concern that inadequate transport, telecommunications and energy infrastructure remains a major obstacle to trade and inhibits growth in landlocked developing countries,

Expressing support to those landlocked developing countries that are emerging from conflict, with a view to enabling them to rehabilitate and reconstruct, as appropriate, political, social and economic infrastructure and to assisting them in achieving their development priorities in accordance with the goals and targets of the Almaty Programme of Action,

Recognizing that the primary responsibility for establishing effective transit systems rests with landlocked and transit developing countries,

Reaffirming that the Almaty Programme of Action constitutes a fundamental framework for genuine partnerships between landlocked and transit developing countries and their development partners at the national, bilateral, sub-regional, regional and global levels,

1. *Takes note* of the report of the Secretary-General on the implementation of the Almaty Programme of Action: Addressing the Special Needs of Landlocked Developing Countries within a New Global Framework for Transit

Transport Cooperation for Landlocked and Transit Developing Countries;

2. *Reaffirms* the right of access of landlocked countries to and from the sea and freedom of transit through the territory of transit countries by all means of transport, in accordance with the applicable rules of international law;

3. *Also reaffirms* that transit countries, in the exercise of their full sovereignty over their territory, have the right to take all measures necessary to ensure that the rights and facilities provided for landlocked countries in no way infringe upon their legitimate interests;

4. *Calls upon* landlocked and transit developing countries to take all appropriate measures, as set out in the Declaration of the high-level meeting of the sixty-third session of the General Assembly on the midterm review of the Almaty Programme of Action, to speed up the implementation of the Almaty Programme of Action, and calls upon landlocked developing countries to take greater ownership of the Almaty Programme of Action by further mainstreaming it into their national development strategies;

5. *Calls upon* development partners and multilateral and regional financial and development institutions to provide landlocked and transit developing countries with appropriate, substantial and better-coordinated technical and financial assistance, particularly in the form of grants or concessionary loans, for the implementation of the Almaty Programme of Action;

6. *Reaffirms its full commitment* to urgently address the special development needs of and the challenges faced by landlocked developing countries through the full, timely and effective implementation of the Almaty Programme of Action, as contained in the Declaration on the midterm review;

7. *Acknowledges* that landlocked and transit developing countries in Africa, Asia, Europe and Latin America have strengthened their policy and governance reform efforts and that development partners, including international financial and development institutions, have paid greater attention to the establishment of efficient transit systems;

8. *Notes with concern* that, despite the progress made in implementing the priorities of the Almaty Programme of Action, landlocked developing countries continue to be marginalized in international trade and face challenges in their efforts to establish efficient transit transport systems which prevent them from fully harnessing the potential of trade as an engine of sustained economic growth and development to achieve the internationally agreed development goals, including the Millennium Development Goals;

9. *Invites* Member States, organizations of the United Nations system and other relevant international, regional and subregional organizations, multilateral financial and development institutions and bilateral partners to speed up further the implementation of the specific actions in the five priorities agreed upon in the Almaty Programme of Action and those contained in the Declaration on the midterm review in order to support landlocked developing countries in achieving the internationally agreed development goals, including the Millennium Development Goals, in a better-coordinated manner, in particular for the construction, maintenance and improvement of their transport, storage and other transit-related facilities, including alternative routes, completion of missing links and improved communications and energy infrastructure, so as

to promote subregional, regional and interregional projects and programmes;

10. *Expresses concern* that the economic growth and social well-being of landlocked developing countries remain highly vulnerable to external shocks and to the multiple challenges faced by the international community, and invites the international community to assist landlocked developing countries in strengthening their resilience and in protecting the advances made towards the realization of the Millennium Development Goals and the priorities of the Almaty Programme of Action;

11. *Recognizes* the challenges presented by land degradation, desertification, deforestation and climate change, the negative impact that these problems have on one another and the potential benefits of mutually addressing these problems and their impact on the availability of food and water, and calls upon the international community to continue to enhance support for the efforts of landlocked developing countries to address these challenges in an integrated manner, as appropriate;

12. *Encourages* the Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States, the secretariat of the United Nations Framework Convention on Climate Change, the secretariat of the United Nations Environment Programme, the secretariat of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa, and the regional commissions, as well as relevant research institutions and pertinent international organizations, to assist landlocked developing countries, as appropriate, in conducting studies in order to provide a better understanding of the implications of climate change for landlocked developing countries and in making recommendations in that regard;

13. *Underlines* the importance of international trade and trade facilitation as one of the priorities of the Almaty Programme of Action, notes that the ongoing negotiations of the World Trade Organization on trade facilitation are particularly important for landlocked developing countries to gain a more efficient flow of goods and services as well as improved international competitiveness resulting from lower transaction costs, and calls upon the international community to ensure that the agreement on trade facilitation in the final outcome of the Doha Round fulfils the objective of lowering transaction costs by, inter alia, reducing transport time and enhancing certainty in transborder trade;

14. *Calls upon* development partners to effectively implement the Aid for Trade initiative, giving adequate consideration to the special needs and requirements of landlocked developing countries, including capacity-building for the formulation of trade policies, participation in trade negotiations and implementation of trade facilitation measures, as well as the diversification of export products through private-sector involvement, including the development of small and medium-sized enterprises, with a view to increasing the competitiveness of the products of landlocked developing countries in export markets;

15. *Recognizes* that the economies of many landlocked developing countries are still reliant on a few export commodities, which often have low value addition, and encourages the international community to enhance efforts to support landlocked developing countries in diversifying their

economic base, to encourage, on mutually agreed terms, the transfer of technologies related to transit transport systems, including information and communications technology, and to enhance value addition to their exports through the development of their productive capacities;

16. *Encourages* the further strengthening of South-South cooperation and triangular cooperation, as well as cooperation among subregional and regional organizations, in support of the efforts of landlocked and transit developing countries towards achieving the full and effective implementation of the Almaty Programme of Action;

17. *Recognizes* that broader and more effective cooperation among landlocked developing countries and between landlocked and transit developing countries is necessary to ensure a harmonized approach to the design, implementation and monitoring of trade and transport facilitation policy reforms across borders;

18. *Underlines* the prominent role that foreign direct investment plays in accelerating development and poverty reduction through employment, the transfer of managerial and technological know-how and non-debt-creating flows of capital, and recognizes the considerable role and potential of private-sector involvement in infrastructure development for transport, telecommunications and utilities for landlocked developing countries;

19. *Calls upon* the relevant organizations of the United Nations system, and invites other international organizations, including the World Bank, the regional development banks, the World Customs Organization, the World Trade Organization, regional economic integration organizations and other relevant regional and subregional organizations, to further integrate the Almaty Programme of Action into their relevant programmes of work, taking full account of the Declaration on the midterm review, and encourages them to continue, as appropriate, within their respective mandates, their support to landlocked and transit developing countries, through, inter alia, well-coordinated and coherent technical assistance programmes in transit transport and trade facilitation;

20. *Welcomes* the efforts made by development partners and the United Nations system, including the regional commissions, in providing infrastructure development and connectivity and the integration of regional rail and road networks and in strengthening the legal frameworks of landlocked and transit developing countries;

21. *Encourages* the Office of the High Representative to continue to ensure coordinated follow-up to and effective

monitoring of and reporting on the implementation of the Almaty Programme of Action, in line with General Assembly resolution 57/270 B of 23 June 2003, and to step up its advocacy efforts directed towards raising international awareness and mobilizing resources, as well as to further develop cooperation and coordination with organizations within the United Nations system in order to ensure the timely and effective implementation of the Almaty Programme of Action and the Declaration on the midterm review;

22. *Welcomes* the progress made since the establishment of the international think tank for landlocked developing countries in Ulaanbaatar to enhance analytical capability within landlocked developing countries and to promote the exchange of experiences and best practices needed to maximize their coordinated efforts for the full and effective implementation of the Almaty Programme of Action and the Millennium Development Goals, notes in that regard the endorsement of the multilateral agreement on the establishment of the international think tank for landlocked developing countries by the Ninth Annual Ministerial Meeting of Landlocked Developing Countries, held at United Nations Headquarters on 24 September 2010, and invites the Office of the High Representative and relevant organizations of the United Nations system, Member States and relevant international and regional organizations to assist landlocked developing countries in implementing the activities of the international think tank;

23. *Encourages* development partners, including international financial and development institutions, as well as private entities, to make voluntary contributions to the trust fund established by the Secretary-General to support the activities related to the follow-up to the implementation of the outcome of the Almaty International Ministerial Conference;

24. *Requests* the Secretary-General to submit to the General Assembly at its sixty-sixth session an analytical report on the implementation of the Almaty Programme of Action and the Declaration on the midterm review;

25. *Decides* to include in the provisional agenda of its sixty-sixth session, under the item entitled "Groups of countries in special situations", the sub-item entitled "Specific actions related to the particular needs and problems of landlocked developing countries: outcome of the International Ministerial Conference of Landlocked and Transit Developing Countries and Donor Countries and International Financial and Development Institutions on Transit Transport Cooperation".

Operational activities for development

The year 2010 was an important one for all development actors, as it marked the beginning of the countdown to the 2015 deadline to achieve the Millennium Development Goals (MDGs). The UN system continued to deliver development assistance to developing countries and countries with economies in transition. The United Nations Development Programme (UNDP)—the central UN body for technical assistance, in its dual role as the lead development agency and coordinator of the UN development system—saw its income increase to \$5.95 billion, and overall expenditures to \$5.99 billion. Development assistance was also provided through the UN Department of Economic and Social Affairs, which funded technical cooperation projects worth some \$71.8 million; the United Nations Fund for International Partnerships, with cumulative allocations to projects reaching \$1.17 billion; the United Nations Office for Project Services (UNOPS), which implemented projects valued at \$1.27 billion on behalf of its partners; and the United Nations Capital Development Fund, whose total income increased to \$42.3 million, despite a difficult external environment, allowing it to develop new interventions in response to country-level demand.

The Secretary-General found long-term funding trends for operational activities for development to be favourable, total funding having more than doubled in real terms between 1995 and 2010. There was concern, however, that the growth in contributions could stagnate, or possibly reverse, owing to the negative impact of the global economic crisis. Nevertheless, the Secretary-General noted an improved functioning of the UN development system, with strengthened inter-agency coordination and progress in the simplification and harmonization of business practices.

The High-level Committee on South-South Cooperation met in February to consider implementation of the Nairobi outcome document of the 2009 High-level Conference on South-South Cooperation. It requested the Secretary-General, with the support of the UNDP Special Unit for South-South Cooperation, to prepare operational guidelines for UN organizations and agencies for the implementation of the Nairobi outcome document.

The UNDP-administered United Nations Volunteers (UNV) programme, with 7,765 volunteers, carried out 7,960 assignments in 132 countries. It served as

the focal point for the tenth anniversary of the International Year of Volunteers in 2011.

In December, the General Assembly renamed the Executive Board of UNDP/United Nations Population Fund (UNFPA) the Executive Board of UNDP/UNFPA/UNOPS.

System-wide activities

Operational activities segment of the Economic and Social Council

The Economic and Social Council, during its 2010 substantive session [A/65/3/Rev.1], considered the question of operational activities of the United Nations for international development cooperation at meetings on 9, 12, 13 and 23 July. The Council decided, on 9 February (**decision 2010/206**), to devote the work of the operational activities segment to progress on and implementation of General Assembly resolutions 62/208 [YUN 2007, p. 877], 63/232 [YUN 2008, p. 962] and 64/220 [YUN 2009, p. 852], and Council resolution 2009/1 [ibid., p. 847] concerning operational activities for development.

It also considered follow-up to policy recommendations of the Assembly and the Council; and the reports of the Executive Boards of the United Nations Development Programme (UNDP)/United Nations Population Fund (UNFPA) [YUN 2009, p. 855], the United Nations Children's Fund (UNICEF) [ibid., p. 1173] and the World Food Programme (WFP) [ibid., p. 1230].

Among the documents before the Council were the Secretary-General's reports on the analysis of the funding of operational activities for development for 2008 [A/65/79-E/2010/76] (see p. 860); actions taken by the executive boards and governing bodies of the UN funds, programmes and specialized agencies in the area of simplification and harmonization of the UN development system [E/2010/52] (see p. 865); the functioning of the resident coordinator system, including costs and benefits [E/2010/53] (see p. 861); and the results achieved and measures and processes implemented in follow-up to Assembly resolution 62/208 on the triennial comprehensive policy review of operational activities for development [E/2010/70] (see p. 860). The Council also had before it a 3 December 2009 letter from Rwanda to the Secretary-General [A/64/578-E/2010/3] (see p. 866).

On 9 July, the Council held two panel discussions on the themes: “National ownership and leadership, and capacity development: have they become a reality?”; and “Country-level capacity: is the United Nations system equipped to respond to the needs and priorities of the programme countries?”. On the same date, a special presentation was made on the theme “Outcome of the High-level Tripartite Conference on Delivering as One: lessons learned from country-led evaluations and the way forward”. On 12 July, the Council held a panel discussion on the theme “Funding of United Nations operational activities for development: challenges and best practices at the country level”.

By **decision 2010/251** of 23 July, the Council took note of the report of the High-level Committee on South-South Cooperation on its sixteenth session [A/65/39] (see p. 891); the report of the Administrator of UNDP and the Executive Director of UNFPA [YUN 2009, p. 855]; the annual UNICEF report [*ibid.*, p. 1173]; the note by the Secretary-General transmitting the annual WFP report for 2009 [E/2010/14]; the report of the UNICEF Executive Board on the work of its first and second regular sessions and annual session of 2010 [E/2010/34/Rev.1] (see p. 1184); the report of the Executive Board of WFP on its first and second regular sessions and annual session of 2009 [YUN 2009, p. 1230]; and the report of the UNDP/UNFPA Executive Board of on its work in 2009 [*ibid.*, p. 854].

Implementation of resolution 62/208

Reports of Secretary-General. In May [A/65/79-E/2010/76], the Secretary-General issued a report on the analysis of the funding of UN system operational activities for development for 2008, which built on information provided by 36 UN entities that received such funding in 2008 and the analytical work undertaken in preparation of an informal funding note, submitted by the Secretary-General in March 2010, to facilitate the General Assembly’s intergovernmental dialogue on system-wide coherence. It included ‘actionable proposals’ to further improve the governance of operational activities for development, as requested by the Assembly in resolution 63/311 [YUN 2009, p. 1368]; provided an overview of the key characteristics of the funding system; and outlined trends in contributions, including long-term trends from 1993 to 2008.

During that period, total contributions for operational activities for development grew at a faster pace than overall official development assistance flows from the Organization for Economic Cooperation and Development (OECD)/Development Assistance Committee (DAC) countries (excluding debt relief). The funding base also broadened, resulting in a decline in direct contributions by OECD/DAC countries to

UN system operational activities, from 80 to 62 per cent. The imbalance between core (regular) and non-core funding increased, with non-core funding almost tripling in real terms against a very modest 5 per cent increase in core resources. The core component of funding for development-related activities declined from 70 per cent in 1993 to 34 per cent in 2008. The average core ratio for OECD/DAC countries as a group was 47 per cent in 2008, compared with 74 per cent in 1993.

The report put forward proposals for strengthening the funding architecture of operational activities for development.

Also in May [E/2010/70], the Secretary-General presented the second progress report on results achieved and measures and processes implemented in follow-up to Assembly resolution 62/208 [YUN 2007, p. 877] on the triennial comprehensive policy review of the UN system’s operational activities for development. It was based on his 2008 report [YUN 2008, p. 958] on the management process for the implementation of the resolution, and the first progress report submitted in 2009 [YUN 2009, p. 845], which served as the baseline for assessing progress made over the previous year.

The report, which highlighted achievements and challenges, provided an overall assessment of the role and functioning of UN development cooperation and an overview of progress achieved; information on funding; contributions of UN operational activities to national capacity development and development effectiveness; improved functioning of the UN development system; and action taken by the UN system to implement the resolution. An annex to the report contained a matrix providing information on progress vis-à-vis benchmarks and targets, as well as measures taken to implement the resolution between March 2009 and March 2010.

Overall, since the Assembly’s High-level event on MDGs in 2008 [YUN 2008, p. 926], the UN development system had supported more than 110 programme countries in achieving the internationally agreed development goals, through analysis and policy advice, advocacy, monitoring and reporting on country progress, and operational activities. Two thirds of the UN country teams (UNCTs) assisted Governments in integrating the MDGs into national development plans and/or poverty reduction strategies.

UNCTs in 115 programme countries, in 2009, indicated that their respective United Nations Development Assistance Frameworks (UNDAFs) supported the achievement of specific MDGs, with most of them addressing poverty and hunger, gender equality and HIV/AIDS. They also provided policy advice on poverty and on assessing the social impact of policy options, costing economic stimulus packages and carrying out operational activities involving employment creation

and social protection/safety nets. During the previous year, UNCTs continued to implement reforms to enhance the coherence, effectiveness, efficiency and impact of their operational activities.

In response to convergent crises, the UN development system during the previous two years had mobilized system-wide capacities to respond to national needs. Under the UN System Chief Executives Board for Coordination (CEB) Joint Crisis Initiatives [YUN 2008, p. 1527], that response included the Global Jobs Pact, which aimed to support a job-led recovery through support for the development of small- and medium-size enterprises, microfinance, cash-for-work, public works and employment guarantee schemes, green jobs and rural employment.

The United Nations Development Group (UNDG) was working to strengthen the capacity of country teams and regional UNDG teams, including by providing improved guidance on how to prepare a Development Assistance Framework, covering such areas as facilitating national ownership and leadership, ensuring focus on the comparative advantage of the United Nations, as well as monitoring and evaluation and results-based management.

In 2010, UNDG agreed on strategic priorities to respond to the triennial comprehensive policy review and to drive increased coherence, effectiveness and efficiency in the UN development system. The management and accountability system for the UN development and resident coordinator system was being implemented. Progress in implementing the “Delivering as one” initiative in eight programme country pilots since 2007 was continuing. Innovative measures were developed under national ownership and leadership, including harmonizing business practices to ensure that the UN development system improved its support of national development priorities.

Among the remaining challenges were the need to develop the UN system’s capacities to help countries adjust their policies in the light of internationally agreed goals and standards, and place greater emphasis on learning processes in UN system organizations to enhance the effectiveness of capacity development; and intensify information sharing across the UN development system, with the growing number of initiatives in South-South cooperation, and review how organizations could better complement each other’s efforts with clear policies and operational strategies, rather than ad hoc approaches. The UN system also needed to make the best use of the guidance on gender mainstreaming as the new generation of UNDAFs was being developed; continue efforts to support national ownership and capacity development in the transition from relief to development; ensure that operational coherence was maintained throughout the implementation of the UNDAF, including through strengthening

joint monitoring and reviews; review the capacities of some UN organizations to respond to emerging demand for their services; and address the obstacles to inter-agency mobility and rapid redeployment of qualified staff in crisis and post-crisis situations.

Also in response to resolution 62/208, the Secretary-General presented an April report [E/2010/53] on the functioning of the resident coordinator system, including costs and benefits, which built on his 2008 [YUN 2008, p. 958] and 2009 [YUN 2009, p. 845] reports.

The report found that the UN development system had further advanced system-wide coherence and more fully put into operation the core principles of the resident coordinator system. Major achievements included the implementation of a management and accountability framework for the UN development and resident coordinator system, including the functional firewall in relation to the latter; improvement in coherence in country programming and strengthened national ownership and leadership through enhancements in UNDAF mechanisms and related programming instruments; and mobilization of increased non-earmarked pooled funds supporting the “One Fund” at the country level, as well as through the expanded “Delivering as one” funding window, in addition to the Millennium Development Goal Achievements Fund. Commitment by UN organizations to support the resident coordinator system was manifest in the steps taken by specialized and non-resident organizations to work more effectively with the resident coordinator system, including setting aside dedicated funding, reviewing organizational structures and capacities, and decentralizing their capacities.

The report recommended that the Council encourage UN organizations, especially those with limited field presence, to assess their capacities to meet emerging country-level demands, as well as those emanating from the management and accountability system, and determine measures for strengthening them; encourage their governing bodies to do likewise, with the aim of achieving greater readiness and more effective support for joint programming in response to programme countries’ priorities, including increased policy, strategic and normative services; encourage UNDG to consider setting up a revolving and reimbursable funding facility to provide seed funding to enable timely support and contribution of non-resident organizations for joint programming initiatives, while those organizations mobilized resources to support their full commitment; and, with other UN organizations, ensure that UNCTs had full information on and understanding of the management and accountability system.

The Council should be updated on the implementation of the management and accountability system at its 2011 substantive session, encourage non-resident UN organizations in programme countries to exchange experiences in decentralization and country hosting, and explore cluster approaches in country cooperation arrangements to maximize field presence and share operational costs. It should encourage UNDG, through UNCTs, to support programme countries in strengthening their oversight, coordination and management, including monitoring and evaluation of UNDAF implementation.

The UNDG/Development Operations Coordination Office should improve the timeliness and availability of information from resident coordinators and UNCTs for reporting to the Council on the resident coordinator system. UNDG should propose ways for responding to the Council's request in resolution 2009/1 [YUN 2009, p. 847] to develop approaches and tools for measuring and reporting on the costs and benefits of coordination, and the Secretary-General should report on progress in that regard to the Council's 2011 substantive session.

The Assembly, in **resolution 64/289** of 2 July (see p. 1396), requested the Secretary-General, under the auspices of the Economic and Social Council, and in cooperation with UN resident coordinators, to prepare and put in place a periodic survey directed to Governments on the effectiveness, efficiency and relevance of UN system support in order to provide feedback on the strengths and main challenges encountered in their interactions with the UN development system, with a view to enabling intergovernmental bodies to address them. The results of such surveys should be published and made available to Member States.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 23 July [meeting 46], the Economic and Social Council adopted **resolution 2010/22** [E/2010/L.32] without vote [agenda item 3 (a)].

Progress in the implementation of General Assembly resolution 62/208 on the triennial comprehensive policy review of operational activities for development of the United Nations system

The Economic and Social Council,

Recalling General Assembly resolution 62/208 of 19 December 2007 on the triennial comprehensive policy review of operational activities for development of the United Nations system, resolution 63/232 of 19 December 2008 on operational activities for development and resolution 64/289 of 2 July 2010 on system-wide coherence and Economic and Social Council resolutions 2008/2 of 18 July 2008 and 2009/1 of 22 July 2009 on progress in the implementation of Assembly resolution 62/208,

Reaffirming the importance of the comprehensive policy review of operational activities for development, through which the General Assembly establishes key system-wide policy orientations for the development cooperation and country-level modalities of the United Nations system,

Acknowledging the importance of delivering assistance in order to overcome the challenges to improving human life by implementing General Assembly resolution 62/208,

Recalling the role of the Economic and Social Council in providing coordination and guidance to the United Nations system so as to ensure that policy orientations established by the General Assembly are implemented on a system-wide basis in accordance with Assembly resolutions 57/270 B of 23 June 2003, 61/16 of 20 November 2006, 62/208 and other relevant resolutions,

Taking note of the reports of the Secretary-General submitted to the Council at the operational activities segment of its substantive session of 2010,

Funding of operational activities for development of the United Nations system

1. *Takes note* of the report of the Secretary-General on the analysis of the funding of operational activities for development of the United Nations system for 2008, and recalls the section of General Assembly resolution 64/289 on improving the funding system of operational activities for development of the United Nations system, and looks forward to its implementation;

Results achieved and measures and processes implemented in follow-up to General Assembly resolution 62/208

2. *Takes note* of the initiative by the United Nations development system to draw lessons learned and identify approaches that can be scaled up to accelerate progress in achieving the Millennium Development Goals at the country level, and invites the United Nations development system to disseminate this information widely;

3. *Invites* the United Nations development system to improve the way in which capacity development results and their sustainability are assessed in the United Nations Development Assistance Framework, with realistic measurable indicators;

4. *Requests* the Secretary-General to include in his report to the Economic and Social Council at its substantive session of 2011 information on further progress on an inter-agency collaborative framework on South-South cooperation and triangular cooperation, and on progress in the preparation of the operational guidelines to support the implementation of the Nairobi outcome document of the High-level United Nations Conference on South-South Cooperation, to be prepared as mandated by the High-level Committee on South-South Cooperation at its sixteenth session;

5. *Encourages* further support for a wide use of performance indicators for gender equality and the empowerment of women among United Nations country teams in the context of their review of United Nations Development Assistance Framework implementation and preparations for the roll-out of subsequent United Nations Development Assistance Frameworks;

6. *Invites* the United Nations development system to assess the extent to which national expertise, systems and capacity are used in operational activities for development, with a view to strengthening them and supporting them in reaching the highest quality standards;

7. *Welcomes* the intergovernmental meetings of programme pilot countries, held in Kigali from 19 to 21 October 2009, and in Hanoi from 14 to 16 June 2010, takes note with appreciation of the Kigali and Hanoi declarations, and in this regard also takes note of the progress made by “delivering as one” countries in their own country-led evaluations, with the participation of relevant stakeholders and with the technical support of the United Nations Evaluation Group, to be completed by 1 July 2010, taking into account the principles of national ownership and “no one size fits all”;

Functioning of the resident coordinator system, including costs and benefits

8. *Encourages* the United Nations Development Group to continue working to improve the quality of the United Nations Development Assistance Framework and its regular monitoring in order to support programme countries by enhancing the capacities of the United Nations country teams, and in that context reiterates that national ownership and leadership should be the principal guidance in that area, including the participation of programme country Governments;

9. *Recalls* that the General Assembly, in paragraph 96 of its resolution 62/208, underscored that resident coordinators, supported by the United Nations country teams, should report to national authorities on progress made against results agreed in the United Nations Development Assistance Framework, acknowledges the development of a standard operational format on reporting, and encourages the inclusion of information on its implementation in future reports;

10. *Encourages* the organizations of the United Nations development system and the United Nations Development Group to continue to streamline and eliminate duplication in reporting requirements for their various stakeholders in order to reduce the administrative and procedural burden on United Nations country teams;

11. *Encourages* the organizations of the United Nations development system to continue to support the work of the United Nations Development Group for improving the process through which the resident coordinators/humanitarian coordinators are selected and trained, as well as for attracting and retaining suitable and high-performing resident coordinators, and to include information in that regard in their reports to the General Assembly and the Economic and Social Council;

Simplification and harmonization of the United Nations development system

12. *Recalls* the section on harmonization of business practices of General Assembly resolution 64/289, and in that regard encourages the United Nations Development Group to support the United Nations country teams in preparing and implementing, in consultation with the national authorities of programme countries, workplans for the simplification and harmonization of business practices at the country level, with results and timelines;

13. *Reiterates its request* to the United Nations funds and programmes and the specialized agencies to explore sources of financing to support the implementation of the Plan of Action for the Harmonization of Business Practices in the United Nations System, including through discussions with their respective governing bodies on the allocation of funds;

14. *Encourages* the organizations of the United Nations development system to overcome obstacles to inter-agency mobility in general, including the rapid redeployment of qualified national and international staff in crisis and post-crisis situations.

Operational activities

Role of Special Representatives of Secretary-General and Resident Coordinators

JIU report. By a September note [A/65/394], the Secretary-General submitted the report of the Joint Inspection Unit (JIU) entitled “The role of the special representatives of the Secretary-General and resident coordinators”, which examined barriers to the achievement of coherence and integration of the UN system and proposed, with a flexible model, benchmarks that could be adopted to a variety of situations within which the United Nations operated.

The report stated that, while there should be only one process, “One United Nations” was currently being worked out within different parallel processes at the country level: within the Resident Coordinator system in the eight pilot projects, and within the Special Representative of the Secretary-General system in the 18 integrated peace missions/offices. To a lesser extent, the Humanitarian Coordinator system in 27 countries also represented a model of coherence/integration that associated non-UN actors.

The report further noted that no definition of coherence within the United Nations had been adopted. The 2006 “Delivering as one” report [YUN 2006, p. 1584] proposed defining the process as the consolidation of most UN country activities under one strategic programme, one budget, one leader and one office. The validity and applicability of that definition had been questioned and the General Assembly did not make a pronouncement on the issue. In general, the JIU Inspector said, coherence was a term applicable to developing countries not involved in peace operations, whereas integration was related to countries where peace operations were in place. While the definitions of coherence and integration applied at the country level, the Inspector was of the view that in order to achieve both in the field, coherence and integration at the Headquarters level were imperative; for them to be effective, they should occur at all levels across the UN system and with outside stakeholders and partners. Across the UN system, coherence should be realized between Member States at the national and legisla-

tive level, and within and among the Secretariat, the funds and programmes and the specialized agencies. The greatest challenge to coherence and integration was the UN structure itself—a highly fragmented and complex bureaucracy comprising 17 departments and offices, 14 funds and programmes, and 16 specialized agencies, all with different mandates, governing structures and procedures. The Inspector suggested defining coherence as the overall strategic process for UN system operations to achieve pre-defined objectives, and integration as the operational modality to make that coherence functional. Integrated missions and “Delivering as one” were, therefore, means not only to meet country needs but also to achieve coherence.

The cornerstone to bringing coherence and integration into the UN system in support of peace and development efforts was for all concerned to accept that the process had to be driven by the Member States concerned. Ultimately, achieving coherence and integration was the shared responsibility of Member States and UN system organizations, both individually and collectively.

The Inspector stressed that the proposed model for coherence and integration entailed a high degree of flexibility to adapt it to the peculiarities of a case-by-case approach. For example, the needs of post-conflict countries differed from those of developing countries that were not involved in peace operations and should, therefore, be tailored accordingly. While noting that the Assembly in resolution 62/277 [YUN 2008, p. 1516] had decided that system-wide coherence would focus exclusively, and in an integrated manner, on “Delivering as one”, the Inspector was of the opinion that the architecture, as defined and expressed in his benchmarking framework, superseded the two main current exercises, namely, “Delivering as one” and integrated peace operations.

The Inspector invited the legislative organs to adopt the benchmarking framework as a yardstick to guide and measure efforts towards a more efficient and effective organization, which would better serve the needs of countries. The 18 benchmarks were as follows: the coherence and integration process was effectively guided by Member States; Security Council mandates were specific, measurable, attainable, relevant and time-bound, with sufficient resources to match; a binding institutional framework for the UN system defined the operational doctrine, division of labour, rules of engagement, guidelines and procedures, agreed by CEB and approved by the relevant legislative organs; effective Department of Peacekeeping Operations (DPKO)/Department of Political Affairs concerted efforts and coordination mechanisms were in place; inter-agency coordination mechanisms were effectively promoting integration and coherence throughout the system; the UN system interacted with its external partners from

civil society, Bretton Woods institutions (the World Bank Group and the International Monetary Fund), regional organizations and the private sector in a coherent manner; Regional Coordination Mechanisms and Regional Directors’ Teams were effectively promoting coherence and integration at the regional, subregional and country level; the coherence process within the UN system upheld the sovereign rule of each country in defining its needs and wants and setting priorities; a common mindset, conceptualization, understanding, shared vision, approach and sense of ownership existed among the UN organizations represented in the country; there was a flexible integration model to respond to the specific and changing needs of each country, determined through a needs assessment carried out by, or in full consultation with, the UNCT and the host country; a selection process of mission leaders through CEB was in place to ensure the appointment of highly qualified managers with full authority over representatives of all UN system organizations in the country; leaders received the necessary training/induction to perform their functions effectively; the “One leader” at the country level was empowered with the necessary authority and held accountable to the CEB machinery for implementing the “One plan”; UN system representatives were given the resources to exercise the coordination responsibilities entrusted to them effectively; a results-based approach was applied to ensure a coherent and integrated planning, programming, budgeting, implementation, monitoring, evaluation and reporting process from the outset of the preparation of the “One plan”; a funding mechanism existed that included all UN system organizations present in the field, the host country, the Bretton Woods institutions, bilateral and multilateral donors, international and national non-governmental organizations (NGOs) and other members of civil society, to ensure coherence, integration and correlation between needs assessments and available resources; a “One United Nations house” was set up for UN system organizations in the country to share common premises and services while related savings were reinvested in development activities within the country; and civil society representatives, Bretton Woods institutions, group donors and the private sector participated in the “One United Nations” process at country level.

In October, the Secretary-General transmitted to the Assembly his comments [A/65/394/Add.1] and those of CEB on the JIU report. While the organizations largely accepted the general thrust of the benchmarks, the Secretary-General said, their comments indicated a desire for additional detail and analysis on the mechanisms proposed to implement each benchmark, many of which required an integration of the development system that was impractical. They noted that benchmarks were based on the JIU Inspector’s reconceptualization of coherence as “the overall strategic process for

the UN system operations to achieve predefined objectives” and of integration as “the operational modality to make that coherence functional”, and suggested that, although such an approach was valid, it could further complicate those two endeavours.

The agencies also noted that the JIU report proposed separating the functions of the resident coordinator or UN special representative from those of the resident representative, which would likely deprive the resident coordinator of a substantive portfolio, and the lack of a distinctive institutional platform would weaken his or her ability to engage with Governments. The proposals risked isolating the resident coordinator and weakening his or her coordination capacity and leverage within the UNCT, thereby undermining the team’s ability to deliver a strategic, coordinated and coherent development programme. In their view, the report often pointed to Member States’ responsibility in bringing about an enhanced level of integration and coherence; however, the actions needed to advance that process were directed at the secretariats of the various entities rather than at Member States themselves. The agencies also noted that, with its focus on establishing a benchmarking framework for coherence and integration within the UN system, the JIU report differed in scope and focus from the original plan. They supported the need to review the coherence and integration of the UN system, but suggested that their responses might have been different if questions had been posed in the context of coherence and integration within the common system rather than with a focus on the role of the SRSGs and the resident coordinators.

GENERAL ASSEMBLY ACTION

On 20 December [meeting 69], the General Assembly, on the recommendation of the Second (Economic and Financial) Committee [A/65/441], adopted **resolution 65/177** without vote [agenda item 25].

Operational activities for development of the United Nations system

The General Assembly,

Recalling its resolution 62/208 of 19 December 2007 on the triennial comprehensive policy review of operational activities for development of the United Nations system, its resolution 63/232 of 19 December 2008 on operational activities for development, its resolution 64/220 of 21 December 2009 on operational activities for development of the United Nations system and its resolution 64/289 of 2 July 2010 on system-wide coherence, as well as Economic and Social Council resolutions 2008/2 of 18 July 2008, 2009/1 of 22 July 2009 and 2010/22 of 23 July 2010,

Recalling also the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals and its outcome document,

Reaffirming the importance of the comprehensive policy review of operational activities for development, through which the General Assembly establishes key system-wide

policy orientations for development cooperation and country-level modalities of the United Nations system,

Acknowledging the importance of delivering assistance in order to overcome the challenges to improving human life by implementing resolution 62/208,

Recalling the role of the Economic and Social Council in providing coordination and guidance to the United Nations system so as to ensure that policy orientations established by the General Assembly are implemented on a system-wide basis in accordance with Assembly resolutions 57/270 B of 23 June 2003, 61/16 of 20 November 2006 and 62/208 of 19 December 2007 and other relevant resolutions,

1. *Takes note* of the report of the Secretary-General on the analysis of the funding of operational activities for development of the United Nations system for 2008, recalls the section of resolution 64/289 on improving the funding system of operational activities for development of the United Nations system for enhanced system-wide coherence and looks forward to its implementation, and notes the progress made in broadening and improving reporting, in line with paragraph 28 of resolution 62/208;

2. *Also takes note* of the report of the High-level Committee on South-South Cooperation on its sixteenth session;

3. *Further takes note* of the report on the activities of the United Nations Development Fund for Women;

4. *Recognizes* the importance of strengthening strategies for operational activities for development of the United Nations system, in order to contribute to the achievement of the Millennium Development Goals by 2015, especially in the least developed countries and other developing countries that are lagging behind in meeting the targets;

5. *Takes note* of the report of the Joint Inspection Unit entitled “The role of the special representatives of the Secretary-General and resident coordinators” and of the comments of the Secretary-General and the member organizations of the United Nations system thereon;

6. *Recalls* Economic and Social Council decision 2009/214 of 22 July 2009 on operational activities for development and Council resolution 2010/22 of 23 July 2010 on progress in the implementation of General Assembly resolution 62/208, and expresses appreciation for the guidance provided by the Council on the further implementation of Assembly resolution 62/208 as contained in Council resolution 2010/22;

7. *Also recalls* that, in its resolution 63/232, the General Assembly decided to hold its next comprehensive policy review of operational activities for development of the United Nations system in 2012 and subsequent reviews on a quadrennial basis, and reiterates its request to the Secretary-General to postpone to its sixty-seventh session the submission, through the Economic and Social Council, of the comprehensive analysis of the implementation of resolution 62/208, to be prepared in accordance with the guidance contained in paragraph 143 of that resolution.

Simplification and harmonization of UN development system

Report of Secretary-General. In April [E/2010/52], the Secretary-General reported on progress achieved in simplification and harmonization of business practices in the UN development system. The report provided a snapshot of progress made by the UN

development system, as well as individual UN system organizations, focusing on actions taken by the executive boards and governing bodies of UN funds, programmes and specialized agencies. UNDP, UNFPA, UNICEF and WFP provided detailed information through their annual reports to the Council, but the Secretary-General's report did not cover actions by those organizations.

The report noted that, following the endorsement of the Plan of Action for the Harmonization of Business Practices in the United Nations System [YUN 2009, p. 852], significant efforts were invested in fine tuning the initiatives, taking into consideration the changing financial context, as well as work already undertaken. Agreements had emerged over the previous year within UNDG in areas with direct impact on country-level operations, notably on clarifying and harmonizing guidelines on joint funding, common procurement and common information and communications technology (ICT) services.

Interface between UN system organizations and intergovernmental bodies had improved, resulting in growing political and financial support for a number of system-wide initiatives, such as the International Public Sector Accounting Standards, adopted by the General Assembly in section IV of resolution 60/283 [YUN 2006, p. 1583]. In view of the challenges ahead, more comprehensive, multifaceted and forward-looking guidance was needed from the executive boards and governing bodies.

The Secretary-General concluded that many UN system organizations had taken advantage of the management reforms as an opportunity to shift the way in which programmatic services were delivered. That was particularly apparent in the ICT area. The gradual shift towards a bottom-up approach was another hallmark of recent efforts towards simplification and harmonization. Removing the bottlenecks that hindered coherent business operations at the country level had become a priority of CEB/High-level Committee on Management and UNDG. A welcome development over the previous year was the increased interaction between UN inter-agency mechanisms and the central intergovernmental processes. There was, however, scope to deepen that interface.

The UN development system was confronted with significant challenges, arising from, among others, the insufficiency of financial and human resources, the diversity of UN system organizations, and the difficulty in achieving progress across the board. Many organizations had fallen short of progress. The linkages between change-management initiatives required progress on all fronts, which had not been the case.

The Secretary-General recommended that UN system organizations consider more regular and reporting to solicit broad guidance; make forward resources

planning for the simplification and harmonization of business practices to avoid delay of implementation as a result of funding constraints; and, under UNDG, develop a plan for promoting simplification and harmonization at the country level. UNCTs should prepare country-level workplans with results and timelines for their achievement. Resources should be made available for UNCTs to implement a comprehensive plan for the harmonization of business practices and development of common services at the country level.

Communication. At its 2010 operational activities segment, the Economic and Social Council had before it a 3 December 2009 letter [A/64/578-E/2010/3] from Rwanda transmitting a statement of outcome and the way forward, adopted at the Intergovernmental Meeting (Kigali, 19–21 October 2009) of the eight “Delivering as one” programme pilot countries (Albania, Cape Verde, Mozambique, Pakistan, Rwanda, United Republic of Tanzania, Uruguay, Viet Nam), as well as representatives of countries that had voluntarily adopted it (Benin, Bhutan, Comoros, Kiribati, Malawi, Papua New Guinea). Participants welcomed the initiative of seven of the eight programme pilot countries (Albania, Cape Verde, Mozambique, Rwanda, United Republic of Tanzania, Uruguay, Viet Nam) to conduct country-led evaluations of their “Delivering as one” initiatives, and agreed that, while the evaluations were country-specific, a set of common parameters should be considered in all of them. They also agreed on institutional arrangements to ensure the independence, quality and credibility of the evaluations, and recommendations for accelerating the implementation of resolution 62/208.

Financing and expenditures

UN system expenditures on operational activities totalled \$22.1 billion in 2009 [A/66/79-E/2011/107], compared with \$18.6 billion in 2008. Ten UN entities accounted for some 90 per cent of that total: UNDP, 25 per cent; WFP, 18 per cent; UNICEF, 15 per cent; WHO and the United Nations High Commissioner for Refugees, 8 per cent each; the Food and Agriculture Organization of the United Nations, the United Nations Relief and Works Agency for Palestine Refugees in the Near East and UNFPA, 4 per cent each; the International Labour Organization, the International Fund for Agricultural Development, 2 per cent each; and other organization together, 11 per cent.

Some \$13.6 billion, or 65 per cent, of funding was directed to longer-term development activities, against 35 per cent to activities with a humanitarian assistance focus. Of the 13.6 billion, \$7.7 billion, or 57 per cent, was in the form of country-programmable resources, while the remaining 43 per cent related to global and regional programme activities (19 per cent), programme support and management (17 per

cent) and various other “non-attributed” activities. Low-income countries received some 71 per cent of total country programmable resources, with the top 10 recipients accounting for about 38 per cent.

By region, Africa received 47 per cent of humanitarian assistance expenditures and 25 per cent of development-related expenditures; Asia/Pacific, 18 and 19 per cent, respectively; Americas, 4 and 10 per cent, respectively; Western Asia, 17 and 4 per cent, respectively; and Europe, 2 and 2 per cent, respectively. Regional and global received 4 and 14 per cent, respectively, programme support and management 8 and 15 per cent, respectively, and 10 per cent of expenditures were non-attributed.

Some 73 per cent of the \$21.9 billion in total contributions in 2009 were by Governments, both DAC countries and non-DAC countries, with the European Commission and other multilateral institutions, NGOs and public-private partnerships accounting for the remaining 27 per cent. Contributions from developing countries (excluding local resources) totalled \$679 million. Between 2005 and 2009, their contribution grew by some 75 per cent. Twenty-seven per cent of total funding was in the form of core resources, and 73 per cent in non-core contributions. Core funding declined by 4.3 per cent in real terms, while non-core funding increased by 1.7 per cent.

In December [E/2011/5], the UNDP Administrator reported total contributions to UNDP and its associated funds and programmes of \$5.34 billion in 2009, with contributions to regular (core) resources amounting to \$1.01 billion in nominal terms, a decrease of 8 per cent from the \$1.10 billion in 2008, and 19 per cent below the annual target for regular resources set out in the UNDP 2008–2013 strategic plan. Projections suggested that contributions to regular resources would remain below \$1 billion, at \$960 million in 2010, subject to exchange rate fluctuations, widening the gap between actual contributions and the annual targets of the strategic plan.

Other (non-core) contributions to UNDP in 2009 remained almost unchanged, reaching \$4.13 billion, compared with \$4.16 billion in 2008. Non-core contributions from bilateral donors amounted to \$1.56 billion in 2009, an increase of 8 per cent over 2008. Non-core resources entrusted to UNDP by non-bilateral partners and multilateral funds reached \$1.55 billion, a 15 per cent increase over 2008. Resources channelled through UNDP by programme country Governments and local partners in support of their own national development fell to \$0.72 billion in 2009, a decrease of 25 per cent compared with 2008 and a sharper reduction than projected in the strategic plan.

Other resources represented an important complement to the regular (non-earmarked) UNDP resource base. The ratio of regular to other contributions,

however, remained at approximately 1:4 in 2009. As outlined in the integrated resources framework of its strategic plan, UNDP sought to balance the ratio of regular to other resources and secure an adequate, stable and predictable base of regular resources.

Overall, multi-donor trust funds, which provided flexible, coordinated and predictable funding, had become one of the important financing tools available to the UN system to help channel funds towards a strategic vision that supported the achievement of national and global agreed goals and priorities. In 2009, UNDP received \$1.2 billion in new donor contributions on behalf of the UN system, which brought the total cumulative deposited funds to \$4.2 billion as at 31 December 2009. As at the end of 2009, \$3.1 billion was transferred to 42 UN organizations participating in 32 multi-donor trust funds and 20 joint programmes operating in 74 countries.

The 2010 United Nations Pledging Conference for Development Activities was held in New York on 8 November [A/CONF.208/2010/3]. In August [A/CONF.208/2010/2], the Secretary-General provided a statement of contributions pledged or paid at the 2009 Pledging Conference to 25 funds and programmes, as well as to 5 trust funds, amounting to some \$1.2 billion as at 30 June 2010.

Technical cooperation through UNDP

UNDP/UNFPA Executive Board

In 2010, the UNDP/UNFPA Executive Board held two regular sessions in New York (19–22 January and 30 August–2 September), and an annual session in Geneva (21 June–2 July) [E/2010/35].

The Board adopted 34 decisions, including those providing an overview of actions taken at its January [E/2010/35 (dec. 2010/12)], June/July [dec. 2010/27] and August/September [dec. 2010/34] sessions. Other decisions dealt with the work of UNDP and UNFPA, the United Nations Capital Development Fund (UNCDF) (see p. 891), the United Nations Office for Project Services (UNOPS) (see p. 887) and the United Nations Development Fund for Women (see p. 1182).

The Economic and Social Council, by **decision 2010/251** of 23 July, took note of the UNDP/UNFPA Board's report on its work in 2009 [YUN 2009, p. 854].

Renaming of Executive Board

On 22 January [dec. 2010/7], the Executive Board recalled its 2008 decision [YUN 2008, p. 984] on UNOPS governance structure and noted the subsequent desire of Member States to establish during Board ses-

sions a separate segment for UNOPS, and to change the name of the Board to include UNOPS in its title. It also noted the communications received from the UNOPS Executive Director and the UN Office of Legal Affairs on procedural and substantive aspects of a potential name change. It requested the Executive Director to obtain the views and approval of the Secretary-General with respect to the matter, and provide that information to the Board by mid-February, together with information on the scope and content of UNOPS governance structure. The Board decided to hold an informal meeting two weeks after that information had been transmitted to its members, and decided that if, within two weeks of the informal meeting, no member had expressed any objection, the name of the Executive Board should be changed to include UNOPS in its title; that references to UNOPS should be included with references to “fund or programme” in the Board functions; and that a recommendation for the change in name be transmitted by the Board to the General Assembly, through the Economic and Social Council.

(For information on UNOPS, see p. 887.)

ECONOMIC AND SOCIAL COUNCIL ACTION

On 23 July [meeting 46], the Economic and Social Council adopted **resolution 2010/23** [draft: E/2010/L.17] without vote [agenda item 3 (b)].

Renaming of the Executive Board of the United Nations Development Programme/United Nations Population Fund to include the United Nations Office for Project Services

The Economic and Social Council

Recommends to the General Assembly the adoption of the following draft resolution:

[For the text, see General Assembly resolution 65/176.]

GENERAL ASSEMBLY ACTION

On 20 December [meeting 69], the General Assembly, on the recommendation of the Second Committee [A/65/441], adopted **resolution 65/176** without vote [agenda item 25].

Renaming of the Executive Board of the United Nations Development Programme/United Nations Population Fund to include the United Nations Office for Project Services

The General Assembly,

Recalling its resolution 48/162 of 20 December 1993, in which it decided that the governing bodies of the United Nations Development Programme/United Nations Population Fund and the United Nations Children's Fund should be transformed into Executive Boards,

Recalling also its decision 48/501 of 19 September 1994, in which it decided that the United Nations Office for Project Services should become a separate and identifiable entity,

Recalling further decisions 2008/35 of 12 September 2008 and 2010/7 of 22 January 2010 of the Executive Board of the United Nations Development Programme/United Nations Population Fund,

Reaffirming the mandate of the United Nations Office for Project Services as contained in Executive Board decision 2009/25 of 11 September 2009, and further recalling the relevant provisions of Executive Board decision 2010/21 of 29 June 2010,

Reaffirming also the role of the United Nations Office for Project Services as a central resource for the United Nations system in procurement and contracts management as well as in civil works and physical infrastructure development, including the related capacity development activities,

Recognizing the potential for value-adding contributions that the United Nations Office for Project Services can make in providing efficient, cost-effective services to partners in the areas of project management, human resources, financial management and common/shared services,

1. *Welcomes* the current practice of holding a separate segment for the United Nations Office for Project Services during sessions of the Executive Board of the United Nations Development Programme/United Nations Population Fund, and notes the desire of Member States to rename the Executive Board to include the United Nations Office for Project Services;

2. *Decides* that the name of the Executive Board of the United Nations Development Programme/United Nations Population Fund shall be changed to “Executive Board of the United Nations Development Programme/United Nations Population Fund/United Nations Office for Project Services”;

3. *Also decides* that the functions of the Executive Board as set forth in resolution 48/162 shall apply mutatis mutandis to the United Nations Office for Project Services.

UNDP/UNFPA activities

On 22 January [dec. 2010/8], the UNDP/UNFPA Executive Board took note of the 2009 joint report of the UNDP Administrator and the UNFPA Executive Director to the Economic and Social Council [YUN 2009, p. 855] and commended the progress made by both entities in contributing to the implementation of the triennial comprehensive policy review (see p. 860). It welcomed inclusion in the report of a more qualitative assessment and analysis of results achieved, progress made and difficulties encountered, as well as lessons learned, and requested further such progress in future reports. It requested them to continue to improve their results-oriented reporting in other reports to the Executive Board, and to include in future reports recommendations to further improve the implementation of the triennial comprehensive policy review. The Board also requested the UNDP Administrator and UNFPA Executive Director, in consultation with the UNICEF Executive Director, to consider ways of further improving and rationalizing their report-

ing, taking into account relevant Council resolutions, including resolution 2008/2 [YUN 2008, p. 959], and to prepare a paper in 2010, containing options on the matter, for the Board's consideration.

The Economic and Social Council, by **decision 2010/251** of 23 July, took note of the 2009 joint report to the Council.

In December [E/2011/5], in compliance with General Assembly resolutions 56/201 [YUN 2001, p. 783], 59/250 [YUN 2004, p. 868], and 62/208 [YUN 2007, p. 877] the UNDP Administrator and the UNFPA Executive Director submitted a joint report containing information on funding for operational activities of the UN development system, the contribution of UN operational activities to national capacity development and development effectiveness, improved functioning of the UN development system, and follow-up to the triennial comprehensive policy review.

UNDP and UNFPA support for capacity development was tailored to the particular needs and contexts of each country, with initiatives often delivered in partnership with other UN organizations, bilateral partners, civil society and private sector partners. To measure capacity development results, UNDP and UNFPA developed a framework focusing on outcomes and outputs, which helped them to capture and communicate the results of capacity development efforts, making it easier to measure the impact and relevance of investment. An MDG Acceleration Framework (MAF) was developed in 2010 to invigorate collective UN responses to specific MDGs on which performance had been lagging in individual countries. UNDP helped develop assessment and costing methodologies, which were key to integrating the MDGs into national planning.

UNDP and UNFPA worked with Governments to support lead institutions that were scaling up their capacities to achieve the MDGs. Support to develop inter-agency capacity was enhanced through the millennium trust fund. UNDP and UNFPA worked with Governments in building national and local partnerships. Of key importance to UNDP and partners was the strengthening of the United Nations Collaborative Programme on Reducing Emissions from Deforestation and Forest Degradation in Developing Countries, one of the outcomes of the Conference of the Parties to the United Nations Framework Convention on Climate Change in Copenhagen, Denmark [YUN 2009, p. 1015]. UNDP and UNFPA focused efforts on developing capacity to address HIV/AIDS. Lessons drawn from the complex and vast UNDP and UNFPA capacity development support efforts in 2010 pointed to the need for inclusive stakeholder participation, deep-rooted political will, country-specific solutions, relevant monitoring mechanisms, leveraging of constituencies, and the provision of innovative instruments, tools and expertise.

South-South cooperation activities supported by UNDP and UNFPA country offices was aimed at facilitating exchange of knowledge, formulating regional and subregional projects, developing human resources and institutions, and promoting policy dialogue in sectoral programmes in governance, population, environment and energy, gender, disaster prevention, crisis management and public administration. As recommended by the 2009 High-level United Nations Conference on South-South Cooperation [YUN 2009, p. 874], UNDP and UNFPA played a primary role in South-South cooperation as providers of technical and strategic guidance, as brokers and facilitators and as funders. UNDP developed a global network of aid effectiveness practitioners, which supported South-South cooperation globally.

UNDP and UNFPA advanced gender equality and women's empowerment in each of their thematic areas and in line with the priorities of their respective strategic plans. In 2009, more than 69 UNDP country offices supported national partners' efforts to integrate gender equality into national development policies and budget frameworks. UNDP developed tools and guidance to support advocacy and capacity-building for integrating gender issues into national plans and policies, and focused on strengthening women's legal rights and access to justice, while promoting land, property and inheritance rights. Both UNDP and UNFPA supported the Secretary-General's campaign "UNITE to End Violence against Women". Nearly one third of all UNDP programme countries had ongoing initiatives against gender-based violence.

As the designated global lead for crisis prevention and recovery, UNDP, in collaboration with DPKO and the Office of the High Commissioner for Human Rights (OHCHR), was responsible for developing and establishing the team of experts mandated under Security Council resolution 1888(2009) [YUN 2009, p. 1137] on sexual violence and conflict. As a member of the Inter-Agency Task Force on Women, Peace and Security, UNDP helped to develop global indicators to track the implementation of Council resolution 1325 (2000) [YUN 2000, p. 1113]. As a partner in the Global Gender and Climate Alliance, UNDP helped build the capacity of more than 500 government and civil society representatives from all regions to address the gender dimensions of climate change.

Both UNDP and UNFPA recognized the need to strengthen the links between humanitarian responses and early recovery efforts, and worked with OHCHR to advocate for the integration of human rights considerations into humanitarian responses. Their support also addressed chronic vulnerability, linking emergency action with transition and development programmes. UNDP supported national partners in formulating and implementing comprehensive disaster risk reduction programmes and addressed all five Hyogo Framework for Action priorities, which ema-

nated from the 2005 World Conference on Disaster Reduction [YUN 2005, p. 1015].

UNDP, through dialogue and inclusive consensus-building, supported the resolution of conflicts over land, natural resources and governance reform issues in 10 countries. National and international partners enhanced women's security and access to justice by setting up formal and informal legal aid mechanisms for survivors of sexual and gender-based violence in Somalia. In Sierra Leone, more than 500 survivors received legal support services. UNDP rendered general legal aid services to 47 communities in 10 districts, with 6,679 direct beneficiaries and 917 cases referred to institutions of redress. As part of broader UN peacebuilding efforts, UNDP launched joint programmes with DPKO to support the rule of law and security in Haiti, the Democratic Republic of the Congo (DRC) and southern Sudan, and expanded a similar joint programme in Timor-Leste. The focus on developing capacities in post-conflict settings was a shared responsibility between UNDP and UNFPA. The UNDP capacity-development response for peacebuilding, economic recovery and conflict resolution, piloted in northern Uganda, was duplicated in Chad and the DRC. Gender profile templates established by UNFPA and UNDP in the early recovery cluster were initially rolled out in Bangladesh and Kenya in 2009 and led to the integration of gender information into national systems for statistics, advocacy for women's NGOs and preparation of national profiles.

To improve the functioning of the UN development system and to foster coherence, effectiveness and relevance, UNDG developed a set of strategic priorities and a workplan for 2010–2011, which aimed to respond to the triennial comprehensive policy review and the UN imperative of providing support for national efforts to support the MDGs and other internationally agreed development goals. UNFPA and UNDP worked, as part of a broader effort within UNDG, to support UNDAF roll-out countries in 2010. Through MAF, UNDP worked to ensure increased support for the achievement of the MDGs, including through enhanced support for high-quality UNDAFs. UNDP and UNFPA worked together to respond to the Assembly's call for the voluntary submission by Governments of a common country programme document, in an effort to enhance country-level coherence.

In 2010, seven out of the eight "Delivering as one" pilot programme countries undertook a country-led evaluation, the results of which were shared at the High-level Tripartite Conference (Hanoi, Viet Nam, June) (see p. 1395). In accordance with Assembly resolution 64/289 on system-wide coherence (see p. 1396), actions were being taken to complete the independent evaluation by mid-2011. UNFPA and UNDP contributed to the improved functioning of the UN development system through their participation in regional UN development groups, which assessed the

performance of resident coordinators and other members of the UNCTs, and provided close supervision and quality assurance of the joint programming processes of UN organizations at the country level, particularly the common country assessment UNDAF processes. Priorities in 2010 included providing strategic guidance to countries in crisis, preparation of a comprehensive guidance document on social protection, providing guidance on addressing climate change, joint support for achieving the MDGs and the development of UN system-wide approaches to engagement with middle-income countries. A key result in 2010 was the production of joint regional MDG reports for the July annual ministerial review by the Economic and Social Council (see p. 1135) and the Assembly's High-level Plenary Meeting on the MDGs in September (see p. 813). The findings of those reports helped develop joint strategies to bridge development gaps.

UNDP and UNFPA continued to support the harmonization of business practices in procurement, finance and budget, and ICT. In that regard, a joint UNDG/High-level Committee on Management (HLCM) high-level mission (March–July) identified areas for the further harmonization of business practices to improve the efficiency of the UN system on the ground. The implementation plan recommended by the mission was approved at the UNDG/HLCM joint meeting in September.

During the reporting period, the UNDP Evaluation Office emphasized increased coverage and enhanced methodological rigour of independent evaluation. In 2010, UNFPA also embarked on improving its evaluation facilities, in line with its new evaluation policy approved in 2009 [YUN 2009, p. 1053].

Human Development Report

The *Human Development Report 2010* [Sales No. 10.III.B.1], prepared by UNDP, had as its theme human development concepts and measurement. Critically important to the Millennium Agenda, the twentieth anniversary edition provided a systematic assessment of trends in key components of human development over the previous 40 years and celebrated the contributions of the human development approach, which was as relevant as ever.

An update [DP/2010/24] on the *Human Development Report* consultations was submitted in response to General Assembly resolution 57/264 [YUN 2002, p. 841]. The Human Development Office, charged with preparing the *Report*, held informal consultations with the UNDP/UNFPA Executive Board in January and March. A series of informal expert reviews were held in April with the OECD development centre in Paris and UN partners in Geneva and Bangkok.

On 1 July [dec. 2010/27], the Board took note of the update on the *Human Development Report* consultations.

UNDP operational activities

Country and regional programmes

The UNDP/UNFPA Executive Board, on 22 January [dec. 2010/12], approved the country programmes for Argentina, Guatemala, Romania and Uganda, as well as the regional programme for the Arab States.

On 23 June [dec. 2010/25], the Board, acting on a request by the United Republic of Tanzania to present, in 2011, a draft common country programme document to the respective Executive Boards of UNDP/UNFPA, UNICEF and WFP, decided to consider the document on an exceptional basis and to post the revised common country programme on the websites of the respective organizations no later than six weeks after the discussion, with a hard copy provided to Board members upon request. It stressed that the agency component of the programme would be approved on a no-objection basis, without presentation or discussion, unless at least five members informed the secretariat in writing before the meeting of their wish to bring the document before the Board.

Based upon an April note [DP/2010/25] by the UNDP Administrator, the Board on 1 July [dec. 2010/27] took note of the first one-year extensions of the country programmes for Albania, Bangladesh, Cape Verde, Chad, Ghana, Guyana, Kyrgyzstan, Mauritania, Seychelles, South Africa, Ukraine and Viet Nam, and the six-month extension for Tanzania. It approved the second one-year extension of the country programme for Zimbabwe, and the first two-year extensions of the country programmes for Namibia, Nepal and Sierra Leone. The Board also took note of draft country programmes and comments thereon for 10 countries and a regional programme document for the Commonwealth of Independent States (CIS).

In July, the Administrator submitted a note on the second-year extension of the country programme for Iran [DP/2010/37] and another on assistance to Myanmar [DP/2010/36] containing the conclusions, recommendations and challenges of the 2010 international independent mission (May–June) to assess the Human Development Initiative, phase 4, 2009–2010.

On 2 September [dec. 2010/34], the Board approved the final country programme documents on a no-objection basis, without presentation or discussion, for Azerbaijan, Belarus, Cambodia, China, Georgia, Iraq, Libyan Arab Jamahiriya, Pakistan, Serbia, Swaziland and Turkey, as well as the regional programme document for Europe and CIS. It also approved the second one-year extension of the country programme for Iran, and took note of the draft country programmes and comments made thereon for Burkina Faso, Chile, Democratic People's Republic of Korea, Indonesia, Maldives, Somalia, Uruguay and Zambia.

Also on 2 September [dec. 2010/30], the Board took note of the report of the independent assessment mission to Myanmar, in particular the strategic challenges and recommendations. It requested that the Administrator take account of and implement the mission's findings under the Human Development Initiative. The Board recommended that UNDP initiate the design of programming activities from 2012 onwards, taking into account the mission's recommendations.

Field visits

At its annual session, the Executive Board considered a May report [DP/FPA/2010/CRP.1-E/ICEF/2010/CRP.32] on the joint field visit to Rwanda by a delegation representing the Boards of UNDP/UNFPA, UNICEF and WFP (20–30 March), and a June report [DP/2010/CRP.2-DP/FPA/2010/CRP.1] on a field visit by UNDP/UNFPA Board members to the Syrian Arab Republic (17–22 May).

On 1 July [dec. 2010/27], the Executive Board took note of the reports on the two field visits.

Evaluation of regional programme for Europe and the Commonwealth of Independent States

At its annual session, the Executive Board considered an evaluation [DP/2010/22] of the 2006–2010 regional programme for Europe and CIS, which assessed overall performance and outcomes, and evaluated the UNDP contribution through the programme to development results in the region, with regard to relevance, responsiveness, partnerships, effectiveness, efficiency and sustainability. The findings were intended to contribute to the formulation of the next regional programme and its alignment with the UNDP strategic plan for 2008–2013.

The evaluation found that the Regional Bureau for Europe and the Commonwealth of Independent States (RBEC) regional programme focused on meeting three key challenges: poverty reduction and economic development; democratic governance; and sustainable energy and environmental practices. In addressing each of those challenges, the programme made linkages to gender, HIV/AIDS, conflict prevention and recovery, and human security, including trafficking in human beings, narcotics and weapons. The quality of the description of the results framework in the regional programme document was found to be low. Management and staff of UNDP country offices were not fully aware of the regional programme concept and their perceptions of it were contradictory, reflecting a lack of consistency in how the programme was described and presented.

The evaluation concluded that the regional programme in general and the RBEC Bratislava Regional

Centre (BRC) in particular, which managed the programme, were extremely important for fulfilling the RBEC mission in the region. BRC had a strong capacity and in-depth expertise in most UNDP priority areas and was a unique source of knowledge and advice for the country offices. The programme was being implemented in a fast-changing region and in the complex environment of implementing the UNDP regionalization policy.

The evaluation put forward five recommendations: develop and implement a more relevant approach to programming at the regional level, recognizing the distinctiveness of regional programming within UNDP; focus on the development of issue-oriented regional projects, with an emphasis on the subregional level, and ensure participation of the respective country offices in the design of the intervention; keep knowledge products and knowledge management services as a top priority and ensure adequate investment in that area; reconsider the strategic position of the regional programme and its contribution to development results through high-quality development services in Governments and other UNDP partners in cooperation with the country offices, rather than as a link between headquarters and country offices or an internal consulting unit focused primarily on supporting country offices and managing projects; and strengthen investment in the professional development of staff, specifically in the skills related to consulting activities, and carefully plan staff workload.

In its response [DP/2010/23], UNDP management stated that the evaluation, which was intended to feed directly into the development of the new RBEC regional programme to start in 2011, would contribute to the independent evaluation of regionalization in UNDP being conducted by the Evaluation Office. It set out in tabular form key actions taken or contemplated with defined time frames, and identified units responsible.

On 1 July [dec. 2010/27], the Board took note of the evaluation of the regional programme for Europe and the CIS, 2006–2010, and the related management response.

UNDP programme results

UNDP activities under the 2008–2013 strategic plan, endorsed by the UNDP/UNFPA Executive Board in 2007 [YUN 2007, p. 898], updated in 2008 [YUN 2008, p. 975], and extended in 2009 to 2013 [YUN 2009, p. 862], were conducted in four focus areas: poverty reduction and MDG achievement; democratic governance; crisis prevention and recovery; and environment and sustainable development. The midterm review of the strategic plan and annual report of the Administrator [DP/2011/22] presented an analysis of

UNDP performance from 2008 to 2010, and focused on delivery within the plan for 2010. Development results in 2010 focused on eight outcomes: MDG-based national development strategies; enhanced national capacities; AIDS responses integrated into poverty reduction strategies; civil society; national, regional and local levels of governance; strengthened capacities at all levels to implement anti-corruption activities; and post-disaster and post-conflict governance capacities.

Poverty reduction and MDG achievement

In 2010, 34 UNDP country offices supported partner countries in completing their national MDG reports, including deepened analysis of proven interventions and lessons learned. Of those, six were conflict-affected countries. Fifteen African countries produced addenda to their MDG reports focusing on the impact of the global, financial, economic and food-price crises to the achievement of the MDGs. Those reports provided valuable evidence to inform policy decisions within each country, and were summarized in the MDG Synthesis Report. UNDP supported a number of countries in preparing MDG-based national poverty reduction and development strategies and plans, leading to the preparation and endorsement of local economic strategies, currently integrated into regional and district development plans. As a result, regional and district authorities were providing more efficiently financing for private sector development and employment creation, especially for poor women and youth; addressing local constraints to economic growth; and establishing investment profiles and incentives to attract both internal and external funding to stimulate economic growth. In Viet Nam, for the first time, and with UNDP support, a draft comprehensive national strategy on social protection was formulated, focusing on chronic poverty among ethnic minorities. In Syria, UNDP advocacy efforts and support to several policy studies were crucial in bringing development issues to the forefront of the nation's five-year plan. To support countries in planning and prioritizing to address lagging MDGs, UNDP formulated an MDG Breakthrough Strategy, at the heart of which was MAF (see p. 869). For MDGs that were lagging in specific countries, MAF offered a systematic way to identify barriers to MDG achievement, as well as prioritized solutions to address them, and create or refine a country-level MDG action plan. MAF was piloted in 10 countries, and action plans were developed for a range of MDGs at both national and subnational levels, several of which addressed gender equality concerns in education and food security. Lessons from the pilots were included in a consolidated report, and a summary of preliminary findings from the pilot countries was presented at the 2010 MDG Summit (see p. 813).

Policy support was provided to many Governments to ensure gender equity and responsiveness at all levels of national, regional and local planning. UNDP supported trade capacity development interventions in 40 least developed countries (LDCs) through the Enhanced Integrated Framework programme, a \$250 million fund to address trade-related constraints to MDG sustainability and inclusive growth. Diagnostic work was finalized with UNDP support, and 25 LDCs gained information and developed proposals to access policy and financial support from that initiative.

HIV, tuberculosis and malaria

UNDP supported programmes that built synergies between HIV and MDG action, with results focusing on strengthening planning and financing of multi-sector action on HIV and the MDGs; enhancing HIV-sensitive social protection; and promoting synergistic action on gender equality, poverty reduction and HIV responses. UNDP worked with country partners to integrate HIV priorities in poverty reduction strategies, national development plans, MDG processes and domestic resource allocations. Through a joint programme with the World Bank, UNDP supported 28 countries to integrate HIV responses into national development plans and poverty reduction strategies. Among other results, the programme was credited with facilitating successful mainstreaming of HIV into multiple poverty reduction strategy papers, creation of HIV budget lines in medium-term expenditure frameworks and sector budgets, and greater involvement of people living with HIV and vulnerable groups in development planning processes. UNDP also supported the integration of HIV into social protection programmes to help create and sustain initiatives that advanced HIV prevention, treatment, care and support. It worked with partners to address gender, poverty and HIV linkages through development policies and plans, and to promote synergies between action on HIV and action on maternal health. UNDP implemented the “Universal Access for Women and Girls Now” initiative in 10 countries to ensure that national HIV programmes addressed the needs of women and girls, and facilitated the legal and economic empowerment of women.

Democratic governance

In 2010, UNDP supported the engagement of civil society in national planning strategies and policies in all regions. Responding to demand, it used its goodwill with partners to engage civil society organizations and helped to create dialogue space, particularly in support of governance and institutional reform efforts. In some contexts, that involved facilitating an enabling environment for civil society, including support to legal and regulatory reform. Support

was also provided to ensure civil society participation in national planning and policies across a range of thematic areas. Through the global Platform HD 2010 initiative, national projects in several countries focused on strengthening civic engagement in aspects of MDG policy and practice. Multi-stakeholder dialogues, including strong civil society and political party involvement on a range of social and political issues, were supported across Latin America through the innovative Political Analysis and Prospective Scenarios Project (PAPEP). Following UNDP-supported reform processes, laws enacted in Iraq and the former Yugoslav Republic of Macedonia in 2010 were some of the most progressive in the Arab States and Balkans, respectively.

Other initiatives also sought to enhance constrained space for civic engagement. Engaging civil society at the local level resulted in improvements in public-service delivery in Colombia, the Dominican Republic and El Salvador, where UNDP supported innovative participatory and capacity-building mechanisms focusing on women and youth. The PROLOGO initiative in Latin America promoted increased participation of vulnerable populations and new political leadership at the community level through the strengthening of capacities in dialogue, leadership development, networking and concrete development proposals. As part of its work on strengthening governing institutions, UNDP supported public administrations in Governments and local authorities, focusing on efficiency, effectiveness and public accountability to address the concerns and interests of poor people, women and other vulnerable or excluded groups. With 2010 expenditures of nearly \$420 million, that outcome represented over 35 per cent of all expenditures in the democratic governance focus area, and nearly 9 per cent of 2010 UNDP expenditures globally. That outcome primarily addressed support for four areas: economic and democratic transitions; service delivery and MDG achievements; State-building and peacebuilding in post-conflict countries; and capacity development of institutions at central and local levels, including e-government solutions.

UNDP assisted countries in developing a legitimate, transparent and accountable public service to help political and economic transitions deliver on their promises, building bridges between the State and the people. It supported initiatives to strengthen national, regional and local capacity to implement anti-corruption measures across all regions, including direct support to 12 anti-corruption institutions to monitor services of government institutions, conduct anti-corruption gap analyses, investigate cases of corruption and increase coordination with government institutions, media and civil society on the fight against corruption. UNDP developed tools and methodologies to mainstream anti-corruption strategies in

the health, education and water sectors, which were used in 18 countries to collect and share good practices in reducing corruption bottlenecks. It supported four pilots on civil society monitoring of service delivery and promoted a more constructive engagement among the public, private and non-profit sectors. In India, a UNDP project on ensuring transparency in the payment of wages and efficiency in administration by introducing technologies like smart cards, biometric devices and ATMs, and by digitizing information, helped to prevent fraud in public resources and implement the Rural Employment Guarantee Act. UNDP explored the dynamics between corruption and post-conflict situations and looked at the effectiveness of anti-corruption programming based on empirical research in five countries, significantly contributing to anti-corruption programmes in post-conflict countries, particularly in Afghanistan, the DRC, Iraq, Nepal and Timor-Leste.

Crisis prevention and recovery

UNDP support for effective disaster preparedness was a critical part of its contribution to building national institutions and systems that were resilient to external shocks. In a context where the practice was largely one of externally supported response to natural hazard events after they occurred, UNDP support shifted the focus towards assisting national authorities, local governments and local communities to develop capacities to identify and analyse disaster risks, and to plan and lead disaster recovery processes through tools and guidelines that enabled credible recovery plans. UNDP assisted Benin, the Dominican Republic, Indonesia, Mexico, Moldova, Pakistan, and Tajikistan to deal with floods, and was a major contributor to Haiti in the 12 months following the 2010 earthquake (see p. 320). Under its cash-for-work and food-for-work programmes, UNDP provided a much-needed injection of cash into Haiti's economy, benefiting an estimated 1.2 million people.

Evaluations in 2009 and 2010 found significant UNDP contributions to post-conflict governance capacities in countries recovering from prolonged periods of political deadlock, instability, turbulent transition and conflict, helping them rebuild and reform crucial post-conflict governance institutions. Reflecting its conflict prevention and post-crisis governance mandates, UNDP support to programme countries included support to elections in post-conflict transitions, helping to build local "infrastructures for peace", and strengthening capacity for peacebuilding and conflict prevention. Three countries—Kenya, Solomon Islands and Togo—where previous elections had seen extensive violence, held peaceful votes in 2010, with assistance from UNDP.

At a UNDP seminar (Naivasha, Kenya, 2–4 February), government, political party and civil society representatives from 14 African countries agreed on an "infrastructures for peace" approach to their national peacebuilding goals. They defined such infrastructures as "dynamic networks of interdependent structures, mechanisms, resources, values, and skills which, through dialogue and consultation, contribute to conflict prevention and peacebuilding in a society." UNDP assisted countries in developing and implementing concrete national plans in that regard.

Environment and sustainable development

UNDP was a critical proponent of environmental sustainability since the 1992 UN Conference on Environment and Development [YUN 1992, p. 670], and with support from the Global Environment Facility (GEF) (see p. 1017), it had become a major supporter and implementer of environment programmes and projects in developing countries. The first three years of the strategic plan had seen a steady increase in the demand of UNDP services, representing 11 per cent of all programme expenditures in 2010 and encompassing 90 per cent of work in all programme countries. UNDP supported the implementation of climate change projects in 160 countries, including support to 101 countries to develop their national communications under the United Nations Framework Convention on Climate Change and 31 countries to develop their national adaptation programmes of action. UNDP operated as a leading implementer of programming for GEF and for the Least Developed Countries Fund, the Special Climate Change Fund and the Adaptation Fund. UNDP was an important actor in key international initiatives on forestry, desertification and land management, biodiversity conservation and ecosystem management, poverty and the environment, climate change adaptation, chemical management, disaster risk reduction, water resources management, and energy access for the poor. From 2006 to 2010, UNDP assisted partner Governments to secure \$1.146 billion in funding from GEF. Achievements reported in 2010 included the establishment of 112 new protected areas covering 8.6 million hectares; avoiding 24.5 million tonnes of carbon dioxide emissions, disposal of 1,295 metric tonnes of dangerous chemicals and safeguarding of another 220 metric tonnes; developing approaches to climate change adaptation in 29 countries; and promoting governance and management reform in 93 countries.

On the ground, UNDP played an important role in strengthening national capacities in environmental management and in responding to the threat of climate change. In most LDCs, the UNDP focus was on sustainable management of the natural resource base on which many of the world's poorest—nomadic

herders susceptible to dryland degradation, farmers faced with increasing water scarcity, foresters at risk due to deforestation and fishers most vulnerable to the depletion of fish stocks—depended for their livelihoods. Small island developing States in particular benefited from UNDP assistance in climate change adaptation. Middle-income countries suffered as well, due to increasing consumption and related environmental degradation. The UNDP role in those countries was to help effect market transformation that promoted energy efficiency, improved solid waste management, safer handling of chemicals and persistent organic pollutants, and more cooperative and cost-effective schemes for water management.

The UNDP programmatic outlook in the area was evolving in response to changing needs and demands. Proposed improvements included scaling up support to develop and implement low-emission, climate-resilient development strategies; ensuring that environmental finance, particularly in climate change and biodiversity, was pro-poor and pro-development; and fostering ecosystem management and energy access to reduce poverty and promote sustainable development.

Gender equality

At its January session, the Executive Board heard an oral report of the Assistant Administrator and Director of the Bureau for Development Policy on the implementation of the UNDP gender strategy and action plan, and was briefed on UNDP achievements in gender in 2009.

On 22 January [dec. 2010/4], the Board recognized the importance of mainstreaming gender equality as reflected in the triennial comprehensive policy review of operational activities for development of the UN system and in the UNDP strategic plan for 2008–2013. It welcomed UNDP efforts in research, the generation of knowledge and training on the impacts of climate change and the economic and financial crisis on women and men, and encouraged it to contribute to similar stocktaking efforts of the MDGs in the lead-up to the General Assembly's High-level Plenary Meeting (see p. 813). The Board also welcomed recent investments in gender advisory capacities and requested the Administrator to ensure that the gender equality strategy was translated by the regional and thematic bureaux into multi-year gender action plans for their respective regions or thematic areas. It welcomed the development and implementation of the UNDP "gender marker" tool to better assess the gender equality impact of programme resource allocations and expenditure, and requested UNDP to keep the Board informed on the implementation of the gender equality strategy. It welcomed the work of the Gender Steering and Implementation Committee in reviewing results

in gender mainstreaming and in the achievement of gender equality.

The Board requested the Administrator to maintain senior management's commitment to ensuring that UNDP maximized its achievement of gender equality results, and to identify further measures to raise the profile of the UNDP gender policy and increase the attention given to its implementation. The Board reiterated its request to the Administrator to provide at its first regular session each year an oral report on the implementation of the gender equality strategy for the remainder of the strategic plan.

Programming arrangements

At its January session, the Executive Board had before it a report [DP/2010/5] on the midterm review of programming arrangements for 2008–2011, submitted in response to a 2007 Board decision [YUN 2007, p. 895]. The review focused on increasing flexibility and responsiveness to programme country needs, and further rationalization within the context of the integrated resources plan. It identified several areas that could benefit from further strengthening: availability of a critical mass of programme resources for middle-income countries; alternatives to the use of gross national income per capita as the primary criterion to support the methodology for calculating the target for resources assignment from the core (TRAC); scaling up support to countries affected by crisis to ensure the availability of a critical mass of programme resources; and establishment of a specific allocation of programme resources for UNCDF activities. UNDP proposed to develop those issues into proposals for consideration by the Executive Board in 2011.

The review identified several proposals for the Board's consideration at its first regular session in 2010 with respect to aligning the current programming arrangements framework with the UNDP strategic plan 2008–2011 through a two-year extension to cover the period 2008–2013; and several intra-programming arrangements reclassifications covering the fixed programme lines and global policy advisors.

On 22 January [dec. 2010/3], the Board approved the extension of the programming arrangements framework by two years (2012–2013) to cover the period 2008–2013, with the objective of aligning it to the extended strategic plan programming cycle and the joint UNDP, UNFPA and UNICEF road map towards an integrated budget in 2014 and onwards. It also approved the classification of activities and the proposed associated costs. It requested UNDP to submit in 2011 a second review of the programming arrangements framework, and to include, with the option to implement in 2012 and based on the midterm review, actionable proposals to improve the operational results of the 2008–2013 strategic plan, with respect to possi-

ble improvement of the criteria to support the TRAC-1 calculation methodology; improved support to LDCs/low-income countries; a strategy for improved support to middle-income countries; scaling up support to countries affected by conflict and natural disasters; and integrating UNCDF programme activities through the establishment of a specific allocation. The Board decided that, in cases of emergency, the Administrator might, in agreement with the Government concerned, divert funds from approved activities and uncommitted funds for emergency relief and rehabilitation, in line with the UNDP 2008–2013 strategic plan. The Board looked forward to a management proposal on an integrated resource framework.

Monitoring and evaluation

In April, the UNDP Evaluation Office submitted its fourth annual evaluation report [DP/2010/19] assessing progress made in fulfilling the evaluation functions outlined in the UNDP evaluation policy approved in 2006 [YUN 2006, p. 1040]; the evaluation capacity in the organization; evaluative evidence available for managing development results; and compliance in decentralized evaluations.

According to the report, in 2009–2010, the Evaluation Office significantly expanded its programme of work to inform UNDP programme and management decisions. The number of assessments of development results (ADRs) increased from 4 in 2007 to 14 in 2009. During the reporting period, ADRs were conducted in 14 countries, covering all regions of the UNDP programme. The ADRs examined the UNDP strategic positioning in a given political, socio-economic and development context and assessed whether it had leveraged its corporate strengths and comparative advantages to respond effectively to national demands and contribute to development results. The Office also evaluated the regional cooperation framework for Europe and CIS (see p. 871), as well as the five-year (2004–2009) cooperation agreement between UNDP and the United Nations Industrial Development Organization, jointly with that organization's Evaluation Office.

While some UNDP offices made important shifts, others faced limitations in adapting their programmes to the specific requirements of a country's developmental context. UNDP needed to reorient programming towards higher-level policy change and strategic upstream work, and to be more proactive and systematic in engaging in and initiating policy debates. To realize strategic shifts to upstream work, the capacity of UNDP country offices should be further strengthened with experts on substantive issues, and/or access to such expertise from headquarters and regional centres. The evaluation of the regional programme for Europe and CIS revealed a high level of satisfaction of users of the regional centre's advisory services,

although utilization varied considerably across country offices. In contrast, during the conduct of some ADRs, questions were raised about the relevance of expertise and generic knowledge UNDP could provide from headquarters and regional centres, especially in countries where the Government could directly obtain high-level expertise from global sources. In terms of coherence and synergy in programming, the contribution to results and programme efficiency could have been improved with a more holistic approach in programming and by exploiting the potential synergies among UNDP programme areas. UNDP programme areas largely followed a project-oriented approach and often failed to build among linkages within and across practice areas. Lack of a holistic approach was more evident in responding to crisis situations and programming related to sustainable development, disaster risk reduction and poverty reduction. In post-conflict support, there was limited synergy with poverty reduction and governance efforts. The ADRs pointed out the importance of a more integrated approach to reducing vulnerability to disasters related to climate change. Lack of synergies between projects within a practice area was particularly evident in environment management in countries with GEF-funded projects, which were often substantively and operationally disconnected from the rest of the environment programme. To improve coherence and synergies in programming, the ADRs recommended, among other measures, that all potential synergies and complementarities among different practice areas be exploited to the fullest; UNDP should integrate environment and climate change adaptation as a cross-cutting issue in its programmes, and develop a resource mobilization strategy to support programmes in critical areas.

The ADRs emphasized commitment to furthering gender equality and the empowerment of women. In some countries, UNDP contributed to strengthening government systems for mainstreaming gender-related issues. In Cambodia, UNDP, along with other UN agencies, helped develop an institutional structure for mainstreaming gender in government departments and ministries. UNDP was also instrumental in promoting the concept of gender mainstreaming in Turkey, where projects focusing on women contributed to increasing their participation in politics. While specific interventions were largely successful, gender equality as a cross-cutting programme theme could have received better attention in China. There were limitations in the allocation of adequate resources for working on gender mainstreaming issues, which was particularly manifest in countries dealing with crisis situations, such as Guyana, Indonesia, Maldives and Uganda. Across the ADR countries, measurable indicators to gauge progress towards gender equality would have yielded better results. The UNDP contribution in furthering gender equality could be enhanced in co-

ordination with other agencies, such as UNICEF and the United Nations Development Fund for Women.

UNDP support to the coordination efforts of UN organizations and through the resident coordinator's office was generally effective, but further efforts were needed to ensure that UNDAF adequately captured the UN system's strategic approach. It was recommended that UNDP take the initiative to increase integration and coordination within UNCT. The uneven application of results-based management (RBM) principles in programming, monitoring and evaluation was a common theme in most ADRs. The most frequent concerns included lack of adequate documentation and financial information on programmes and projects; criteria and indicators; baseline for monitoring and reporting on performance; vague distinctions among outcomes, outputs and indicators; and poor formulation, testing and use of indicators in regular monitoring. Despite the use of the Atlas enterprise resource planning system [YUN 2004, p. 1082], inconsistencies and unavailability of reliable financial information continued to pose challenges to evaluations. It was recommended that UNDP strengthen its capacity in developing evaluable results frameworks, as well as in monitoring and evaluating development results within an outcome-based approach; and exit strategies and sustainability plans be made an essential element of all projects. It was further pointed out that adequate planning of outcome evaluations would strengthen the practice of RBM, facilitate performance monitoring and contribute to strategy formulation. With regard to procedural issues, evaluations found that complex and/or inflexible procedures could hinder results if they did not respond to the needs of the national context, and that in crisis situations the administrative procedures for procurement and project approval contributed to substantial delays and missed opportunities. It was suggested that UNDP administrative procedures be adapted to suit requirements at the implementation level, without compromising quality, transparency and accountability in procurement and project approvals.

The report also put forward a programme of work for the Evaluation Office for 2010–2011, aligned with the UNDP strategic plan and approved by the Executive Board.

An independent review [DP/2010/20] looked at the impact of the UNDP evaluation policy on the associated funds and programmes, the relevance of its evaluation policy, and independent and decentralized evaluation in UNDP. The review found that the UNDP evaluation policy remained relevant but the challenge lay in its implementation. Changes in operational procedures for budget preparation and human resources were required to institutionalize the independence of the Evaluation Office. Senior management needed to increase use of the independent evaluation

in programming and planning decision-making processes. Country ownership and its implication for evaluations, such as the assessments of development results, should be addressed, as well as how UNDP should build evaluation capacity at the country level. Questions also remained as to whether UNDP senior leadership had given enough attention to ensuring development of the decentralized evaluation system and building a culture of results.

The independent review recommended that UNDP senior management should decide whether decentralized evaluation was of a high enough priority to commit the focus and resources needed to implement the approaches envisaged in the new *Handbook on Planning, Monitoring and Evaluation for Development Results*. Management should do that by revising the UNDP programme and operations policies and procedures to ensure alignment between the *Handbook* and policies and procedures; defining the means, capacities and timeline required to implement the changes needed; and ensuring that resources were allocated, implementation monitored and corrective action taken. The recommendation would require changes in systems and practices across the whole planning and project cycle, with evaluation being integrated into all new initiatives, as well as into staff appraisal systems. UNDP senior management should increase opportunities to build national leadership and ownership in evaluation. It should revise the *Handbook*, UNDP programme and operations policies and procedures, and other tools and guidelines to respond to changes introduced by UNDG on country-level results-reporting and frameworks. Those revisions should recognize an ongoing need for the Evaluation Office to draw on that data for the assessment of development results and corporate-level evaluations. The Office should reassess its methodological guidance in the light of those changes and work within the United Nations Evaluation Group (UNEG) to craft a common response on how to balance corporate- and national-level needs for evaluative evidence. The Executive Board should amend the evaluation policy to institutionalize the independence of the Evaluation Office, which would include strengthening the Executive Board's role in appointing the Director of the Evaluation Office, removing the practice of the oversight committee to overrule the Director, and approval of the budget by the Executive Board as part of the workplan approval process. The Evaluation Office should consider the degree to which the current approach to development and implementation of assessment of development results truly contributed to country ownership. Issues that should be considered were participation of government partners in deciding the scope and focus of the assessment of development results; and consideration of the recommendations of, and management results to, the evaluation. The Evaluation Office should work through UNEG to clarify the

UNDP comparative advantage in building country-level capacity for evaluation, as well as steps that should be taken to build on that advantage. The Executive Board should request that a review be presented to the Board in 2012 covering the degree to which the roles and responsibilities laid out in the 2007 programme and operations policies and procedures [YUN 2007, p. 895] and the *Handbook* had been implemented; the degree to which the adoption of approaches in the *Handbook* had strengthened RBM and decentralized evaluation at the country level; the degree to which the independence of the Evaluation Office had been institutionalized; the degree to which the policy had been implemented and had made a positive contribution in UNDP associated funds and programmes; and whether an effective approach to strengthening country ownership and capacity-building had been identified and was being implemented.

In its management response to the independent review [DP/2010/21], UNDP concurred with the main findings regarding the relevance of its evaluation policy and acknowledged that the findings confirmed a number of issues with respect to the implementation of that policy. UNDP senior management was fully committed to addressing those challenges and strengthening the culture of RBM across the organization.

The response outlined actions already taken or ongoing to strengthen RBM and evaluation performance, such as the launch of the revised *Handbook*, which complemented the Programme and Policies Operations and Procedures Guide.

The Executive Board, on 30 June [dec. 2010/15], requested UNDP to address the issues raised by the independent evaluations and ensure implementation and monitoring of the management responses. It noted the continuing and serious challenge of the coverage, compliance, quality and use of decentralized evaluations, and requested UNDP to strengthen decentralized evaluation capacity and increase its use. The Board welcomed the timely completion of the assessments of development results so as to improve their value in the planning of new country programmes, the enhanced national participation and the use of national expertise in those assessments. It requested UNDP to support national evaluation capacity development, and address the issues raised by the assessments of development results concerning cross-cutting issues, such as capacity development and gender mainstreaming; lack of integration of gender-specific aspects in development activities; adequate allocation of resources; and weak coordination with other UN agencies dealing with gender. The Board approved the programme of work for 2010–2011 proposed by the Evaluation Office and welcomed its linkages with the UNDP strategic plan.

On the same date [dec. 2010/16], the Executive Board welcomed the independent review of the UNDP evaluation policy and the management's response. It requested UNDP to intensify efforts to strengthen oversight and support for decentralized evaluation and emphasized the importance of senior management's commitment and accountability in that regard. It emphasized the importance of embedding the effort to improve decentralized evaluation in the overall efforts of UNDP to enhance RBM. UNDP should ensure that all country, regional and global programme documents came with costed and budgeted evaluation plans covering the full range of intended contributions to development outcomes, and were designed to inform programme adjustments and the development of new programmes. In the case of country programmes, evaluation plans should be budgeted no later than at the time of adoption of the country programme action plan, and UNDP should ensure that the Evaluation Office's work plan was costed and that cost incorporated into the biennial support budget function related to evaluation. The Board underlined the need to enhance the ownership and leadership of programme countries in evaluation and requested UNDP to clarify its roles in national evaluation capacity development. The Board requested UNDP to further decrease the number of country offices with no or insufficient monitoring and evaluation capacities, and enhance participation in joint evaluations of UNDAF outcomes by government and contributing UN organizations, while retaining an assessment of the distinctive UNDP contribution to the shared outcomes. UNDP should further improve the submission and tracking of management responses to improve learning, accountability and transparency on evaluation follow-up and to share management responses with partner Governments and other programme partners; and submit for approval at its first regular session in 2011 a revised UNDP evaluation policy. The Evaluation Office should commission a further independent review of the UNDP evaluation policy, to be presented to the Board in 2013, covering the degree to which the roles and responsibilities laid out in the 2007 programme and operations policies and procedures and the new *Handbook on Planning, Monitoring and Evaluation for Development Results* had been implemented; the adoption of approaches advocated in the new *Handbook* had strengthened RBM and decentralized evaluation at the country level; the Evaluation Office's independence had been institutionalized; the policy had been implemented and made a positive contribution in the UNDP associated funds and programmes; and whether an effective approach to strengthening national ownership and capacity-building had been identified and was being implemented.

Strategic plan, 2008–2011

At its June/July session, the Executive Board considered the Administrator's annual report on the strategic plan for 2008–2011 [DP/2010/17], with a statistical annex [DP/2010/17/Add.2] issued in May. The report provided an overall account of the UNDP contribution to outcome results across all regions and practices, and an in-depth analysis of six outcomes in the MDG/poverty, climate change and crisis prevention and recovery focus areas. Collectively, the six outcomes covered priority initiatives, as well as high-demand programme areas, all in direct support of achieving the MDGs. The report demonstrated how UNDP work in those areas was integrated across practices, was underpinned by efforts in democratic governance, and contributed to national results in capacity development and gender equality. The remaining 28 corporate outcomes were covered more generally in the report, and would be addressed in greater depth in subsequent annual reports.

On 1 July [dec. 2010/13], the Executive Board took note of the report and welcomed its enhanced focus and analytical information on challenges, opportunities and remedial action, and requested UNDP to strengthen its efforts in that regard in future reports. The Board requested UNDP management to make further efforts in building the Programme's capacity to deliver on its results and improve its results management, evaluation and reporting on capacity-development efforts; to continue improving performance on the cross-cutting issues of gender equality and capacity development; and to strengthen its support to conflict and crisis prevention, as well as its strategic partnerships in climate change. It welcomed the UNDP business action plan and looked forward to regular updates. It welcomed the inclusion of challenges and lessons learned for future directions in the Administrator's annual report and requested the inclusion of concrete steps, starting in 2011, to address the challenges and build on lessons learned. The Board endorsed the decision for a combined midterm review, including the annual UNDP strategic plan report for 2010, to be submitted to the Board in 2011, and welcomed that opportunity to sharpen the strategic direction and undertake a thorough review of the results framework with the aim of making improvements in 2011 and defining further improvement to be made during the remaining years of the plan. The UNDP Administrator should provide informal briefings on the four thematic areas of the strategic plan before the first regular session in 2011; ensure that programme activities were designed, implemented and adequately resourced to address the challenges of developing countries, particularly the specific needs and challenges of Africa; intensify efforts to accelerate progress towards MDG achievement by 2015,

particularly in programme countries; and continue providing support to South-South and triangular cooperation with a view to deepening it towards improved development results. The Board welcomed the intergovernmental meetings of programme country pilots in Kigali, Rwanda, in October 2009 and in Hanoi, Viet Nam, in June 2010, and took note of the Kigali and Hanoi declarations.

Also before the Board was an April report [DP/2010/17/Add.1] containing a synopsis of UNDP management responses to the recommendations of the 2009 JIU reports that were relevant to UNDP: Towards a more coherent United Nations system support to Africa; Offshoring in United Nations system organizations; Selection and conditions of service of executive heads in the United Nations system organizations; Corporate sponsoring in the United Nations system; and Internships in the United Nations system [YUN 2009, p. 1426]. The report also gave an update of the implementation status of recommendations contained in 2007 and 2008 JIU reports.

On 1 July [dec. 2010/27], the Board took note of the UNDP report on the JIU recommendations in 2009 and the statistical annex.

Financial and administrative matters

The UNDP Administrator, in the annual review of the financial situation [DP/2011/33 & Add.1], reported that total income—which comprised contributions, interest and other income—rose by 3 per cent to \$5.95 billion, from \$5.79 billion in 2009. Total contributions increased by 3 per cent to \$5.49 billion, up from \$5.34 billion the previous year. Total expenditures increased significantly, by 8 per cent to \$5.99 billion, compared with \$5.53 billion in 2009. Contributions to regular (core) resources decreased in 2010 to \$967 million, 5 per cent below the 2009 level of \$1.01 billion, requiring UNDP to institute a corresponding reduction in planned core expenditures to avoid drawing on the operational reserve.

Non-core resources contributions increased by 4 per cent to \$4.31 billion, from the previous year's \$4.13 billion. Contributions from bilateral partners increased by 13 per cent, from \$1.56 billion in 2009 to \$1.76 billion. Multilateral contributions also increased by 12 per cent, to \$1.74 billion, from \$1.55 billion in 2009. Local resources provided by programme countries decreased by 4 per cent, from \$0.72 billion in 2009 to \$0.69 billion.

Overall UNDP expenditures increased by 8 per cent to \$5.99 billion, from \$5.53 billion in 2009. Total regular resources expenditures decreased to \$1.08 billion, from \$1.17 billion in 2009, while other resources expenditures amounted to \$4.67 billion, a 12 per cent increase compared with \$4.18 billion in 2009. Of the total expenditure, \$4.94 billion (82 per cent) was

spent on development activities, \$518 million (9 per cent) on management activities, \$125 million (2 per cent) on UN development coordination activities, \$220 million (4 per cent) on special purpose activities, and \$190 million (3 per cent) on activities other than those falling under the four broad classifications. Expenditures from regular resources included \$627 million on development activities, \$93 million on UN development coordination, \$224 million for management activities, \$43 million for special purposes activities and \$88 million on other expenditures.

At the end of the year, the balance of unexpended regular resources, excluding the operational reserve, fell to \$283 million, compared with \$354 million in 2009, representing 6 per cent of the overall balance. The balance of unexpended other resources, which represented 89 per cent of the overall balance of unexpended resources, decreased by 1 per cent to \$4.49 billion, compared with \$4.55 billion at the end of 2009.

For the first time, in accordance with a 2009 Executive Board decision [YUN 2009, p. 863], expenditures were reported in four broad cost-classification areas: development, management, UN development coordination, and special purpose. In addition, other expenditures not falling under any of the four broad cost classifications were reported as part of overall expenditures.

On 2 September [dec. 2010/29], the Executive Board noted the decrease in regular resources, and recalled the importance of funding predictability, since the timeliness of payments of contributions was essential to avoid liquidity constraints in regular resources. The Board urged Member States to support UNDP in reaching resource targets set out in the strategic plan and to commit, as early as possible, contributions to UNDP regular resources for 2010 and onwards, if possible through multi-year pledges. It urged UNDP to prioritize and ensure efficiency gains and savings, and requested its management to adjust expenditure plans in line with income forecasts and to allocate savings to programmes, and to update the Board regularly on such savings on travel and other costs. The Board also requested that future reports on the annual review of the financial situation present the effects of exchange rate fluctuations on UNDP regular resources and provide an overview of the steps taken to diminish their impact on the financial results.

Regular funding commitments to UNDP

In May, UNDP submitted a report [DP/2010/18] on the status of regular funding commitments to the Programme and its associated funds and programmes for 2010 and onward. Contributions to UNDP regular (core) resources in 2009 decreased by 9 per cent, from \$1.1 billion in 2008 to \$1.0 billion in 2010, some

20 per cent below the 2009 funding target for regular resources set out in the strategic plan for 2008–2013. Projections for 2010 suggested a continued downward trend and contributions were likely to remain below the \$1 billion level, thereby further widening the gap between actual contributions and the annual targets set out in the UNDP strategic plan. Overall contributions to UNDP amounted to \$4.7 billion in 2009, with other (non-core) contributions reaching \$3.7 billion. Earmarked contributions from bilateral donors increased slightly, from \$1.36 billion to \$1.4 billion. Earmarked contributions from multilateral partners and the European Commission increased from \$1.24 billion to \$1.48 billion. Local resources provided by programme countries decreased further, from \$1.03 billion to \$0.78 billion in 2009. Many donors pledged to maintain their contributions in 2010. Indications were, however, that four members of the Organization for Economic Cooperation and Development (OECD)/Development Assistance Committee (DAC) would decrease their contributions to regular resources, while others had not indicated their intention. The political commitment of Member States to enhancing the regular resource base was reflected in the fact that 53 countries made contributions to regular resources in 2009, including 23 countries that increased or resumed contributions. Eight OECD/DAC members increased their contributions to regular resources; one increased its contribution by 38 per cent and two by 10 per cent or more, while six decreased their contributions. Twenty-five Member States contributed \$1 billion or more to regular resources, including 22 of the 23 OECD/DAC members, as well as China, India and Saudi Arabia.

The Executive Board, on 30 June [dec. 2010/14], noted with concern the decrease in the UNDP regular resources contributions from \$1.1 billion in 2008 to \$1.0 billion in 2009, its inability to meet its 2009 funding target for regular resources, projections of further decreases in 2010, and the unpredictability of contributions for 2011. The Board welcomed the Administrator's efforts to mobilize regular resources and urged UNDP to further mobilize those resources and continue to broaden the number of contributing countries. It reiterated that regular resources formed the bedrock of UNDP finances, and while acknowledging the role of other (non-core or earmarked) resources as a supplement to the UNDP regular resource base, and that those resources had been increasing and exceeded regular resources, emphasized that other resources should always support coherence and national ownership of programme countries. The Board requested countries that had not done so to make contributions to regular resources for 2010, and encouraged Member States to announce pledges, on a multi-year basis if feasible, and payment schedules, and to adhere to such pledges and payment schedules thereafter.

Biennial support budget, 2010–2011

The Executive Board, at its January session, considered a report [DP/2010/3] on UNDP budget estimates and related proposals for the 2010–2011 biennium in the results-based format. The report underpinned and formed an integral part of the UNDP strategic plan. The estimates were formulated in line with the Executive Board's 2009 decision [YUN 2009, p. 863] on the methodology and approach to the UNDP 2010–2011 support budget [ibid.].

UNDP budget estimates for 2010–2011, in net terms, were \$828.3 million, which in nominal terms represented \$49.6 million more than the approved 2008–2009 net budget [YUN 2008, p. 976], and balanced the need to contain management costs and increase efficiency with the need to ensure accountability for the resources placed at the disposal of UNDP and the results outlined in the strategic plan. UNDP would thus achieve an unprecedented volume reduction of \$69.7 million, largely offsetting \$91.5 million in non-discretionary cost increases, resulting in a net increase of \$21.6 million. Strategic investments were proposed totalling \$28 million, and incorporated an increase of \$0.2 million to projected income that offset the gross budget estimates, amounting to \$75.1 million in 2010–2011.

The estimates included \$77.5 million in special-purpose activities for funding from regular resources, consisting of \$72.4 million in General Assembly-mandated activities and \$5.1 million in capital investments. In addition, the Administrator requested exceptional authority to disburse, if needed, up to \$17.4 million in regular resources for security measures, the use of which would be limited to new and emerging security mandates as defined in the UN Department of Safety and Security directives.

ACABQ report. The Advisory Committee on Administrative and Budgetary Questions (ACABQ) [DP/2010/4] welcomed the progress made in presenting the UNDP budget in a results-based format, and encouraged UNDP to continue its collaboration with UNFPA and UNICEF and to further develop and harmonize the elements of the results-based framework. The Committee encouraged UNDP to intensify its fund-raising and welcomed its efforts to contain costs, especially through efficiency gains. It supported the proactive initiatives of UNDP on talent management, including succession planning and career development, and encouraged it to intensify their implementation. It expected a further update on third-party cost-sharing and trust fund agreements in the context of the 2012–2013 budget estimates. While welcoming the progressive growth of the share from other resources in the biennial support budget, the Committee noted that regular resources still contributed 60 per cent of the budget, while accounting for only

some 22 per cent of the total planned use of resources; it believed that the formula for sharing the support budget by regular and other resources should be examined.

On 22 January [dec. 2010/1], the Executive Board took note of the functions, management results, indicators and resource requirements in the 2010–2011 budget estimates. It approved the activities and associated costs; gross regular resources in the amount of \$903.4 million, representing the total biennial support budget; and regular resources in the amount of \$77.5 million to cover the costs of special purpose activities, including \$72.4 million of Assembly-mandated activities and \$5.1 million for capital investments. The Board welcomed the proposed strategic investments in the biennial support budget and requested UNDP to provide updates on the implementation of those investments. It endorsed the Administrator's proposal for exceptional authority, during 2010–2011, to access up to an additional 30 per cent (\$17.4 million) of the \$58 million in net regular resources earmarked for United Nations-mandated security costs, and decided that UNDP would limit the use of those funds to new and emerging security costs, as defined in the Department of Safety and Security directives, and report on their use in its annual review of the financial situation. The Board requested UNDP to include, in its middle-income countries strategy, an assessment of the base capacity for country offices in middle-income and in net contributor countries. It noted efforts to strengthen the budget's results framework and encouraged UNDP to continue to improve the indicators, and to more explicitly link inputs and expected results. The Board welcomed the reductions in management costs for 2010–2011, and requested information on achieving further efficiency gains and that cost increases to regular resources be offset in future budgets. In that regard, it welcomed the Administrator's initiative to make UNDP an ever more responsive, relevant and efficient organization and leader of the UN development system, as well as her intention to undertake an in-depth review of several critical organization-wide initiatives, including human resources management. The Board took note of the Advisory Committee's recommendation regarding a consolidated overview of regular and other resources, and requested UNDP to give a better overview of the total amount of the budget, in particular with regard to the harmonized functions. The Board welcomed the increase in cost recovery and encouraged UNDP to seek further improvements in transparency and increases in the proportion of the biennial support budget covered by cost-recovery income. UNDP should include in future budgets information on the actual utilization of funds during the previous biennium, in a format similar to that of the resource plan, and continue increasing budget transparency and

accountability. The Board noted that UNDP, UNFPA and UNICEF, as set out in the road map (see below), would jointly review cost definitions and classifications of activities and associated costs, including cost recovery, and emphasized the need to explore cost-recovery benefit broadly, including fixed and variable indirect costs. It requested UNDP to continue to assess and provide adequate funding and personnel for its oversight functions, and looked forward to receiving a proposed integrated budget for the period commencing in 2014.

On the same date [dec. 2010/12], the Board took note of the ACABQ report.

Integrated budget for UNDP, UNFPA and UNICEF

In July, the UNDP Controller presented the joint UNDP/UNFPA/UNICEF information note on the road map to an integrated budget, in response to 2009 decisions by the Executive Boards of UNDP [YUN 2009, p. 863], UNFPA [ibid., p. 1052] and UNICEF [ibid., p. 1181] that the three organizations seek greater harmonization and improvement in the presentation of the 2012–2013 biennial support budget, and together present a single, integrated budget for each organization beginning in 2014.

Welcoming the presentation of the joint information note, the UNDP/UNFPA Executive Board on 22 January [dec. 2010/2] urged UNDP and UNFPA to adhere to the proposed time frames of the joint road map and to keep the Board informed of progress.

By a July note [DP/FPA/2010/1-E/ICEF/2010/AB/L.10], the three organizations presented to the UNDP/UNFPA Executive Board a joint report that included harmonized cost definitions and classifications of activities and associated costs for review and approval. The three organizations had identified key principles to guide the development of harmonized cost classification categories and definitions, and determined that the new cost classification model endorsed by the Board in 2009 [YUN 2009, p. 864] reflected those principles and provided a good basis for further harmonization, although the definitions required adjustment to broaden applicability to all organizations and ensure reasonable comparability. The report also contained results of a review of results-based budgeting models and methodologies and the implications for improved linkages between the institutional and management results in the strategic plans, as well as the resources required to achieve the results. A proposal was included regarding results-based budgeting for the 2012–2013 budget, which would also serve as an interim step towards a fully integrated budget, beginning in 2014. Annexed to the report was a summary of actions required to apply harmonized cost classifications.

The UNDP/UNFPA Executive Board, on 2 September [dec. 2010/32], took note of the analysis contained in the report and endorsed the cost definitions and classification of activities and the associated costs, effective in the 2012–2013 biennium, with amendments related to development activities: programmes, development effectiveness; UN development coordination; management: recurring costs; non-recurring costs; and special purpose: capital investments and services for other UN organizations. The Board requested additional information, prior to its first regular 2011 session, on the differences in cost classifications. It requested UNDP and UNFPA to use those cost definitions and classifications in their 2012–2013 budget documents and, with UNICEF, reflect the new classifications in their financial statements and annual financial reviews in 2013 and onwards to allow for a comparison between actual expenditures and budget. They should continue working to present a single, integrated budget for each organization, starting in 2014, aligned with the results in the strategic plans of the organizations; and prepare an informal mock-up document to illustrate the format for the 2012–2013 budget that would ensure comprehensive, transparent linkages to the institutional and management results frameworks of the respective strategic plans, for discussion at the Board's first regular session in 2011. It emphasized the need for regular consultations with the Board, including on cost classification and results-based budgeting, prior to that session.

Audit reports

The UNDP/UNFPA Executive Board, at its January session, considered the Administrator's report [DP/2010/11] on the implementation of the recommendations of the Board of Auditors for the 2006–2007 biennium [YUN 2008, p. 1559]. As at 31 October 2009, UNDP had implemented 90 per cent of the 82 audit recommendations targeted for completion by the third quarter of 2009, while the remaining 10 per cent should be completed before finalization of the financial statements in the second quarter of 2010 or earlier. Many of the good practices identified by the Board of Auditors in managing audit recommendations were already in place, including identifying and monitoring priority audit issues; identifying the causes of recurring audit observations and developing management initiatives; reviewing progress made by independent bodies, such as the Audit Advisory Committee; and establishing time frames and completion standards for the implementation of recommendations. The report also reviewed progress made since the last update in January 2009 [YUN 2009, p. 864] to address the top 11 audit priorities in UNDP in 2008–2009. The priorities, reduced to 11 from the list of 15 established in 2007,

reflected improvements noted by the Board of Auditors, as well as residual or emerging risks raised by the Board and the UNDP Office of Audit and Investigations (OAI). Preliminary internal assessments revealed encouraging results in that regard, but there were still risks to be managed and monitored. Progress made in addressing the top 11 audit priorities included improvements in audit report submissions and the management of advances; the implementation of a harmonized approach among UNDP, UNFPA, UNICEF and the World Food Programme for cash transfers to government and non-government implementing partners; the launch of the UNDP project planning, monitoring and evaluation handbook; procurement strategy and monitoring; improved financial and resource management; promulgation of the UNDP recruitment and selection framework; and measured progress in preparing for the implementation of the international public service accounting standards. In view of the Executive Board's 2009 decision [YUN 2009, p. 866] deferring the implementation of those standards until 2012, the recommended reassessment of field accommodation reserves and the full disclosure of actual leave accruals and repatriation grants liability in the financial statements would also be deferred. The report stated that preliminary results of the status, as at June 2009, indicated that country offices were monitoring and following up on some 64 unresolved, long-outstanding recommendations, the number of which UNDP expected to be reduced at the end of the next review in December 2009.

On 22 January [dec. 2010/9], the Executive Board recognized the progress made by UNDP in addressing the top 11 audit priorities in 2008–2009, and noted the progress in addressing the Board of Auditor's recommendations. It encouraged UNDP to continue investing in the strategic recruitment and professional training of staff and sustaining the improvements made in recent years to address underlying audit risks.

In March [DP/2010/31] OAI submitted its report on internal audit and investigations activities for the year ended 31 December 2009. As requested by the Executive Board in 2009 [YUN 2009, p. 866], the report contained comprehensive information on the disclosure of internal audit reports to Member States and a multi-year comparison of trends in audit issues. The annual report of the Audit Advisory Committee was appended to the report, while management's response was presented separately.

In 2009, OAI issued 71 audit reports on UNDP operations and activities during 2008, of which 8 were headquarters audits and 63 country offices audits. The latter accounted for about \$1.94 billion (45 per cent) of the \$4.34 billion in UNDP field expenditures. Audits of country offices and headquarters thus represented a

solid supplement to the other oversight mechanisms. With regard to the disclosure of internal audit reports to Member States, OAI established internal standard operating procedures for handling disclosure requests to ensure that any action taken was in compliance with the UNDP oversight policy, which provided a set of minimum conditions.

In 2009, the 63 country office audit reports issued contained 633 recommendations, 343 of which were ranked high priority. The majority of audit issues—63 per cent—were in the areas of project management, procurement, finance, and programme management. Three consolidated reports were issued, one each on procurement, safety and security, and advances to NGO/National Implementation by the Government (NIM) projects, based on audits of 35 country offices.

Projects financed by the Global Fund to Fight AIDS, Tuberculosis and Malaria and managed by UNDP received increased audit attention. OAI issued four reports for two project audits each in Africa and in the Arab States. A total of 11 audit reports were issued dealing with direct implementation modality projects managed by country offices in Asia and the Pacific, the Arab States, and Latin America and the Caribbean; of the 173 recommendations resulting from those audits, 64 per cent related to project management, finance, and programme management.

As to follow-up on audit recommendations, 56 (0.98 per cent) of all recommendations made during 2004–2009 remained unresolved for 18 months or more, 13 of which pertained to headquarters units and 43 to 21 country offices. Of the 56 recommendations, 30 (54 per cent) were ranked high priority, and 44 (or 78 per cent) related to audit reports issued in 2007 and early 2008. The implementation delays were mainly due to factors external to the offices concerned, or lack of financial or human resources. One important issue was recovery of outstanding government contributions to local office costs (GLOC); OAI had brought to the attention of senior management the need for a corporate policy regarding long-outstanding GLOC contributions where collection was unlikely.

Regarding investigation activities, complaints received by OAI increased by 47 per cent, from 135 in 2008 to 199 in 2009. The majority of complaints related to some type of financial irregularity (37 per cent), and workplace harassment and abuse of authority (27 per cent), followed by improper recruitment and other staffing decisions. Allegations of retaliation against whistleblowers constituted 3 per cent of the cases received. The remaining 22 per cent of cases were related to areas such as misrepresentation, forgery and false certification; failure to comply with financial disclosure policy or local laws; abuse of privileges and immunities; and assaults and threats. In addition, 83 cases were carried over from

2008. A total of 172 cases were closed. As at 31 December 2009, 89 cases were undergoing preliminary assessment, while in 21 cases an investigation was ongoing. Thirteen cases were referred to the Legal Support Office for appropriate action. In 2009, OAI issued new investigation guidelines and strengthened internal processes through standard operating procedures. It also explored other alternatives for using better the limited investigation resources, considering an ever-increasing caseload.

In 2010, OAI faced various challenges due to the overall budget reduction for the biennium, as well as increasing requests from donors for assurance on their projects, the tight timeframe for completing reviews of NGO/NIM projects audit reports, increasing demands from the Global Fund for mandatory annual audits of “additional safeguard” countries, more stringent requirements for investigative processes due to the new system of administration of justice [YUN 2009, p. 1474], increases in incoming complaints, and the number of serious fraud cases. OAI would review more cross-cutting themes in its country office audits and increase its focus on donor relations.

On 1 July [dec. 2010/22], the Executive Board took note of the report and the corresponding management response, presented orally by the Associate Administrator, and the annual report of the Audit Advisory Committee. It welcomed the focus on key and recurrent management issues and risk-based audit planning, and welcomed the information in the report and the variety of strategic subjects covered by the Audit Advisory Committee, which contributed to stronger accountability and oversight in UNDP. It also welcomed the multi-year trend analysis over the 2005–2009 period, and requested continuing reporting in that regard. The Board noted the significant increase in complaints requiring investigation and requested UNDP to ensure appropriate and timely capacity for investigation. It also noted that the number of audit recommendations outstanding after more than 18 months remained relatively stable, and requested UNDP to maintain efforts for implementing those recommendations. The Board was concerned about the increasing proportion of findings in project management, particularly in country offices, and noted efforts to address systemic weaknesses at all levels. It requested management to continue to address those issues with a view to demonstrating improvements in the next report. The Board welcomed the continuing trend of declining financial exposure in audits for projects executed by NGOs and/or Governments, and urged UNDP to sustain its efforts, as well as to ensure the timely submission of audit reports. It requested OAI to include in its next annual report information on the adequacy of resources available for audit and investigations.

UNDP Ethics Office

In March [DP/2010/26], the UNDP Ethics Office, in response to the Secretary-General's 2007 bulletin [ST/SGB/2007/11] on UN system-wide application of ethics and a 2008 Executive Board decision [YUN 2008, p. 980], submitted a report on its activities in 2009. The Office responded to more than double the number of requests that it had received in the previous reporting period (392 requests, compared with 186 in 2008). The bulk of the requests (225) related to ethics advice, while 61 related to general information, 68 to training, 8 to protection and 30 to standard-setting. Of the 225 requests, 86 (38 per cent) were for outside activities, 63 (28 per cent) for employment-related concerns, 48 (21 per cent) for conflicts of interest, 26 (12 per cent) for gifts, hospitality and honours, and 2 (1 per cent) to post-employment restrictions. In 2009, the Office received eight complaints of retaliation for reporting misconduct and for cooperating with duly authorized audits or investigations, one of which fell outside the Office's mandate and was referred to the appropriate unit. In two cases, the Office assessed that there was a threat of retaliation and recommended action to be taken by the appropriate office. Of the remaining four cases that warranted preliminary review, a *prima facie* case of retaliation was determined, and the three others were forwarded to the Office of Audit and Investigation.

The Office conducted the annual financial disclosure exercise for 2008 from 9 March to 13 April 2009, which resulted in all of the 1,774 staff members filing, though not all on time. The Office was in various stages of reviewing 5,089 filed statements of financial disclosure for the 2006, 2007 and 2008 transaction years and was following up on 11 cases of non-compliance with filing requirements in 2006 and 2007.

As to the need for clarification on UNDP standards of conduct relating to outside activities and the receipt of honours, gifts or remuneration, highlighted in its 2009 report [YUN 2009, p. 867], the Office proposed new procedures involving vetting by the Ethics Office for potential conflicts of interest, and by the substantive office for any programmatic concerns prior to approval by the Office of Human Resources. The proposal, which was reviewed by the UNDP management group, was incorporated into the overall UNDP publications policy. The Office also consulted other departments on clarifying procedures for the receipt, registration, storage and proper disposal of gifts to the organization or to staff that might cause embarrassment if returned, and with the staff council regarding potential disposal mechanisms, including raffling at events for the benefit of staff, or for donation to charities. Those procedures would be reviewed for harmonization with the UN Secretariat's administra-

tive issuance on the topic. In that regard, the Office adapted two intake forms from the UN Ethics Office for use by UNDP staff: the outside activity form and the gift declaration and registration form. It planned to review the policy on protection against retaliation when the UN review of its protection policy was completed, and make any appropriate changes.

Taking note of the report, the Executive Board, on 30 June [dec. 2010/17], recognized the progress made in establishing the respective Ethics Offices and their valuable contributions to the operations of UNDP, UNFPA (see p. 868) and UNOPS (see p. 887), and encouraged their management to include the respective heads of Ethics Offices in appropriate senior management meetings as observers to encourage high standards of conduct and prevent institutional conflicts of interest. The three organizations should keep the Board informed of progress in achieving their action plans, including evidence of impact and achievement. Their Ethics Offices should ensure that training interventions continued to be effective and appropriate and represented a good investment of resources; and continue enhancing their briefings, training and counselling for management and staff.

The Board recalled its 2008 decision [YUN 2008, p. 980] with regard to avoiding conflicts of interest in the appointment of key oversight officers, and requested that the respective Ethics Offices be designated as the responsible units within each organization to review potential conflicts of interest for senior appointees performing control functions not covered by the Secretary-General's appointment vetting processes. It requested the management of the three organizations to provide the human and financial resources to support their respective Ethics Offices, with priority given to building staff capacity.

The Board further requested the UNDP Administrator and the UNFPA and UNOPS Executive Directors to appoint the heads of their respective Ethics Offices based on demonstrated abilities and experience; ensure that pre-appointment review of conflicts of interest be conducted by an independent entity; limit the term of office to five full years, exceptionally renewable once, for a maximum of five years; and bar re-entry into their respective organization. The UNFPA and UNOPS Ethics Offices should submit reports to the Board at future annual sessions.

Other technical cooperation

UN activities

Department of Economic and Social Affairs

During 2010, the Department of Economic and Social Affairs (DESA) had approximately 448 techni-

cal cooperation projects under execution in a dozen substantive sectors, with total project expenditures of \$71.8 million. Projects financed by UNDP represented \$3 million, and those by trust funds, \$68.8 million.

On a geographical basis, the DESA technical cooperation programme included expenditures of \$40.8 million for interregional and global programmes; \$23.8 million in Asia and the Pacific; \$4.6 million in Africa; \$1.9 million in the Middle East; and \$0.7 million in the Americas.

Distribution of expenditures by substantive sectors was as follows: associate expert programme, \$30 million; programme support, \$23.9 million; public administration capacity, \$4.1 million; regional development, \$3.6 million; water and energy, \$2.7 million; statistics, \$2.4 million; e-government, \$2 million; development management, \$1.9 million; United Nations Forum on Forests, \$0.6 million; small island developing States, \$0.4 million; and advancement of women, \$0.2 million. Of the total delivery of \$71.8 million, the associate expert programme comprised 42 per cent; programme support, 33 per cent; public administration capacity, 6 per cent; and regional development, 5 per cent.

On a component basis, the Department's delivery in 2010 included \$61.4 million for project personnel; \$4.2 million for training; \$3.3 million for subcontracts; \$1.9 million for equipment; and \$1 million for miscellaneous expenses.

Total expenditure for DESA against the UN regular programme of technical cooperation was \$4.7 million: public administration and development management, \$2.2 million; statistics, \$0.8 million; sustainable development, \$0.6 million; administrative support, \$0.5 million; social policy and development, \$0.3 million; and advancement of women, \$0.3 million. On a component basis, expenditures in 2010 included \$2.7 million for advisory services; \$1.0 million for meetings; \$0.6 million for travel; \$0.3 million for consultants' fees and travel; and \$0.1 million for fellowships.

Total expenditure for DESA in 2010 against the United Nations Development Account was \$1.7 million. Distribution of expenditures by Divisions was as follows: statistics, \$0.7 million; development policy and analysis, \$0.6 million; sustainable development, \$0.2 million; public administration and development management, \$0.1 million; and office for Economic and Social Council support and coordination, \$0.1 million. On a component basis, expenditures included \$0.7 million for meetings; \$0.4 million for consultants' fees and travel; \$0.1 million for contractual services; and \$0.1 million for advisory services.

UN Office for Partnerships

The United Nations Office for Partnerships, formed in 2006 [YUN 2006, p. 1046], served as the gateway for public-private partnerships with the UN system in furtherance of the MDGs. It oversaw the United Nations Fund for International Partnerships, the United Nations Democracy Fund, and Partnership Advisory Services and Outreach. The Office served on several tasks forces, ranging from regionally focused groups to coordination mechanisms. In 2010, the Office provided advisory services to private sector companies, foundations, civil society organizations, academic institutions and philanthropists. The majority of requests from non-State actors focused on poverty reduction, education, health, disaster relief, and humanitarian assistance in the LDCs. Several agreements and memorandums of understanding (MOUs) were established with external actors to formalize some of those partnerships in support of the MDGs.

According to a September report of the Secretary-General [A/65/347], 2009 was another successful year for UN partnerships. Despite continued economic challenges, there was no decline in the number of entities from both the private sector and civil society seeking UN system involvement. The Office continued to facilitate innovative and rewarding partnerships and engage in initiatives supporting the international development agenda. The earthquake in Haiti at the beginning of 2010 (see p. 320) reaffirmed the importance of public-private partnerships in addressing such crises, as the Office facilitated commitments in support of the Office for the Coordination of Humanitarian Affairs, connecting corporations, umbrella organizations, civil society, academia and many other entities with valuable outlets for humanitarian relief.

The General Assembly took note of the Secretary-General's report by **decision 65/542** of 24 December.

UN Fund for International Partnerships

The United Nations Fund for International Partnerships (UNFIP) was established in 1998 [YUN 1998, p. 1297] to serve as an interface between the UN system and the United Nations Foundation, the public charity responsible for administering Robert E. Turner's \$1 billion contribution in support of UN causes. As at 31 December 2010, allocations to UNFIP projects totalled over \$1.17 billion, \$0.4 billion of which represented core Turner funds, and \$0.7 billion (62 per cent) contributions from other partners, for 507 projects implemented by 43 UN entities in 124 countries. The projects of the children's health programme area were valued at \$72.2 million for six

projects; the population and women's programme area, \$3.4 million for nine projects; and the environment area, \$2.4 million for six projects. Seven other projects were valued at \$1.1 million.

UN Democracy Fund

The United Nations Democracy Fund (UNDEF), established in 2005 [YUN 2005, p. 655] during the World Summit to support democratization throughout the world, aimed at strengthening the voice of civil society, promoting human rights and encouraging the participation of all groups in democratic processes. Working closely with the other arms of the United Nations Office for Partnerships, the Fund facilitated partnerships with civil society actors to advance democratic principles and the MDGs. Through UNDEF, in its fourth round of funding starting in 2010, 59 projects were funded at a cost of nearly \$14.7 million in community development (28 per cent), women's empowerment (20 per cent), rule of law and human rights (17 per cent), tools for democratization (14 per cent), youth (8 per cent), media (8 per cent), and strengthening the instrumentalities of government (5 per cent).

During the year, the Fund expanded its donor base to 39 Member States. A special UNDEF donor meeting was held to mark the International Day of Democracy on 15 September. The cumulative amount of contributions received from 2005 through 2010 exceeded \$120 million.

The Office of Internal Oversight Services (OIOS) in 2010 conducted an audit of UNDEF and concluded that its operations promoted democracy as a global value; had implemented projects that helped Member States build capacity in upholding democratic institutions; and that its governance mechanisms—the Programme Consultative Group and the Advisory Board—functioned effectively. The audit recommended the development of a more structured fund-raising strategy to ensure the Fund's financial sustainability; submission of a separate report of the Secretary-General on UNDEF to the General Assembly to enhance visibility; identification of key performance indicators to reflect strategic and operational targets; a review of the UNDEF operational budget to ensure that cost estimates reflected market prices; and a review of the Fund's general practice of evaluating all projects. In the opinion of OIOS, UNDEF did not need to evaluate every project to demonstrate its effectiveness and impact.

UNDEF launched its fifth round for project proposals in November; as at 31 December, it had received a record high of 3,754 project proposals from organizations in 149 countries.

Partnership Advisory Services and Outreach

Through Partnership Advisory Services and Outreach, the United Nations Office for Partnerships provided advice to academic institutions, private sector companies, foundations, government agencies, media groups, civil society organizations and philanthropists. The majority of requests from non-State actors focused on poverty reduction, education, health, disaster relief, and humanitarian assistance in LDCs. Several agreements and memoranda of understanding were established with external actors to formalize some of those partnerships in support of the MDGs.

The advisory services provided by the Office were grouped into four broad categories: operational partnerships, to encourage corporate partners to support UN programmes and advocacy campaigns; policy and advocacy partnerships, engaging global associations to raise awareness and wider understanding of the MDGs; sharing resources and expertise; and networks and alliances.

UN Office for Project Services

The United Nations Office for Project Services (UNOPS) was established in 1995 [YUN 1995, p. 900], in accordance with General Assembly decision 48/501 [YUN 1994, p. 806], as a separate, self-financing entity of the UN system to act as a service provider to UN organizations. It offered a broad range of services, from overall project management to the provision of single inputs.

2010 activities

The UNOPS Executive Director, in his annual report on UNOPS activities [DP/OPS/2011/1], informed the Executive Board of progress made in implementation of the 2010–2013 strategic plan by ensuring that UNOPS provided its partners with management services that met world-class standards of quality, speed and cost-effectiveness. In 2010, the Office implemented 925 projects valued at \$1.27 billion on behalf of its partners, up 16 per cent from a year earlier. Administrative support costs reached \$64.2 million, \$200,000 less than in 2009, resulting in a net surplus of \$26.3 million. At the end of the year, the operational reserve was \$56.8 million, up \$14 million compared with the previous year, and 18 per cent above the target of \$48.1 million set by the Board. Of UNOPS project delivery, 62.1 per cent was on behalf of the UN system, down from 65.4 per cent in 2009. The volume of work done for UNDP, UNOPS' most important partner, increased to \$463 million, from \$435 million, but as a percentage of total UNOPS implementation expenditures was 36.5 per cent, less than the 39.9 per cent in 2009. Of that,

5.2 percentage points came from core funds, 9.8 percentage points from trust funds (excluding UNDG multi-donor trust funds), and 21.5 percentage points from management service agreements. DPKO was the second largest partner, accounting for 13.5 per cent of implementation compared to 12 per cent a year earlier. Four high-level goals, called "contribution goals", defined UNOPS work in the 2010–2013 period: rebuilding peace and stability after conflict; early recovery from natural disaster; the ability of people to develop local economies and obtain social services; and environmental sustainability and adaptation to climate change. UNOPS also dealt with a number of cross-cutting concerns across the four goals, such as national capacity development, gender equality and the empowerment of women, and environmental sustainability. Key results in 2010 included the construction or rehabilitation of 88 schools and 11 training centres, 8 hospitals, 44 health clinics and 20 other medical facilities. Twenty-eight police stations, 9 police training facilities, 3 prisons and 8 detention centres were constructed or renovated, as were 18 courthouses, 3 customs buildings and 69 other government administration buildings. In addition, 36 waste facilities were constructed or renovated, as were 3 power stations and 48 water treatment plants. In post-conflict and post-disaster settings, UNOPS helped partners construct more than 5,100 emergency buildings. It constructed or rehabilitated 5 harbours, 32 bridges and 2,243 kilometres of roads. More than 794 small neighbourhood improvements were implemented around the world. UNOPS helped the United Nations Mine Action Service clear over 300 million square metres of land and 16,000 kilometres of road. Almost 910 million doses of medicine were procured or distributed; around a quarter of those were to treat HIV/AIDS. Nearly 670,000 people were assessed or treated for disease, while more than 820,000 were reached with disease-prevention initiatives.

UNOPS also organized 245 high-level events and meetings, provided support to 141 government entities and 4,139 local organizations, worked on 78 policies or laws, and supported 36 countries with environmental management. UNOPS administered or monitored more than 760 grants funding a range of projects, in addition to about 4,000 UNDP/GEF small grants in over 120 countries. It provided a range of common services for other UN agencies. It procured \$67 million worth of goods for other UN organizations, including 2,029 vehicles, and supported 24 UN organizations by hosting and improving the United Nations Global Marketplace online procurement facility. In collaboration with the United Nations Environment Programme, the International Trade Centre and the International Labour Organization, UNOPS developed sustainable procurement product guidelines for common goods and services.

UNOPS improved its services to Governments. The largest partnership was with the Government of Argentina, closely followed by the Government of Peru. Total direct support to Governments, excluding management services, was \$433 million, up from \$346 million in 2009, or 34.1 per cent of total project delivery. UNOPS appointed representatives in Argentina and Haiti and signed new host country agreements with the Maldives, Paraguay and South Africa. It worked with the World Bank to implement more than \$146 million worth in project delivery. It strengthened its partnerships with the European Union, implementing around \$34 million in projects, and signed contracts worth €73 million with the European Commission in 2010, up from €35 million in 2009. It signed a new MOU with UNFPA, and continued to review agreements with other partners. UNOPS finalized new agreements worth a record \$1.81 billion, up 26 per cent from 2009, reflecting increased demand, as well as record new funding for the UNDP-implemented Global Environment Facility Small Grants Programme, which was executed by UNOPS.

During the year, UNOPS strengthened its internal policy framework through the promulgation of 14 new or revised corporate policies. To strengthen operational guidance and as part of the drive to achieve International Organization for Standardization 9001 certification for its quality management system, UNOPS documented 32 core business processes. It conducted its first internal risk maturity assessment and launched a comprehensive business continuity and disaster recovery planning process.

On 29 June [dec. 2010/21], the Executive Board took note of the Executive Director's annual report on UNOPS activities in 2009 [YUN 2009, p. 869] and welcomed its improved financial position, the increased professionalism of its services and personnel, and the full replenishment of operational reserves and accrual for all end-of-service liabilities. The Board also welcomed the strengthening of strategic partnerships and contribution to results, and encouraged the Executive Director to further enhance engagement as a service provider to various actors in the development, humanitarian and peacekeeping arena, and to continue to integrate national capacity development in its operations. It welcomed efforts towards attaining a greater degree of transparency and accountability, in particular the complete public disclosure of project data, including information on all contracts awarded and payments made.

Financial, administrative and operational matters

Budget

The Executive Board, at its January session, had before it a report [DP/2010/9] on UNOPS budget estimates for the 2010–2011 biennium, totalling \$135.2

million, with a net revenue target of \$5 million to be contributed to the operational reserve. The budget proposals underpinned the objectives of the UNOPS strategic plan, 2010–2013 [YUN 2009, p. 870]. The budget also prioritized certain strategic investments aimed at increasing UNOPS efficiency and effectiveness, including continued improvement of business practices, learning and certification of staff preparations to implement the International Public Sector Accounting Standards (IPSAS), and strengthened internal oversight. Compared with the previous budget, resources were directed at project management as a new practice area offering policy leadership, tools and training to personnel worldwide. Format and framework of the UNOPS budget were in line with the harmonized results-based budget approach of UNDP, UNFPA and UNICEF.

Estimated total revenue for the 2010–2011 biennium amounted to \$140.2 million, a 2.6 per cent increase compared with the 2008–2009 estimate of \$136.6 million, and included \$125.3 million from project delivery, \$6.3 million from service delivery, and \$8.5 million from miscellaneous sources. The 2010–2011 budget represented an overall increase of \$15.2 million in appropriations, or a 13 per cent increase compared with the previous budget. The proposed increase included an anticipated adjustment of UN salary scales, reclassification of posts, within-grade salary increments and inflation, as well as UNOPS efforts to reduce costs through increased efficiency, offsetting the full increase otherwise required. In line with those efforts, the number of approved posts was reduced from 391 to 345.

ACABQ, in a January report [DP/2010/10] on UNOPS estimates for the 2010–2011 biennial support budget, commented on the budget format and presentation, the budget proposals, the post reclassification exercise, and the implementation of the recommendations of the Board of Auditors for the biennium ended 31 December 2007 [YUN 2008, p. 985].

The Executive Board, on 22 January [dec. 2010/7], noted the UNOPS budget estimates and the use of the harmonized approach to results-based budgeting, and endorsed the targeting of resources towards the strategic objectives and results identified in the UNOPS strategic plan, 2010–2013. It approved the \$5 million net revenue target for 2010–2011, and agreed to suspend until 31 December 2011 financial rules 109.01, 109.02, 109.03, 109.05, 121.01 (c), 121.01 (d) and 121.01 (f), as well as financial regulations 21.01, 21.06 and 21.07, and agreed to automatically reinstate the above-mentioned regulations and rules on 1 January 2012. On the same date [dec. 2010/12], the Board took note of the ACABQ report.

On 30 June [dec. 2010/17] (see p. 885), the Board recognized progress in establishing the UNOPS Ethics Office and requested the Office to submit a report to the Board at future annual sessions.

Audit reports

Internal audit. In April, the UNOPS Internal Audit and Investigations Group Director submitted an activity report [DP/2010/32] on services for the year ended 31 December 2009. During 2009, the Group released 61 reports, compared with 38 in 2008, while the number of internal audit recommendations decreased significantly from 359 in 2008 to 178 in 2009. Of the 178 audit recommendations, 56 (31 per cent) were considered to be of high importance, 112 (63 per cent) of medium and 10 (6 per cent) of low importance. While the reduction in high-importance audit recommendations suggested progress by management in addressing pertinent risks, compliance with UNOPS policies and procedures remained an area for improvement as its share of the causes of audit issues increased from 16 per cent in 2008 to 33 per cent in 2009. The other causes of audit issues were inadequate supervision (27 per cent), human error (3 per cent), and insufficient resources (2 per cent). The top three functional areas on which audit recommendations were made in 2009 were similar to those in 2008, reflecting the nature of UNOPS operations: human resources, project management and finance. Both procurement and business development increased as areas of audit cause, reflecting the additional focus of the Group on them.

The report also provided a summary of follow-up to audit recommendations made during previous years, from 2005 to 2009. It noted that, in response to the internal audit report on the implementation of the individual contractor agreement policy, a dedicated task force was established and management revised that policy, whose effectiveness would be assessed during 2010. The Group noted similar action, revisions or new policies during 2009 and early 2010 that addressed various audit recommendations.

Executive Board action. The Executive Board, on 1 July [dec. 2010/22], welcomed UNOPS compliance with the Board's 2008 [YUN 2008, p. 984] and 2009 [YUN 2009, p. 872] decisions on the disclosure of internal audit reports as well as the increased internal coverage, the broadening of the focus of work beyond compliance to include performance-based auditing, and the improvements made in tracking the implementation of recommendations. The Board noted the recurrent audit findings in the areas of human resources, project and programme management, procurement and finance, and that the lack of written procedures and compliance with UNOPS policies and procedures were the most common causes of findings. It noted also that UNOPS management had revised or adopted new policies to address various audit recommendations, including the individual contractor agreement policy. It urged continued effort to address audit findings and looked forward to improvements in future reports. The Board further noted the continuing decrease of

qualified audit opinions for project audits in 2009, compared with 2008 and 2007, and requested that information on the financial impact of audit findings be incorporated in future reports.

Board of Auditors report. In June, the Board of Auditors transmitted to the General Assembly the UNOPS financial report and audited financial statements for the biennium ended 31 December 2009 and its report [A/65/5/Add.10]. Key financial ratios reflected steady improvements as compared with the previous biennium, and the Board, for the first time in several successive bienniums, issued an unmodified audit opinion. Of the 95 recommendations for the 2006–2007 biennium, 67 (71 per cent) were fully implemented, 10 (10 per cent) were under implementation, and 18 (19 per cent) were overtaken by events. Total income for the period under review was \$158.6 million, while expenditures amounted to \$126.1 million, an increase of 41 per cent, resulting in an excess of \$36.3 million. Write-offs of receivables of \$22.1 million accounted for 68 per cent of that excess. Contingent liabilities amounted to \$41.2 million, which was almost equivalent to the level of the operational reserve. UNOPS was scheduled to implement IPSAS in preparing its financial statements from 1 January 2012.

In response to the Board of Auditors' recommendations, UNOPS, in November [DP/2011/15], summarized the current status relevant to the audit recommendations and the UNOPS management plan, including actions yet to be fully implemented. UNOPS noted that in previous bienniums, it had received modified audit opinions containing matters of emphasis and that management had focused its strategic initiatives on addressing audit concerns. The Board's unqualified audit opinion for the 2008–2009 biennium represented the achievement of a significant milestone. UNOPS said that it had implemented 11 of the 59 recommendations of the Board of Auditors, 40 of which were classified as high priority and 19 as medium priority; it was confident that the remaining issues would be addressed in a satisfactory manner during the 2010–2011 biennium. UNOPS also pointed out that its financial situation had improved significantly over the last three bienniums; as at December 2009, its reserves were fully replenished at \$42.7 million, representing an addition of some \$38.4 million since December 2005.

Procurement

In response to a 2007 Executive Board decision [YUN 2007, p. 905], the UNOPS Executive Director submitted, in July, the annual statistical report [DP/2010/38 & Corr.1] on UN system procurement activities in 2009, which compiled information from

33 UN organizations, and provided details on UN system procurement by country of supply.

Total procurement under all sources of funding during 2009 was \$13.8 billion, a \$203 million increase over the previous year. Total procurement of goods decreased by \$360 million, or 5.3 per cent, while procurement of services grew by \$563 million, or 8.2 per cent. Between 2005 and 2009, UN procurement volume increased from \$8.3 billion to \$13.8 billion, primarily attributable to a \$3.6 billion growth in procurement services. The share of procurement from developing countries and countries with economies in transition increased by 3.6 per cent, to 54.9 per cent of total UN procurement volume, while procurement from industrialized countries increased from 37.9 per cent in 2008 to 43.9 per cent in 2009.

On 2 September [dec. 2010/31], the Executive Board noted the annual statistical report on UN procurement activities. It welcomed the data presentation and analysis contained therein, as well as the relevance of the thematic supplement, and the trend of increasing procurement by UN organizations from suppliers supporting the Global Compact.

UN Volunteers

In 2010, 7,765 volunteers worked for the UNDP-administered United Nations Volunteers (UNV) programme, compared with 7,545 in 2009. The volunteers, representing 158 nationalities, carried out 7,960 assignments in 132 countries. Volunteers from developing countries represented 80 per cent of the total number, and women accounted for 37 per cent. Forty per cent of all volunteers worked on crisis prevention and recovery, 30 per cent on poverty eradication and MDG achievement, and 26 per cent on democratic governance. By region, 47 per cent of assignments were carried out in sub-Saharan Africa; 22 per cent in the Arab States; 14 per cent in Asia and the Pacific; 13 per cent in Latin America and the Caribbean; and 4 per cent in Europe and CIS. Total contributions to UNV amounted to \$225.2 million; other income totalled \$12 million. The total expenditure for the year was \$235.1 million.

Report of Administrator. In April, the Administrator presented a report [DP/2010/28] reviewing results achieved by the UNV programme during the 2008–2009 biennium, in support of programme countries and UN organizations in their efforts towards peace and development, including achievement of the MDGs. The structure of the report followed the UNV business model as approved by the Executive Board in 2006 [YUN 2006, p. 1049]. A statistical annex on volunteers, financial overview, and UNV results framework were posted on the Executive Board website.

Programme results in three areas of the UNV business model—advocacy, integration and mobilization—

were outlined. In 2008, definitions of the related results framework were refined: the three organizational result areas were global recognition of volunteerism for peace and development; integration of volunteerism into peace and development programmes; and mobilization of increasing numbers and diversity of volunteers for peace and development. The key results were also redefined, though not changed in substance. A fourth organizational result area, strategic guidance, organizational oversight and accountability, was added to capture organizational support functions.

The financial crisis led to a decrease in total biennial donor funding from \$41.8 million in 2006–2007 to \$34.7 million for 2008–2009, including the Special Voluntary Fund, which decreased from \$12.3 million to \$10.4 million. Nevertheless, as a result of volunteer mobilization for UN organizations, the total financial size of UNV increased to \$427 million in 2008–2009, compared with \$367 million in the previous biennium. Climate change challenges opened up new programming areas, like community-based adaptation. The food and financial crises highlighted large gaps in achieving the MDGs and the essential role of volunteerism in providing participatory, sustainable, capacity-enhancing and cost-effective solutions.

The Administrator concluded that UNV had made significant contributions to the peace and development activities of UNDP and the United Nations and, by providing technical assistance on volunteerism to Governments, UN organizations and civil society, had enhanced countries' capacity to harness the volunteer sector as a resource for peace, development and achieving the MDGs. The change management process improved the organizational efficiency of UNV in managing volunteers; those efficiency gains allowed UNV to absorb a 15 per cent decrease in administrative support from the biennial support budget. The streamlined organizational structure and work processes would enable UNV to become more focused and responsive to client needs, and capitalize on emerging opportunities. The tenth anniversary of the International Year of Volunteers in 2011, for which UNV was the focal point, represented a major opportunity for UNV advocacy and impact. The celebration of the fortieth anniversary of UNV, also in 2011, would make it a year for consolidating partnerships between institutional and individual actors, promoting peace and development, and recognizing the contribution of volunteerism by the international community.

Executive Board action. On 30 June [dec. 2010/19], the Board acknowledged the UNV achievements in support of programme countries and UN organizations, especially the growth in the scale and scope of the UNV Online Volunteer service. It encouraged UNV to continue to innovate and diversify volunteer modalities, and increase gender balance in its assign-

ments. The Board welcomed the UNV engagement with programme countries to build their capacity to manage national volunteer systems, including policy development, legislation and support for implementation. It encouraged UNV to continue working through UNCTs to integrate volunteerism into programming. It recognized that the Special Voluntary Fund for UNV was supporting research and piloting innovations that demonstrated the impact of volunteerism on peace and development, and reiterated the UNV role as the focal point to mark the tenth anniversary of the International Year of Volunteers in 2011, as requested by the General Assembly in resolution 63/153 [YUN 2008, p. 987]. The Board requested a presentation in 2011 on planning for the tenth anniversary of the International Year, and on the fortieth anniversary of UNV.

Economic and technical cooperation among developing countries

South-South cooperation

High-level Committee. The High-level Committee on South-South Cooperation, at its sixteenth session (New York, 4 February) [A/65/39], considered the report of the 2009 High-level Conference on South-South Cooperation [YUN 2009, p. 876], which was approved by the General Assembly in resolution 64/222 [ibid., p. 877]. The Committee reviewed the state of South-South cooperation with a view to implementing the provisions of the Nairobi outcome document of the Conference.

In a decision adopted during the session [A/65/39 (dec. 16/1)], the Committee noted the report of the High-level Conference and initiatives by various UN agencies, funds and programmes to establish, within their respective mandates, new units and work programmes to support and promote South-South cooperation. It requested the Secretary-General, with the support of the UNDP Special Unit for South-South Cooperation and in consultation with Member States, to prepare a specific framework of operational guidelines for relevant UN organizations and agencies for the implementation of the Nairobi outcome document, for consideration and approval by the Committee at its intersessional meeting in 2011. The meeting was to be held at least three months after circulation of the draft framework to be prepared by the Secretary-General on the basis of a report by JIU. The Committee requested JIU to review the UN institutional arrangements in support of South-South and triangular cooperation and to make recommendations for facilitating the preparation of the specific framework. It requested the Administrator to report on the implementation of its decision at the Com-

mittee's seventeenth (2012) session, and approved the provisional agenda for that session [dec. 16/2].

The Economic and Social Council, by **decision 2010/251** of 23 July, took note of the High-level Committee's report on its sixteenth session.

In resolution 65/177 of 20 December (see p. 865), the General Assembly also took note of the High-level Committee's report.

UN Capital Development Fund

The United Nations Capital Development Fund (UNCDF) worked to reduce poverty in the least developed countries (LDCs) by strengthening local services and increased access to microfinance. The MDGs were at the core of the Fund's mission and were the foundation of its programmatic work.

As stated in a report on results achieved by UNCDF in 2010 [DP/2011/28], the Fund provided support to 37 of 48 LDCs, with a particular focus on post-crisis countries. Local development programmes accounted for 66 per cent of programme delivery, while microfinance programmes made up 34 per cent. The majority of programme delivery (58 per cent) was in Africa, followed by the Asia-Pacific region (35 per cent) and the Arab States and Haiti (7 per cent).

The 2010 programme targets were largely met in both practice areas. An enhanced programme of evaluations confirmed the overall effectiveness of UNCDF work and pointed to areas in need of strengthening. Project 2010, an internal strengthening process started in 2008, was completed, with 82 per cent of the recommendations of a 2009 audit fully implemented. A follow-up audit conducted in October 2010 found that the Fund had made substantial progress, achieving an overall implementation rate of 82 per cent.

In spite of continued pressures on development budgets globally, total contributions to UNCDF increased by 14 per cent, from \$36.2 million in 2009 to \$42.3 million in 2010. The number of donors and their diversity continued to improve, reaching 29 in 2010, up from 27 in 2009 and 20 in 2007. Among the five largest donors in 2010, two were from the private sector (the Bill and Melinda Gates Foundation and the Master Card Foundation); the remaining top donors were Sweden, Australia and Belgium. Although a healthy sign of continued and more diverse donor support, much of the recent growth was in earmarked resources, which totalled \$23.8 million in 2010. There was a decrease in core funding and an increase in other resources. Programme expenditures totalled \$43.9 million, up from \$41.5 million in 2009.

The annual report on results achieved by UNCDF in 2009, submitted in April [DP/2010/27], analysed performance against established programme, management and financial results targets. The 2009

programme targets in both local development programmes and microfinance were achieved and in some cases exceeded. While management targets were largely met, strengthening UNCDF operational effectiveness remained a priority. A process of internal reflection, begun late in 2008, led to refined priorities for UNCDF for the 2012–2013 period; they included increasing operational effectiveness, responding to the demands of LDCs for new kinds of support, and strengthening strategic partnerships. Total contributions in 2009 amounted to \$36.5 million, reflecting a slight increase in regular resources and an anticipated decline in other resources. The overall resource outlook remained positive, especially in terms of volume and diversification of other resources. The 2009 programme expenditure amounted to \$41.5 million, an increase of 12.2 per cent from 2008 and more than double the 2005 figure.

Taking note of the report, the Executive Board, on 1 July [dec. 2010/18], expressed its appreciation of the strong programmatic and operational results achieved by UNCDF in 2009. It welcomed the Fund's contributions towards localizing the MDGs in the LDCs, which the Fund achieved by providing investment capital and technical assistance to promote local development and inclusive microfinance services that benefited poor households and small and micro enterprises. The Board again called on the Fund to include in future annual reports more in-depth analysis on how its activities contributed to local-level MDG achievement, including lessons learned and challenges faced. It encouraged UNCDF to continue mobilizing contributions to its regular resources or multi-year thematic contributions for implementing the UNCDF 2008–2011 investment plan, which would

allow the Fund to sustain its services and investment support and expand to more LDCs. It also encouraged UNCDF to further efforts to increase and expand contributions to its regular and other resources, and welcomed the Fund's efforts to improve its management practices and maintain strong programmatic quality.

Implementation of UNCDF cost recovery policy

In response to a 2008 Executive Board decision [YUN 2008, p. 990], UNCDF submitted, in January 2010, a report [DP/2010/6] on the implementation of its cost recovery policy. The Fund noted that it fully recovered its costs, in accordance with the cost recovery policy adopted by the Board in 2008 [YUN 2008, p. 990]. It had applied the general management support rate of 7 per cent used by UNDP and other UN agencies in all third-party contributions. The newly approved UNDP cost classification categories approved by the Board in 2009 [YUN 2009, p. 863], which UNCDF wished to adopt, would increase transparency and accountability, including by showing the volume of any regular resources necessary to finance support costs that were not covered by the UNCDF allocation from the UNDP biennial support budget.

The Board, on 22 January [dec. 2010/5], took note of the report and recommended that UNCDF adopt the cost classification categories it had approved for UNDP in 2009. It noted the Fund's continued focus on the LDCs, and encouraged UNCDF management to intensify its efforts to address new and emerging challenges facing the LDCs.

Humanitarian and special economic assistance

In 2010, devastating natural disasters, the crippling impact of the world financial and economic crisis on the most vulnerable countries, and continuing conflict situations in many parts of the world resulted in large-scale humanitarian crises. Some 385 disasters took the lives of over 297,000 people and affected 217 million others, causing an estimated \$124 billion in economic damages. The United Nations, through the Office for the Coordination of Humanitarian Affairs (OCHA), mobilized and coordinated humanitarian assistance to respond to those international emergencies, launching consolidated and flash appeals for Afghanistan, the Central African Republic, Chad, Congo, the Democratic Republic of the Congo, Guatemala, Haiti, Kenya, Kyrgyzstan, Mongolia, the Occupied Palestinian Territory, Pakistan, Somalia, the Sudan, Uganda, West Africa, Yemen and Zimbabwe. OCHA received contributions for natural disaster assistance totalling \$6.4 billion. The Central Emergency Response Fund continued to ensure the rapid provision of assistance to populations affected by sudden-onset disasters and underfunded emergencies.

In Haiti, where the Ad Hoc Advisory Group on Haiti was already working to promote long-term post-disaster socio-economic recovery, stability and reconstruction, a severe earthquake in January caused hundreds of thousands of deaths and injuries and widespread damage. The United Nations, through OCHA, mobilized the international humanitarian response. Two international conferences were held on Haiti—the international donors’ conference in March and the World Summit for the Future of Haiti in June. In other development activities, the Joint Inspection Unit issued a report on UN system support to Africa containing 17 recommendations on enhancing coordination, cooperation and coherence of that support.

Efforts continued to implement the Hyogo Declaration and the Hyogo Framework for Action 2005–2015—the 10-year plan for reducing disaster risks adopted at the World Conference on Disaster Reduction in 2005. A midterm review of the Framework for Action began, which was intended to inform its continued implementation and post-2015 international cooperation in disaster risk reduction.

During the year, the Economic and Social Council worked to strengthen UN humanitarian assistance coordination, especially those humanitarian operations conducted in highly hazardous or insecure and

unsafe environments, and to improve preparedness for humanitarian emergencies. The “cluster leadership approach”—a mechanism for improving humanitarian response effectiveness and strengthening partnerships—was evaluated and recommendations were made to improve its implementation.

The new OCHA strategic framework 2010–2013 focused on providing a more enabling environment for humanitarian action, creating a more effective humanitarian coordination system and strengthening OCHA management and administration.

Humanitarian assistance

Coordination

Humanitarian affairs segment of the Economic and Social Council

The humanitarian affairs segment of the Economic and Social Council (13–15 July) [A/65/3/Rev.1] considered, in accordance with Council **decision 2010/208**, the theme “Strengthening of the coordination of humanitarian assistance”. It convened two panels: conducting humanitarian operations in highly hazardous or insecure and unsafe environments; and strengthening preparedness for humanitarian emergencies and the coordinated provision of humanitarian assistance, in particular addressing the needs of affected populations and the factors that increase susceptibility to humanitarian emergencies. On 28 April, the Council decided to hold an informal event on 13 July to discuss transition from relief to development, focusing on the experience of Haiti (**decision 2010/209**).

The Council considered the Secretary-General’s May report [A/65/82-E/2010/88] on strengthening the coordination of UN emergency humanitarian assistance, submitted in response to General Assembly resolutions 46/182 [YUN 1991, p. 421], 63/147 [YUN 2008, p. 1000] and 64/76 [YUN 2009, p. 886], and Council resolution 2009/3 [ibid., p. 883]. The report summarized humanitarian trends and challenges, especially disasters associated with natural hazards and complex emergencies; examined progress in the coordination of humanitarian assistance; and analysed the themes of the Council’s humanitarian affairs segment (see above).

In 2009, the Centre for Research on the Epidemiology of Disasters reported 328 disasters associated with natural hazards, spread across 111 countries, and affecting 113 million people. That marked a significant divergence from the annual average of 392 disasters recorded for the period 2000–2008, which experts attributed to climate cycle variations and drought in South Asia. Tropical storms in Asia and the Caribbean affected some 10.9 million people, while erratic rain patterns affected some 800,000 people in West Africa and poor rainfall 10.3 million people in Chad and the Niger. More than 3 million people struggled to meet basic food needs in Southern Africa as a result of the poor 2008/2009 agricultural season and low purchasing power. In the Horn of Africa, climatic variability, insecurity and limited access to humanitarian assistance affected some 23 million people. Complex emergencies such as prolonged conflict and food insecurity in Afghanistan, the Palestinian territory of Gaza, Somalia and Yemen and the humanitarian situation in the Central African Republic, Chad, the Democratic Republic of Congo and Sudan's Darfur region affected tens of millions of people. Some situations saw an improvement between June 2009 and May 2010—Zimbabwe moved from a humanitarian crisis towards gradual recovery, and Iraq saw reduced levels of violence and improved Government capacity; however, high numbers of internally displaced people remained a concern. Globally, an estimated 27 million persons were internally displaced by armed conflict. By the end of 2009, 10.4 million refugees had received assistance from the Office of the United Nations High Commissioner for Refugees (UNHCR), almost as many as in 2008.

The first half of 2010 was marked by massive earthquakes: in Haiti on 12 January, killing over 220,000 people, injuring another 300,000 and leaving 1.5 million displaced, with economic damage estimated at \$7.8 billion; in Chile on 27 February, affecting over 2 million people and causing 486 deaths, with damage estimated at \$30 billion; and in Qinghai province in China on 14 April, resulting in 2,200 people dead, 12,135 injured and another 70 missing. In March, a tropical cyclone affected some 370,000 people in Southern Africa, particularly in Madagascar.

At the time of the report, the consolidated appeals process had requested \$7.1 billion for 2010 to provide 48 million people with humanitarian assistance, compared with 43 million people in 2009.

Regarding progress in the coordination of humanitarian assistance, the cluster approach [YUN 2006, p. 1057] was used in almost all countries with humanitarian coordinators. An independent evaluation assessing its operational effectiveness and main outcomes, completed in early 2010, concluded that the cluster approach was a worthwhile investment, but improved implementation by humanitarian organizations was needed. Recom-

mendations included ensuring that clusters at the field level were adequately coordinated with community and national structures and capacities; better incorporating multidimensional and cross-cutting issues in humanitarian responses; and improving inter-cluster coordination. Efforts continued to harmonize and consolidate needs assessments and strengthen information management capacities and collection. The Inter-Agency Standing Committee Task Force on Needs Assessment produced a guidance package with key indicators for assessments; a web-based toolbox consolidating needs assessment tools and guidance documents to facilitate easy access for practitioners in the field; and a multisectoral tool consolidating core humanitarian information for country teams, referred to as the "humanitarian dashboard". Funding mechanisms continued to focus on further improving their effectiveness and accountability. A draft performance and accountability framework and piloting reporting outcomes by cluster were developed for the Central Emergency Response Fund (CERF) and the consolidated appeals process. To better administer those funds, OCHA established a dedicated unit in Geneva.

The third meeting of the Global Humanitarian Platform (Geneva, February) provided an opportunity for the humanitarian community to take stock of progress in terms of partnership. Among the topics discussed was the need for a "new humanitarian business model" that would reduce the international footprint and invest more in national and local capacity development. To address the issue of Secretariat emergency rules and procedures for rapid humanitarian response, as an interim measure, the Secretariat piloted a roster for OCHA to facilitate field recruitment, and adopted special measures allowing the rapid recruitment of additional external candidates on fixed-term appointments. As to the need to equip staff in field operations, OCHA established a small, centralized rapid deployment stock; however, it was seeking further delegation of authority for procurement and was working to establish more systematic cooperation with the Department of Field Support. The Secretary-General concluded with recommendations for the consideration of Member States.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 15 July [meeting 36], the Economic and Social Council adopted **resolution 2010/1** [draft: E/2010/L.15] without vote [agenda item 5].

Strengthening of the coordination of emergency humanitarian assistance of the United Nations

The Economic and Social Council,

Reaffirming General Assembly resolution 46/182 of 19 December 1991 and the guiding principles contained in the annex thereto, and recalling other relevant resolutions

of the Assembly and relevant resolutions and agreed conclusions of the Economic and Social Council,

Reaffirming also the principles of neutrality, humanity, impartiality and independence for the provision of humanitarian assistance and the need for all actors engaged in the provision of such assistance in situations of complex emergencies and natural disasters to promote and fully respect these principles,

Recalling its decision to consider the theme “Strengthening of the coordination of humanitarian assistance” at the humanitarian affairs segment of its substantive session of 2010,

Recalling also its decision to convene two panels, on the themes “Humanitarian assistance operations in highly hazardous or insecure and unsafe environments” and “Strengthening preparedness for humanitarian emergencies and the coordinated provision of humanitarian assistance, in particular addressing the humanitarian needs of the affected populations and the factors that increase susceptibility to humanitarian emergencies”, and its decision to hold an informal event on the theme “From relief to recovery: lessons learned from the experience of Haiti”,

Expressing grave concern at the increase in the number of people affected by humanitarian emergencies, including those associated with natural hazards and complex emergencies, at the increased impact of natural disasters and at the displacement resulting from humanitarian emergencies,

Reiterating the need to mainstream a gender perspective into humanitarian assistance in a comprehensive and consistent manner,

Expressing deep concern at the increasing challenges posed to Member States and the United Nations humanitarian response capacity by the consequences of natural disasters, including those related to the continuing impact of climate change, and by the global food crisis and continuing food insecurity,

Acknowledging that the current financial and economic crisis has the potential to increase the need for resources for humanitarian assistance in developing countries,

Condemning the increasing number of attacks and other acts of violence against humanitarian personnel, facilities, assets and supplies, and expressing deep concern about the negative implications of such acts for the provision of humanitarian assistance to affected populations,

Noting with grave concern that violence, including gender-based violence, particularly sexual violence, and violence against children, continues to be deliberately directed against civilian populations in many emergency situations,

Recognizing that building and strengthening national and local preparedness, prevention, resilience, mitigation and response capacity is critical to a more predictable and effective response,

Recognizing also the clear relationship between emergency relief, rehabilitation and development, and reaffirming that, in order to ensure a smooth transition from relief to rehabilitation and development, emergency assistance must be provided in ways that will be supportive of recovery and long-term development and that emergency measures should be seen as a step towards sustainable development,

Noting the contribution, as appropriate, of relevant regional and subregional organizations in the provision of humanitarian assistance within their region at the request of the affected State,

1. *Takes note* of the report of the Secretary-General;
2. *Stresses* that the United Nations system should make efforts to enhance existing humanitarian capacities, knowledge and institutions, including, as appropriate, through the transfer of technology and expertise to developing countries, and encourages the international community to support efforts of Member States aimed at strengthening their capacity to prepare for and respond to disasters;
3. *Urges* Member States to develop, update and strengthen disaster preparedness and risk reduction measures at all levels, in accordance with the Hyogo Framework for Action, in particular priority 5 thereof, taking into account their own circumstances and capacities and in coordination with relevant actors, as appropriate, and encourages the international community and relevant United Nations entities, including the International Strategy for Disaster Reduction, to give increased priority to supporting national and local efforts in this regard;
4. *Encourages* Member States to create and strengthen an enabling environment for the capacity-building of national and local authorities, national societies of the International Red Cross and Red Crescent Movement, and national and local non-governmental and community-based organizations in providing timely humanitarian assistance, and encourages the international community, the relevant entities of the United Nations system and other relevant institutions and organizations to support national authorities in their capacity-building programmes, including through technical cooperation and long-term partnerships, based on recognition of their important role in providing humanitarian assistance;
5. *Welcomes* the initiatives undertaken at the regional and national levels in relation to the implementation of the Guidelines for the Domestic Facilitation and Regulation of International Disaster Relief and Initial Recovery Assistance adopted at the thirtieth International Conference of the Red Cross and Red Crescent, held in Geneva from 26 to 30 November 2007, and encourages Member States and, where applicable, regional organizations to take further steps to strengthen operational and legal frameworks for international disaster relief, taking into account, as appropriate, these Guidelines;
6. *Encourages* efforts to enhance cooperation and coordination between United Nations humanitarian entities, other relevant humanitarian organizations and donor countries and the affected State, with a view to planning and delivering emergency humanitarian assistance in ways that are supportive of early recovery as well as sustainable rehabilitation, reconstruction and development efforts;
7. *Also encourages* efforts to provide education in humanitarian emergencies, including in order to contribute to a smooth transition from relief to development;
8. *Requests* the Emergency Relief Coordinator to continue his/her efforts to strengthen the coordination of humanitarian assistance, and urges relevant United Nations organizations and other relevant intergovernmental organizations, as well as other humanitarian and development actors, including civil society, to continue to work with the Office for the Coordination of Humanitarian Affairs of the Secretariat to enhance the coordination, effectiveness and efficiency of humanitarian assistance;
9. *Encourages* United Nations humanitarian organizations and other relevant organizations, while strengthening

the coordination of humanitarian assistance in the field, to continue to work in close coordination with national Governments, taking into account the primary role of the affected State in the initiation, organization, coordination and implementation of such assistance within its territory;

10. *Welcomes* the continued efforts to strengthen the humanitarian response capacity in order to provide a timely, predictable, coordinated and accountable response to humanitarian needs, and requests the Secretary-General to continue efforts in this regard, in consultation with Member States, including by strengthening the support provided to and improving the identification, selection and training of United Nations resident/humanitarian coordinators and by improving coordination mechanisms for the provision of humanitarian assistance at the field level;

11. *Encourages* the United Nations to strengthen further its ability to recruit and deploy staff quickly and flexibly and to procure emergency relief material rapidly and cost-effectively in order to support Governments and United Nations country teams in the coordination and provision of international humanitarian assistance;

12. *Urges* all actors engaged in the provision of humanitarian assistance to fully commit to and duly respect the guiding principles contained in the annex to General Assembly resolution 46/182, including the principles of humanity, neutrality and impartiality, as well as the guiding principle of independence, as recognized by the Assembly in its resolution 58/114 of 17 December 2003;

13. *Calls upon* all States and parties in complex humanitarian emergencies, in particular in armed conflict and in post-conflict situations, in countries in which humanitarian personnel are operating, in conformity with the relevant provisions of international law and national laws, to cooperate fully with the United Nations and other humanitarian agencies and organizations and to ensure the safe and unhindered access of humanitarian personnel, as well as delivery of supplies and equipment, in order to allow such personnel to efficiently perform their task of assisting affected civilian populations, including refugees and internally displaced persons;

14. *Calls upon* all parties to armed conflicts to comply with their obligations under international humanitarian law, human rights law and refugee law;

15. *Calls upon* all States and parties to comply fully with the provisions of international humanitarian law, including all the Geneva Conventions of 12 August 1949, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War, in order to protect and assist civilians in occupied territories, and in this regard urges the international community and the relevant organizations of the United Nations system to strengthen humanitarian assistance to civilians in such situations;

16. *Recognizes* the benefits of the engagement of and coordination with relevant humanitarian actors to the effectiveness of humanitarian response, and encourages the United Nations to continue to pursue efforts to strengthen partnerships at the global level with the International Red Cross and Red Crescent Movement, relevant humanitarian non-governmental organizations and other participants in the Inter-Agency Standing Committee;

17. *Urges* Member States to continue to take the steps necessary to ensure the safety and security of humanitarian personnel, premises, facilities, equipment, vehicles

and supplies located within their borders and in other territories under their effective control, recognizes the need for appropriate collaboration between humanitarian actors and the relevant authorities of the affected State in matters related to the safety and security of humanitarian personnel, requests the Secretary-General to expedite his efforts to enhance the safety and security of personnel involved in United Nations humanitarian operations, and urges Member States to ensure that perpetrators of crimes committed against humanitarian personnel in their territory or in other territories under their effective control do not operate with impunity and are brought to justice as provided for by national laws and by obligations under international law;

18. *Encourages* Member States, as well as relevant regional and international organizations, in accordance with their specific mandates, to support adaptation to the effects of climate change and to strengthen disaster risk reduction and early warning systems in order to minimize the humanitarian consequences of natural disasters, including those related to the continuing impact of climate change, takes note of the 2009 *Global Assessment Report on Disaster Risk Reduction: Risk and poverty in a changing climate—Invest today for a safer tomorrow*, and encourages relevant entities to continue their research on the humanitarian implications of natural disasters;

19. *Emphasizes* the fundamentally civilian character of humanitarian assistance and, in situations in which military capacity and assets are used to support the implementation of humanitarian assistance, reaffirms the need for their use to be undertaken with the consent of the affected State and in conformity with international law, including international humanitarian law, as well as humanitarian principles;

20. *Requests* Member States, relevant United Nations organizations and other relevant actors to ensure that all aspects of humanitarian response address the specific needs of women, girls, men and boys, taking into consideration age and disability, including through improved collection, analysis and reporting of sex- and age-disaggregated data, taking into account, inter alia, the information provided by States;

21. *Urges* Member States to continue to prevent, investigate and prosecute acts of gender-based violence, including sexual violence, in humanitarian emergencies, calls upon Member States and relevant organizations to strengthen support services to victims of such violence, and calls for a more effective response in this regard;

22. *Notes* that the current global financial and economic crisis has the potential to affect the ability of developing countries to respond to humanitarian emergencies, and stresses the need to take measures to ensure adequate resources for international cooperation in the provision of humanitarian assistance;

23. *Encourages* Member States, the private sector, civil society and other relevant entities to make contributions and to consider increasing and diversifying their contributions to humanitarian funding mechanisms, including consolidated and flash appeals, the Central Emergency Response Fund and other funds, based on and in proportion to assessed needs, as a means of ensuring flexible, predictable, timely, needs-based and, where possible, multi-year, non-earmarked and additional resources to meet global humanitarian challenges, encourages donors to adhere to the Principles and Good Practice of Humanitarian Donor-

ship, and reiterates that contributions for humanitarian assistance should be provided in a way that is not to the detriment of resources made available for international cooperation for development;

24. *Calls upon* United Nations humanitarian organizations, in consultation with Member States, as appropriate, to strengthen the evidence base for humanitarian assistance by further developing common mechanisms to improve the quality, transparency and reliability of, and make further progress towards, common humanitarian needs assessments, to assess their performance in assistance and to ensure the most effective use of humanitarian resources by these organizations;

25. *Requests* the Secretary-General to reflect the progress made in the implementation of and follow-up to the present resolution in his next report to the Economic and Social Council and to the General Assembly on the strengthening of the coordination of emergency humanitarian assistance of the United Nations.

Humanitarian reform agenda

In 2010, OCHA worked to respond quickly and effectively to humanitarian emergencies and to develop stronger, more decisive humanitarian leadership. The new OCHA strategic framework 2010–2013 focused on providing a more enabling environment for humanitarian action, creating a more effective humanitarian coordination system and strengthening OCHA management and administration. To support implementation of the strategic framework, the Senior Management Team established cross-OCHA Management Task Teams (MTTs) for each strategic objective. The MTTs developed a mid-year performance report to assess progress in the first half of 2010, and re-evaluate priorities for the second half of the year and for 2011. OCHA also reviewed its Emergency Services Branch, established the Performance and Accountability Framework for the CERF, and used the recommendations from the Cluster Evaluation Phase 2 to draft Inter-Agency Standing Committee (IASC) operational guidance on inter-cluster coordination, identifying Colombia, Nepal and Pakistan as priority countries in which to launch inter-cluster support missions. It also adopted a new response-preparedness policy, strengthening its capacity to respond to crisis situations, as well as its central role in supporting other partners in emergency response.

In other developments, OCHA enhanced its Roster Management System, keeping a pool of qualified, pre-screened candidates available for rapid field deployment. Over 600 people were placed on the Roster in 2010, and 120 field posts filled. OCHA was developing a comprehensive human resources strategy for 2011 and beyond, focusing on training and developing a flexible team. OCHA worked with the Departments of Peacekeeping Operations and of Political Affairs to finalize guidelines for field-level integrated planning, and by the end of the year, 15 countries had developed

or were developing an integrated strategic framework. The organization also led the IASC review of protection from sexual exploitation and abuse, and planned to support an IASC task force to ensure guidance on community-based complaint mechanisms and victim assistance. Two policy briefs were produced by the Policy and Development Studies Branch on the impact of water scarcity and energy, demonstrating how interconnected global challenges could drive humanitarian vulnerabilities. OCHA approved a new internal evaluation policy along with a four-year implementation plan to measure performance and impact. It also developed new procedures for implementing evaluation recommendations.

Global Cluster Approach Evaluation. Following the 2005 Humanitarian Response Review [YUN 2005, p. 991], IASC established the “cluster approach” as a mechanism to improve humanitarian response effectiveness and to strengthen partnerships between all humanitarian actors [YUN 2006, p. 1057]. The first of a two-phase evaluation of the approach took place in 2007 [YUN 2007, p. 915], and the second, based on a 2008 framework [YUN 2008, p. 996], was completed in early 2010 [A/65/82-E/2010/88]. The evaluation concluded that the cluster approach coordination mechanisms had contributed to better identification of response gaps, reduced duplications, more effective coverage of needs, predictable leadership in sectoral response, and stronger and more inclusive partnerships between the United Nations and non-UN actors.

GENERAL ASSEMBLY ACTION

On 15 December [meeting 67], the General Assembly adopted **resolution 65/133** [draft: A/65/L.45 & Add.1] without vote [agenda item 69 (a)].

Strengthening of the coordination of emergency humanitarian assistance of the United Nations

The General Assembly,

Reaffirming its resolution 46/182 of 19 December 1991 and the guiding principles contained in the annex thereto, other relevant General Assembly and Economic and Social Council resolutions and agreed conclusions of the Council,

Noting the reports of the Secretary-General on the strengthening of the coordination of emergency humanitarian assistance of the United Nations and on the Central Emergency Response Fund,

Reaffirming the principles of neutrality, humanity, impartiality and independence for the provision of humanitarian assistance, and reaffirming also the need for all actors engaged in the provision of humanitarian assistance in situations of complex emergencies and natural disasters to promote and fully respect these principles,

Deeply concerned about the humanitarian impact of such global challenges as the global financial and economic crisis, the food crisis and continuing food insecurity, including their effect on the increasing vulnerability of populations and their negative impact on the effective delivery of humanitarian assistance,

Emphasizing the need to mobilize adequate, predictable, timely and flexible resources for humanitarian assistance based on and in proportion to assessed needs, with a view to ensuring fuller coverage of the needs in all sectors and across humanitarian emergencies, and recognizing, in this regard, the achievements of the Central Emergency Response Fund,

Reiterating the need for Member States, relevant United Nations organizations and other relevant actors to mainstream a gender perspective into humanitarian assistance, including by addressing the specific needs of women, girls, boys and men in a comprehensive and consistent manner,

Expressing its deep concern at the increasing challenges faced by Member States and the United Nations humanitarian response capacity as a result of the consequences of natural disasters, including those related to the continuing impact of climate change, and reaffirming the importance of implementing the Hyogo Framework for Action 2005–2015: Building the Resilience of Nations and Communities to Disasters, inter alia, by providing adequate resources for disaster risk reduction, including investment in disaster preparedness, and by working towards building back better in all phases from relief to development,

Concerned about the challenges posed by the magnitude of some humanitarian emergencies, including some of the most recent natural disasters, in particular to the capacity and coordination of the humanitarian response system,

Recognizing that building national and local preparedness and response capacity is critical to a more predictable and effective response,

Emphasizing that enhancing international cooperation on emergency humanitarian assistance is essential, and reaffirming its resolution 64/251 of 22 January 2010 on international cooperation on humanitarian assistance in the field of natural disasters, from relief to development,

Emphasizing also the fundamentally civilian character of humanitarian assistance, and reaffirming the need in situations in which military capacity and assets are used to support the implementation of humanitarian assistance, for their use to be undertaken with the consent of the affected State and in conformity with international law, including international humanitarian law, as well as humanitarian principles,

Condemning the increasing number of deliberate threats and violent attacks against humanitarian personnel and facilities and the negative implications for the provision of humanitarian assistance to populations in need,

Recognizing the high numbers of persons affected by humanitarian emergencies, including internally displaced persons, bearing in mind their particular needs, and welcoming in this regard the adoption and ongoing ratification process of the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa, which marks a significant step towards strengthening the national and regional normative framework for the protection of and assistance to internally displaced persons in Africa,

Recognizing also the importance of the Geneva Conventions of 1949, which include a vital legal framework for the Protection of Civilian Persons in Time of War, including the provision of humanitarian assistance,

Noting with grave concern that violence, including gender-based violence, particularly sexual violence, and violence against children, continues to be deliberately directed against civilian populations in many emergency situations,

Noting with appreciation the efforts made by the United Nations to improve humanitarian response, including by strengthening humanitarian response capacities, improving humanitarian coordination, enhancing predictable and adequate funding and strengthening the accountability of all stakeholders, and recognizing the importance of strengthening emergency administrative procedures and funding to allow for an effective response to emergencies,

Recognizing that in strengthening the coordination of humanitarian assistance in the field, United Nations organizations should continue to work in close coordination with national Governments,

1. *Welcomes* the outcome of the thirteenth humanitarian affairs segment of the Economic and Social Council at its substantive session of 2010;

2. *Requests* the Emergency Relief Coordinator to continue her efforts to strengthen the coordination of humanitarian assistance, and calls upon relevant United Nations organizations and other relevant intergovernmental organizations, as well as other humanitarian and development actors, to continue to work with the Office for the Coordination of Humanitarian Affairs of the Secretariat to enhance the coordination, effectiveness and efficiency of humanitarian assistance;

3. *Calls upon* the relevant organizations of the United Nations system and, as appropriate, other relevant humanitarian actors to continue efforts to improve the humanitarian response to natural and man-made disasters and complex emergencies by further strengthening humanitarian response capacities at all levels, by continuing to strengthen the coordination of humanitarian assistance at the field level, including in support of national authorities of the affected State, as appropriate, and by further enhancing transparency, performance and accountability;

4. *Recognizes* the benefits of engagement and coordination with relevant humanitarian actors to the effectiveness of humanitarian response, and encourages the United Nations to continue to pursue efforts to strengthen partnerships at the global level with the International Red Cross and Red Crescent Movement, relevant humanitarian non-governmental organizations and other participants in the Inter-Agency Standing Committee;

5. *Requests* the Secretary-General to strengthen the support provided to United Nations resident/humanitarian coordinators and to United Nations country teams, including by providing necessary training, identifying resources and improving the identification of and the selection process for United Nations resident/humanitarian coordinators, and enhancing their performance accountability;

6. *Reaffirms* the importance of implementing the Hyogo Framework for Action 2005–2015: Building the Resilience of Nations and Communities to Disasters, and looks forward to the midterm review of the Hyogo Framework for Action, the third session of the Global Platform for Disaster Risk Reduction, to be held in Geneva from 8 to 13 May 2011, and the 2011 Global Assessment Report on Disaster Risk Reduction;

7. *Calls upon* Member States and the international community to increase resources for disaster risk reduction measures, including in the areas of prevention, mitigation and preparedness for effective response and contingency planning, in order to, inter alia, further strengthen national and local capacities to prepare for and respond to

humanitarian emergencies, and encourages closer cooperation between national stakeholders and humanitarian and development actors in this regard;

8. *Urges* Member States, the United Nations and other relevant organizations to take further steps to provide a co-ordinated emergency response to the food and nutrition needs of affected populations, while aiming to ensure that such steps are supportive of national strategies and programmes aimed at improving food security;

9. *Expresses concern* at the challenges related to, inter alia, safe access to and use of fuel, firewood, alternative energy, water and sanitation, shelter and food and health-care services in humanitarian emergencies, and takes note with appreciation of initiatives at the national and international levels that promote effective cooperation in this regard;

10. *Encourages* the international community, including relevant United Nations organizations and the International Federation of Red Cross and Red Crescent Societies, to support efforts of Member States aimed at strengthening their capacity to prepare for and respond to disasters and to support efforts, as appropriate, to strengthen systems for identifying and monitoring disaster risk, including vulnerability and natural hazards;

11. *Welcomes* the initiatives at the regional and national levels related to the implementation of the Guidelines for the Domestic Facilitation and Regulation of International Disaster Relief and Initial Recovery Assistance, adopted at the Thirtieth International Conference of the Red Cross and Red Crescent, held in Geneva from 26 to 30 November 2007, and encourages Member States and, where applicable, regional organizations, to take further steps to strengthen operational and legal frameworks for international disaster relief, taking into account the Guidelines, as appropriate;

12. *Encourages* States to create an enabling environment for the capacity building of local authorities and of national and local non-governmental and community-based organizations in order to ensure better preparedness in providing timely, effective and predictable humanitarian assistance, and encourages the United Nations and humanitarian organizations to provide support to such efforts, including, as appropriate, through the transfer of technology and expertise to developing countries and through support to programmes aimed at enhancing the coordination capacities of affected States;

13. *Calls upon* United Nations humanitarian entities, other relevant humanitarian organizations, development partners, the private sector, donor countries and the affected State to enhance cooperation and coordination, with a view to planning and delivering humanitarian assistance in ways that are supportive of early recovery as well as of sustainable rehabilitation and reconstruction efforts;

14. *Requests* the Secretary-General, in consultation with the affected countries and relevant humanitarian and development actors, to carry out an assessment of steps taken by the United Nations and relevant partners to support efforts to strengthen local, national and regional humanitarian response capacity and to include his findings as well as recommendations for enhancing United Nations support in this regard in his report to the General Assembly at its sixty-sixth session;

15. *Encourages* efforts to provide education in humanitarian emergencies, including in order to contribute to a smooth transition from relief to development;

16. *Calls upon* relevant United Nations organizations to support the improvement of the consolidated appeals process, inter alia, by engaging in the preparation of needs analyses and common humanitarian action plans, including through a better analysis of gender-related allocations, in order to further the development of the process as an instrument for United Nations strategic planning and prioritization, and by involving other relevant humanitarian organizations in the process, while reiterating that consolidated appeals should be prepared in consultation with affected States;

17. *Requests* Member States, relevant humanitarian organizations of the United Nations system and other relevant humanitarian actors to ensure that all aspects of humanitarian response, including disaster preparedness and needs assessment, take into account the specific needs of the affected population, recognizing that giving appropriate consideration to, inter alia, gender, age and disability is part of a comprehensive and effective humanitarian response, and in this regard encourages efforts to ensure gender mainstreaming in the delivery of humanitarian assistance;

18. *Calls upon* United Nations humanitarian organizations, in consultation with Member States, as appropriate, to strengthen the evidence base for humanitarian assistance by further developing common mechanisms to improve the quality, transparency and reliability of, and make further progress towards, common humanitarian needs assessments, including through improved collection, analysis and reporting of sex-, age- and disability-disaggregated data, to assess their performance in assistance and to ensure the most effective use of humanitarian resources by these organizations;

19. *Calls upon* donors to provide adequate, timely, predictable and flexible resources based on and in proportion to assessed needs, including for underfunded emergencies, and to continue to support diverse humanitarian funding channels, and encourages efforts to adhere to the Principles and Good Practice of Humanitarian Donorship;

20. *Welcomes* the important achievements of the Central Emergency Response Fund in ensuring a more timely and predictable response to humanitarian emergencies, stresses the importance of continuing to improve the functioning of the Fund in order to ensure that resources are used in the most efficient, effective, accountable and transparent manner possible, and looks forward to reviewing the five-year evaluation of the Fund in 2011;

21. *Calls upon* all Member States and invites the private sector and all concerned individuals and institutions to consider increasing their voluntary contributions to the Central Emergency Response Fund, and emphasizes that contributions should be additional to current commitments to humanitarian programming and should not be to the detriment of resources made available for international cooperation for development;

22. *Reiterates* that the Office for the Coordination of Humanitarian Affairs should benefit from adequate and more predictable funding, and calls upon all Member States to consider increasing voluntary contributions;

23. *Reaffirms* the obligation of all States and parties to an armed conflict to protect civilians in armed conflicts in accordance with international humanitarian law, and invites States to promote a culture of protection, taking into account the particular needs of women, children, older persons and persons with disabilities;

24. *Calls upon* States to adopt preventive measures and effective responses to acts of violence committed against civilian populations in armed conflicts and to ensure that those responsible are promptly brought to justice, in accordance with national law and their obligations under international law;

25. *Urges* all Member States to address gender-based violence in humanitarian emergencies and to ensure that their laws and institutions are adequate to prevent, promptly investigate and prosecute acts of gender-based violence, and calls upon States, the United Nations and all relevant humanitarian organizations to improve coordination, harmonize response and strengthen capacity, with a view to reducing such violence, and in support services to victims of such violence;

26. *Recognizes* the Guiding Principles on Internal Displacement as an important international framework for the protection of internally displaced persons, encourages Member States and humanitarian agencies to continue to work together, in collaboration with host communities, in endeavours to provide a more predictable response to the needs of internally displaced persons, and in this regard calls for continued and enhanced international support, upon request, for capacity-building efforts of States;

27. *Calls upon* all States and parties in complex humanitarian emergencies, in particular in armed conflict and in post-conflict situations, in countries in which humanitarian personnel are operating, in conformity with the relevant provisions of international law and national laws, to cooperate fully with the United Nations and other humanitarian agencies and organizations and to ensure the safe and unhindered access of humanitarian personnel, as well as delivery of supplies and equipment, in order to allow such personnel to efficiently perform their task of assisting affected civilian populations, including refugees and internally displaced persons;

28. *Welcomes* the progress made towards further enhancing the United Nations security management system, and supports the approach taken by the Secretary-General to focus the security management system on enabling the United Nations system to deliver on its mandates, programmes and activities by effectively managing the risks to which personnel are exposed, including in the provision of humanitarian assistance;

29. *Requests* the Secretary-General to report on action taken to further the efforts of the United Nations to strengthen its ability to recruit and deploy staff quickly and flexibly, procure emergency relief materials and services rapidly, cost-effectively and locally, where applicable, and quickly disburse funds in order to support Governments and United Nations country teams in the coordination of international humanitarian assistance;

30. *Reaffirms* the importance of humanitarian assistance of the United Nations system, and welcomes the upcoming twentieth anniversary, at its sixty-sixth session, of its resolution 46/182;

31. *Requests* the Secretary-General to report to the General Assembly at its sixty-sixth session, through the Economic and Social Council at its substantive session of 2011, on progress made in strengthening the coordination of emergency humanitarian assistance of the United Nations and to submit a report to the Assembly on the detailed use of the Central Emergency Response Fund.

UN and other humanitarian personnel

In response to General Assembly resolution 64/77 [YUN 2009, p. 1459], the Secretary-General, in September [A/65/344 & Corr.1], provided updates on the safety and security of UN and other humanitarian personnel over the preceding year and on the efforts by the UN Department of Safety and Security to implement that resolution. He expressed concern over the number of UN and associated personnel affected by security incidents, especially the continuing trend of politically and criminally motivated targeting of humanitarian relief workers. He reiterated his call to Member States to support the Saving Lives Together framework, and requested that Member States ratify or accede to the Optional Protocol to the Convention on the Safety of United Nations and Associated Personnel, adopted by the Assembly in resolution 60/42 [YUN 2005, p. 1420].

The Assembly, in **resolution 65/132** of 15 December, called on Governments and parties in complex humanitarian emergencies to cooperate fully with the United Nations and other humanitarian agencies and organizations and to ensure the safe and unhindered access of humanitarian personnel (see p. 1474).

To address the increased risk to UN staff resulting from malicious acts, natural disasters and other emergencies, the Secretary-General, in February [A/64/662], proposed the establishment of a dedicated emergency preparedness and support unit in the Office of the Assistant Secretary-General for Human Resources Management. The unit would address the coordination of medical, psychological, welfare and administrative issues faced by surviving staff and affected families; and assist duty stations, country offices and security management teams to develop, implement, maintain and test emergency medical and mass casualty management plans and to develop, implement, coordinate and facilitate a comprehensive support system consisting of risk-based preparedness, emergency response and post-emergency response. Resource requirements for the proposed unit amounted to an additional \$3,145,100 gross for the 2010–2011 biennium.

In March [A/64/7/Add.22], the Advisory Committee on Administrative and Budgetary Questions (ACABQ) recommended against the establishment of the unit, citing concern at adding another layer of bureaucracy. ACABQ supported a limited strengthening of certain functions within the Office of Human Resources Management, and recommended accordingly the appropriation of \$1,571,800 for the 2010–2011 biennium.

By section II of its **resolution 64/260** of 29 March, the Assembly endorsed ACABQ conclusions and approved an additional \$2,745,000 for the 2010–2011 biennium, representing a charge against the contingency fund (see p. 1437).

Resource mobilization

Central Emergency Response Fund

In 2010, the Central Emergency Response Fund (CERF), a cash-flow mechanism for the initial phase of humanitarian emergencies established in 1992 [YUN 1992, p. 584], continued to allow for the rapid provision of assistance to populations affected by sudden-onset disasters and underfunded emergencies. The Fund was upgraded by General Assembly resolution 60/124 [YUN 2005, p. 991] as a \$500 million standby fund, with \$450 million for grants and \$50 million for loans to ensure that all involved in emergencies received support as quickly as possible. The CERF Advisory Group, established to provide the Secretary-General with policy guidance and advice on the use and impact of the Fund, met in July and November. In 2010, donors raised \$428.7 million for the Fund, and over \$415 million was distributed to 469 projects in 45 countries and territories.

Report of Secretary-General. In his August report on CERF [A/65/290], covering the period from 1 July 2009 to 30 June 2010, the Secretary-General indicated that \$448.3 million was allocated from the Fund to implement life-saving activities in 52 countries and territories, comprising \$294.6 million through the rapid response window and \$153.7 million through the underfunded window. Fifteen humanitarian agencies received funds to address emergency needs, with many projects being carried out in partnership with non-governmental organizations (NGOs). A breakdown of the rapid response grants showed that projects in response to conflict-related emergencies received the highest allocations at \$294 million, followed by natural disaster-related allocations of \$121.6 million, and floods and storms, \$23.5 million. Africa received the highest percentage of funding with 57 per cent, followed by Asia and the Caucasus with 25 per cent, Latin America and the Caribbean with 15 per cent, and the Middle East with 3 per cent. The largest allocation for any natural disaster in the Fund's history, \$38.5 million, was allocated to the Haiti earthquake response. The Fund's loan mechanism, a cash-flow instrument available when funds expected from donors were not received, made a \$2.6 million loan to OCHA in October 2009 to bridge a funding gap for field emergency coordination activities in Chad, Colombia, Somalia, West Africa and Zimbabwe. Following the transfer of outstanding pledges, the loan was fully reimbursed in January 2010.

The majority of the recommendations issued in the two-year independent evaluation of CERF [YUN 2008, p. 998] were implemented, with the most significant improvements to the Fund's operational framework reflected in an April Secretary-General bulletin

[ST/SGB/2010/5] on refining the operational guidance on the use, management and administration of the Fund. The IASC Working Group established the Inter-Agency Standing Committee Humanitarian Financing Working Group in late 2009, consolidating the CERF Inter-Agency Group, the CERF Partnership Task Force and the IASC Good Humanitarian Donorship Contact Group into one entity. The Secretary-General concluded that the Fund continued to prove its value as a versatile collective emergency response tool whose ability to adapt and improve was demonstrated by the changes implemented since the two-year evaluation.

Advisory Group meetings. At its July meeting [A/65/584], the CERF Advisory Group welcomed the issuance on 23 April of the revised Secretary-General's bulletin on the Fund (see above), which included an increase in the implementation period for rapid-response projects from three to six months, and took note of the approval by the Controller of an umbrella letter of understanding between the Fund, UN agencies and the International Organization for Migration. The Group welcomed the findings of the single country pilot using the CERF draft performance and accountability framework undertaken in Kenya and encouraged the Fund secretariat to undertake three more country reviews in 2010. The Group also endorsed the approach for a five-year evaluation, which would provide actionable recommendations through a Secretary-General's report to the General Assembly at its sixty-sixth (2011) session).

In November [A/65/693], the Group discussed the lack of utility of the Fund's \$50 million loan facility, the balance of which stood at \$75 million, having accrued some \$25 million in interest, and requested the Fund's secretariat to review the use of the loan facility for its next meeting. The Group endorsed the final version of the performance and accountability framework, and looked forward to reviewing the results of reviews in Chad, Mauritania and Sri Lanka. It noted that, since its last discussion of the management response matrix of the two-year evaluation of the Fund in November 2009, 26 of the 33 operational recommendations had been implemented, and one rejected. The Group endorsed the closure of the matrix and requested the secretariat to continue to update it on progress made on outstanding recommendations. The Group also requested the secretariat to continue to promote a uniform understanding of the life-saving criteria by all recipients of the Fund and provide an update at the next meeting; analyse the Fund's use in protracted crises; provide feedback to the Group on actions to take in response to a Food and Agriculture Organization of the United Nations (FAO) evaluation; and prepare an analysis on the timeliness of the Fund's disbursements to UN agencies and then to NGOs.

Consolidated appeals

The consolidated appeals process (CAP), an inclusive and coordinated programme cycle for analysing context, assessing needs and planning prioritized humanitarian response, was the humanitarian sector's main strategic planning and programming tool. In 2010, the United Nations and its humanitarian partners issued consolidated and flash appeals seeking \$11.3 billion in assistance to Afghanistan, the Central African Republic, Chad, Congo, the Democratic Republic of the Congo (DRC), Guatemala, Haiti, Kenya, Kyrgyzstan, Mongolia, the Occupied Palestinian Territory, Pakistan, Somalia, the Sudan, Uganda, West Africa, Yemen and Zimbabwe.

The latest available data indicated that 64 per cent (\$7.2 billion) of requirements had been met.

United Nations Trust Fund for Human Security

The United Nations Trust Fund for Human Security, established in March 1999, continued to support projects involving transition to peace and sustainable development in fragile and conflict-affected communities; refugees, internally displaced persons and migrants; climate-related threats; urban violence; poverty reduction and social inclusion; and economic, environmental and social components of health-related insecurities. In response to General Assembly resolution 60/1 [YUN 2005, p. 48], the Secretary-General, in March [A/64/701], provided updates on developments related to the advancement of human security since the General Assembly 2005 World Summit [YUN 2005, p. 48], including the activities of the Trust Fund.

The Trust Fund played a critical role in channeling financial resources to field-based projects on the application of the human security concept in the UN system. At December 2009, it had allocated approximately \$323 million to 187 projects in over 60 countries. The highest percentage of funding went to Africa (32.3 per cent), followed by Eastern Europe and Central Asia (29 per cent), Asia and the Pacific (23.3 per cent), Latin America and the Caribbean (7.7 per cent), the Middle East and Arab States (2.9 per cent) and global projects (4.8 per cent). Examples of Trust Fund projects included a project in the Ituri region of the DRC addressing post-conflict recovery; a project in the highlands of Shan State in Myanmar focusing on improving livelihoods and strengthening food security of former poppy farmers and poor and vulnerable families; and multi-agency projects in areas of Belarus, the Russian Federation and Ukraine affected by the Chernobyl nuclear accident aimed at improving living standards and safety for affected populations.

The Assembly, in **resolution 64/291** of 16 July, requested the Secretary-General to seek the views of Member States on the notion of human security, and to submit a report at its sixty-sixth (2011) session (see p. 806).

Humanitarian Activities

Africa

Central African Republic

The UN Consolidated Appeal for the Central African Republic in 2010 sought \$149.9 million, of which 48 per cent (\$72.5 million) was received.

While progress was made over the previous year, the humanitarian situation in the country remained fragile. In 2010, rebel groups both within and outside the peace process—in particular the Convention des patriotes pour la justice et la paix—carried out attacks which resulted in new displacements, primarily in the north-eastern areas of the country. Increased and expanded attacks by the Lord's Resistance Army severely constrained humanitarian access in the east, where humanitarian operations were scaled down due to security concerns. Farmers missed out on the agricultural season in June and July due to displacement and security concerns, which led to significant food security issues in the north-east. An initial appeal had sought \$113.6 million for 135 projects. In July, humanitarian partners issued revised requirements, adapted to better respond to the deteriorating humanitarian situation in the country.

Chad

The UN Consolidated Appeal for Chad in 2010 sought \$544.1 million, of which 60 per cent (\$326.3 million) was received.

In 2010, Chad saw significant changes after the signing of a peace agreement with the Sudan in January, leading to the deployment of the Chado-Sudanese mixed security force along the border and the opening of the border for trade. Security incidents significantly decreased, although armed banditry and organized criminality remained a threat to the stability of eastern Chad. While incidents affecting the humanitarian community significantly decreased as well, kidnappings of humanitarian workers and foreign nationals remained a concern. In addition to the continued protection and assistance needs in eastern Chad related to refugees, internally displaced persons (IDPs), returnees and vulnerable host populations, the country experienced a critical food and nutrition crisis caused by the 2009 drought in the Sahelian belt. The number of vulnerable people increased to more than 2.5 million, with some 320,000 refugees and 180,000 IDPs and returnees lacking access to basic social

services and experiencing scarcity of natural resources, including water and land access. Over the previous two years, about 43,000 IDPs had returned to their villages of origin, and the Government estimated that another 30,000 would return home soon. A joint effort by Chadian authorities, UN agencies and the humanitarian community was launched through the Early Recovery Cluster, resulting in a common strategy for durable solutions for IDPs.

Congo

The UN Consolidated Appeal for the Republic of the Congo, which sought \$59.2 million in 2010, received 61 per cent (\$36.3 million) of the requirement.

Following armed clashes in Equateur Province of the neighbouring Democratic Republic of the Congo (DRC) in October 2009, an influx of refugees fleeing that country compounded an existing humanitarian crisis in the Congo. Despite the limited means, some 35,000 refugees received non-food items; infrastructure and housing were constructed; 16 new health centres were built; 17,000 refugee students enrolled at primary schools; and more than 70,000 food rations were distributed. Potable water was delivered, and steps were taken to give the refugees a degree of self-sufficiency through the provision of supplies, seeds, agricultural equipment and fishing gear; but the situation remained challenging.

Democratic Republic of the Congo

The UN Consolidated Appeal for the DRC, which sought \$827.6 million in 2010, received 63 per cent (\$521 million) of the requirement.

The country continued to face a widespread humanitarian crisis in 2010, as armed conflict and violence persisted in the east and north-east regions, with the radicalization and fragmentation of certain groups and a new crisis that erupted in Equateur province in 2009, following a dispute over natural resources. Hundreds of thousands of civilians were forced to flee due to abuses by the warring parties, including rape, murder, looting, destruction of property and forced recruitment of children. As at September, more than 1.7 million people were displaced. The country as a whole continued to be affected by food insecurity, high malnutrition rates, lack of access to adequate health care, the persistence of diseases, and problems of access to safe drinking water, as well as natural disasters and unresolved refugee problems such as the expulsion of Congolese migrants from Angola. The humanitarian community increased its efforts, and achieved some positive results, such as 2.2 million people gaining access to safe drinking water, 550,000 persons benefiting from emergency shelter, and some 850,000 persons receiving non-food aid.

Kenya

The UN Consolidated Appeal for Kenya's Emergency Humanitarian Response Plan (EHRP), which sought \$603.5 million in 2010, received 66 per cent (\$399.3 million) of the requirement.

Kenya's 2010 EHRP focused on preparedness for El Niño floods, recovery from climate change-induced drought, food insecurity and assistance to refugees. Food security improved following the 2009 short rains and 2010 long rains, leading to gradual improvement in pasture and water availability, livestock and crop production. The food-insecure caseload for food aid decreased from 3.8 million to 1.2 million in October; however, the recovery was uneven, and malnutrition in women and children remained a serious public health concern. Climate change increased the frequency of hazards such as drought, floods and livestock diseases, forcing pastoralists out of their main production system, and creating resource-based conflicts and related displacements. Kenya's refugee population continued to increase, reaching 412,193 people by September—an additional 80,000 people—while the sizes of refugee camps remained the same. The country's IDP situation improved with the resettlement of 789 households, leaving around 30,000 IDPs from the country's post-election violence yet to be resettled.

Somalia

The UN Consolidated Appeal for Somalia, which sought \$596.1 million in 2010, received 67 per cent (\$399.9 million) of the requirement.

Somalia started the year with an estimated 2.65 million people in crisis, but the combination of two good rainy seasons and the easing of the 2009 economic crisis, as well as a new methodology for counting people in crisis, reduced that number in the second half of the year to 2 million people. The nutrition situation improved slightly as well, from a 16.6 per cent global acute malnutrition rate at the beginning of the year to 15.2 per cent in August, although the number remained alarmingly high and above the World Health Organization's emergency threshold. Displacement figures remained relatively constant through the year, with approximately 1.4 million IDPs midway through 2010. Humanitarian access was extremely challenging, especially in southern Somalia, as eight agencies were expelled and 23 humanitarian facilities or assets attacked between January and August. The World Food Programme (WFP) stopped its general food distributions, hospital feeding and other programmes, which left the Nutrition Cluster to partially maintain the delivery of supplementary feeding programmes in the south. At mid-year, the humanitarian strategy for Somalia shifted due to reduced access to the highest-need

areas, reduced humanitarian funding, and increased scrutiny and expectation for humanitarian operations. As a consequence, most clusters prioritized life-saving actions and livelihood support.

Sudan

The UN Consolidated Appeal for Sudan, which sought \$1.84 billion in 2010, received 66 per cent (\$1.22 billion) of the requirement.

In 2010, the humanitarian operation in the Sudan was the largest in the world, with the bulk of humanitarian needs concentrated in Darfur and southern Sudan, where volatile operating environments at times prevented the delivery of critical assistance. The combination of persistent insecurity, weak to non-existent basic services, and, in many areas, a harsh physical environment meant that the country continued to rank among the most serious humanitarian situations in the world. With regard to implementing the 2005 Comprehensive Peace Agreement [YUN 2005, p. 301], benchmarks such as border demarcation, agreements on wealth-sharing arrangements and citizenship issues saw little progress, although positive steps were made toward establishing coherent coordination structures, developing and synchronizing contingency plans across the country, and pre-positioning humanitarian supplies—such as food and non-food items—before the rainy season. Over the year, humanitarian partners provided food aid to 8.9 million people and emergency non-food items to 2.4 million people. Constraints in humanitarian access in Darfur and incidents concerning humanitarian workers remained a concern. Aid dependence became an issue requiring attention by the humanitarian community, especially for IDPs living in camps. Key elements of focus included improved vulnerability targeting and greater investment in areas such as agriculture, environment, education, governance and livelihoods.

Uganda

The UN Consolidated Appeal for Uganda, which sought \$184.4 million in 2010, received 54 per cent (\$99.1 million) of the requirement.

Confidence in the sustainability of the country's peace resulted in significant homeward movements by IDPs, and by November, some 92 per cent of the formerly 1.8 million displaced people in the Acholi and Teso regions had returned home or identified new villages to settle. Natural disasters continued to pose a serious threat, as eastern and western Uganda experienced landslides and floods at the beginning of March that left an estimated 300 people dead and several thousand displaced. Vulnerability to disease outbreaks remained a concern, as a cholera epidemic hit four Karamoja districts in April, infecting 1,419 people and killing 34. In October, the country experienced

its second polio outbreak in two years. In August, the Humanitarian Country Team decided that the situation in Uganda no longer warranted a consolidated appeals process for 2011, and instead recommended that an inter-agency working group, with the participation of the Office of the Prime Minister, should develop a humanitarian profile of the country as a tool to guide humanitarian decision-making in 2011, and to support the Government's Peace, Recovery and Development Plan.

West Africa

The UN Consolidated Appeal for West Africa, which sought \$774.9 million in 2010 to assist Benin, Burkina Faso, Côte d'Ivoire, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Mauritania, the Niger, Nigeria, Senegal, Sierra Leone and Togo, received 54 per cent (\$421.5 million) of requirements.

In 2010, the West African region remained confronted with a wide range of threats to livelihoods and protection, ranging from food insecurity to political volatility, bad governance, transnational crime activities—including human trafficking—chronic poverty, and long-term impacts of climate change, often exceeding the populations' coping capacities and deepening their vulnerability. In terms of food security, over 10 million people were affected by the food crisis in the Sahel, the result of a devastatingly poor 2009–2010 agropastoral season and insufficient rainfall the previous year. The Niger was the hardest-hit, with over 7 million food-insecure people, requiring the launch of an emergency humanitarian action plan. Natural disasters increased in both frequency and impact, as droughts affected over 10 million people in the Sahel and floods affected 1.45 million others. Moreover, cholera outbreaks and dengue fever epidemics hit several countries in the region, affecting thousands of people. Governments and partners in the sub-region struggled to minimize the impact on vulnerable populations caused by a succession of events, including a coup d'état (Niger), pre-election violence (Côte d'Ivoire, Guinea, Nigeria) and inter-ethnic conflict (northern Ghana, Togo). The region continued to witness protracted refugee situations and IDPs due to past conflicts and continued instability. Durable solutions were being sought for some 149,810 refugees in the region. In response, the humanitarian community pursued the strengthening of its capacity for early warning, emergency response, disaster preparedness and coordination, and reviewed its funding requirements.

Zimbabwe

The UN Consolidated Appeal for Zimbabwe, which sought \$478.4 million in 2010, received 47 per cent (\$226.2 million) of the requirement.

The humanitarian situation in Zimbabwe remained fragile due to the degradation of infrastructure in the health, water and sanitation, and food security sectors, in addition to the country's underlying economic and political challenges. Food insecurity was still significant in rural and urban areas. By mid-year, rates of chronic and acute malnutrition stood at 35 and 2.4 per cent, respectively. Malaria was the latest disease outbreak to afflict the country. On the positive side, partners in the health, water, sanitation and hygiene (WASH) clusters played a key role in curbing disease outbreaks through initiatives such as the Health and WASH Emergency Response Units and a nationwide measles vaccination campaign that reached 95 per cent of targeted children by June. Humanitarian access improved, as did the capacity of civil society organizations and national and local government structures. A prolonged dry spell and uneven distribution of rainfall affected crop production, with only 1.5 of the required 2 million metric tonnes of cereal production recorded. Government programmes, food aid and private imports covered a substantial portion of the cereal deficit, and a newly liberalised market shifted the challenge from access to foods to affordability.

Asia

Afghanistan

The UN Consolidated Appeal for the Afghanistan Humanitarian Action Plan, which sought \$774.5 million in 2010, received 65 per cent (\$505.3 million) of the requirement.

During the first half of 2010, the humanitarian situation in Afghanistan continued to deteriorate. The average number of security incidents in the first four months was 52 per cent higher than the same period in 2009, resulting from a combination of factors, including increased international military troop presence, security force operations in the south, and significant armed opposition activities in the south-east and east. Between January and June, civilian casualties increased by 31 per cent compared to 2009, and the number of civilians assassinated and executed surged by more than 95 per cent. The spread of the conflict from the south and the east to more stable provinces in the north-west and west shrank humanitarian space and resulted in loss of livelihood, destruction of property and personal assets. As at May, IDPs numbered 328,588; however, 65,673 Afghans were able to voluntarily return to Afghanistan from Pakistan with UNHCR assistance in March. Natural disasters compounded the coping difficulties of an already fragile population, as increased precipitation resulted in floods and avalanches in February and March. From July and August, more than 220,000 individuals were affected by flash floods alone.

An April earthquake measuring 5.3 on the Richter scale caused damage in the north.

Iraq

The Iraq Humanitarian Action Plan, which sought \$187.7 million in 2010, received 27.2 per cent (\$51.1 million) of the requirement. The Appeal for the Regional Response Plan for Iraqi Refugees sought \$367.3 million, of which it received 48.8 per cent (\$179.4 million) of the requirement.

In 2010, the country's significant humanitarian needs remained, but many of the humanitarian activities planned for the year did not begin, including in the food, shelter and education sectors. While gradual stabilization continued, Iraq faced uncertainty due to ongoing political negotiations and the Government formation process that followed the general elections in March (see p. 364). Bomb attacks and other forms of violence continued, with a 16 per cent increase in civilian casualties in the first four months of the year, compared to the final four months of 2009. Of particular concern were the continued attacks targeting religious sites, ceremonies and the general public. Local integration was not possible for the vast majority of Iraqi refugees, and resettlement to third countries remained the most durable solution for a large number of them.

The 2010 Humanitarian Action Plan employed a three-track approach: targeting humanitarian and protection assistance to most vulnerable groups; increasing access to create a more effective humanitarian response; and advocating with the Government and other State and non-State actors to meet humanitarian commitments and tackle underlying causes of humanitarian needs.

Kyrgyzstan

The UN Flash Appeal for Kyrgyzstan, which sought \$94.2 million, received 73 per cent (\$68.6 million) of the requirement.

On 10 June, a rise in tension between the ethnic Uzbek and Kyrgyz communities in the multi-ethnic city of Osh in southern Kyrgyzstan culminated in armed confrontation of several thousand youth in the city centre. Over the course of several days, the violence continued in the city and spread to the surrounding district of Kara Suu and neighbouring Jalal-Abad province. By 16 June, 187 deaths and 1,966 injuries had been recorded. An estimated 375,000 people fled the conflict in Osh and Jalal-Abad, of which some 75,000 sought refuge in Uzbekistan, and an estimated 40,000 IDPs were in acute need of shelter, food, water and protection. A further estimated 260,000 IDPs living with host families required support to facilitate their stay, and several thousand

people injured in the violence were in need of health care and psycho-social support. Five months after the initial outbreak of violence, the humanitarian needs of the affected population still required a coordinated response by the international community, and the Humanitarian Country Team requested a six-month extension of its initial Flash Appeal.

Nepal

The Nepal Humanitarian Transition Appeal, which sought \$125 million in 2010, received 56.2 per cent (\$70.3 million) of the requirement.

The peace process in Nepal continued to face challenges, as over three years after the signing of the Comprehensive Peace Agreement [YUN 2006, p. 449], the political stalemate among the three main political parties remained unresolved. Criminal activity flourished in a climate of political instability and weak law and order. Political uncertainty, frequent droughts and floods and high food price inflation contributed to increased food insecurity, causing hunger and malnutrition, affecting 3.5 million people. Some 770,000 beneficiaries received food, or cash for assets; 85,000 children aged 6–59 months received micronutrient supplements; and 3.6 million received vitamin A and de-worming medicine. WFP distributed 21,140 metric tonnes of food in food-insecure districts and FAO provided 103,111 farming households with essential seeds and fertilizers for the summer crop season. The Emergency Response Fund supported WASH activities in five diarrhoea- and flood-prone districts, and an additional 190,000 households in 18 disaster-prone districts were identified for WASH campaigns. The humanitarian strategy for Nepal was designed to respond to current and predictable humanitarian needs, and remained valid as at the mid-year review.

Occupied Palestinian Territory

The UN Consolidated Appeal for the Occupied Palestinian Territory, which sought \$603.4 million in 2010, received 55 per cent (\$329.7 million) of the requirement.

Developments in the overall political and security environment, which remained volatile, had not fundamentally altered the humanitarian situation, and the response was constrained by various obstacles and deteriorating funding levels. After months of proximity talks between the Palestine Liberation Organization and the Government of Israel, efforts to achieve political progress were challenged by the expiration, on 26 September, of the partial freeze on settlement construction and the increased risk of violence by groups opposed to the peace process and attacks on civilians, or clashes between Israeli and the Palestinian Authority security forces. On the positive side, the

Palestinian economy showed signs of improvement, with reduced deficits, positive growth and stable inflation as a result of ongoing reforms and significant external assistance, but the severe restrictions placed on the movement of goods and persons between the West Bank and Gaza affected Palestinians' ability to contribute more significantly to their recovery. The year also marked a slight improvement in the quantity and diversity of goods being allowed into Gaza to support humanitarian reconstruction, due in part to sustained advocacy by humanitarian partners. On 20 June, following the flotilla incident (see p. 439), Israel announced a series of measures designed to ease the flow of goods and humanitarian staff into Gaza, but did not change the fundamental parameters of the blockade. At the time of the mid-year review of the appeal, 61 per cent of Gaza's households and 25 per cent of households in the West Bank remained food insecure, with at least 300,000 Palestinian refugees in Gaza living in conditions of abject poverty.

Pakistan

The Pakistan Humanitarian Response Plan sought \$661.2 million in 2010 and received 50.2 per cent (\$332.2 million) of the requirement.

In 2010, the situation in north-west Pakistan continued to be characterized by small to medium-scale population movements, including new displacements, as well as steady return. Fresh hostilities in different Federal Administered Tribal Areas ("agencies") resulted in new population outflows, and since December 2009, more than 300,000 IDPs from Orakzai and Kurram agencies had fled to the neighbouring districts of Kohat and Hangu. In two districts of the south, a further 230,000 people remained displaced, and hundreds of thousands of IDPs remained in the Peshawar Valley, where the humanitarian community was carrying out an extensive vulnerability assessment.

The Pakistan Humanitarian Response Plan was extended an additional five months through December. Its strategic objectives included delivery of life-saving assistance to the people displaced or affected by the insecurity in Khyber Pakhtunkhwa, in the north-west, and in the Federally Administered Tribal Area; improved protection of civilians affected by the crisis in those areas; support to returnees and vulnerable families unable to leave their areas of origin and early recovery action; and stronger coordination, monitoring and reporting structures within the humanitarian community and with Government partners.

Sri Lanka

The Sri Lanka Common Humanitarian Action Plan sought \$289.6 million in 2010 and received 53.1 per cent (\$153.8 million) of the requirement.

In 2010, significant progress was made on releases and returns from IDP camps, with over 246,000 people released from camps by the end of May, while during the first five months of the year, an estimated 1,000 refugees and 10,000 IDPs from previous caseloads returned to the Northern Province. Large-scale efforts were under way to re-establish essential services and livelihoods throughout the former conflict-affected areas, but 60,000 IDPs still remained in camps, while 68,000 were accommodated with host families. A food security assessment conducted in March highlighted that six months after the first significant returns, communities faced continued food insecurity, particularly in northern districts where the previous two harvests had been minimal or lost. A three-month extension of food assistance was provided in those areas, with future emphasis placed on supporting self-sufficiency and income generation for the October planting season. Adequate provision of water supply and sanitation facilities was another significant need, with thousands of wells in disrepair in the north and toilets damaged or destroyed. Widespread damage to health facilities and schools, combined with a shortage of health workers and teachers, severely hampered the provision of basic health and educational services.

Syrian Arab Republic

The year 2010 marked the third consecutive year of drought in the north-eastern region of the Syrian Arab Republic. According to Government and UN estimates, 1.3 million inhabitants were affected and 800,000 severely affected, over 95 per cent of whom lived in three governorates in the north and west. The effects of the drought were exacerbated by the impact of high food and fuel prices, as well as the global financial crisis. Direct consequences of the drought included decreased food intake, reduced capacity to restore livelihoods, massive internal displacement towards cities and alarming school dropout rates in some areas. Following the Government's request, the United Nations country team prepared in August 2009 the UN/Syria Drought Response Plan [YUN 2009, p. 899]. The plan was linked to the agricultural calendar, aiming to address emergency humanitarian needs and reduce the drought's impact on the most vulnerable people until the crops were harvested in May and June of 2010. In February, the UN and its partners sought a revised amount of \$43.7 million in donor funding for continued humanitarian activities for the period from December 2009 through June/July 2010.

Yemen

The UN Consolidated Appeal for the Yemen Humanitarian Response Plan, which sought \$186.1 million in 2010, received 65 per cent (\$121.3 million) of the requirement.

During the year, the conflict in the northern governorate of Sa'ada subsided, although it did not completely stabilize. The year saw a ceasefire agreement in February and a signed timeline for enforcing its truce points in August, although implementation was slow, with continued clashes. At the time of the mid-year review of the Plan, the number of IDPs had risen to an estimated 342,000, far above the 150,000 figure that many agencies had previously used for planning purposes. In addition to IDPs, hundreds of thousands of people across northern Yemen were also suffering from the effects of the conflict through lack of access to basic services and relief. Some 2.7 million people or 12 per cent of the country's population, were identified as severely food insecure. WFP targeted 1.7 million of them for assistance, along with an additional 242,000 children and pregnant and lactating women suffering from moderate to acute malnutrition. Due to the overall levels of insecurity, humanitarian organizations had only limited sustained access to many of those people, particularly in northern governorates, although many IDPs received assistance through local NGOs. Despite operational constraints and limited funds, 342,019 IDPs received humanitarian assistance in all conflict-affected governorates at the time of the mid-year review.

Latin America and the Caribbean

Haiti

The UN Flash Appeal for Haiti, which sought \$1.5 billion in 2010, received 73 per cent (\$1.1 billion) of the requirement.

During 2010, humanitarian actors focused their efforts on responding to the massive emergency situation caused by the earthquake which struck the country on 12 January, killing some 222,000 people and injuring some 300,000 others, while eroding the capacity of the local government. The earthquake displaced around 2.1 million people, of whom 1.3 million went to spontaneous settlements in the affected areas, and 600,000 to host families outside the affected areas. It damaged an estimated 250,000 homes and 30,000 commercial buildings, and completely destroyed 105,000 homes, as well as numerous Government and other public buildings. The total damage and loss were estimated at \$7.8 billion. In November, more than 1.3 million people remained displaced, spread across 1,354 settlement sites. At the time of the mid-year review of the Appeal, an estimated 1.5 million children and youth under 18 were directly and indirectly affected by the earthquake, and 3,978 schools damaged or destroyed. Approximately 52 per cent of households and 69 per cent of families living in large camps suffered from food insecurity, and the migration of over 600,000 people from earthquake-affected areas to host families and communities increased the strain on rural house-

holds. Malnutrition remained at pre-existing levels, and chronic malnutrition remained a significant challenge. The humanitarian response, however, was effective at providing emergency aid to the displaced and vulnerable in the earthquake-affected areas. Water was made available daily to 1.1 million people; 4.3 million people received food rations; 1.5 million people received emergency shelter; 2.1 million people received non-food items; 11,000 latrines were installed and maintained; 116,000 people benefited from short-term employment; and 11,000 children received treatment for severe acute malnutrition.

Special economic assistance

African economic recovery and development

New Partnership for Africa's Development

The General Assembly in 2002, by resolution 57/7 [YUN 2002, p. 910], endorsed the Secretary-General's recommendation [ibid., p. 909] that the New Partnership for Africa's Development (NEPAD), adopted in 2001 by the Assembly of Heads of State and Government of the Organization of African Unity [YUN 2001, p. 900], should be the framework within which the international community should concentrate its efforts for Africa's development. During 2010, efforts continued to focus on UN and international support for NEPAD and its implementation.

Implementation and support for NEPAD

Report of Secretary-General (March). In response to a request of the Committee for Programme and Coordination (CPC) [YUN 2005, p. 1004], the Secretary-General in March submitted a report [E/AC.51/2010/3] on UN system support for NEPAD, which detailed work undertaken by various UN system entities since May 2009. The report was organized around clusters corresponding to the Partnership's priorities and strategies: infrastructure development; governance; peace and security; agriculture, food security and rural development; industry, trade and market access; environment, population and urbanization; social and human development; science and technology; and communication, advocacy and outreach. In addition, four selected policy issues in the implementation of NEPAD were examined: strengthening of the cluster system and enhancement of United Nations/African Union (AU) cooperation; support for mobilization of financial resources for NEPAD implementation; cross-cutting issues, such as the global economic and financial crisis and gender; and institutional support. The report also identified challenges and constraints faced by the UN system in supporting the NEPAD programme.

The Secretary-General observed that the UN system had demonstrated greater commitment in support of the priority areas of the AU/NEPAD programme through the nine clusters established under the Regional Coordination Mechanism (RCM) of the UN agencies working in Africa, and that development actors were increasingly present at the country level, providing multifaceted assistance to African countries. He made recommendations for the continued alignment and harmonization of cluster activities and priorities with AU and NEPAD strategic plans; support by UN agencies for national leadership and ownership; a monitoring and evaluation framework on the impact of UN support to NEPAD projects; and the transformation of the secretariat of the Regional Coordination Mechanism into a joint secretariat of the AU Commission/NEPAD and UN system organizations.

GENERAL ASSEMBLY ACTION

On 16 March [meeting 75], the General Assembly adopted **resolution 64/258** [draft: A/64/L.38, Rev.1 & Add.1] without vote [agenda item 63 (a)].

New Partnership for Africa's Development: progress in implementation and international support

The General Assembly,

Recalling its resolution 57/2 of 16 September 2002 on the United Nations Declaration on the New Partnership for Africa's Development,

Recalling also its resolution 57/7 of 4 November 2002 on the final review and appraisal of the United Nations New Agenda for the Development of Africa in the 1990s and support for the New Partnership for Africa's Development and resolutions 58/233 of 23 December 2003, 59/254 of 23 December 2004, 60/222 of 23 December 2005, 61/229 of 22 December 2006, 62/179 of 19 December 2007 and 63/267 of 31 March 2009 entitled "New Partnership for Africa's Development: progress in implementation and international support",

Recalling further the 2005 World Summit Outcome, including the recognition of the need to meet the special needs of Africa, and recalling also its resolution 60/265 of 30 June 2006,

Recalling the political declaration on Africa's development needs, adopted at the high-level meeting on Africa's development needs on 22 September 2008,

Bearing in mind that African countries have primary responsibility for their own economic and social development and that the role of national policies and development strategies cannot be overemphasized, and bearing in mind also the need for their development efforts to be supported by an enabling international economic environment, and in this regard recalling the support given by the International Conference on Financing for Development to the New Partnership,

Emphasizing that a favourable national and international environment for Africa's growth and development is important for progress in the implementation of the New Partnership,

Stressing the need to implement all commitments by the international community regarding the economic and social development of Africa,

1. *Welcomes* the seventh consolidated report of the Secretary-General;

2. *Reaffirms its full support* for the implementation of the New Partnership for Africa's Development;

3. *Reaffirms its commitment* to the full implementation of the political declaration on Africa's development needs, as reaffirmed in the Doha Declaration on Financing for Development, adopted as the outcome document of the Follow-up International Conference on Financing for Development to Review the Implementation of the Monterrey Consensus, held in Doha from 29 November to 2 December 2008;

4. *Recognizes* the progress made in the implementation of the New Partnership as well as regional and international support for the New Partnership, while acknowledging that much needs to be done in its implementation;

5. *Reaffirms* the resolve to provide assistance for prevention and care, with the aim of ensuring an HIV/AIDS-, malaria- and tuberculosis-free Africa, by addressing the needs of all, in particular the needs of women, children and young people, and by achieving as closely as possible the goal of universal access by 2010 to comprehensive HIV/AIDS prevention programmes, treatment, care and support in African countries, to accelerate and intensify efforts to expand access to affordable and quality medicines in Africa, including antiretroviral drugs, inter alia, by encouraging pharmaceutical companies to make drugs available, and to ensure strengthened global partnership and increased bilateral and multilateral assistance, where possible on a grant basis, to combat HIV/AIDS, malaria, tuberculosis and other infectious diseases in Africa through the strengthening of health systems;

6. *Expresses concern* over the multiple, interrelated and mutually exacerbating current global crises, and expresses concern, in particular, that the global financial and economic crisis, climate change, the food crisis and volatile energy prices pose serious challenges to the fight against poverty and hunger, which could further undermine the achievement of the internationally agreed development goals, including the Millennium Development Goals, particularly in Africa;

7. *Expresses grave concern* that Africa is among the hardest hit by the impact of the world financial and economic crisis, and therefore reaffirms that it will continue to support the special needs of Africa and take action to mitigate the multidimensional impacts of the crisis on the continent;

8. *Expresses concern* at Africa's disproportionately low share in the volume of international trade, which stands at only 2 per cent, its low share of official development assistance, the increased debt burden of some African countries, rising unemployment rates and the falls in capital inflows, and the significant fall in remittances to the continent as a result of the world financial and economic crisis, which negatively impact the hard-earned socio-economic and political gains that Africa has achieved in recent years;

9. *Reaffirms* the need to enhance the voice and participation of developing countries in international economic decision-making and norm-setting, including African countries, and notes recent steps being taken in this regard, and

emphasizes in this context that the current world economic and financial crisis and efforts to address it should not lead to further marginalization of the African continent;

10. *Also reaffirms* the commitment by all States to establish a monitoring mechanism to follow up on all commitments related to the development of Africa, as contained in the political declaration on Africa's development needs, and in this context requests the President of the General Assembly at its sixty-fifth session to initiate informal consultations, led by Member States, with the participation of relevant stakeholders, taking into account the report of the Secretary-General, with a view to reaching an agreement on this issue, building on existing mechanisms;

11. *Reaffirms its full support* for the implementation of the Declaration of Commitment on HIV/AIDS, adopted at the twenty-sixth special session of the General Assembly on 27 June 2001, and the Political Declaration on HIV/AIDS, adopted by the Assembly on 2 June 2006;

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Actions by African countries and organizations

12. *Welcomes* the progress made by the African countries in fulfilling their commitments in the implementation of the New Partnership to deepen democracy, human rights, good governance and sound economic management, and encourages African countries, with the participation of stakeholders, including civil society and the private sector, to continue their efforts in this regard by developing and strengthening institutions for governance, creating an environment conducive to involving the private sector, including small and medium-sized enterprises, in the New Partnership implementation process and to attracting foreign direct investment for the development of the region;

13. *Notes with appreciation* the efforts exerted by the African Union and the regional economic communities in the area of economic integration, as well as ongoing efforts by the African Union in the operationalization of the provision contained in General Assembly resolutions 59/213 of 20 December 2004, 61/296 of 17 September 2007 and 63/310 of 14 September 2009, and stresses the key role of the United Nations system in supporting the African Union, in the social, economic and political fields and in the area of peace and security;

14. *Welcomes* the commendable progress that has been achieved in implementing the African Peer Review Mechanism, in particular the completion of the peer review process in twelve countries, and welcomes the progress in implementing the national programmes of action resulting from these reviews, and in this regard urges African States that have not yet done so to consider joining the Mechanism process and to strengthen the Mechanism process for its efficient performance;

15. *Welcomes and appreciates* the continuing and increasing efforts of African countries in mainstreaming a gender perspective and the empowerment of women in the implementation of the New Partnership;

16. *Recognizes* the need for African countries to continue to coordinate, in accordance with their respective national strategies and priorities, all types of external support in order to integrate effectively such assistance into their development processes;

17. *Encourages* African countries to accelerate the achievement of the objective of food security in Africa,

and welcomes the commitment made by African leaders to raise the share of agriculture and rural development in their budget expenditures, and in this regard reaffirms its support for, inter alia, the Comprehensive Africa Agriculture Development Programme and the outcome of the post-Abuja meeting of the International Technical Committee of the Food Security Summit, held in Addis Ababa in May 2007;

18. *Recognizes* the important role that African regional economic communities can play in the implementation of the New Partnership, and in this regard encourages African countries and the international community to give regional economic communities the support necessary to strengthen their capacity;

19. *Welcomes* the progress made and the decisions taken towards the integration of the New Partnership into the African Union structures and processes;

20. *Also welcomes* the collaboration between the African Private Sector Forum and the United Nations Global Compact, and encourages the strengthening of this partnership in conjunction with the African Union Commission in support of the development of the African private sector and the promotion of public-private partnership projects and the achievement of the Millennium Development Goals, in line with the relevant executive decisions of the African Union;

21. *Encourages* African countries to further enhance public awareness of the objectives and goals of the New Partnership and its programmes through, inter alia, effective and comprehensive continent-wide communication and outreach strategies;

22. *Also encourages* African countries to strengthen and expand local and transit infrastructure and to continue sharing best practices with a view to strengthening regional integration;

II

Response of the international community

23. *Welcomes* the efforts by development partners to strengthen cooperation with the New Partnership;

24. *Recognizes* the important role that South-South and triangular cooperation can play in supporting Africa's development efforts, including implementation of the New Partnership;

25. *Welcomes* the various important initiatives established between African countries and their development partners in recent years, such as the Africa Partnership Forum, the New Asian-African Strategic Partnership, the Forum on China-Africa Cooperation, the European Union-Africa Strategic Partnership, the Group of Eight-Africa Partnership, the Millennium Challenge Account, the Emergency Plan for AIDS Relief of the President of the United States of America, the Africa-Turkey Cooperation Summit, the Africa-South America Summit, the Tokyo International Conference on African Development, the comprehensive health-care initiative sponsored by the Government of Cuba, the Republic of Korea-Africa Forum, the special technical assistance programme for Africa of Pakistan, the Viet Nam-Africa cooperation partnership, the India-Africa Forum, the programme for cooperation in agriculture between Chile and Kenya, the United Republic of Tanzania, Ethiopia and Uganda, and the Singa-

pore Cooperation Programme for African countries, and emphasizes in this regard the importance of coordination in such initiatives on Africa and the need for their effective implementation;

26. *Urges* continued support of measures to address the challenges of poverty eradication and sustainable development in Africa including, as appropriate, debt relief, improved market access, support for the private sector and entrepreneurship, fulfilment of commitments on official development assistance and increased flows of foreign direct investment, and transfer of technology;

27. *Recognizes* that Africa, which contributes the least to climate change, is one of the regions most vulnerable and most exposed to its adverse impact, and in this regard calls upon the international community, in particular developed countries, to support Africa in its adaptation and sustainable development efforts through, inter alia, the transfer and deployment of technology, capacity-building and the provision of adequate and predictable new resources;

28. *Reiterates* the need for all countries and relevant multilateral institutions to continue efforts to enhance coherence in their trade policies towards African countries, and acknowledges the importance of efforts to fully integrate African countries into the international trading system and to build their capacity to compete through initiatives such as aid for trade and, given the global economic and financial crisis, the provision of assistance to address the adjustment challenges of trade liberalization;

29. *Calls for* a comprehensive and sustainable solution to the external debt problems of African countries, including cancellation or restructuring, as appropriate, and on a case-by-case basis, for heavily indebted African countries not part of the Heavily Indebted Poor Countries Initiative that have unsustainable debt burdens, and emphasizes the importance of debt sustainability;

30. *Recognizes* that the negative impact of the world financial and economic crisis on development is still unfolding and entails the possibility of undoing the progress towards achieving the Millennium Development Goals and that it may threaten debt sustainability in some developing countries, inter alia, through its impact on the real economy and through the increase in borrowing undertaken in order to mitigate the negative impacts of the crisis;

31. *Calls for* the fulfilment of pledges by the Group of Eight countries to double by 2010 official development assistance to Africa, and in this regard calls upon the international community to honour its commitments;

32. *Acknowledges* efforts by developed countries to increase resources for development, including commitments by some developed countries to increase official development assistance, and calls for the fulfilment of all official development assistance commitments, including the commitments by many developed countries to achieve the target of 0.7 per cent of gross national income for official development assistance to developing countries by 2015 and to reach the level of at least 0.5 per cent of gross national income for official development assistance by 2010, as well as the target of 0.15 to 0.20 per cent of gross national income for official development assistance to least developed countries, and urges those developed countries that have not yet done so to make concrete efforts in this regard in accordance with their reiterated commitments;

33. *Welcomes* the efforts of some developed countries, which are on target to meet the commitments made in terms of increased official development assistance;

34. *Also welcomes* recent efforts and initiatives to enhance the quality of aid and to increase its impact, including the Paris Declaration on Aid Effectiveness and the Accra Agenda for Action, and the resolve to take concrete, effective and timely action in implementing all agreed commitments on aid effectiveness, with clear monitoring and deadlines, including by further aligning assistance with countries' strategies, by building institutional capacities, by reducing transaction costs and eliminating bureaucratic procedures, by making progress on untying aid, by enhancing the absorptive capacity and financial management of recipient countries and by strengthening the focus on development results;

35. *Recognizes* the need for the international community to align its efforts more specifically towards supporting the Comprehensive Africa Agriculture Development Programme, and in this regard takes note of the Rome Declaration on World Food Security;

36. *Also recognizes* the need for the international community to make continued efforts to increase the flow of new and additional resources for financing for development from all sources, public and private, domestic and foreign, to support the development of African countries;

37. *Invites* all of Africa's development partners, in particular developed countries, to support African countries in promoting and maintaining macroeconomic stability, to help African countries to attract investments and promote policies conducive to attracting domestic and foreign investment, for example by encouraging private financial flows, to promote investment by their private sectors in Africa, to encourage and facilitate the transfer of the technology needed to African countries on favourable terms, including on concessional and preferential terms, as mutually agreed, and to assist in strengthening human and institutional capacities for the implementation of the New Partnership, consistent with its priorities and objectives and with a view to furthering Africa's development at all levels;

38. *Stresses* that conflict prevention, management and resolution and post-conflict consolidation are essential for the achievement of the objectives of the New Partnership, and welcomes in this regard the cooperation and support granted by the United Nations and development partners to the African regional and subregional organizations in the implementation of the New Partnership;

39. *Welcomes* the continued efforts of the United Nations Peacebuilding Commission in assisting post-conflict countries in Africa and the strengthening of the relationship between the Peacebuilding Commission and the African Union, and appreciates in this regard the visit by the Chair of the Organizational Committee of the Peacebuilding Commission and the Chairs of the country-specific configurations to African Union headquarters on 9 November 2009;

40. *Requests* the United Nations system to continue to provide assistance to the African Union and the New Partnership secretariat and to African countries in developing projects and programmes within the scope of the priorities of the New Partnership and to place greater emphasis on monitoring, evaluation and dissemination of the effectiveness of its activities in support of the New Partnership;

41. *Welcomes* the Basic Education in Africa Programme of the United Nations Educational, Scientific and Cultural Organization, which seeks to prioritize education and which supports holistic and comprehensive reform;

42. *Invites* the Secretary-General, as a follow-up to the 2005 World Summit, to urge the United Nations development system to assist African countries in implementing quick-impact initiatives through, inter alia, the Millennium Villages Project, and requests the Secretary-General to include in his report an assessment of those quick-impact initiatives;

43. *Requests* the Secretary-General to promote greater coherence in the work of the United Nations system in support of the New Partnership, on the basis of the agreed clusters, and in this regard calls upon the United Nations system to continue to mainstream the special needs of Africa in all its normative and operational activities;

44. *Also requests* the Secretary-General to take measures to strengthen the Office of the Special Adviser on Africa in order to enable it to effectively fulfil its mandate, including monitoring and reporting on progress related to meeting the special needs of Africa;

45. *Further requests* the Secretary-General to submit a comprehensive report on the implementation of the present resolution to the General Assembly at its sixty-fifth session on the basis of inputs from Governments, organizations of the United Nations system and other stakeholders in the New Partnership.

CPC action. CPC, at its fiftieth session (7 June–2 July) [A/65/16], welcomed the Secretary-General's report on NEPAD (see p. 908). The Committee recommended that the Assembly request UN system organizations to coordinate closely with the AU Commission and its NEPAD structures, including the RCM, and stressed the lead role of the Office of the Special Adviser on Africa in promoting regional cooperation for the development of Africa. It also welcomed the political declaration on South-South cooperation adopted by the 2009 High-level United Nations Conference on South-South Cooperation [YUN 2009, p. 876], and reiterated the need for the Office of the Special Adviser on Africa to pursue the principles underpinning South-South cooperation in addressing the challenges faced by African countries.

Report of Secretary-General (July). In response to Assembly resolution 64/258 (see p. 908), the Secretary-General submitted, in July, his comprehensive report [A/65/167] assessing the progress achieved to implement and support NEPAD, which highlighted the policy measures taken by African countries and organizations in that regard, the response of the international community and the support provided by the UN system during the previous year. Efforts continued to implement various infrastructure programmes, in particular the short-term action plan and the Programme for Infrastructure Development in Africa, in close collaboration with the African Development Bank. In the area of transport infrastructure, the NEPAD Planning and Coordinating Agency

(NPCA) developed the NEPAD East-West corridor, and a feasibility study was conducted to provide an integrated transport infrastructure solution from Senegal to Nigeria. In the energy sector, NEPAD prepared a regional programme for energy poverty alleviation based on the off-grid electrification concept that was successfully implemented in China and India. Substantial progress was also made in implementing the Comprehensive Africa Agriculture Development Programme (CAADP), and at the time of the report, eight countries had allocated more than 10 per cent of their budgets to agriculture. Other achievements included coordinating a consortium to strengthen the harmonization of drug registration with partner organizations; the graduation of 11 master's students in community health nursing and psychiatric nursing through the human resource development initiative; setting up 100 NEPAD e-Schools in 16 countries; and piloting a two-year business incubation project for African women entrepreneurs.

The report also discussed the activities of the Regional Coordination Mechanism of UN entities and organizations working in Africa in support of the AU and NEPAD, as well as progress achieved with the Millennium Villages Project and the peer review process. In that regard, 12 countries were peer-reviewed by the African Peer Review Forum by June. The Secretary-General concluded that progress had been achieved in implementing NEPAD projects, in moving forward the African Peer Review mechanism, and in increasing official development assistance to Africa. He recommended that development partners scale up their financial and technical assistance and that the international community ensure that multilateral trade agreements prioritized Africa's needs and incorporated development provisions. African countries were encouraged to provide the AU Commission and NPCA with adequate human and financial resources; enhance the capacity of the regional economic communities as vehicles for implementing NEPAD regional projects; implement the CAADP compacts, prioritizing investment in agriculture; increase spending on agriculture and rural development to 10 per cent of public expenditure; and improve women's access to education, farming land, fertilizers, credit and markets, and increase their participation in decision-making processes. The Secretary-General called on developed countries and multilateral development agencies to assist the NPCA and African countries in the formulation of country-specific strategies for improving investment climates, and on donors to mobilize additional resources for climate change.

JIU report. In February, the Secretary-General transmitted to the Assembly the Joint Inspection Unit (JIU) report [A/65/62] entitled "Towards a more coherent United Nations system support to Africa". The review evaluated the system-wide cooperation

framework, drawing on and sharing lessons learned, as well as identifying best coordination practices and collaboration methods, with regard to UN system support to Africa. JIU made 17 recommendations, 14 addressed to the executive heads of the UN system organizations and 3 for consideration by their governing bodies, aimed at enhancing coordination, cooperation and coherence of UN system support to Africa.

JIU concluded that, since the proliferation of mandates and programmes generated structural overlaps and dispersion of effort and resources, the mandates regarding UN system support to Africa should be reviewed. There was a need for better communication and information-sharing among the various organizations, entities, departments and offices having a stake in support of Africa, and for better system-wide coordination and cooperation. In that context, the United Nations System Chief Executives Board for Coordination (CEB) should include in its agenda support to the AU and its NEPAD programme as a regular standing item. The RCM and its cluster system faced constraints and challenges with respect to commitment and leadership; coordination; accountability; monitoring and evaluation; resource mobilization and capacity-building; communication, outreach and advocacy; and alignment with AU and NEPAD priorities, including regional integration. Given the proactive strategic coordinator role expected from the Economic Commission for Africa (ECA), its capacities and those of the RCM should be strengthened.

JIU also recommended the establishment of a high-level steering committee for overseeing the activities of the RCM and its clusters; better aligning the RCM and its clusters with the needs and priorities of the AU and its NEPAD programme; aligning the planning, programming and budget cycles of the programmes of UN system organizations in support of the AU and its NEPAD programme; fully implementing and operationalizing the "Umbrella Agreement" between the regional commissions and the United Nations Development Programme (UNDP) to facilitate and enhance communication, coordination and cooperation between ECA and RCM on one side and UNDP and the Regional Directors Teams (RDTs) in Africa on the other; participation of all UN system organizations in the RCM; enhancing coherence at the subregional level by leveraging the capacities of ECA and its five subregional offices in Africa; establishing a system-wide subregional coordination mechanism; and ensuring that the regional economic communities in Africa were closely involved in the work of the RCM.

African Governments should be more involved in the development, implementation and monitoring of the United Nations Development Assistance Frameworks. The capacities and resources of the two RDTs in Africa should be strengthened to ensure their effective functioning. UN system organizations should

better align the planning, programming and budget cycles of their country programmes in Africa to facilitate joint programming, the establishment of joint monitoring and evaluation frameworks, and simplified reporting arrangements at the country level. The Secretary-General should review resource mobilization, funding mechanisms and modalities within the UN system for ensuring the financial sustainability of UN system support to Africa.

In August [A/65/62/Add.1], the Secretary-General submitted to the Assembly his comments and those of CEB on the JIU report. He reported that UN system entities generally supported the report's main recommendations. They noted the observation that the growing number of agencies operating in Africa and the multiplicity of coordinating, steering and working committees and groups were posing challenges to the UN system's ability to carry out its work with efficiency and clarity.

Economic Commission for Africa. In February, the Economic Commission for Africa and the AU Commission issued a report [E/ECA/COE/29/16] on UN system-wide support to the AU and its NEPAD programme in the context of the RCM. The report noted that finalizing the integration of NEPAD into the AU Commission's structures and processes would ensure continuity and better coordination in the implementation of RCM activities.

Follow-up to high-level meeting on Africa's development needs

In response to General Assembly resolutions 63/1 [YUN 2008, p. 1009] and 64/258 (see p. 908), the Secretary-General in July submitted a report [A/65/165] on a monitoring mechanism to review commitments towards Africa's development needs. The report showed that while monitoring mechanisms or processes provided extensive coverage of commitments made by African Governments and agencies and their development partners, there were a number of limitations to those mechanisms, including their focus on a limited number of commitments; inadequate coverage of other development partners; limited coverage of non-State agencies, such as NGOs; and inadequate involvement of African Governments and stakeholders in those mechanisms, thus undermining their ownership and legitimacy. The report outlined the nature, scope, priorities and institutional arrangements for an improved monitoring mechanism that would involve periodic reviews, either under the aegis of the Assembly in the context of its agenda item on NEPAD, or as a subsegment of the Development Cooperation Forum (DCF) [YUN 2007, p. 833] dedicated exclusively to issues on Africa.

The Secretary-General suggested that the Assembly consider establishing a review process wherein com-

mitments to Africa's development by both African Governments and their development partners and their implementation would be reviewed every two years at formal review meetings of the Assembly beginning at its sixty-eighth (2013) session, or at the DCF, beginning in 2014; deciding that the objective of each review meeting would be to assess the extent to which commitments to promote Africa's development had been implemented and were generating results; and ensuring participation by major regional and subregional institutions in organizing components of the review meetings.

On 24 December, the General Assembly decided that the agenda item on "NEPAD: progress in implementation and international support" would remain for consideration during its resumed sixty-fifth (2011) session (**decision 65/544**).

Social dimensions of NEPAD

The Commission for Social Development, at its forty-eighth session (New York, 13 February 2009 and 3–12 and 19 February 2010) [E/2010/26-E/CN.5/2010/9], recommended to the Economic and Social Council for adoption a resolution on the social dimensions of NEPAD. In resolution 2010/11 (see below), the Council decided that the Commission for Social Development should continue to give prominence to and raise awareness of the social dimensions of NEPAD during its forty-ninth (2011) session. It requested the Secretary-General to submit a report on the subject to the aforementioned session.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 22 July [meeting 45], the Economic and Social Council, on the recommendation of the Commission for Social Development [E/2010/26], adopted **resolution 2010/11** without vote [agenda item 14 (b)].

Social dimensions of the New Partnership for Africa's Development

The Economic and Social Council,

Recalling the outcomes of the World Summit for Social Development, held in Copenhagen from 6 to 12 March 1995, and of the twenty-fourth special session of the General Assembly entitled "World Summit for Social Development and beyond: achieving social development for all in a globalizing world", held in Geneva from 26 June to 1 July 2000,

Reaffirming the United Nations Millennium Declaration of 8 September 2000, the United Nations Declaration on the New Partnership for Africa's Development of 16 September 2002 and General Assembly resolution 57/7 of 4 November 2002 on the final review and appraisal of the United Nations New Agenda for the Development of Africa in the 1990s and support for the New Partnership for Africa's Development,

Taking note of the conclusions of the African Union Extraordinary Summit on Employment and Poverty Alleviation in Africa, held in Ouagadougou on 8 and 9 September 2004,

Recognizing the commitments made with regard to meeting the special needs of Africa at the 2005 World Summit and reaffirmed in the political declaration on Africa's development needs adopted at the high-level meeting held at United Nations Headquarters on 22 September 2008,

Remaining concerned that Africa is the only continent currently not on track to achieve any of the goals set out in the Millennium Declaration by 2015, and in this regard emphasizing that concerted efforts and continued support are required to fulfil the commitments to address the special needs of Africa,

Expressing deep concern that attainment of the social development objectives may be hindered by the financial and economic crisis, as well as by challenges brought about by the food and energy crises and climate change,

Recognizing that capacity-building, knowledge-sharing and best practices are essential for the successful implementation of the New Partnership for Africa's Development, and recognizing also the need for continued support from the international community, New Partnership for Africa's Development partners and United Nations agencies,

Bearing in mind that African countries have primary responsibility for their own economic and social development, that the role of national policies and development strategies cannot be overemphasized and that the development efforts of such countries need to be supported by an enabling international economic environment, and in this regard recalling the support given by the International Conference on Financing for Development to the New Partnership,

1. *Takes note* of the report of the Secretary-General;

2. *Welcomes* the progress made by African countries in fulfilling their commitments in the implementation of the New Partnership for Africa's Development to deepen democracy, human rights, good governance and sound economic management, and encourages African countries, with the participation of stakeholders, including civil society and the private sector, to intensify their efforts in this regard by developing and strengthening institutions for governance and by creating an environment conducive to attracting foreign direct investment for the development of the region;

3. *Also welcomes* the progress that has been made in implementing the African Peer Review Mechanism, as reflected, in particular, by the number of countries that have signed up to participate in the Mechanism, the completion of the peer review process and the progress in implementing the recommendations of those reviews in some countries and the completion of the self-assessment process, the hosting of country support missions and the launching of the national preparatory process for the peer review in others, and urges African States that have not yet done so to join the Mechanism, as a matter of priority, and to strengthen the peer review process so as to ensure its efficient performance;

4. *Welcomes in particular* the organization of the first session of the African Union Conference of Ministers in charge of Social Development, held in Windhoek from 27 to 31 October 2008, and recalls in this regard the African Common Position on Social Integration and the Social Policy Framework for Africa, both of which have been endorsed by Africa's Heads of State;

5. *Welcomes* the efforts made by African countries and regional and subregional organizations, including the African Union, to mainstream a gender perspective and the

empowerment of women in the implementation of the New Partnership, including through the implementation of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa;

6. *Emphasizes* that the African Union and the regional economic communities have a critical role to play in the implementation of the New Partnership, and in this regard encourages African countries, with the assistance of their development partners, to increase and coordinate effectively their support for enhancing the capacities of those institutions and to promote regional cooperation and social and economic integration in Africa;

7. *Also emphasizes* that progress in the implementation of the New Partnership depends also on a national and international environment favourable to Africa's growth and development, including measures to promote a policy environment conducive to private sector development and entrepreneurship;

8. *Further emphasizes* that democracy, respect for all human rights and fundamental freedoms, including the right to development, transparent and accountable governance and administration in all sectors of society, and effective participation by civil society, including non-governmental and community-based organizations, and by the private sector are among the indispensable foundations for the realization of social and people-centred sustainable development;

9. *Emphasizes* that the increasing unacceptably high levels of poverty and social exclusion faced by most African countries require a comprehensive approach to the development and implementation of social and economic policies, inter alia, to reduce poverty, to promote economic activity, growth and sustainable development, to ensure employment creation and decent work for all, to promote education, health and social protection and to enhance social inclusion, political stability, democracy and good governance and the promotion and protection of human rights and fundamental freedoms, so as to ensure the achievement of Africa's social and economic objectives;

10. *Recognizes* that, while social development is primarily the responsibility of Governments, international cooperation and assistance are essential for the full achievement of that goal;

11. *Also recognizes* the contribution made by Member States to the implementation of the New Partnership in the context of South-South cooperation, and encourages the international community, including the international financial institutions, to support the efforts of African countries, including through trilateral cooperation;

12. *Welcomes* the various important initiatives undertaken by Africa's development partners in recent years, and in this regard emphasizes the importance of coordination in such initiatives on Africa by ensuring the effective implementation of existing commitments, including through the African Union/New Partnership for Africa's Development African Action Plan 2010–2015: Advancing Regional and Continental Integration in Africa;

13. *Recognizes* the Regional Coordination Mechanism of United Nations agencies and organizations working in Africa in support of the African Union and its New Partnership for Africa's Development Programme of Action, which aims to ensure coordination and coherence in the delivery of support for greater effectiveness and impact

through increased joint programming and joint implementation of activities;

14. *Urges* continuous support for measures to address the challenges of poverty eradication and sustainable development in Africa, with special emphasis on the Millennium Development Goals related to poverty and hunger, health, education, empowerment of women and gender equality, including, as appropriate, debt relief, improved market access, support for the private sector and entrepreneurship, enhanced official development assistance, increased foreign direct investment and transfer of technology on mutually agreed terms, empowerment of women in all aspects, including economic and political aspects, the promotion of social protection systems and the conclusion of the current round of negotiations of the World Trade Organization;

15. *Recognizes* that the implementation of the commitments made by Governments during the First United Nations Decade for the Eradication of Poverty (1997–2006) has fallen short of expectations, and welcomes the proclamation of the Second Decade (2008–2017) by the General Assembly in its resolution 62/205 of 19 December 2007 in order to support, in an efficient and coordinated manner, the internationally agreed development goals related to poverty eradication, including the Millennium Development Goals;

16. *Encourages* all development partners to implement the principles of aid effectiveness, as recalled in the Doha Declaration on Financing for Development adopted on 2 December 2008 by the Follow-up International Conference on Financing for Development to Review the Implementation of the Monterrey Consensus;

17. *Recognizes* the need for national Governments and the international community to make continued efforts to increase the flow of new and additional resources for financing for development from all sources, public and private, domestic and foreign, to support the development of African countries;

18. *Acknowledges* the activities of the Bretton Woods institutions and the African Development Bank in African countries, and invites those institutions to continue their support for the implementation of the priorities and objectives of the New Partnership;

19. *Encourages* Africa's development partners to continue to integrate the priorities, values and principles of the New Partnership into their development assistance programmes;

20. *Encourages* African countries and their development partners to place people at the centre of government development action and to secure core investment spending in health, education and social safety nets;

21. *Notes* the growing collaboration among the entities of the United Nations system in support of the New Partnership, and requests the Secretary-General to promote greater coherence in the work of the United Nations system in support of the New Partnership, on the basis of the agreed clusters;

22. *Emphasizes* the importance for the communication, advocacy and outreach cluster to continue to muster international support for the New Partnership and to urge the United Nations system to demonstrate more evidence of cross-sectoral synergies in order to promote a comprehensive approach regarding successive phases of planning and implementation of social development programmes in Africa;

23. *Invites* the Secretary-General, as a follow-up to the 2005 World Summit, to urge the organizations and bodies of the United Nations system to assist African countries in implementing quick-impact initiatives, based on their national development priorities and strategies, to enable them to achieve the Millennium Development Goals, and, in this respect, acknowledges commitments made by development partners;

24. *Encourages* the international community to support African countries in addressing the challenges of climate change by providing the financial and technological resources and capacity-building needed to support adaptation and mitigation action;

25. *Requests* the Secretary-General to continue to take measures to strengthen the Office of the Special Adviser on Africa, and requests the Office to collaborate with the Department of Economic and Social Affairs of the Secretariat and to include the social dimensions of the New Partnership in its comprehensive reports to the General Assembly at its sixty-fifth session;

26. *Requests* the Commission for Social Development to discuss in its annual programme of work those regional programmes that promote social development so as to enable all regions to share experiences and best practices, with the agreement of the countries concerned, and in this regard requests that the programmes of work of the Commission include the priority areas of the New Partnership, as appropriate;

27. *Decides* that the Commission for Social Development should continue to give prominence to and raise awareness of the social dimensions of the New Partnership at its forty-ninth session;

28. *Requests* the Secretary-General, in collaboration with the Office of the Special Adviser on Africa, taking into consideration General Assembly resolution 62/179 of 19 December 2007 entitled "New Partnership for Africa's Development: progress in implementation and international support", to submit to the Commission for Social Development at its forty-ninth session, under agenda item 3, a report on the social dimensions of the New Partnership.

Report of Secretary-General. In response to Council resolution 2010/11 (see p. 913), the Secretary-General in November submitted a report [E/CN.5/2011/4] on the social dimensions of NEPAD, which presented initiatives and activities being undertaken. The report assessed progress in the areas of sustainable growth, eradicating poverty and hunger, education and health, gender and the Comprehensive Africa Agriculture Development Programme, along with infrastructure development, trade and regional integration. The Secretary-General noted that the global financial and economic crisis affected the implementation and attainment of NEPAD priorities in several ways, including reduced fiscal space of countries and poor Government revenues due to the decline in commodity prices; slowed lending and investment in African countries due to the increased cost of finance; a significant decline in foreign direct investment; an expansion of the ranks of the working poor and informal employment due to a lower

demand for African commodities and products; and reductions in purchasing power. Overcoming those challenges would require that African Governments double efforts to mobilize domestic resources and reverse the flow of resources to developed countries; that regional and national development institutions were adequately resourced; and that donor countries delivered on their aid commitments.

Liberia

In response to General Assembly resolution 63/136 [YUN 2008, p. 1018], the Secretary-General in September submitted a report [A/65/357] on humanitarian assistance and reconstruction of Liberia, covering the period from September 2008 to August 2010. The report provided a status update and an analysis of the challenges to the delivery of humanitarian relief and rehabilitation assistance by the United Nations and its partners to Liberia. The Secretary-General noted that immediate humanitarian needs were decreasing, and the main challenges facing the country were reconstruction and stability. UNHCR continued to assist 11,000 people; over 64,000 refugees remained in countries of asylum, while more than 169,000 had returned to Liberia.

African countries emerging from conflict

On 19 July [E/2010/SR.40], the Chair of the Peacebuilding Commission addressed the Economic and Social Council on the question of African countries emerging from conflict. In the four countries on its agenda, namely Burundi (see p. 146), the Central African Republic (see p. 154), Guinea-Bissau (see p. 229) and Sierra Leone (see p. 217), the Commission's engagement was based on the principles of national ownership of the peacebuilding process, partnerships in support of national efforts, and mutual accountability for results. The Chair briefed the Council on post-conflict recovery in those countries and said that, since June 2009, seven African post-conflict countries had benefited from the newly introduced Peacebuilding Recovery Facility.

On 19 July, the Council decided to consider the matter at its 2011 substantive session and invited the Chair of the Peacebuilding Commission to continue to inform it of the economic and social challenges of peacebuilding in the African countries on the Commission's agenda (**decision 2010/231**).

Other economic assistance

Haiti

In response to Economic and Social Council resolution 2009/4 [YUN 2009, p. 904], the Ad Hoc Advisory Group on Haiti reported in July [E/2010/102 & Corr.1]

on its findings during its visit in June. The aim of the visit was to see, after the 12 January earthquake (see p. 320), how the economic and social situation had evolved on the ground and how international assistance had permitted a transition from recovery to reconstruction, in line with the aid efficiency principles adopted at the ministerial preparatory conference on Haiti (Montreal, Canada, 25 January) and endorsed at the international donors' conference "Towards a New Future for Haiti" (New York, 31 March) (see below). The Group adjusted its working methods after the earthquake, following the March conference and the World Summit for the Future of Haiti in June (see p. 917).

As at late May, there were some 1.6 million IDPs in the country, at 1,342 sites, most of them in the area of the capital, Port-au-Prince. Preferring to be near water, health-care services and cash-for-work or food-for-work programmes in the camps, some people had chosen not to return to their neighbourhoods. As a result, widespread humanitarian assistance was needed. Efforts had been made to improve the situation in the camps and to provide transitional shelters. Also vital was large-scale rubble removal, for which there was little expertise and capacity. Enhanced recovery measures to that end were needed. While noting that the holding of the first meeting of the Interim Haiti Recovery Commission, co-chaired by Prime Minister Jean-Max Bellerive and former United States President William Jefferson Clinton, demonstrated the common willingness of many stakeholders to move forward in a coordinated and transparent way, the Advisory Group recognized that the high number of NGOs in the country at times led to counterproductive initiatives, and emphasized the importance of working within the framework of the Government's Action Plan for National Recovery and Development of Haiti. The Group also recommended the use of the aid-tracking portal established by the Government and UNDP by all partners, including NGOs. A Haiti Reconstruction Fund was established and 12 projects were submitted to the Fund by the UN country team, with a budget of over \$200 million. The Group stressed the need for all countries that had pledged funds to disburse them fully and rapidly, and reiterated its appeal to international stakeholders to work with the Government and to consider increasing their support.

International conferences. At the international donors' conference on the theme "Towards a New Future for Haiti" (New York, 31 March), 55 Governments and multilateral institutions pledged \$5.6 billion for Haiti's recovery and development, comprising \$4.6 billion for aid programmes and \$1 billion for debt relief. Sectors receiving the most support were social and territorial rebuilding. The Secretary-General urged "full and generous sup-

port” for the Government’s Action Plan for National Recovery and Development. Of the funds pledged, \$5.26 billion was for the financing of specific projects of the Plan, a figure exceeding the estimated \$4 billion needed over the following 18 months. The funds would be managed by the Haiti Reconstruction Fund through the Interim Haiti Recovery Commission. In 2010, donors disbursed 36.1 per cent (\$1.66 billion) for the combined 2010–2011 time-frame, leaving 63.9 per cent (\$2.93 billion) to be disbursed in 2011.

The World Summit for the Future of Haiti (Punta Cana, Dominican Republic, 2 June) followed up on the action taken by the international community at the March donors’ conference. It was organized around the four pillars of the Action Plan—ending the emergency response and moving towards reconstruction; providing urgent humanitarian aid; reconstruction and rebuilding; and social development reconstruction—and discussed the list of related investment projects. Representatives of Governments and international agencies stated their support for private investment, the role of civil society organizations in achieving the objectives of the Action Plan, and the strengthening of institutional capacities of the central administration and local governments. Participants recommended that special effort be made to provide budgetary support to the Government, which faced an \$80 million deficit for 2010.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 23 July [meeting 46], the Economic and Social Council adopted **resolution 2010/28** [draft: E/2010/L.27], without vote [agenda item 7 (d)].

Ad Hoc Advisory Group on Haiti

The Economic and Social Council,

Recalling its resolutions 2004/52 of 23 July 2004, 2005/46 of 27 July 2005, 2006/10 of 26 July 2006, 2007/13 of 25 July 2007, 2008/10 of 23 July 2008 and 2009/4 of 23 July 2009 and its decisions 2004/322 of 11 November 2004, 2009/211 of 20 April 2009 and 2009/267 of 15 December 2009,

1. *Welcomes* the report of the Ad Hoc Advisory Group on Haiti and the recommendations contained therein;
2. *Also welcomes* the special event on Haiti held by the Economic and Social Council on 24 June 2010 and the relevant follow-up at its substantive session;
3. *Expresses its deepest sympathy and solidarity* to all those affected by the devastating earthquake of 12 January 2010 in Haiti and to their families;
4. *Expresses its concern* over the exceptionally devastating impact of the earthquake on Haiti, welcomes the pledges for support made at the International Donors’ Conference entitled “Towards a New Future for Haiti”, held in New York on 31 March 2010, and at the World Summit for the Future of Haiti, held in Punta Cana, Dominican Republic, on 2 June 2010, and encourages the international community to continue providing support for the short- and long-term needs for the recovery and reconstruction of Haiti;

5. *Affirms* the leading role of the Government of Haiti in all aspects of the recovery, reconstruction and development plans for the country;

6. *Recognizes* that political stability and socio-economic recovery are essential to the long-term development of Haiti, and welcomes the efforts and support provided by the United Nations and the international community in both fields, in line with Haitian national priorities, the recent Government decrees on the presidential and legislative elections scheduled for 28 November 2010 and the Government’s Action Plan for National Recovery and Development of Haiti;

7. *Commends* the creation of the Interim Haiti Recovery Commission, co-chaired by the Prime Minister of Haiti, Mr. Jean-Max Bellerive, and the former President of the United States of America, Mr. William Jefferson Clinton, aimed at conducting strategic planning and co-ordination and implementing resources from bilateral and multilateral donors, non-governmental organizations and the business sector, with all necessary transparency and accountability, and looks forward to continued support from donors and other national, regional and international organizations, partners and stakeholders in connection with the implementation of the mandate of the Commission;

8. *Welcomes* the creation of the Haiti Reconstruction Fund, calls for support from donors and other partners, and urges them to fulfil, without delay, their pledges made earlier in the year at the International Donors’ Conference entitled “Towards a New Future for Haiti” in New York and at the World Summit for the Future of Haiti in Punta Cana;

9. *Also welcomes* the joint establishment by the Government of Haiti and the United Nations Development Programme of an aid tracking portal as a tool to ensure transparency in the provision of support for development in Haiti, and invites all development partners, including non-governmental organizations, to use it;

10. *Stresses* the need for renewed efforts and commitment at the local, national, regional and international levels to assist the Government of Haiti to rebuild the institutional and infrastructural capacity of the State, at both the central and the decentralized levels, to deliver services and coordinate donor assistance;

11. *Recognizes* the need to promote effectiveness, solidarity, efficiency, coherence and coordination among the Government of Haiti and donors, the United Nations system, the international financial institutions, including the World Bank and regional and subregional development banks, other regional and subregional organizations and institutions and relevant civil society organizations, including non-governmental organizations active in Haiti and other partners participating in the recovery, reconstruction and development efforts;

12. *Also recognizes* the support provided by various regional and subregional cooperative initiatives, including those undertaken by the Andean Development Corporation, the Association of Caribbean States, the Bank of the South, the Bolivarian Alliance for the Peoples of Our America, the Caribbean Community, the Central American Integration System, the European Union, the Inter-American Development Bank, the Inter-American Institute for Co-operation on Agriculture, the International Organization of la Francophonie, the Organization of American States, the Pan American Health Organization, PetroCaribe and

the Union of South American Nations, based, inter alia, on solidarity, complementarity, cooperation, development, friendly relations and effectiveness, aimed at supporting Haiti's efforts towards reconstruction in accordance with its national development priorities;

13. *Decides* to extend the mandate of the Advisory Group until the substantive session of 2012 of the Council, with the purpose of closely following and providing advice on Haiti's long-term development strategy to promote post-disaster socio-economic recovery, stability and reconstruction, with particular attention to the need to ensure coherence and sustainability in international support for Haiti, based on the long-term national development priorities, as contained in the Government's Action Plan for National Recovery and Development of Haiti, and stresses the need to avoid overlap and duplication with respect to existing mechanisms;

14. *Expresses its satisfaction* to the Secretary-General for the support provided to the Advisory Group, requests that he continue to strengthen the support for the activities of the Group adequately, from within existing resources, and invites Member States to enhance their support for the work of the Group, including through voluntary contributions;

15. *Recommends* that full use continue to be made of the United Nations capacity to mobilize international efforts and aid and that the leadership role of the United Nations in this respect be recognized and promoted on the ground;

16. *Requests* the Advisory Group, in accomplishing its mandate, to continue to cooperate with the Secretary-General and his Special Representative and Head of the United Nations Stabilization Mission in Haiti, the United Nations Special Envoy for Haiti, the United Nations Development Group, the Interim Haiti Recovery Commission, the Haiti Reconstruction Fund, relevant United Nations funds and programmes, the specialized agencies, the Bretton Woods institutions, regional organizations and institutions, including the Economic Commission for Latin America and the Caribbean, the Organization of American States, the Caribbean Community and the Inter-American Development Bank, and other major stakeholders;

17. *Invites* additional members to participate in the work of the Advisory Group, taking into account the need to include those that can make a positive contribution to its objectives;

18. *Requests* the Advisory Group to report on its activities in support of the recovery, reconstruction and development of the country, with recommendations, as appropriate, to the Council for its consideration at its organizational and substantive sessions of 2011.

Communication. On 20 December [E/2011/8], the Bahamas informed the Council of its wish to become a member of the Advisory Group.

Recovery and reconstruction

Report of Secretary-General. In his August report [A/65/335] on humanitarian assistance and rehabilitation for selected countries and regions, the Secretary-General highlighted that from the outset of the humanitarian response in Haiti, as well as during the recovery and reconstruction phases, the UN

country team had integrated and implemented early recovery activities in consultation with the Government. Given the challenges Haiti faced before the disaster, recovery efforts addressed wider needs and aimed at "building back better". The Organization's vision was to help the Government build a more decentralized and deconcentrated Haiti so as to withstand natural disasters and protect lives. The post-disaster needs assessment, led by the Government and supported by the United Nations and the World Bank, determined the extent of the damages, losses and recovery and reconstruction needs, as well as medium- to long-term recovery and reconstruction needs across a range of sectors. The cash-for-work programme, introduced eight days after the earthquake to provide short-term employment and inject money into the local economy had, as at 1 July, provided employment for more than 116,000 workers, 40 per cent of whom were women. Support for the recovery of the private sector was also planned. Efforts to support disaster risk management focused on strengthening the national risk and disaster management system and the Direction de la Protection Civile. Together with other agencies, the United Nations initiated a rapid multi-hazard analysis to support humanitarian activities and long-term recovery efforts. The information produced was integrated into national centres for data management and the Geographic Information System. The United Nations also contributed technical expertise to the debris removal and recycling strategies. In the light of the brain drain that occurred since the earthquake, UNDP proposed a three-year programme for expatriates to return home for periods ranging from two weeks to three months to lend their skills and services. In response to the destruction of the Ministry of Justice and Public Security, the United Nations identified immediate needs and provided basic equipment to the justice, prison and police sectors, and training and capacity-building to the police and judiciary.

GENERAL ASSEMBLY ACTION

On 15 December [meeting 67], the General Assembly adopted **resolution 65/135** [draft: A/65/L.47 & Add.1] without vote [agenda item 69 (a)].

Humanitarian assistance, emergency relief, rehabilitation, recovery and reconstruction in response to the humanitarian emergency in Haiti, including the devastating effects of the earthquake

The General Assembly,

Reaffirming its resolution 46/182 of 19 December 1991 and the guiding principles contained in the annex thereto, other relevant General Assembly and Economic and Social Council resolutions and agreed conclusions of the Council,

Recalling its resolution 64/250 of 22 January 2010,

Taking note with appreciation of the informal meetings on Haiti convened by the President of the General Assembly since January 2010,

Conscious of the huge loss of human life and the large number of people wounded and people affected by the severe impacts of the disaster on, inter alia, food security and the education, shelter and health sectors, as well as of the continued needs arising from the vulnerability of the affected populations,

Conscious also of the huge material losses sustained in respect of homes, schools, hospitals, Government facilities and basic infrastructures in the capital, Port-au-Prince, and elsewhere in the country, and expressing concern over the medium- and long-term social, economic and development impacts of the disaster on the affected country,

Concerned about the vulnerable situation of internally displaced persons in Haiti, in particular women, children, the elderly and persons with disabilities, and conscious of the need to find a durable and sustainable solution to their situation, by supporting efforts of the Government of Haiti to establish conditions, as well as provide the necessary means, which allow internally displaced persons to return voluntarily, in safety and with dignity, to their homes or places of habitual residence, or to resettle voluntarily in another part of the country,

Welcoming the efforts undertaken by the United Nations to address the issue of sexual and gender-based violence, including in camps of internally displaced persons,

Recognizing the continued need for support from the international community to address the humanitarian emergency in Haiti, especially the cholera epidemic, as well as the importance of contributing to stability and enhancing recovery and reconstruction efforts, including through an early recovery approach, in order to permit the transition from relief and recovery to development in Haiti,

Acknowledging the efforts of the people and Government of Haiti, the United Nations Stabilization Mission in Haiti and the United Nations system, as well as of the International Red Cross and Red Crescent Movement and civil society organizations, including faith-based organizations, in providing humanitarian assistance and supporting early recovery, rehabilitation and reconstruction,

Welcoming the leadership of the Secretary-General in ensuring a speedy response by the United Nations system to the tragic events, and commending the Office for the Coordination of Humanitarian Affairs of the Secretariat for its coordinating role in supporting the Government of Haiti in ensuring a coherent international response to the humanitarian emergency,

Welcoming also the efforts of the United Nations Special Envoy for Haiti to mobilize international support for emergency relief operations, rehabilitation, recovery and reconstruction, as well as of the Emergency Relief Coordinator and the Resident/Humanitarian Coordinator for Haiti,

Underlining the importance of continued humanitarian leadership and coordination of all humanitarian actors, including civil society organizations, in support of the Government of Haiti,

Reiterating the need for a continued high level of support for and commitment to the humanitarian relief, early recovery, rehabilitation, reconstruction and development efforts, including in the medium and long term, that re-

flect the spirit of international solidarity and cooperation in addressing the disaster,

Noting the enormous effort and the solidarity of the international community, reflecting the importance of the fullest coordinated response and taking into account the national development priorities of Haiti, including the Action Plan for National Recovery and Development of Haiti, that will be required to rebuild the affected areas in order to alleviate the grave situation arising from this natural disaster,

Welcoming the pledges for support made at the International Donors' Conference entitled "Towards a New Future for Haiti", held in New York on 31 March 2010, and at the World Summit for the Future of Haiti, held in Punta Cana, Dominican Republic, on 2 June 2010, and encouraging the international community to continue providing support for the short- and long-term needs for the recovery and reconstruction of Haiti,

Welcoming also the establishment of the Interim Haiti Recovery Commission and the Haiti Reconstruction Fund, which play a significant role in the reconstruction efforts in Haiti,

Reiterating the need for the United Nations system to ensure that the humanitarian, early recovery and reconstruction assistance provided is timely, adequate, effective and coherent and coordinated among all humanitarian and development actors, in coordination with and in support of the Government of Haiti, and in accordance with the principles of humanity, neutrality, impartiality and independence,

1. *Welcomes* the report of the Secretary-General submitted pursuant to resolution 64/250;

2. *Affirms* the leading role of the Government of Haiti in all aspects of the humanitarian response and in the rehabilitation, recovery, reconstruction and development plans for the country;

3. *Underlines* the overall coordinating role of the Office for the Coordination of Humanitarian Affairs in assisting the Government of Haiti in ensuring a coherent international response to the humanitarian emergency in Haiti;

4. *Calls upon* Member States, the United Nations system and relevant humanitarian organizations, including the International Red Cross and Red Crescent Movement, to continue to cooperate with the Government of Haiti for the provision of humanitarian assistance to the affected population, and emphasizes the importance of improved coordination in this regard, including with civil society organizations, which include faith-based organizations;

5. *Urges* the international community to provide increased and prompt support to the efforts of the Government of Haiti, led by the Ministry of Public Health and Population and supported by humanitarian actors, to respond to the cholera epidemic, and in this context stresses the importance of addressing the continuing challenges posed to the health system and to the water and sanitation sectors, including in the reconstruction process;

6. *Stresses* the need to enhance efforts towards reconstruction and social, environmental and economic recovery, including as a means to address the humanitarian situation in Haiti;

7. *Underlines* the urgency of taking actions that lead to a durable and sustainable solution to the situation of internally displaced persons in Haiti, in particular women,

children and persons with disabilities, and bearing in mind their particular needs, and in this regard urges humanitarian and development actors to support the Government of Haiti, upon request, in addressing, inter alia, the issues of land rights, rubble removal and the promotion of livelihoods for the affected population;

8. *Recognizes* the important role of the United Nations system in supporting efforts to address the issue of sexual and gender-based violence in Haiti, including with regard to internally displaced persons, and encourages the United Nations system and invites humanitarian and development actors to promote gender mainstreaming in all assistance and recovery processes for Haiti;

9. *Reiterates its appeal* to all Member States and all relevant organs and bodies of the United Nations system, as well as the international financial institutions and development agencies, to provide speedy, sustainable and adequate support for the relief, early recovery, rehabilitation, reconstruction and development efforts of Haiti;

10. *Calls for* support for the Haiti Reconstruction Fund from donors and other partners, and urges them to fulfil, without delay, their pledges made earlier in 2010 at the International Donors' Conference entitled "Towards a New Future for Haiti", held in New York, and at the World Summit for the Future of Haiti, held in Punta Cana;

11. *Commends* the creation of the Interim Haiti Recovery Commission, co-chaired by the Prime Minister of Haiti, Mr. Jean-Max Bellerive, and the former President of the United States of America, Mr. William Jefferson Clinton, aimed at conducting strategic planning and coordination and implementing resources from bilateral and multilateral donors, civil society organizations and the private sector, with all necessary transparency and accountability, and looks forward to continued support from donors and other national, regional and international organizations, partners and stakeholders in connection with the implementation of the mandate of the Commission;

12. *Requests* the Secretary-General and all relevant organs and bodies of the United Nations system, as well as the international financial institutions and development agencies, to assist Haiti, whenever possible, through continued effective humanitarian, technical and financial assistance that contributes to overcoming the humanitarian emergency and to the rehabilitation and recovery of the economy and the affected population, as well as to the reconstruction, in conformity with the priorities identified at the national level, including through projects that promote capacity-building and facilitate the transition from relief to development;

13. *Requests* the Secretary-General, in this regard, to consult with Member States, including through the Ad Hoc Advisory Group on Haiti, relevant United Nations organs and bodies, including the Peacebuilding Commission and the Economic and Social Council, regarding ways to achieve enhanced coordination of reconstruction and development efforts in Haiti;

14. *Requests* the relevant organs and bodies of the United Nations system and other relevant international organizations to increase their support and assistance in strengthening the capacity of Haiti for cholera response and disaster preparedness, as well as in reducing its vulnerability to natural disasters and in integrating disaster risk reduc-

tion and management in its development strategies and programmes, in accordance with the Hyogo Framework for Action 2005–2015: Building the Resilience of Nations and Communities to Disasters;

15. *Requests* the Secretary-General to keep Member States regularly informed on the humanitarian assistance efforts in Haiti and to report to the General Assembly at its sixty-sixth session on the implementation of the present resolution and on the progress made in the relief, rehabilitation and reconstruction efforts of the affected country, under the sub-item entitled "Strengthening of the coordination of emergency humanitarian assistance of the United Nations".

Third States affected by sanctions

In response to General Assembly resolution 64/115 [YUN 2009, p. 1322], the Secretary-General submitted an August report [A/65/217] that highlighted developments concerning General Assembly and Economic and Social Council activities in the area of assistance to third States affected by the application of sanctions; arrangements in the Secretariat related to assistance to those States; and operational changes as a result of the shift in focus towards targeted sanctions in the Security Council and its sanctions committees.

The Assembly took action with regard to the Secretary-General's report in **resolution 65/31** of 6 December (see p. 1350).

Disaster response

In 2010, an increased number of disasters associated with natural hazards—such as earthquakes, floods, cyclones and droughts—were recorded, with some 385 disasters that took the lives of over 297,000 people, affected 217 million others, and caused an estimated \$124 billion in economic damages. The number of people affected increased significantly from 2009, owing to several large-scale disasters. The year was the deadliest in at least two decades and was further testimony to the growing intensity of extreme events. Moreover, natural disasters had continued to occur in countries that were already suffering from conflict, compounding the humanitarian situation for the concerned populations. Donor contributions for natural disasters totalled over \$6.4 billion—100 per cent of funds requested.

The first half of the year was marked by several massive earthquakes. In Haiti, 3 million people were affected by a 7.0 magnitude earthquake in January, that killed over 220,000 people, injured 300,000 and displaced 1.5 million. In February, an 8.8 magnitude earthquake hit Chile, affecting over 2 million people and causing 486 deaths. In April, a 7.1 magni-

tude earthquake in China caused 2,200 deaths and injured 12,135 people. An October earthquake in the Mentawai islands in Indonesia was followed by a tsunami that killed 460 people and displaced 15,353 more. Erratic rain patterns affected millions of people in several regions of the world. In March, tropical cyclone Hubert affected some 370,000 people in Southern Africa, particularly in Madagascar; and the 2010 monsoon season caused the worst floods in Pakistan's history, affecting more than 20.5 million people, destroying more than 1.8 million homes and devastating over 2.4 million hectares of crops. In October, some 2 million people were affected by Typhoon Megi, which struck the Philippines, and Cyclone Giri, which struck Myanmar, affecting 260,000 people and leaving 100,000 homeless. Heavy rains and floods in the Democratic People's Republic of Korea contributed to the country's deteriorating food security situation. The Niger, already beset by a prolonged drought and associated acute food shortages, suffered further from flash floods in July, and Benin experienced the worst flooding in 50 years from torrential rains. The rise in global surface temperatures became evident as well, as the Russian Federation experienced a devastating summer heat wave that affected millions and triggered massive forest and peat fires.

On 9 July, in **resolution 64/290** (see p. 745), the General Assembly urged Member States to provide quality education in emergency situations and to ensure that disaster risk and safety considerations were factored into all phases of planning, design, construction and reconstruction of educational facilities.

International cooperation

In January, the General Assembly considered the Secretary-General's 2009 report on humanitarian assistance in the field of natural disasters, from relief to development [YUN 2009, p. 907].

GENERAL ASSEMBLY ACTION

On 22 January [meeting 69], the General Assembly, adopted **resolution 64/251** [draft: A/64/L.43 & Add.1] without vote [agenda item 70 (a)].

International cooperation on humanitarian assistance in the field of natural disasters, from relief to development

The General Assembly,

Reaffirming its resolution 46/182 of 19 December 1991, the annex to which contains the guiding principles for the strengthening of the coordination of emergency humanitarian assistance of the United Nations system, as well as all its resolutions on international cooperation on humanitarian assistance in the field of natural disasters, from relief to development, and recalling the resolutions of the

humanitarian segments of the substantive sessions of the Economic and Social Council,

Recognizing the importance of the principles of neutrality, humanity, impartiality and independence for the provision of humanitarian assistance,

Reaffirming the Hyogo Declaration, the Hyogo Framework for Action 2005–2015: Building the Resilience of Nations and Communities to Disasters and the common statement of the special session on the Indian Ocean disaster: risk reduction for a safer future, as adopted by the World Conference on Disaster Reduction, held in Kobe, Hyogo, Japan, from 18 to 22 January 2005,

Noting with appreciation the holding of the second session of the Global Platform for Disaster Risk Reduction, in Geneva from 16 to 19 June 2009, taking note of the “2009 Global Assessment Report on Disaster Risk Reduction”, and looking forward to the forthcoming Hyogo Framework for Action midterm review,

Emphasizing that the affected State has the primary responsibility in the initiation, organization, coordination and implementation of humanitarian assistance within its territory and in the facilitation of the work of humanitarian organizations in mitigating the consequences of natural disasters,

Emphasizing also the responsibility of all States to undertake disaster preparedness, response and early recovery efforts in order to minimize the impact of natural disasters, while recognizing the importance of international cooperation in support of the efforts of affected countries which may have limited capacities in this regard,

Expressing its deep concern at the increasing challenges to Member States and to the United Nations humanitarian response capacity to deal with the consequences of natural disasters, given the effects of global challenges, including the impact of climate change, the global financial and economic crisis, and the humanitarian implications of the global food crisis,

Also expressing its deep concern that rural and urban poor communities in the developing world are the hardest hit by the effects of increased disaster risk,

Acknowledging the impacts of rapid urbanization in the context of natural disasters and that urban disaster preparedness and responses require appropriate disaster risk reduction strategies, including in urban planning, early recovery strategies implemented from the initial stage of relief operations, as well as rehabilitation and development strategies,

Noting that local communities are the first responders in most disasters, underlining the critical role played by in-country capacities in disaster risk reduction, including preparedness, response and recovery, and acknowledging the need to support efforts of Member States to develop and enhance national and local capacities which are fundamental to improving the overall delivery of humanitarian assistance,

Recognizing the high numbers of persons affected by natural disasters, including in this respect internally displaced persons, and the need to address the humanitarian needs arising from internal displacement throughout the world owing to sudden-onset natural disasters,

Reaffirming the importance of international cooperation in support of the efforts of the affected States in dealing

with natural disasters in all their phases, in particular in preparedness, response and the early recovery phase, and of strengthening the response capacity of countries affected by disaster,

Recognizing the progress made by the United Nations Platform for Space-based Information for Disaster Management and Emergency Response (UN-SPIDER) in its mission, encouraging Member States to provide all support necessary, on a voluntary basis, to UN-SPIDER, including financial support, to enable it to carry out its workplan for 2010–2011, and reiterating the importance of enhancing international coordination and cooperation at the global level in disaster management and emergency response through greater access to and use of space-based services for all countries and by facilitating capacity-building and institutional strengthening for disaster management, in particular in developing countries,

Noting with appreciation the important role played by Member States, including developing countries, that have granted necessary and continued generous assistance to countries and peoples stricken by natural disasters,

Recognizing the significant role played by national Red Cross and Red Crescent societies, as part of the International Red Cross and Red Crescent Movement, in disaster preparedness and risk reduction, disaster response, rehabilitation and development,

Emphasizing the importance of addressing vulnerability and integrating risk reduction into all phases of natural disaster management, post-natural disaster recovery and development planning,

Recognizing that efforts to achieve economic growth, sustainable development and internationally agreed development goals, including the Millennium Development Goals, can be adversely affected by natural disasters, and noting the positive contribution that those efforts can make in strengthening the resilience of populations to such disasters,

Emphasizing, in this context, the important role of development organizations in supporting national efforts to mitigate the consequences of natural disasters,

1. *Takes note* of the report of the Secretary-General;

2. *Expresses its deep concern* at the number and scale of natural disasters and their increasing impact, resulting in massive losses of life and property worldwide, in particular in vulnerable societies lacking adequate capacity to mitigate effectively the long-term negative social, economic and environmental consequences of natural disasters;

3. *Calls upon* States to fully implement the Hyogo Declaration and the Hyogo Framework for Action 2005–2015: Building the Resilience of Nations and Communities to Disasters, in particular those commitments related to assistance for developing countries that are prone to natural disasters and for disaster-stricken States in the transition phase towards sustainable physical, social and economic recovery, for risk-reduction activities in post-disaster recovery and for rehabilitation processes;

4. *Calls upon* Member States, the United Nations system and other relevant humanitarian and development actors to accelerate the implementation of the Hyogo Framework for Action, emphasizes the promotion and strengthening of disaster preparedness activities at all levels, in particular in hazard-prone areas, and encourages them to

increase funding and cooperation for disaster risk reduction activities, including disaster preparedness;

5. *Calls upon* all States to adopt, where required, and to continue to implement effectively, necessary legislative and other appropriate measures to mitigate the effects of natural disasters and integrate disaster risk reduction strategies into development planning, and in this regard requests the international community to continue to assist developing countries as well as countries with economies in transition, as appropriate;

6. *Acknowledges* that global climate change, among other factors, contributes to the increase in intensity and frequency of natural disasters, which amplify natural disaster risk, and in this regard encourages Member States, as well as relevant regional and international organizations, in accordance with their specific mandates, to support adaptation to the adverse effects of climate change and to strengthen disaster risk reduction and early warning systems in order to minimize the humanitarian consequences of natural disasters, including through the provision of technology and support for capacity-building in developing countries;

7. *Welcomes* the initiatives at the regional and national levels related to the implementation of the Guidelines for the Domestic Facilitation and Regulation of International Disaster Relief and Initial Recovery Assistance adopted at the Thirtieth International Conference of the Red Cross and Red Crescent, held in Geneva from 26 to 30 November 2007, and encourages Member States and, where applicable, regional organizations to take further steps to strengthen operational and legal frameworks for international disaster relief, taking into account the Guidelines, as appropriate;

8. *Also welcomes* the effective cooperation among the affected States, relevant bodies of the United Nations system, donor countries, regional and international financial institutions and, as appropriate, other relevant organizations, such as the International Red Cross and Red Crescent Movement, and civil society, in the coordination and delivery of emergency relief, and stresses the need to continue such cooperation and delivery throughout relief operations and medium- and long-term rehabilitation and reconstruction efforts, in a manner that reduces vulnerability to future natural hazards;

9. *Reiterates* the commitment to support, as a matter of priority, the efforts of countries, in particular developing countries, to strengthen their capacities at all levels in order to prepare for and respond rapidly to natural disasters and mitigate their impact;

10. *Urges* Member States to develop, update and strengthen disaster preparedness and risk reduction measures at all levels, in accordance with priority five of the Hyogo Framework for Action, taking into account their own circumstances and capacities and in coordination with relevant actors, as appropriate, and encourages the international community and relevant United Nations entities to continue to support national efforts in this regard;

11. *Encourages* Member States to consider elaborating and presenting to the International Strategy for Disaster Reduction secretariat their national platforms for disaster reduction in accordance with the Hyogo Framework for Action, and also encourages States to cooperate with each other to reach this objective;

12. *Stresses* that to increase further the effectiveness of humanitarian assistance, particular international cooperation efforts should be undertaken to enhance and broaden further the utilization of national and local capacities and, where appropriate, of regional and subregional capacities for disaster preparedness and response, which may be made available in closer proximity to the site of a disaster, and more efficiently and at lower cost;

13. *Also stresses*, in this context, the importance of strengthening international cooperation, particularly through the effective use of multilateral mechanisms, in the timely provision of humanitarian assistance through all phases of a disaster, from relief and recovery to development, including the provision of adequate resources;

14. *Encourages* all Member States to facilitate, to the extent possible, the transit of emergency humanitarian assistance and development assistance, provided in the context of international efforts, including in the phase from relief to development, in full accordance with the provisions of General Assembly resolution 46/182 and the annex therein, and in full respect of the humanitarian principles of humanity, neutrality, impartiality and independence, and their obligations under international law, including international humanitarian law;

15. *Recognizes* the goals and purposes for which the Central Register of Disaster Management Capacities was established following the adoption of resolution 46/182, takes note with concern of the findings of the independent review of the Register carried out in 2009, and requests the Secretary-General to provide recommendations on possible measures to address those findings, including on the structure and format of the Register;

16. *Reaffirms* the role of the Office for the Coordination of Humanitarian Affairs of the Secretariat as the focal point within the overall United Nations system for advocacy for and coordination of humanitarian assistance among United Nations humanitarian organizations and other humanitarian partners;

17. *Welcomes*, so as to increase further the effectiveness of humanitarian assistance, the incorporation of experts from developing countries that are prone to natural disasters into the United Nations Disaster Assessment and Coordination system, and the work of the International Search and Rescue Advisory Group in assisting such countries in strengthening urban search and rescue capacities and establishing mechanisms for improving their coordination of national and international response in the field, and recalls in this regard its resolution 57/150 of 16 December 2002 entitled "Strengthening the effectiveness and coordination of international urban search and rescue assistance";

18. *Urges* Member States, the United Nations system and other humanitarian actors to consider the specific and differentiated consequences of natural disasters both in rural and urban areas, when designing and implementing disaster risk reduction, preparedness, humanitarian assistance and early recovery strategies, giving special emphasis to addressing the needs of those living in rural and urban poor areas prone to natural disasters;

19. *Recognizes* that information and telecommunication technology can play an important role in disaster response, encourages Member States to develop emergency response telecommunication capacities, and encourages the international community to assist the efforts of develop-

ing countries in this area, where needed, including in the recovery phase;

20. *Encourages* States that have not acceded to or ratified the Tampere Convention on the Provision of Telecommunication Resources for Disaster Mitigation and Relief Operations, to consider doing so;

21. *Encourages* the further use of space-based and ground-based remote-sensing technologies, including as provided by UN-SPIDER, as well as the sharing of geographical data, for the prevention, mitigation and management of natural disasters, where appropriate, and invites Member States to continue to provide their support to the consolidation of the United Nations capability in the area of satellite-derived geographical information for early warning, preparedness, response and early recovery;

22. *Encourages* Member States, relevant United Nations organizations and international financial institutions to enhance the global capacity for sustainable post-disaster recovery in areas such as coordination with traditional and non-traditional partners, identification and dissemination of lessons learned, development of common tools and mechanisms for recovery needs assessment, strategy development and programming, and incorporation of risk reduction into all recovery processes, and welcomes the ongoing efforts to this end;

23. *Encourages* Member States and the United Nations system to support national initiatives that address the possible differentiated impacts of natural disasters on the affected population, including through the collection and analysis of data disaggregated, inter alia, by sex, age and disability, using, inter alia, the existing information provided by States;

24. *Stresses* the importance of the full and equal participation of women in decision-making and of gender mainstreaming in developing and implementing disaster risk reduction, preparedness, response and recovery strategies, and in this regard notes the recommendations of the International Conference on Gender and Disaster Risk Reduction, held in Beijing from 20 to 22 April 2009;

25. *Encourages* Member States and relevant regional and international organizations to identify and improve the dissemination of best practices for improving disaster preparedness, response and early recovery and to scale up successful local initiatives, as appropriate;

26. *Requests* the United Nations system to improve its coordination of disaster recovery efforts, from relief to development, inter alia, by strengthening institutional, coordination and strategic planning efforts in disaster recovery, in support of national authorities;

27. *Calls upon* relevant United Nations humanitarian and development organizations to continue efforts to ensure continuity and predictability in their response and to further improve coordination in recovery processes in support of the efforts of national authorities;

28. *Calls upon* the United Nations system and other humanitarian actors to improve the dissemination of tools and services to support enhanced disaster risk reduction;

29. *Calls upon* relevant United Nations humanitarian and development organizations, in consultation with Member States, to strengthen tools and mechanisms to ensure that early recovery needs and support are integrated into the planning and implementation of disaster preparedness, humanitarian response and development cooperation activities, as appropriate;

30. *Acknowledges* that early recovery should receive further funding, and encourages the provision of timely, flexible and predictable funding for early recovery, including through established humanitarian instruments;

31. *Encourages* the United Nations system and other relevant humanitarian and development actors to support humanitarian coordinators and resident coordinators, in order to strengthen their capacity, inter alia, to support the host Government in implementing preparedness measures and to coordinate preparedness activities of country teams in support of national efforts, and also encourages the United Nations system and other relevant humanitarian actors to further strengthen the ability to quickly and flexibly deploy humanitarian professionals to support Governments and country teams in the immediate aftermath of a disaster;

32. *Emphasizes* the need to mobilize adequate, flexible and sustainable resources for recovery, preparedness and disaster risk reduction activities in order to ensure predictable and timely access to resources for humanitarian assistance in emergencies resulting from disasters associated with natural hazards;

33. *Welcomes* the achievements of the Central Emergency Response Fund and its contribution to the promotion and enhancement of early humanitarian response, calls upon all Member States and invites the private sector and all concerned individuals and institutions to consider increasing voluntary contributions to the Fund, including, when possible, through multi-year and early commitments, and emphasizes that contributions should be additional to current commitments to humanitarian programming and not to the detriment of resources made available for international cooperation for development;

34. *Invites* Member States, the private sector and all concerned individuals and institutions to consider voluntary contributions to other humanitarian funding mechanisms;

35. *Requests* the Secretary-General to continue to improve the international response to natural disasters and to report thereon to the General Assembly at its sixty-fifth session, and to include in his report recommendations on how to improve actions for identifying and addressing the gaps from relief to development, within the United Nations system and at the national level, including in the area of durable and sustainable solutions, particularly in rehabilitation and reconstruction.

Report of Secretary-General. In response to Assembly resolution 64/251 (see p. 921), the Secretary-General, in a September report [A/65/356] on international cooperation on humanitarian assistance in the field of natural disasters, provided an overview of disasters associated with natural hazards and highlighted emerging trends, their humanitarian implications and key challenges during the period from 1 June 2009 to 31 May 2010. The report noted an increasing trend in the number of recorded disasters, owing to more frequent and intense weather-related hazards and greater numbers of people living in exposed coastal and urban areas. Climate change was increasingly acknowledged as a major driver of disaster risk by increasing

the frequency and/or severity of weather- and climate-related hazards and by simultaneously increasing the vulnerability of communities to natural hazards. Rapid urbanization exacerbated the vulnerability of city dwellers, particularly the urban poor, to the impact of disasters, as more than half of the world's population was living in urban areas. Key challenges in addressing disaster risk included strengthening the transition from relief to development; increasing the effectiveness of humanitarian assistance through improved use of information and analysis; strengthening the use of vulnerability and climate information in humanitarian action; preparedness in information management; strengthening evidence-based decision-making in humanitarian operations; and the effective use of information in disaster response.

The Secretary-General encouraged Member States to emphasize the importance of early and multi-year commitments to CERF and other humanitarian financing mechanisms; to support implementation of the Global Framework for Climate Services; and to consider the Inter-Agency Standing Committee operational guidelines on human rights and natural disasters in the implementation of contingency planning, disaster preparedness and response, as well as early recovery and durable solutions. Member States, the UN system and other humanitarian actors should accelerate the implementation of the Hyogo Framework for Action 2005–2015: Building the Resilience of Nations and Communities to Disasters [YUN 2005, p. 1015] to integrate early recovery into their work across all sectors and thematic areas and to improve the dissemination and application of tools and services for early recovery activities. The Secretary-General further recommended that the Central Register of Disaster Management Capacities be discontinued, in the light of the findings of the independent and external review requested by the Assembly in resolution 62/92 [YUN 2007, p. 945].

INSARAG Hyogo Declaration. The International Search and Rescue Advisory Group (INSARAG), a network of countries and organizations established in 1991, convened its first global meeting (Kobe, Japan, 14–16 September 2010). The meeting, hosted by the Government of Japan and co-organized with OCHA, produced the ISARAG Hyogo Declaration on the recognition and strengthening of international urban search and rescue operational standards.

UN-SPIDER programme. The Committee on the Peaceful Uses of Outer Space (see p. 612) submitted a report [A/AC.105/981] on the 2010 activities of the United Nations Platform for Space-based Information for Disaster Management and Emergency Response (UN-SPIDER). Major accomplishments included the provision of technical advisory support to 17 Member States; the formalization of cooperation agreements

for the establishment of five additional regional support offices; support for responding to 29 disasters and for the organization of international and regional workshops and expert meetings; and the improvement of the UN-SPIDER knowledge portal. On 10 December, the General Assembly, in **resolution 65/97** (see p. 614), noted the progress made in the implementation of the 2010–2011 UN-SPIDER work plan.

On 24 December, the Assembly decided that the agenda item on strengthening the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance would remain for consideration during its resumed sixty-fifth (2011) session (**decision 65/544**).

Disaster reduction

International Strategy for Disaster Reduction

In response to General Assembly resolution 63/216 [YUN 2008, p. 1027], the Secretary-General submitted a September report [A/65/388] reviewing progress in the implementation of the International Strategy for Disaster Reduction (ISDR), adopted by the programme forum of the International Decade for Natural Disaster Reduction (1990–1999) in 1999 [YUN 1999, p. 859] and endorsed by the Assembly in resolution 54/219 [ibid., p. 861]. It also presented preliminary findings of the midterm review of the Hyogo Framework for Action 2005–2015, the 10-year plan for reducing disaster risks, adopted at the 2005 World Conference on Disaster Reduction [YUN 2005, p. 1015]. The report revealed that risk reduction was still not hardwired into the “business process” of the development sectors, planning ministries and financial institutions; if the Framework’s goals were to be reached by 2015, strengthened political resolve would be needed. Additionally, the coincidence between the review of the Framework and that of the Millennium Development Goals (see p. 813) provided the opportunity for strengthening the linkages between the two agendas.

Preliminary results of the midterm review pointed to a broadly held view that the Hyogo Framework for Action was useful in guiding global efforts towards disaster risk reduction, especially in raising awareness and supporting the establishment of policies at all levels, as well as legislation. The need for stronger national governance mechanisms was evident, however, and UN system implementation of the Framework was uneven. There was a greater focus on implementation of the five priorities for action than on the three broader strategic goals. Major challenges in implementing the Framework included reaching vulnerable communities, framing risk reduction as an issue of accountability, and investing in disaster risk reduction.

The Secretary-General urged Member States to accelerate implementation of the Framework by

strengthening their national disaster risk reduction capacities and integrating disaster risk reduction into development agendas; join the global initiative “Making cities resilient 2010–2011: My city is getting ready” (see p. 928); consider adopting investment benchmarks as suggested at the 2009 Global Platform for Disaster Risk Reduction [YUN 2009, p. 909]; and with ISDR stakeholders, augment their financial contributions to the UN Trust Fund for Disaster Reduction to ensure adequate and flexible support for the Framework’s implementation.

Ministerial conferences. At the second Ministerial Conference on Disaster Risk Reduction in Africa (Nairobi, 10 April), ministers adopted the extended Africa Programme of Action for the Implementation of the Africa Regional Strategy for Disaster Risk Reduction. At the fourth Asian Ministerial Conference on Disaster Risk Reduction (Incheon, Republic of Korea, 25–28 October), the Incheon Declaration of 2010 and the Incheon Regional Road Map were adopted, identifying the integration of disaster risk reduction and climate change adaptation as priority focus areas in the region until 2015.

GENERAL ASSEMBLY ACTION

On 20 December [meeting 69], the General Assembly, on the recommendation of the Second (Economic and Financial) Committee [A/65/436/Add.3], adopted **resolution 65/157** without vote [agenda item 20 (c)].

International Strategy for Disaster Reduction

The General Assembly,

Recalling its decision 57/547 of 20 December 2002 and its resolutions 44/236 of 22 December 1989, 49/22 A of 2 December 1994, 49/22 B of 20 December 1994, 53/185 of 15 December 1998, 54/219 of 22 December 1999, 56/195 of 21 December 2001, 57/256 of 20 December 2002, 58/214 and 58/215 of 23 December 2003, 59/231 and 59/233 of 22 December 2004, 60/195 and 60/196 of 22 December 2005, 61/198 and 61/200 of 20 December 2006, 62/192 of 19 December 2007, 63/216 and 63/217 of 19 December 2008 and 64/200 of 21 December 2009, as well as Economic and Social Council resolutions 1999/63 of 30 July 1999 and 2001/35 of 26 July 2001, and taking into consideration its resolution 57/270 B of 23 June 2003 on the integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic and social fields,

Reaffirming the Johannesburg Declaration on Sustainable Development and the Plan of Implementation of the World Summit on Sustainable Development (“Johannesburg Plan of Implementation”),

Reaffirming also the Hyogo Declaration and the Hyogo Framework for Action 2005–2015: Building the Resilience of Nations and Communities to Disasters, adopted by the World Conference on Disaster Reduction,

Recalling the 2005 World Summit Outcome,

Recalling also the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals and its outcome document,

Reaffirming the role of the Hyogo Framework for Action in providing policy guidance on the implementation of the outcomes of the major United Nations conferences and summits,

Recalling the “2009 Global Assessment Report on Disaster Risk Reduction”, launched in Manama in May 2009,

Recognizing that 2010 marks the tenth anniversary of the creation of the International Strategy for Disaster Reduction as well as the midpoint of the Hyogo Framework for Action,

Expressing its deep concern at the number and scale of natural disasters and their increasing impact in recent years, which have resulted in massive loss of life and long-term negative social, economic and environmental consequences for vulnerable societies throughout the world and which hamper the achievement of their sustainable development, in particular in developing countries,

Expressing its deep concern also at the increasing challenges facing the disaster response and preparedness capacity of Member States and the United Nations system as a result of the combined impacts of current global challenges, including the global financial and economic crisis, climate change and the food crisis,

Recognizing the clear relationship between sustainable development, poverty eradication, climate change, disaster risk reduction, disaster response and disaster recovery and the need to continue to deploy efforts in all these areas,

Recognizing also the urgent need to further develop and make use of the existing scientific and technical knowledge to build resilience to natural disasters, and emphasizing the need for developing countries to have access to appropriate, advanced, environmentally sound, cost-effective and easy-to-use technologies so as to seek more comprehensive solutions to disaster risk reduction and to effectively and efficiently strengthen their capabilities to cope with disaster risks,

Recognizing further the need to continue to develop an understanding of, and to address, socio-economic activities that exacerbate the vulnerability of societies to natural disasters and to build and further strengthen local authorities and community capabilities to reduce vulnerability to disasters,

Recognizing the need to continue to develop an understanding of, and to address, the underlying risk factors, as identified in the Hyogo Framework for Action, including socio-economic factors, that exacerbate the vulnerability of societies to natural hazards, to build and further strengthen the capacity at all levels to cope with disaster risks and to enhance resilience against hazards associated with disasters, while also recognizing the negative impact of disasters on economic growth and sustainable development, in particular in developing countries and disaster-prone countries,

Recognizing also the need to integrate a gender perspective into the design and implementation of all phases of disaster risk management, with a view to reducing vulnerability,

Taking into account the various ways and forms in which all countries, in particular the more vulnerable countries, are affected by severe natural hazards such as earthquakes, tsunamis, landslides and volcanic eruptions and extreme weather events such as heat waves, severe droughts, floods,

storms and the El Niño/La Niña events, which have global reach,

Taking into account also that geological and hydrometeorological hazards, vulnerabilities and resilience to their associated natural disasters and the reduction of such disasters must be addressed in a coherent and effective manner,

Bearing in mind the importance of addressing disaster risks related to changing social, economic and environmental conditions and land use, and the impact of hazards associated with geological events, weather, water, climate variability and climate change, in sector development planning and programmes as well as in post-disaster situations,

Noting that disaster risk is an increasing problem in urban areas where risk, population and economic assets are concentrated,

Noting also that reaching the most vulnerable and the poorest communities remains a major challenge in the implementation of the Hyogo Framework for Action and that, while much progress has been made at the policy level globally, regionally and nationally, the benefits of this are yet to be felt locally,

Stressing that the impacts of natural disasters are severely hampering efforts to achieve the internationally agreed development goals, including the Millennium Development Goals, and emphasizing the importance of reducing vulnerabilities to natural disasters,

Noting with appreciation the important role of the Special Representative of the Secretary-General for the implementation of the Hyogo Framework for Action, according to the mandate, in strengthening the Strategy system, enhancing the system-wide high-level leadership and coordinating disaster risk reduction,

1. *Takes note* of the reports of the Secretary-General on the implementation of resolutions 63/217 and 64/200;

2. *Welcomes* the progress made in the implementation of the Hyogo Framework for Action 2005–2015: Building the Resilience of Nations and Communities to Disasters, and stresses the need for a more effective integration of disaster risk reduction into sustainable development policies, planning and programming, for the development and strengthening of institutions, mechanisms and capacities at the regional, national and local levels to build resilience to hazards, and for systematic incorporation of risk reduction approaches into the implementation of emergency preparedness, response and recovery programmes and long-term development plans, as a means to achieve the internationally agreed development goals, including the Millennium Development Goals;

3. *Encourages* Member States, the United Nations system, international financial institutions, regional bodies and other international organizations, including the International Federation of Red Cross and Red Crescent Societies, as well as civil society, including non-governmental organizations and volunteers, the private sector and the scientific community, to increase efforts to support, implement and follow up the Hyogo Framework for Action, and stresses the importance in this regard of the continued cooperation and coordination of stakeholders at all levels with respect to addressing effectively the impact of natural disasters;

4. *Calls upon* the United Nations system, and invites international financial institutions and regional and international organizations, to integrate the goals of, and take

into full account, the Hyogo Framework for Action in their strategies and programmes, making use of existing coordination mechanisms, and to assist developing countries with those mechanisms to design and implement, as appropriate, disaster risk reduction measures with a sense of urgency;

5. *Recognizes* that each State has the primary responsibility for its own sustainable development and for taking effective measures to reduce disaster risk, including for the protection of people on its territory, infrastructure and other national assets from the impact of disasters, including the implementation of and follow-up to the Hyogo Framework for Action, and stresses the importance of international cooperation and partnerships to support those national efforts;

6. *Also recognizes* the importance of coordinating adaptation to climate change with relevant disaster risk reduction measures, invites Governments and relevant international organizations to integrate these considerations in a comprehensive manner into, inter alia, development plans and poverty eradication programmes and, in the least developed countries, into the preparation and implementation of national adaptation programmes of action, and invites the international community to support the ongoing efforts of developing countries in this regard;

7. *Welcomes* the national, subregional and regional initiatives undertaken by Member States, in particular developing countries, to achieve disaster risk reduction, and reiterates the need to further develop regional initiatives and risk reduction capacities of regional mechanisms where they exist, to strengthen them and to encourage the use and sharing of all existing tools, and requests the regional commissions, within their mandates, to support the efforts of Member States in this regard, in close coordination with implementing entities of the United Nations system;

8. *Encourages* the Global Facility for Disaster Reduction and Recovery, a partnership of the International Strategy for Disaster Reduction system managed by the World Bank, to continue to support the implementation of the Hyogo Framework for Action;

9. *Welcomes* the upcoming third session of the Global Platform for Disaster Risk Reduction, to be held in Geneva from 8 to 13 May 2011, which serves as an important forum for Member States and other stakeholders to assess progress made in the implementation of the Hyogo Framework for Action, to enhance awareness of disaster risk reduction, to share experiences and to learn from good practices;

10. *Recognizes* the importance of integrating a gender perspective and empowering and engaging women in the design and implementation of all phases of disaster risk management, as well as in risk reduction strategies and programmes, and encourages the secretariat of the Strategy to continue to increase the promotion of gender mainstreaming and empowerment of women;

11. *Encourages* the international community to support the active participation of developing countries in the Strategy system, the Hyogo Framework for Action midterm review process and the third session of the Global Platform for Disaster Risk Reduction;

12. *Encourages* the United Nations system to make every effort to accelerate the full integration and mainstreaming of risk reduction into all its programmes and activities to ensure that it contributes to the achievement

of the Hyogo Framework for Action as well as to the Millennium Development Goals;

13. *Expresses its appreciation* to those countries that have provided financial support for the activities of the Strategy by making voluntary contributions to the United Nations Trust Fund for Disaster Reduction;

14. *Encourages* Governments, multilateral organizations, international and regional organizations, international and regional financial institutions, the private sector and civil society to systematically invest in disaster risk reduction with a view to implementing the objectives of the Strategy;

15. *Acknowledges* the importance of the work of the United Nations in disaster risk reduction, the growing demands on the secretariat of the Strategy and the need for increased, timely, stable and predictable resources for the implementation of the Strategy, and in this regard requests the Secretary-General to consider how best to support the implementation of the natural disaster reduction strategy, taking into account the important role played by the secretariat of the Strategy, with a view to ensuring adequate resources for the operation of the secretariat of the Strategy;

16. *Emphasizes* the importance of early warning systems as part of effective disaster risk reduction at the local, national and regional levels, in order to reduce economic and social damages, including the loss of human life, and in this regard encourages Member States to integrate such systems into their national disaster risk reduction strategies and plans and encourages donors and the international community to enhance international cooperation in support of such initiatives, as appropriate, through technical assistance, technology transfer on mutually agreed terms, capacity-building and training programmes;

17. *Stresses* the need to foster better understanding and knowledge of the causes of disasters, as well as to build and strengthen coping capacities through, inter alia, the transfer and exchange of experiences and technical knowledge, educational and training programmes for disaster risk reduction, access to relevant data and information, the strengthening of institutional arrangements and the promotion of community participation and ownership through community-based disaster risk management approaches;

18. *Emphasizes* the need for the international community to maintain its focus beyond emergency relief and to support medium- and long-term rehabilitation, reconstruction and risk reduction, and stresses the importance of implementing and adapting long-term programmes related to the eradication of poverty, sustainable development and disaster risk reduction in the most vulnerable regions, particularly in developing countries prone to natural disasters;

19. *Urges* the international community to continue to address ways and means, including through development cooperation and technical assistance, to reduce the adverse effects of natural disasters, including those caused by extreme weather events, in particular in vulnerable developing countries, including the least developed countries and countries in Africa, through the implementation of the Strategy, including the Hyogo Framework for Action, and encourages the institutional arrangement for the Strategy to continue its work in this regard;

20. *Stresses* the importance of the Hyogo Declaration and the Hyogo Framework for Action and the priorities for action that States, regional and international organizations,

international financial institutions and other concerned actors, in their approach to disaster risk reduction, should take into consideration and implement, as appropriate, according to their own circumstances and capacities, bearing in mind the vital importance of promoting a culture of prevention in the area of natural disasters, including through the mobilization of adequate resources for disaster risk reduction, and addressing disaster risk reduction, including disaster preparedness at the community level, and the adverse effects of natural disasters on efforts to implement national development plans and poverty reduction strategies with a view to achieving the internationally agreed development goals, including the Millennium Development Goals;

21. *Acknowledges* that disaster risk reduction and increasing resilience to all types of natural hazard, including geological and hydrometeorological hazards, in developing countries, in line with the Hyogo Framework for Action, can promote the achievement of the Millennium Development Goals, and that reducing vulnerabilities to these hazards is therefore a high priority for developing countries;

22. *Expresses its deep concern* at the number and scale of natural disasters and the increasing challenges posed by the consequences of such disasters, as well as the impact of climate change, which impede progress towards the sustainable development of all countries, in particular developing countries, especially small island developing States, the least developed countries and landlocked developing countries, as well as other particularly vulnerable countries;

23. *Stresses* the need to strengthen the mainstreaming of disaster risk reduction into national development strategies and as a practice in the policies and programmes of the humanitarian and environmental sectors, planning ministries, financial institutions and other relevant bodies;

24. *Also stresses* that, in order to reduce vulnerability to natural hazards, risk assessments should be integrated into disaster risk reduction programmes at the national and local levels;

25. *Encourages* the Conference of the Parties to the United Nations Framework Convention on Climate Change and the parties to the Kyoto Protocol to the United Nations Framework Convention on Climate Change to continue to address the adverse effects of climate change, especially in developing countries that are particularly vulnerable, in accordance with the provisions of the Convention, and also encourages the Intergovernmental Panel on Climate Change to continue to assess the adverse effects of climate change on the socio-economic and natural disaster reduction systems of developing countries;

26. *Notes with appreciation* the launching of the Strategy campaign for 2010–2011, “Making Cities Resilient: My city is getting ready”, which aims to increase the resilience of cities and urban areas by raising the awareness of citizens and local governments of risk reduction options and by mobilizing political commitment and support among local governments to include risk reduction aspects in urban development planning and critical infrastructure investments;

27. *Welcomes* the informal thematic debate of the General Assembly on disaster risk reduction to be held in New York on 9 February 2011;

28. *Requests* the Secretary-General to submit to the General Assembly at its sixty-sixth session, under the sub-item entitled “International Strategy for Disaster Reduction” of the item entitled “Sustainable development”, a report on the implementation of the present resolution including his recommendations on the midterm review of the Hyogo Framework for Action.

Natural disasters and vulnerability

In response to General Assembly resolution 63/217 [YUN 2008, p. 1029], the Secretary-General submitted a report [A/65/388] on ISDR implementation providing information on measures taken to reduce vulnerability to severe climate-related hazards. As part of its ongoing advocacy with the Parties to the Framework Convention on Climate Change, the ISDR secretariat enabled the participation of disaster risk reduction experts from 10 developing countries to assist their national delegations in climate change negotiations. In May 2010, the global launch of the “Making cities resilient: My city is getting ready” campaign took place in Bonn, Germany, in collaboration with the Local Governments for Sustainability and World Mayors Council on Climate Change, in the framework of the Mayors Adaptation Forum at the Resilient Cities 2010 Congress. Meanwhile, the World Meteorological Organization (WMO) was establishing regional climate centres worldwide that would create regional climate products, including long-range forecasts; that would strengthen the capacity of WMO members in a given region to deliver better climate services to national users.

El Niño

In response to General Assembly resolution 63/215 [YUN 2008, p. 1031], the Secretary-General submitted a report [A/65/388] on ISDR implementation providing information on international cooperation to reduce the impact of the El Niño phenomenon. The report indicated that the International Research Centre on El Niño in Guayaquil, Ecuador [YUN 1998, p. 873] had contributed in the area of climate research, supporting applied studies with data collection for the periodic El Niño/La Niña Updates, coordinated by WMO. The Centre developed a number of tools, including a new climate database for the Western coast of South America (El Niño/Southern Oscillation-sensitive countries) and a regional climate information system for risk management in the agriculture sector.

GENERAL ASSEMBLY ACTION

On 20 December [meeting 69], the General Assembly, on the recommendation of the Second Committee [A/65/436/Add.3], adopted **resolution 65/158** without vote [agenda item 20 (d)].

International cooperation to reduce the impact of the El Niño phenomenon

The General Assembly,

Recalling its resolutions 52/200 of 18 December 1997, 53/185 of 15 December 1998, 54/220 of 22 December 1999, 55/197 of 20 December 2000, 56/194 of 21 December 2001, 57/255 of 20 December 2002, 59/232 of 22 December 2004, 61/199 of 20 December 2006 and 63/215 of 19 December 2008 and Economic and Social Council resolutions 1999/46 of 28 July 1999, 1999/63 of 30 July 1999 and 2000/33 of 28 July 2000,

Noting that the El Niño phenomenon has a recurring character and can lead to extensive natural hazards with the potential to seriously affect humankind,

Reaffirming the importance of developing strategies at the national, subregional, regional and international levels that aim to prevent, mitigate and repair the damage caused by natural disasters resulting from the El Niño phenomenon,

Noting that technological developments and international cooperation have enhanced the capabilities for the prediction of the El Niño phenomenon and thereby the potential for the preventive actions that may be taken to reduce its negative impacts,

Taking into account the Johannesburg Declaration on Sustainable Development and the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"), in particular paragraph 37 (i) thereof,

Reaffirming the Hyogo Declaration and the Hyogo Framework for Action 2005–2015: Building the Resilience of Nations and Communities to Disasters,

1. Takes note of the report of the Secretary-General on the implementation of the International Strategy for Disaster Reduction, in particular annex III to the report, entitled "International cooperation to reduce the impact of the El Niño phenomenon", and calls upon the international community to make further efforts to assist countries affected by this phenomenon;

2. Recognizes the efforts made by the Governments of Ecuador and Spain, the World Meteorological Organization and the inter-agency secretariat of the International Strategy for Disaster Reduction to support the International Research Centre on El Niño at Guayaquil, Ecuador, and encourages them and other members of the international community to continue such contributions for the advancement of the Centre;

3. Welcomes the activities undertaken so far to strengthen the International Research Centre on El Niño, through collaboration with international monitoring centres, including the national oceanographic institutions, and efforts to enhance regional and international recognition of and support for the Centre and to develop tools for decision makers and Government authorities for reducing the impact of the El Niño phenomenon;

4. Notes the contribution of the International Research Centre on El Niño as a reference centre on climate services and climate-related disaster risk reduction, as well as in the area of climate research, including through the development of a new climatic database for El Niño/Southern Oscillation-sensitive countries, and encourages the sharing of best practices with climate centres located in other El Niño-affected regions;

5. Recognizes the technical and scientific support of the World Meteorological Organization in producing regionally coordinated monthly and seasonal forecasts, in particular its establishment of a consensus mechanism for the development of updates on El Niño/La Niña conditions, which receives contributions from several climate centres, including the International Research Centre on El Niño;

6. Encourages, in this regard, the World Meteorological Organization to continue to strengthen collaboration and the exchange of data and information with relevant institutions;

7. Calls upon the Secretary-General, the relevant United Nations organs, funds and programmes, in particular those taking part in the International Strategy for Disaster Reduction, and the international community to adopt, as appropriate, the measures necessary to further strengthen the International Research Centre on El Niño, and invites the international community to provide scientific, technical and financial assistance and cooperation for this purpose, as well as to strengthen, as appropriate, other centres devoted to the study of the El Niño phenomenon;

8. Underlines the importance of maintaining the El Niño/Southern Oscillation observation system, continuing research into extreme weather events, improving forecasting skills and developing appropriate policies for reducing the impact of the El Niño phenomenon and other extreme weather events, and emphasizes the need to further develop and strengthen these institutional capacities in all countries, in particular developing countries;

9. Requests the Secretary-General to include in his report to the General Assembly at its sixty-seventh session on the implementation of the International Strategy for Disaster Reduction a section on the implementation of the present resolution.

Disaster assistance

Djibouti

The UN Drought Appeal for Djibouti, which sought \$33.3 million to address the humanitarian needs of 120,000 people, received 58 per cent (\$19.4 million) of the requirement.

In 2010, Djibouti experienced a fourth consecutive year of failed rainfall in terms of its quantity and regularity, leading to the depletion of water reserves, massive loss of livestock and the resulting destruction of livelihoods and sources of income, increased malnutrition, especially among children under five, and associated health problems. The global acute malnutrition rate among children under five was 20 per cent. In addition, increasing violence and instability in south-central Somalia resulted in rising numbers of asylum seekers entering Djibouti. Consistently high food prices harmed the health of the population and increased the level of malnutrition, with reports of outbreaks of diseases, including cholera. The UN Drought Appeal for Djibouti sought funding for the following areas over 12 months: distribution of food assistance; improved potable water access; rebuilding of animal husbandry and agricultural activities; access to basic health services; and strengthened capacities of

national institutions in the implementation and coordination of emergency humanitarian relief.

El Salvador

Following the damages and losses in El Salvador resulting from Hurricane Ida and the low-pressure system off the Pacific in November 2009 [YUN 2009, p. 912], a flash appeal was launched, with initial efforts focusing on emergency aid to the affected population, especially the 15,000 people living in emergency collective centres following the disaster. The appealing agencies focused on coordinating the response of the humanitarian community through the activation of clusters, and despite a shortage of funding, some projects were successfully implemented and assistance provided to the affected population. Some needs, however, still needed to be addressed. Priorities included: the provision of emergency and temporary shelter to the approximately 1,700 displaced people still living in collective centres and informal settlements; the provision of food assistance, health and WASH services and the restoration of livelihoods of the displaced population, as well as decent living conditions to the affected population before the start of the rainy season in May. The Humanitarian Country Team was seeking housing solutions for the 20,674 people whose houses were damaged or destroyed.

The revised appeal for El Salvador sought \$14.4 million to continue to support the Government of El Salvador through May 2010.

Report of Secretary-General. In response to resolution 64/74 [ibid.], the Secretary-General submitted an August report [A/65/335] on humanitarian assistance and rehabilitation for selected countries, which contained an update on assistance delivered to El Salvador as a result of Hurricane Ida. As at July 2010, the UN system had invested \$16 million to provide assistance to more than 120,000 people in the aftermath of the disaster and to support the Government's response in key areas: food assistance, education, temporary shelter, agriculture, health care, water and sanitation, coordination and early recovery.

Guatemala

The UN Flash Appeal for Guatemala, which sought \$17 million, received 49 per cent (\$8.1 million) of the requirement.

In 2010, Guatemala experienced a protracted food insecurity crisis, which partially affected the approximately 2.7 million people living in the country's so-called dry corridor. Global acute malnutrition among children under five in the dry corridor and two neighbouring provinces was 11 per cent, and 13 per cent among women of childbearing age. The crisis stemmed from a combination of changes in global

markets and climate-related events, namely, atypical rainfall patterns brought about by El Niño in 2009, which caused high losses in hillside and subsistence agriculture production. The UN Food Insecurity and Acute Malnutrition Appeal for Guatemala, which sought \$34.2 million, received 24 per cent (\$8.2 million) of the requirement.

On 29 May, tropical storm Agatha struck Guatemala, resulting in more than 426 millimetres of rain in a short period of time and affecting 21 of the country's 22 departments. Two days earlier, on 27 May, the Pacaya volcano had erupted, which limited and delayed search-and-rescue operations as well as the provision of humanitarian relief. The Government declared a state of national calamity on 29 May, and a flash appeal was launched on 11 June to address the needs of 390,000 people affected by the emergency. Initial efforts focused on the provision of emergency aid (food and non-food items, safe water and health assistance) to the affected population.

Haiti

The UN Flash Appeal for the 12 January Haiti earthquake, which sought \$1.5 billion, received 73 per cent (\$1.1 billion) of the requirement.

At the time of the Flash Appeal on 15 January, thousands were feared dead, many more injured, and unknown numbers still buried under the rubble. The level of casualties sustained by civil servants and the damage to public buildings and services significantly reduced the capacity of national authorities to lead and coordinate the response. Damage to buildings and infrastructure was widespread and severe. Port-au-Prince's critical infrastructure, such as electricity and water was disabled, and roads to and within the capital were partially blocked. Communication was disrupted, making it difficult to obtain a full picture of the situation which affected the speed and scale of the relief effort (see also p. 907).

MINUSTAH support. The Security Council, in **resolution 1908(2010)** of 19 January, endorsed the Secretary-General's recommendations to increase the overall force levels of the UN Stabilization Mission in Haiti (MINUSTAH) to support the immediate recovery, reconstruction and stability efforts in Haiti (see p. 321).

Communication. On 19 January, Spain forwarded to the Secretary-General the conclusions [A/64/852-E/2010/101] adopted by the Council of the European Union (Foreign Affairs) on the earthquake in Haiti, welcoming the global response to the crisis, supporting the UN's role in the international relief effort, and requesting an EU-wide response to the post-emergency rehabilitation, recovery and reconstruction for the long-term development needs of Haiti.

GENERAL ASSEMBLY ACTION

On 22 January [meeting 69], the General Assembly adopted **resolution 64/250** [draft: A/64/L.42 & Add.1, as orally revised] without vote [agenda item 70 (a)].

**Humanitarian assistance, emergency relief
and rehabilitation in response to the
devastating effects of the earthquake in Haiti**

The General Assembly,

Reaffirming its resolution 46/182 of 19 December 1991 and the guiding principles contained in the annex thereto, other relevant General Assembly and Economic and Social Council resolutions and agreed conclusions of the Council, including Council resolution 2008/36 of 25 July 2008,

Expressing sincere condolences and deep sympathy to the victims, their families and the Government and people of Haiti who suffered huge losses of life and socio-economic damage from the earthquake that struck Haiti on 12 January 2010,

Conscious of the huge loss of human life and the large number of people wounded and people whose suffering from the health impact of the disaster is severe,

Conscious also of the huge material losses sustained in respect of homes and basic infrastructures in the capital, Port-au-Prince, and elsewhere in the country, and expressing concern over the medium- and long-term social, economic and development impacts of the disaster on the affected country,

Acknowledging the efforts of the Government of Haiti, despite the losses it has suffered, to protect the lives of its nationals and to rapidly assist the affected population, and recognizing with deep appreciation the immediate emergency relief assistance and rescue operations provided on the ground by the United Nations Stabilization Mission in Haiti and the United Nations system, as well as by the International Red Cross and Red Crescent Movement and civil society,

Welcoming the leadership of the Secretary-General in ensuring a speedy response by the United Nations system to the tragic events, and commending the Office for the Coordination of Humanitarian Affairs of the Secretariat for its coordinating role in supporting the Government of Haiti in ensuring a coherent international response to the emergency,

Welcoming also the efforts of the United Nations Special Envoy for Haiti to mobilize international support for emergency relief operations, as well as of the Emergency Relief Coordinator and the Resident/Humanitarian Coordinator for Haiti,

Commending the prompt response, support, generous contributions and assistance provided by Member States, the international community, civil society, the private sector and individuals to the emergency relief and response to the impacts of the disaster,

Reiterating the need for a continued high level of support for and commitment to the immediate humanitarian relief phase, early recovery, rehabilitation, reconstruction and development efforts, including in the medium and long terms, that reflect the spirit of international solidarity and cooperation in addressing the disaster,

Noting the enormous effort and solidarity of the international community, reflecting the importance of the fullest

coordinated response and taking into account the national development priorities of Haiti, that will be required to rebuild the affected areas in order to alleviate the grave situation arising from this natural disaster,

Reiterating the need for the United Nations system to respond swiftly to requests for assistance by the affected country and to ensure that the humanitarian assistance provided is timely, adequate, effective and coherent and coordinated among all humanitarian actors, in particular the Government of Haiti, and in accordance with the principles of humanity, neutrality, impartiality and independence,

1. *Expresses its solidarity and support* to the Government and people of Haiti, as well as to all Member States that have lost nationals in this catastrophe;

2. *Pays special tribute* to all the staff members of the United Nations and international peacekeepers who have given their lives in the line of duty, and encourages continued search-and-rescue operations for all people still unaccounted for;

3. *Expresses its appreciation* to the members of the international community that have offered their prompt and generous support to the rescue efforts and emergency assistance for the affected population;

4. *Appeals* to all Member States and all relevant organs and bodies of the United Nations system, as well as the international financial institutions and development agencies, to provide speedy, sustainable and adequate support for the relief, early recovery, rehabilitation, reconstruction and development efforts of Haiti;

5. *Calls upon* the international community to provide assistance, as soon as possible, in response to the United Nations flash appeal for Haiti launched on 15 January 2010, and supports the overall coordinating role of the Office for the Coordination of Humanitarian Affairs in assisting the Government of Haiti in ensuring a coherent international response to the humanitarian emergency in Haiti;

6. *Requests* the Secretary-General and all relevant organs and bodies of the United Nations system, as well as the international financial institutions and development agencies, to assist Haiti, whenever possible, through continued effective humanitarian, technical and financial assistance that contributes to overcoming the emergency and to the rehabilitation and recovery of the economy and the affected population, in conformity with the priorities identified at the national level;

7. *Requests* the Secretary-General, in this regard, to consult with Member States, relevant United Nations organs and bodies, including the Peacebuilding Commission and the Economic and Social Council, regarding ways to achieve enhanced coordination of reconstruction and development efforts in Haiti;

8. *Requests* the relevant organs and bodies of the United Nations system and other relevant international organizations to increase their support and assistance in strengthening the disaster-preparedness capacity of Haiti as well as reducing its vulnerability to natural disasters, and in integrating disaster risk reduction in its development strategies and programmes, in accordance with the Hyogo Framework for Action 2005–2015: Building the Resilience of Nations and Communities to Disasters;

9. *Requests* the Secretary-General to keep Member States regularly informed on the humanitarian assistance

efforts in Haiti and to report to the General Assembly at its sixty-fifth session on the implementation of the present resolution and on the progress made in the relief, rehabilitation and reconstruction efforts of the affected country, under the sub-item entitled "Strengthening of the coordination of emergency humanitarian assistance of the United Nations".

In response to Assembly resolution 64/250 (see p. 931), the Secretary-General reported on relief and reconstruction efforts in Haiti in August (see p. 918) and in December, the Assembly adopted resolution 65/135 (*ibid.*).

EU extraordinary meeting. On 19 January [A/64/852-E/2010/101], Spain transmitted to the Secretary-General the conclusions adopted by the Council of the European Union (EU) (Foreign Affairs) at an extraordinary meeting on the humanitarian crisis in Haiti. The Council welcomed the European Commission's preliminary commitment of 30 million euros in humanitarian assistance and 92 million euros by its member States. Following the launch of the Flash Appeal, the EU signalled its intention to provide further humanitarian assistance. It called for an international conference on post-emergency needs, and welcomed the launching of a coordinated post-disaster needs assessment with the United Nations and the World Bank.

Haiti, Saint Lucia, Saint Vincent and the Grenadines, and other Caribbean countries

From 29 October to early November, the Caribbean (Bahamas, Barbados, Dominica, Grenada, Haiti, Jamaica, Saint Lucia, Saint Vincent and the Grenadines, Trinidad and Tobago, Turks and Caicos Islands) was hit by Hurricane Tomas, which brought strong winds, more than 10 inches of rain and surges of 1 to 3 feet above normal tide levels, severely affecting more than 2,000 homes, causing landslides, interrupting water services in Saint Lucia, and causing infrastructure damages, as well as electricity and communications disruption. The agriculture sector in Saint Lucia and Saint Vincent and the Grenadines suffered major losses, especially to banana crops; in Barbados some 1,500 houses were damaged. An emergency appeal was issued by the International Federation of Red Cross and Red Crescent Societies on 22 November requesting 1,045,054 Swiss francs to assist up to 2,050 families in Barbados, Saint Lucia and Saint Vincent and the Grenadines for six months, of which 63 per cent was covered at the time of the request.

GENERAL ASSEMBLY ACTION

On 15 December [meeting 67], the General Assembly adopted **resolution 65/136** [draft: A/65/L.48 & Add.1] without vote [agenda item 69 (a)].

Emergency and reconstruction assistance to Haiti, Saint Lucia, Saint Vincent and the Grenadines and other countries affected by Hurricane Tomas

The General Assembly,

Recalling its resolutions 49/22 A of 2 December 1994, 54/219 of 22 December 1999, 61/200 of 20 December 2006, 62/192 of 19 December 2007, 63/216 and 63/217 of 19 December 2008 and 64/200 of 21 December 2009,

Recalling also the report of the Secretary-General entitled "Strengthening of the coordination of emergency humanitarian assistance of the United Nations",

Deeply regretting the number of persons killed, missing and negatively affected as a result of Hurricane Tomas, which struck Saint Lucia and Saint Vincent and the Grenadines on 30 and 31 October and Haiti on 5 and 6 November 2010,

Deeply concerned at the tremendous damage caused by Hurricane Tomas to crops, homes, basic infrastructure and tourist and other areas and the economies of Haiti, Saint Lucia, Saint Vincent and the Grenadines and other affected countries, which could adversely affect the economic and social development plans of those countries,

Deeply concerned also about the vulnerability of Haitians who are still living in camps for internally displaced persons and informal settlements in the wake of the earthquake of January 2010 and as a result of increased cholera infections in the aftermath of the flooding caused by Hurricane Tomas,

Disturbed by the devastation to the agricultural sectors of Haiti, Saint Lucia and Saint Vincent and the Grenadines, in particular to the banana, tree crop and vegetable sectors and to livestock, caused by Hurricane Tomas, the short-term impact of the hurricane on the livelihoods of farmers and the medium-term impact on national economies resulting from the loss of revenue from agricultural exports,

Conscious that the Caribbean countries are vulnerable to cyclical weather patterns and prone to natural hazards because of their geographical location, features and small size, which impose additional challenges on their ability to achieve the Millennium Development Goals,

Noting with concern the loss of life, infrastructural damage and adverse developmental impacts caused by tropical storms and hurricanes, active and longer Atlantic hurricane seasons and the extreme vulnerability of the Caribbean region to such events,

Aware of the efforts of the Governments and peoples of Haiti, Saint Lucia, Saint Vincent and the Grenadines and other affected countries to save lives and alleviate the suffering of the victims of Hurricane Tomas,

Bearing in mind the enormous effort that will be required to ameliorate the serious situation caused by this natural disaster,

Welcoming the prompt response of the international community, the United Nations system, regional organizations, international agencies, the International Red Cross and Red Crescent Movement and non-governmental organizations in providing relief to the affected populations,

Recognizing that the magnitude of the disaster and its medium- and long-term effects will require, as a complement to the efforts already being made by the Governments and peoples of Haiti, Saint Lucia, Saint Vincent and

the Grenadines and other affected countries, a demonstration of international solidarity and humanitarian concern to ensure more broad-based and adequate multilateral cooperation in order to meet the immediate emergency situation in the affected areas and initiate the process of reconstruction,

1. *Expresses its solidarity and support* to the Governments and peoples of Haiti, Saint Lucia, Saint Vincent and the Grenadines and other affected countries;

2. *Expresses its gratitude* to the international community, the United Nations system, regional organizations, international agencies, the International Red Cross and Red Crescent Movement and non-governmental organizations that have provided emergency relief to the affected countries;

3. *Appeals* to all Member States and all organs and bodies of the United Nations system, as well as international financial institutions and development agencies, to provide speedy support for the relief, rehabilitation, reconstruction and assistance effort for Haiti, Saint Lucia, Saint Vincent and the Grenadines and other affected countries;

4. *Encourages* the Governments of Haiti, Saint Lucia, Saint Vincent and the Grenadines and other affected countries, in conjunction with relevant partners, to develop further strategies aimed at preventing and mitigating natural disasters, in accordance with the International Strategy for Disaster Reduction;

5. *Requests* the Secretary-General and all organs and bodies of the United Nations system, as well as international financial institutions and development agencies, to assist Haiti, Saint Lucia, Saint Vincent and the Grenadines and other affected countries, to the extent possible, through continued effective humanitarian, technical and financial assistance that contributes to overcoming the emergency and achieving the rehabilitation and recovery of the economies and the affected populations and through reconstruction and disaster risk reduction efforts that take into consideration the impact of climate change, in conformity with the priorities identified at the national level.

Mongolia

The UN Consolidated Dzud Appeal for Mongolia, which sought \$18.1 million, received 19 per cent (\$3.4 million) of the requirement.

An extremely harsh 2009–2010 winter in Mongolia resulted in increased maternal and child mortality, an unprecedented loss of livestock, and the collapse of thousands of people's livelihoods and basic services. The disaster, known locally as "dzud" (a complex, long-lasting natural disaster in which a summer drought was followed by heavy snowfalls and unusually low temperatures in winter, and then by a dangerous spring thaw), resulted in 15 of Mongolia's 21 provinces being declared disaster zones, and another four being seriously affected. The affected population suffered from lack of access to health care, widespread food insecurity, loss of livelihoods, risk of a mass exodus of people from rural areas to the cities in search of alternative employment and psychological trauma for affected herders and their families. The thick snow cover also meant that livestock were unable to graze,

and by the end of April, more than 7.8 million head of livestock (some 17 per cent of all Mongolia's livestock) had perished. In May, almost 9,000 households (45,000 people) were left without animals.

Pakistan

The UN Flash Appeal for Pakistan Floods Relief and Early Recovery Response Plan, which sought \$1.96 billion, received 70 per cent (\$1.37 billion) of the requirement.

During the 2010 monsoon season, Pakistan experienced the worst floods in its history. Heavy rainfall, flash floods and riverine floods combined to create a moving body of water equal in dimension to the land mass of the United Kingdom. The floods affected 78 of the 141 districts in Pakistan, covering one third of its geographical area and affecting more than 18 million people, with 1,980 confirmed deaths, 1.7 million homes and over 10,000 schools damaged or destroyed, 2.2 million hectares of standing crops damaged and half a million livestock lost. An initial response plan was launched on 11 August to address the immediate needs of flood-affected people, and a revised response plan in November, to address the residual relief and early recovery needs of flood-affected families for the following twelve months. The goal of the plan was to prevent excess morbidity and mortality and to enable flood-affected communities to return to their normal lives. Its strategic objectives were to ensure adequate public health through an integrated approach; provide food assistance and other social protection measures; support sustainable solutions through the provision of shelter assistance; restore on- and off-farm livelihoods; and restore basic community services.

GENERAL ASSEMBLY ACTION

On 19 August [meeting 110], the General Assembly adopted **resolution 64/294** [draft: A/64/L.66] without vote [agenda item 70].

Strengthening emergency relief, rehabilitation, reconstruction and prevention in the wake of devastating floods in Pakistan

The General Assembly,

Recalling its resolution 46/182 of 19 December 1991 and other relevant General Assembly and Economic and Social Council resolutions,

Cognizant of the substantial loss of life as well as enormous socio-economic, infrastructure and environmental damage caused by the recent devastating floods in Pakistan,

Noting that the massive scale of destruction and loss of life caused by unprecedented floods, triggered by torrential rains, in an otherwise arid region reflects the adverse impact of climate change and the growing vulnerability of countries to climate change,

Recognizing the urgency of undertaking a massive rescue and relief operation, and supporting the efforts for rehabilitation and reconstruction,

Welcoming the assistance and contributions of the international community, including Governments, international organizations, civil society and the private sector, in the relief and rehabilitation efforts, which reflect the spirit of international solidarity and cooperation, to address and meet the challenges of the disaster, and in this context also appreciating the role of the people and Government of Pakistan,

Welcoming also the launch by the United Nations on 11 August 2010 of the Pakistan Initial Floods Emergency Response Plan and the continuous engagement of the Secretary-General in the intensification of global relief efforts to meet the urgent and immediate needs of the affected people,

1. *Expresses full solidarity and sympathy* with the people of Pakistan affected by the floods;

2. *Urges* the international community, in particular donor countries, international financial institutions and relevant international organizations, as well as the private sector and civil society, to extend full support and assistance to the Government of Pakistan in its efforts to mitigate the adverse impacts of the floods and to meet the medium- and long-term rehabilitation and reconstruction needs;

3. *Requests* the Secretary-General and the United Nations system agencies to further intensify their efforts to sensitize the international community to the humanitarian, recovery and reconstruction needs of Pakistan and to mobilize effective, immediate and adequate international support and assistance to Pakistan;

4. *Also requests* the Secretary-General to report to the General Assembly at its sixty-fifth session on the implementation of the present resolution under the item entitled “Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance”.

Communications. On 15 September [A/65/375], Turkmenistan transmitted a letter to the Secretary-General detailing the humanitarian assistance it had provided to Pakistan and Afghanistan.

Chernobyl aftermath

In accordance with General Assembly resolution 62/9 [YUN 2007, p. 963], the Secretary-General in September submitted a report [A/65/341] on optimizing the international effort to study, mitigate and minimize the consequences of the Chernobyl nuclear disaster [YUN 1986, p. 584]. The report presented a midterm review of the UN action plan for Chernobyl recovery up to 2016 and recorded the activities undertaken by UN funds, programmes and specialized agencies to promote recovery from the disaster. It emphasized the importance of the ongoing inter-agency cooperation, including the framework of the International Chernobyl Research and Information Network, and outlined the role of UNDP in coordinating inter-agency efforts for implementing the Decade of Recovery and Sustainable Development of the Affected Regions (2006–2016) [YUN 2007, p. 964].

The Secretary-General noted that Chernobyl-affected communities still required assistance in the form of community-based projects, information on living safe and productive lives in the affected territories, and new opportunities and partnerships to help meet recovery and development needs. He recommended that coordination and cooperation among UN system organizations and bodies be guided by the developmental approach to Chernobyl, the UN action plan on Chernobyl to 2016 and the goal of bringing life in the affected communities back to normal. The Secretary-General noted that the twenty-fifth anniversary of the Chernobyl nuclear accident would be marked in 2011 by a conference in April, in Ukraine, providing an opportunity for the international community to remind people of the disaster and reinforce donor interest. Annexed to the report were updates on activities by the three most affected countries, Belarus, the Russian Federation and Ukraine, to facilitate recovery of the affected region.

GENERAL ASSEMBLY ACTION

On 15 December [meeting 67], the General Assembly adopted **resolution 65/131** [draft: A/65/L.25 & Add.1] without vote [agenda item 69 (e)].

Strengthening of international cooperation and coordination of efforts to study, mitigate and minimize the consequences of the Chernobyl disaster

The General Assembly,

Reaffirming its resolutions 45/190 of 21 December 1990, 46/150 of 18 December 1991, 47/165 of 18 December 1992, 48/206 of 21 December 1993, 50/134 of 20 December 1995, 52/172 of 16 December 1997, 54/97 of 8 December 1999, 56/109 of 14 December 2001, 58/119 of 17 December 2003, 60/14 of 14 November 2005 and 62/9 of 20 November 2007, as well as its resolution 55/171 of 14 December 2000, on closure of the Chernobyl nuclear power plant, and taking note of the decisions adopted by the organs, organizations and programmes of the United Nations system in the implementation of those resolutions,

Recalling Economic and Social Council resolutions 1990/50 of 13 July 1990, 1991/51 of 26 July 1991 and 1992/38 of 30 July 1992 and Council decision 1993/232 of 22 July 1993,

Conscious of the long-term nature of the consequences of the disaster at the Chernobyl nuclear power plant, which was a major technological catastrophe in terms of its scope and complexity and created humanitarian, environmental, social, economic and health consequences and problems of common concern, requiring for their solution wide and active international cooperation and coordination of efforts in this field at the international and national levels,

Expressing profound concern at the ongoing effects of the consequences of the accident on the lives and health of people, in particular children, in the affected areas of Belarus, the Russian Federation and Ukraine, as well as in other affected countries,

Noting the consensus reached among members of the Chernobyl Forum on the environmental, health and socio-economic effects of the Chernobyl disaster, in particular, in providing a message of reassurance and practical advice to communities living in territories affected by the Chernobyl disaster,

Acknowledging the importance of the national efforts being undertaken by the Governments of Belarus, the Russian Federation and Ukraine to mitigate and minimize the consequences of the Chernobyl disaster,

Recognizing the contribution of civil society organizations, including the national Red Cross Societies of Belarus, the Russian Federation and Ukraine and the International Federation of Red Cross and Red Crescent Societies, in response to the Chernobyl disaster and in support of the efforts of the affected countries,

Welcoming with appreciation the developmental approach to tackling the problems caused by the Chernobyl disaster aimed at normalizing the situation of the individuals and communities concerned in the medium and long term,

Stressing the exceptional Chernobyl-related needs, in particular in the areas of health, environment and research, in the context of the transition from the emergency to the recovery phase of mitigation of the consequences of the Chernobyl disaster,

Noting the coordinating role for Chernobyl issues of the United Nations Development Programme,

Welcoming with appreciation the progress of engineering projects in transforming the damaged reactor site into a stable and environmentally safe condition, noting in particular that the design and construction of a new, safe confinement for the reactor have entered their final phase but will require significant funds to complete,

Stressing the need for further coordination by the United Nations Development Programme and improved resource mobilization by the United Nations system to support the activities aimed at the recovery of Chernobyl-affected territories, inter alia, community-based development projects, support to investment promotion and the creation of new jobs and small businesses, advocacy work and the provision of relevant policy advice as requested, and the widest possible dissemination of the findings of the Chernobyl Forum through the International Chernobyl Research and Information Network,

Stressing also the significance of the upcoming twenty-fifth anniversary of the accident for the further strengthening of international cooperation to study, mitigate and minimize the consequences of the Chernobyl disaster,

Taking note of the report of the Secretary-General concerning the implementation of resolution 62/9, as well as relevant parts of the reports of the agencies and organizations of the United Nations system,

1. *Welcomes* the contribution made by States and by organizations of the United Nations system to the development of cooperation to mitigate and minimize the consequences of the Chernobyl disaster, the activities of regional and other organizations and those of non-governmental organizations, as well as bilateral activities;

2. *Notes with appreciation* the efforts undertaken by the agencies of the United Nations system and other international organizations that are members of the Inter-Agency Task Force on Chernobyl to continue implementing a developmental approach to study, mitigate and minimize

the consequences of the Chernobyl disaster, in particular through the development of specific projects, and stresses the need for the Inter-Agency Task Force to continue its activities to that end, including through coordinating efforts in the field of resource mobilization;

3. *Acknowledges* the difficulties faced by the most affected countries in minimizing the consequences of the Chernobyl disaster, and invites States, in particular donor States and all relevant agencies, funds and programmes of the United Nations system, in particular the Bretton Woods institutions, as well as non-governmental organizations, to continue to provide support to the ongoing efforts of Belarus, the Russian Federation and Ukraine to mitigate the consequences of the Chernobyl disaster, including through the allocation of adequate funds to support medical, social, economic and environmental programmes related to the disaster;

4. *Reaffirms* that the United Nations should continue to play an important catalytic and coordinating role in the strengthening of international cooperation to study, mitigate and minimize the consequences of the Chernobyl disaster;

5. *Requests* the Secretary-General and the United Nations Coordinator of International Cooperation on Chernobyl, in the capacity of Administrator of the United Nations Development Programme and as Chair of the United Nations Development Group, to continue to take appropriate practical measures to strengthen coordination of the international efforts in that area;

6. *Welcomes* the efforts of the Government of Ukraine and the international donor community to complete construction of the Shelter facility and related nuclear safety projects at Chernobyl, in accordance with international standards, so as to transform the site into a stable and environmentally safe state, and urges all parties to ensure that a strong, long-standing, high-level commitment remains in place to ensure the successful completion of this vital work;

7. *Also welcomes* the activities of the United Nations Development Programme Goodwill Ambassador, star tennis player, Ms. Maria Sharapova, who serves as an advocate for post-Chernobyl recovery efforts, and praises her personal commitment in supporting a number of recovery projects that aid local communities in Belarus, the Russian Federation and Ukraine;

8. *Notes with satisfaction* the completion of the Cooperation for Rehabilitation Programme in Belarus and the realization of the ongoing Chernobyl Recovery and Development Programme in Ukraine, aimed at promoting better living conditions in and the sustainable development of the affected territories;

9. *Welcomes* the initiation in Belarus of a three-year project by the United Nations Development Programme, the United Nations Children's Fund and the United Nations Population Fund aimed at enhancing human well-being and safety in the Chernobyl-affected areas and the area-based development project in the Chernobyl-affected areas in Belarus, as well as the nationwide extension of the area-based development approach that was piloted in the Chernobyl-affected region of Ukraine;

10. *Notes with satisfaction* assistance rendered by the International Atomic Energy Agency to Belarus, the Russian Federation and Ukraine on remediation of agricul-

tural and urban environments, cost-effective agricultural countermeasures and the monitoring of human exposure in areas affected by the Chernobyl disaster;

11. *Takes note with satisfaction* of the progress made by the Governments of the affected countries in implementing national strategies to mitigate the consequences of the Chernobyl disaster, calls upon United Nations agencies and multilateral and bilateral donors to continue to align their assistance with the priorities of the national strategies of the affected States, and stresses the importance of working together on their implementation in a common effort in the spirit of cooperation;

12. *Welcomes* the implementation of the International Chernobyl Research and Information Network, aimed at providing scientific information on the consequences of the accident, with practical advice for local communities in the affected territories of Belarus, the Russian Federation and Ukraine through dissemination of the findings of the Chernobyl Forum, including by providing accurate information on the impact of radiation in accessible, non-technical language in the form of practical messages on healthy and productive lifestyles, to the populations affected by the accident in order to empower them to maximize social and economic recovery and sustainable development in all its aspects;

13. *Stresses* the importance of the full implementation of the third decade after the Chernobyl disaster, 2006–2016, the Decade of Recovery and Sustainable Development of the Affected Regions, proclaimed in its resolution 62/9, which is focused on achieving the goal of a return to normal life for the affected communities as far as is possible within this time frame, and notes the ongoing midterm comprehensive review of the Decade;

14. *Requests* the United Nations Development Programme to coordinate, within existing resources, the efforts of the United Nations system and with other relevant actors on the implementation of the Decade;

15. *Welcomes* the initiative of Ukraine, co-sponsored by Belarus and the Russian Federation, to convene the international conference entitled “Twenty-five Years after the

Chernobyl Disaster: Safety for the Future” in April 2011 in Kyiv;

16. *Calls upon* the relevant United Nations bodies, the specialized agencies and other organizations of the United Nations system to actively engage in and fund, within existing resources, the preparations for the conference;

17. *Encourages* Governments, intergovernmental and non-governmental organizations, major groups, the private sector and other donors to contribute to the preparatory process and the conference itself;

18. *Requests* the Secretary-General to ensure, as appropriate, the full involvement of resident coordinators and country teams in Belarus, the Russian Federation and Ukraine in preparations for the conference;

19. *Requests* the President of the General Assembly to convene, on 26 April 2011, a special commemorative meeting of the Assembly in observance of the twenty-fifth anniversary of the Chernobyl catastrophe;

20. *Requests* the Secretary-General to continue his efforts in the implementation of the relevant General Assembly resolutions and, through existing coordination mechanisms, in particular the United Nations Coordinator of International Cooperation on Chernobyl, to continue to maintain close cooperation with the agencies of the United Nations system, as well as with regional and other relevant organizations, while implementing specific Chernobyl-related programmes and projects;

21. *Requests* the United Nations Coordinator of International Cooperation on Chernobyl to continue her work to realize the United Nations action plan on Chernobyl to 2016, aimed at implementation of the Decade, with the full involvement of the relevant United Nations agencies in collaboration with the Governments of Belarus, the Russian Federation and Ukraine;

22. *Requests* the Secretary-General to submit to the General Assembly at its sixty-eighth session, under a separate sub-item, a report containing a comprehensive assessment of the implementation of all aspects of the present resolution and, in particular, of the action plan on Chernobyl to 2016.

International trade, finance and transport

In 2010, the work of the United Nations system on international trade, finance and transport dealt mainly with the global economic and financial crisis that began in 2008. The system, mainly through the United Nations Conference on Trade and Development (UNCTAD), sought to address what the General Assembly in December termed “the enormity and the multidimensional nature” of the crisis.

After a year of fragile and uneven recovery, global economic growth started to decelerate on a broad front in mid-2010. World trade continued to rise in 2010, but the momentum of the strong growth observed in the first half of the year started to peter out in the second. While the volume of exports of many emerging economies achieved, or even went beyond, pre-crisis peaks, exports of developed economies did not fully recover and, in the third quarter of 2010, were 8 per cent below pre-crisis highs. Reflecting the recovery in world trade, international shipping experienced an upswing in 2010, after contracting in 2009. Net private capital inflows to emerging economies recovered from their precipitous decline in late 2008 and early 2009; they were estimated to be above \$800 billion in 2010, a more than 30 per cent increase from 2009. After negative net flows in 2009, international bank lending to emerging economies resumed in 2010, even though it remained far below pre-crisis levels.

In March, the high-level meeting between the Economic and Social Council and the Bretton Woods institutions (the World Bank Group and the International Monetary Fund), the World Trade Organization and UNCTAD discussed the topic “Building on Monterrey and Doha: achieving the internationally agreed development goals, including the Millennium Development Goals”. In June, the General Assembly held an informal event on innovative sources of development finance, which provided inputs to the Assembly’s High-level Plenary Meeting on the Millennium Development Goals in September.

Also in June, the United Nations Cocoa Conference for the Negotiation of a Successor Agreement to the International Cocoa Agreement, 2001, concluded a new International Cocoa Agreement to replace that of 2001. The Agreement aimed to strengthen international cooperation between cocoa producers and consumers.

At the Sixth United Nations Conference to Review All Aspects of the Set of Multilaterally Agreed Equita-

ble Principles and Rules for the Control of Restrictive Business Practices (the Set) in November, heads of competition authorities and representatives of Governments, the private sector and civil society assessed the application of the Set on competition and discussed proposals for its improvement.

At its annual session in September, the Trade and Development Board, UNCTAD governing body, took action on Africa and new forms of development partnerships. It also undertook an evaluation and review of UNCTAD implementation of the 2008 Accra Accord, adopted at UNCTAD XII, and reviewed UNCTAD technical cooperation activities and their financing.

International trade

The UNCTAD *Trade and Development Report, 2011* [Sales No. E.11.II.D.3] stated that international trade in both goods and services rebounded sharply in 2010, after having registered its steepest fall since the Second World War. Global trade volume recorded a 14 per cent year-on-year increase, which roughly offset its decline in 2009. In the second half of 2010, the upturn lost some traction as inventory cycles entered a new phase and economic activity slowed in several developed countries.

The revival of trade was uneven among countries and income groups of countries. Developed countries’ trade volume had yet to recover its pre-crisis level, as had that of the transition economies. The situation was worse in South-Eastern Europe, where imports contracted even further in 2010. In sharp contrast, the volume of both imports and exports in most groups of developing countries already exceeded their 2008 peak, with East Asia leading the upturn.

The *World Economic Situation and Prospects 2011* [Sales No. E.11.II.C.2], jointly issued by the UN Department of Economic and Social Affairs (DESA) and UNCTAD, stated that, from mid-2010, world trade growth lost steam along with the slowdown in the recovery of the world economy. It noted that, during the recovery, the rebound in commodity prices was not initially accompanied by renewed dollar depreciation. However, from mid-2010, when upward pressure on commodity prices weakened, the rates of growth in the volume and value of trade converged. That pattern was expected to continue.

Multilateral trading system

Report of Secretary-General. In response to General Assembly resolution 64/188 [YUN 2009, p. 918], the Secretary-General submitted an August report [A/65/211] on international trade and development, prepared in collaboration with UNCTAD. The report stated that the global economy was recovering from the deep and widespread downturn. Strong and sustained global recovery was indispensable for employment creation, poverty alleviation and sustainable development, which enhanced the prospects for achieving the Millennium Development Goals (MDGs). A resurgence in trade had contributed to the recovery, which was driven by emerging developing countries, reflecting the multipolarity of the global economy and the emerging economic powers. The multilateral trading system—a global public good—faced challenges of redressing asymmetries and imbalances affecting the developing countries. The interdependence of economies required coherence in addressing the development dimension at all levels of global economic governance. The United Nations played a critical role in that regard.

Communication. On 27 September [A/65/395], Singapore, on behalf of the informal Global Governance Group (3G), comprising 27 Member States, transmitted to the Secretary-General a document containing 3G's inputs to the G-20 Working Group on Development established at the G-20 Summit (Toronto, Canada, 26–27 June). Subjects addressed included facilitating open markets and trade.

UNCTAD consideration. At its fifty-seventh annual session (Geneva, 15–28 September) [A/65/15 (Part IV) & Corr.1], the UNCTAD Trade and Development Board (TDB) discussed an UNCTAD secretariat note on evolution of the international trading system and of international trade from a development perspective: the impact of the crisis-mitigation measures and prospects for recovery [TD/B/57/3]. TDB members welcomed the recovery in the world economy from the global economic crisis, driven especially by dynamic demand growth in emerging economies in Asia and a resurgence of international trade. It was noted that, while the crisis had resulted in the largest decline in trade in over 70 years, the turnaround had been rapid. Emerging developing countries played a fundamental role in that revival and in the recovery in developed countries. There was consensus that international trade remained a key driver of growth and development and of the achievement of the MDGs, particularly for trade-dependent economies with small domestic markets—a category that included most developing countries. There was a need to strengthen the linkage between trade and poverty reduction. In that regard, constraints faced by developing countries in expand-

ing trade should be effectively addressed, for instance by improving access to trade finance, further reducing tariff and non-tariff barriers, strengthening connectivity through trade facilitation, promoting technology transfer, addressing high volatility of commodity prices, facilitating movement of persons to provide services, enhancing the contribution of migrants and remittances for poverty reduction and strengthening productive capacity development.

Negotiating frameworks

Doha Development Round negotiations

The Secretary-General, in his August report on international trade and development [A/65/211], said that the inability of the multilateral trading system to conclude the Doha Development Round launched in 2001 [YUN 2001, p. 1432]—the longest of all General Agreement on Tariffs and Trade (GATT)/World Trade Organization (WTO) negotiations—and deliver on a substantive development dimension had underlined the need to improve the WTO function as a negotiating forum. The Seventh WTO Ministerial Conference [YUN 2009, p. 918] had reaffirmed members' resolve to conclude the Round in 2010. Major barriers to the negotiations remained the lack of engagement and leadership to move from entrenched positions by recognizing the asymmetrical capacities and needs of developing countries. Negotiations hinged on the question of whether to proceed on the basis of modalities for agriculture and non-agricultural market access. Developing countries were concerned over an erosion of the Round towards a singular focus on market access. They were also concerned at repeated attempts to divert attention from the original Doha mandate, which prioritized development issues, by setting new approaches and targets such as a quantitative benchmark or formula for the liberalization in services and skipping negotiations on the modalities for agriculture and non-agricultural market access. There was a need to conduct negotiations on the basis of the existing Doha Development Round. Further prolongation risked increased loss of interest in the Round, leaving a greater role in global economic governance for other forums such as the G-20, regional and bilateral arrangements and increased trade litigation.

WTO report. According to the WTO Annual Report 2011, detailed talks in 2010, hosted by WTO, failed to bridge the few, but important, outstanding issues to conclude the Doha Development Agenda negotiations. Nevertheless, at the stocktaking meeting in March, every member expressed strong commitment to the mandate of the Doha Round and its conclusion. The Chairs of all the negotiating bodies provided factual reports, identifying areas of progress and remaining gaps. Members agreed that, where the

gaps were clear, political decisions would be needed as part of the final package. Where the extent of the gaps was less clear, further technical work would be required before political decisions could be taken. Three core principles would guide members' future work: maintaining and strengthening the multilateral dimension of the negotiations without discouraging other avenues for progress; building on what was already on the table in the shape of the Chairs' texts; and ensuring that the development dimension remained central to the outcome of the Round.

TDB action. At its forty-ninth executive session (Geneva, 8–9 June) [A/65/15 (Part II)], TDB, in its discussion of the key development challenges facing the least developed countries (LDCs), stated that the Doha Round of WTO trade negotiations should be concluded as soon as possible and should address the development concerns of LDCs. An interim outcome addressing the trade interests of those countries needed to be delivered.

GENERAL ASSEMBLY ACTION

On 20 December [meeting 69], the General Assembly, on the recommendation of the Second (Economic and Financial) Committee [A/65/434/Add.1], adopted **resolution 65/142** by recorded vote (119-47-7) [agenda item 18 (a)].

International trade and development

The General Assembly,

Recalling its resolutions 56/178 of 21 December 2001, 57/235 of 20 December 2002, 58/197 of 23 December 2003, 59/221 of 22 December 2004, 60/184 of 22 December 2005, 61/186 of 20 December 2006, 62/184 of 19 December 2007, 63/203 of 19 December 2008 and 64/188 of 21 December 2009 on international trade and development,

Recalling also the United Nations Millennium Declaration, as well as the outcomes of the International Conference on Financing for Development and the World Summit on Sustainable Development, the 2005 World Summit Outcome and the Doha Declaration on Financing for Development: outcome document of the Follow-up International Conference on Financing for Development to Review the Implementation of the Monterrey Consensus,

Recalling further the Outcome of the Conference on the World Financial and Economic Crisis and Its Impact on Development,

Recalling the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals and its outcome document,

Noting the Seventh Ministerial Conference of the World Trade Organization, held in Geneva from 30 November to 2 December 2009 under the general theme "The World Trade Organization, the Multilateral Trading System and the Current Global Economic Environment",

Reaffirming the value of multilateralism to the global trading system and the commitment to achieving a uni-

versal, rules-based, open, non-discriminatory and equitable multilateral trading system that contributes to growth, sustainable development and employment generation in all sectors, and emphasizing that bilateral and regional trading arrangements should contribute to the goals of the multilateral trading system,

Reiterating that development concerns form an integral part of the Doha Development Agenda, which places the needs and interests of developing and least developed countries at the heart of the Doha Work Programme,

Noting that agriculture lags behind the manufacturing sector in the process of the establishment of multilateral disciplines and in the reduction of tariff and non-tariff barriers and that, since most of the world's poor make their living from agriculture, the livelihood and standards of living of many of them are seriously jeopardized by the serious distortions in production and trade in agricultural products caused by the high levels of export subsidies, trade-distorting domestic support and protectionism by many developed countries,

1. *Takes note* of the report of the Trade and Development Board and the report of the Secretary-General;

2. *Reaffirms* that international trade can be an engine for development and sustained economic growth, underlines the need to fully harness its potential in that regard, and stresses the importance of upholding a universal, rules-based, open, non-discriminatory and equitable multilateral trading system that contributes to growth, sustainable development and employment, particularly in developing countries;

3. *Notes with deep concern* that the ongoing world financial and economic crisis is still severely impacting international trade, affecting developing countries in particular, and expresses concern about the fragile and uneven state of the recovery of trade flows;

4. *Stresses* the need to resist all protectionist measures and tendencies, especially those affecting developing countries, including tariff, non-tariff and other barriers to trade, in particular agricultural subsidies, and to rectify any such measures already taken, recognizes the right of countries to fully utilize their policy space, consistent with World Trade Organization commitments, and calls upon the World Trade Organization and other relevant bodies, including the United Nations Conference on Trade and Development, to continue monitoring protectionist measures and to assess their impact on developing countries;

5. *Encourages* Member States to refrain from adopting any measures or restrictions related to trade and transit that affect the access by developing countries to medicines, especially generic medicines, and medical equipment;

6. *Expresses serious concern* at the lack of progress in the Doha Round of World Trade Organization negotiations, reiterates the call on all members of the World Trade Organization, in particular developed country members, to demonstrate the flexibility and political will necessary to break the current impasse in the negotiations, and calls for an early, balanced, ambitious and development-oriented outcome of the Doha Development Agenda multilateral trade negotiations, in keeping with the development mandate of the Doha Ministerial Declaration, the decision of 1 August 2004 of the General Council of the World Trade Organization and the Hong Kong Ministerial Declaration,

which places development at the heart of the multilateral trading system;

7. *Stresses* that, in order for the Doha Round to be concluded satisfactorily, the negotiations should strengthen the rules and disciplines in the area of agriculture, eliminate agricultural export subsidies, substantially reduce the domestic measures of support by developed countries and promote enhanced market access to developed country markets, in a balanced and development-oriented outcome, while adhering to the development mandate of the Doha Ministerial Declaration, the decision of 1 August 2004 of the General Council of the World Trade Organization and the Hong Kong Ministerial Declaration;

8. *Also stresses* the need to make substantial progress in the negotiations of the World Trade Organization complying with the mandate of the Doha Development Agenda, covering all areas under the single undertaking, such as agriculture, non-agricultural market access, services, rules and trade facilitation, as well as in the negotiations on the Dispute Settlement Understanding, to ensure that the development concerns of developing countries are fully reflected in any outcome, consistent with the development mandate of the Doha Ministerial Declaration, the decision of 1 August 2004 of the General Council of the World Trade Organization and the Hong Kong Ministerial Declaration;

9. *Reiterates its call* for the review work on special and differential treatment provisions to be completed, with a view to strengthening those provisions and making them more precise, effective and operational, in accordance with paragraph 44 of the Doha Ministerial Declaration and paragraph 35 of the Hong Kong Ministerial Declaration;

10. *Calls for* solutions to be found to the implementation-related issues and concerns as set out in the relevant decisions contained in the Doha Ministerial Declaration;

11. *Reiterates its call* for work to be accelerated on the development-related mandate concerning the Agreement on Trade-related Aspects of Intellectual Property Rights (TRIPS Agreement) in the Doha Ministerial Declaration, especially the issue of making intellectual property rules fully support the objectives of the Convention on Biological Diversity and issues related to the full implementation of the Doha Declaration on the TRIPS Agreement and Public Health affecting many developing countries, including the least developed countries, especially those issues arising from HIV/AIDS, tuberculosis, malaria and other diseases;

12. *Reaffirms* the necessity of promoting the transfer and dissemination of technology and access to knowledge for the benefit of developing countries, taking fully into account the priorities and special needs of developing countries, as well as the World Intellectual Property Organization development agenda;

13. *Also reaffirms* the commitments made at the Fourth Ministerial Conference of the World Trade Organization relating to the least developed countries, calls upon developed countries that have not already done so to provide immediate, predictable, duty-free and quota-free market access on a lasting basis for all products originating from all least developed countries, and welcomes the convening of the Fourth United Nations Conference on the Least Developed Countries in Istanbul, Turkey, in 2011;

14. *Calls for* the full implementation of the Marrakesh Ministerial Decision on Measures Concerning the Possi-

ble Negative Effects of the Reform Programme on Least Developed and Net Food-importing Developing Countries by providing such countries with technical and financial assistance in order to meet their food needs;

15. *Reaffirms* the commitment to actively pursue the work programme of the World Trade Organization with respect to addressing the trade-related issues and concerns affecting the fuller integration of countries with small, vulnerable economies into the multilateral trading system in a manner commensurate with their special circumstances and in support of their efforts towards sustainable development, in accordance with paragraph 35 of the Doha Ministerial Declaration and paragraph 41 of the Hong Kong Ministerial Declaration;

16. *Also reaffirms* its full commitment to urgently addressing the special development needs of and the challenges faced by landlocked developing countries, and calls for the full, timely and effective implementation of the Almaty Programme of Action: Addressing the Special Needs of Landlocked Developing Countries within a New Global Framework for Transit Transport Cooperation for Landlocked and Transit Developing Countries, in accordance with the Declaration of the high-level meeting of the sixty-third session of the General Assembly on the midterm review of the Almaty Programme of Action;

17. *Expresses deep concern* at the imposition of laws and other forms of coercive economic measures, including unilateral sanctions, against developing countries, which undermine international law and the rules of the World Trade Organization and also severely threaten freedom of trade and investment;

18. *Calls for* the accession of all developing countries that apply for membership in the World Trade Organization, in particular the least developed countries, including countries emerging from conflict that are least developed countries, to be facilitated, bearing in mind paragraph 21 of its resolution 55/182 of 20 December 2000 and subsequent developments, and also calls for the effective and faithful application of the World Trade Organization guidelines on accession by the least developed countries;

19. *Recognizes* the urgent need to mobilize additional, non-conditional and predictable funding for Aid for Trade, including through the Enhanced Integrated Framework for Trade-related Technical Assistance to Least Developed Countries, to help to strengthen and enhance the trade capacity and international competitiveness of developing countries so as to ensure equitable benefits for them from increased trading opportunities and to foster their economic growth, and notes that the third Global Review on Aid for Trade is to be held in Geneva in July 2011;

20. *Also recognizes* that South-South trade should be further strengthened, including through market access between developing countries, and in this regard takes note of the Ministerial Decision on Modalities of the São Paulo Round of negotiations on the Global System of Trade Preferences among Developing Countries, adopted in Geneva on 2 December 2009, and looks forward to an early conclusion of the São Paulo Round of negotiations;

21. *Reiterates* the important role of the United Nations Conference on Trade and Development as the focal point within the United Nations system for the integrated treatment of trade and development and interrelated issues in the areas of finance, technology, investment and sustainable develop-

ment, and calls upon the international community to work towards the strengthening of the Conference, to enable it to enhance its contribution in its three major pillars, namely, consensus-building, research and policy analysis, and technical assistance, especially through increased core resources;

22. *Invites* the United Nations Conference on Trade and Development, in accordance with its mandate, to monitor and assess the evolution of the international trading system, to undertake policy analysis with a view to fostering greater coherence between the multilateral trading system and the international financial system, from a development perspective, and to support developing countries in building national capacities, including through technical assistance activities;

23. *Reaffirms* the fundamental role that competition law and policy can play for sound economic development, in accordance with national legislation, welcomes the convening of the sixth United Nations Conference to Review All Aspects of the Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices, held in Geneva from 8 to 12 November 2010, and takes note of the final report of the Conference;

24. *Urges* donors to provide the United Nations Conference on Trade and Development with the increased resources necessary to deliver effective and demand-driven assistance to developing countries, as well as to enhance their contributions to the trust funds of the Integrated Framework for Trade-related Technical Assistance to Least Developed Countries and the Joint Integrated Technical Assistance Programme;

25. *Requests* the Secretary-General, in collaboration with the secretariat of the United Nations Conference on Trade and Development, to submit to the General Assembly at its sixty-sixth session a report on the implementation of the present resolution and developments in the multilateral trading system, under the sub-item entitled "International trade and development" of the item entitled "Macroeconomic policy questions";

26. *Also requests* the Secretary-General to transmit the present resolution to the Director-General of the World Trade Organization for circulation as a document of the World Trade Organization.

RECORDED VOTE ON RESOLUTION 65/142:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cameroon, Cape Verde, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Micronesia, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka,

Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Albania, Andorra, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Ukraine, United Kingdom, United States.

Abstaining: Marshall Islands, Mexico, Palau, Republic of Korea, Russian Federation, Serbia, Turkey.

On 20 December (**decision 65/525**), the Assembly took note of the report of the Second Committee [A/65/434] on its discussion of macroeconomic policy questions, including those related to international trade and development.

Trade policy

Trade and development

The Trade and Development Commission, at its second session (Geneva, 3–7 May) [TD/B/C.I/13], addressed successful trade and development strategies for mitigating the impact of the global economic and financial crisis; the contribution of tourism to trade and development; and promoting and strengthening synergies among the three pillars of the work of UNCTAD (consensus building, research and analysis, and technical cooperation).

The Commission had before it UNCTAD secretariat notes on successful trade and development strategies for mitigating the impact of the global economic and financial crisis [TD/B/C.I/7 & Corr.1]; the contribution of tourism to trade and development [TD/B/C.I/8]; and progress reports on the implementation of the provisions of the 2008 Accra Accord [YUN 2008, p. 1042] related to key trade and development issues [TD/B/C.I/9], to commodities [TD/B/C.I/10], to transport and trade facilitation [TD/B/C.I/11], and to cross-divisional capacity building [TD/B/C.I/12].

In agreed conclusions, the Commission highlighted the importance of social safety nets; structural transformation; upgrading infrastructure; productive capacity development linked with trade; commodity sector development, especially in agriculture; support for small and medium-sized enterprises; human capital and technological development; climate-friendly trade and investment measures; South-South trade; and market-opening trade policies to create growth and jobs and alleviate poverty. It recognized the importance of an open, fair, equitable and rules-based multilateral trading system

and the avoidance of protectionism. The Commission stressed that tourism stimulated broad-based economic growth, attracted investment and fostered development. UNCTAD was asked to pursue its mandate on trade and development issues as contained in the Accra Accord, and to reinforce assistance to developing countries, in particular LDCs.

In agreed conclusions on the outcomes of expert meetings, the Commission took note of the reports of the following meetings: the Multi-year Expert Meeting on Commodities and Development on its second session (Geneva, 24–25 March) [TD/B/C.I/MEM.2/11]; the Multi-year Expert Meeting on Services, Development and Trade: the Regulatory and Institutional Dimension on its second session (Geneva, 17–19 March) [TD/B/C.I/MEM.3/6]; the Multi-year Expert Meeting on International Cooperation: South-South Cooperation and Regional Integration on its second session (Geneva, 14–16 December 2009) [TD/B/C.II/MEM.2/6]; the Multi-year Expert Meeting on Transport and Trade Facilitation on its second session (Geneva, 8–10 December 2009) [TD/B/C.I/MEM.1/6]; the Expert Meeting on Green and Renewable Technologies as Energy Solutions for Rural Development (Geneva, 9–11 February 2010) [TD/B/C.I/EM.3/3]; the Expert Meeting on the Contribution and Effective Use of External Resources for Development, in Particular for Productive Capacity-building (Geneva, 22–24 February) [TD/B/C.II/EM.1/3]; and the Intergovernmental Group of Experts on Competition Law and Policy on its tenth session [YUN 2009, p. 958]. The last meeting served as a preparatory body for the Sixth United Nations Conference to Review All Aspects of the Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices (see p. 961).

TDB, at its fiftieth executive session [A/65/15 (Part III)], took note of the Commission's report and endorsed the agreed conclusions contained therein.

Trade promotion and facilitation

In 2010, UN bodies continued to assist developing countries and transition economies in promoting their exports and facilitating their integration into the multilateral trading system. The main originator of technical cooperation projects in that area was the International Trade Centre, under the joint sponsorship of UNCTAD and WTO.

International Trade Centre

In its Annual Report 2010 [ITC/AG(XLV)/239], the UNCTAD/WTO International Trade Centre (ITC) said that it continued to support small and medium-sized enterprises (SMEs) and entrepreneurs in developing

and transition countries in the areas of market demand; improving the quality of goods and services; diversification; and developing networks of institutions to provide innovative business services to exporters. Thus, ITC's focus was on expanding countries' capacities to trade, and on the growth of export-oriented private-sector enterprises, strong local institutions and sound, development-focused trade-related policies. In 2010, ITC carried out 196 projects and conducted 176 workshops, seminars, forums and trainings with 6,568 participants, of which 2,235 were women. It spent 58 per cent of its programme resources (\$20.3 million) in LDCs, landlocked developing countries, small island developing States and sub-Saharan Africa. ITC continued to contribute to the Aid for Trade agenda, launched at the Sixth WTO Ministerial Conference [YUN 2005, p. 1593], which connected private and public sectors, large and small, to regional, national and global players.

ITC provided support to the African cotton sector to make it a stronger player in international cotton trade. Through market linkages, it identified an opportunity for African companies to obtain direct feedback on quality and technical requirements from Asian spinning factories, which would make it possible to bring African ginners into closer contact with the market and result in higher prices for them and for farmers, while increasing South-South trade.

Demand for ITC web-based trade analysis tools grew dramatically, with exporters eager for trade intelligence on emerging product and market opportunities. Users from 221 countries and territories included sole traders, SMEs and multinational corporations. The number of users had increased by 86 per cent since 2009.

ITC's flagship event—the eleventh World Export Development Forum (Chongqing, China, 9–12 September)—attracted more than 300 participants from 48 countries and saw increased private-sector attendance. Within the event, the Chongqing Platform for Action on Sourcing from Women Vendors was launched to increase women's share of corporate, government and institutional procurement.

At the eighth World Conference of Trade Promotion Organizations (TPOs) (Mexico City, 14–15 October), co-hosted by ITC, participants from 75 TPOs and 17 private enterprises explored solutions for TPOs to meet the increasing pressure to demonstrate impact to their stakeholders. Participants discussed how to design services to improve competitiveness and increase exports, along with good practice methodologies and mechanisms to report on impact.

Regarding WTO accession, ITC continued working with WTO on the joint Programme on Trade Capacity for Acceding Least Developed Countries. The programme engaged the private sector in a dia-

logue with policymakers, thereby building the confidence of the business community in their country's bid for WTO membership.

More than 7,000 people were employed by enterprises linked to the ITC Ethical Fashion Programme, connecting large fashion houses with marginalized communities. Most of the employees were women who could now cater for their basic needs, and were gaining skills as artisans and contributing to sophisticated fashion supply chains.

ITC's 2010 budget totalled to \$122.53 million. The opening balance, including re-phased and unallocated resources from 2009, amounted to \$44.47 million. Net income received came to \$78.06 million and overall cumulative expenditure was \$75.36 million. Extrabudgetary expenditures, with funds provided by donors through voluntary donations, amounted to \$40.17 million.

Joint Advisory Group

TDB consideration. At its fifty-seventh session (Geneva, 15–28 September) [A/65/15 (Part IV) & Corr.1], TDB took note of the report of the ITC Joint Advisory Group (JAG) on its forty-third session [YUN 2009, p. 924].

JAG session. JAG, at its forty-fourth session (Geneva, 16–17 December) [ITC/AG(XLIV)/238], discussed ITC activities and made recommendations to the UNCTAD Trade and Development Board and the WTO General Council. JAG had before it the ITC Annual Report 2009 [YUN 2009, p. 923], the ITC 2011 consolidated programme document and the draft 2011 operational plan. Statements were made by the UNCTAD Secretary-General, the WTO Director-General and the ITC Executive Director. The WTO Director-General noted progress made in implementing the joint programme providing capacity-building support to LDCs in the process of WTO accession. Delegates expressed satisfaction at ITC progress in incorporating gender in its work, although some felt that more could be done. Several delegates suggested that young people should be given the same sort of attention, along with the continued emphasis on poverty reduction, the environment and global partnerships. Many delegations expressed satisfaction with the focus on the MDGs in ITC work and the shift towards larger, multi-year programmes. Pledges of donor contributions to ITC for 2011 were made by Canada, China, Denmark, Finland, Germany, Norway and Switzerland.

ITC administrative and budgetary arrangements

In March, the Secretary-General transmitted to the General Assembly the financial report and audited financial statements for the biennium ended 31 December 2009 and the report of the Board of

Auditors regarding ITC [A/65/5 (Vol. III & Corr.1)]. The Board noted that of the four recommendations made for the biennium 2006–2007, one was fully implemented and three were under implementation. For the 2008–2009 biennium, total income was \$141.6 million and total expenditure was \$129.5 million, resulting in an excess of income over expenditure of \$12.1 million. The Board made 10 recommendations based on its audit.

In November, in his first performance report on the programme budget for the biennium 2010–2011 [A/65/589], the Secretary-General proposed a \$1,251,900 increase in the ITC budget. The Advisory Committee on Administrative and Budgetary Questions, in December [A/65/604], recommended approval of the revised estimates.

In December, by **resolution 65/260 A** (see p. 1425), the Assembly increased the appropriation for ITC for the biennium 2010–2011 by \$1,251,900, to a total of \$31,793,300.

Investment, enterprise and development

The Investment, Enterprise and Development Commission, at its second session (Geneva, 26–30 April) [TD/B/C.II/10], addressed two main themes: investment in the agricultural sector with a view to building productive capacities; and the role of States: efficiency in public investment for development—sharing best practices [TD/B/C.II/8]. It also reviewed the investment policy of Belarus [UNCTAD/DIAE/PCB/2009/10] and El Salvador [UNCTAD/DIAE/PCB/2009/20].

In agreed conclusions, the Commission stressed the importance of investment in agriculture; emphasized the need for promoting an enabling and predictable environment conducive to direct investment in agriculture; and requested the UNCTAD secretariat to continue its work on the proposed Principles for Responsible International Investment in Agriculture for Sustainable Development. The Commission recognized the relevance of administrative efficiency in facilitating business, especially for small and medium-sized enterprises (SMEs); stressed the need for transparency, which contributed to fighting corruption; noted that UNCTAD support in building the technical and managerial capabilities of SMEs through Empretec (the UNCTAD programme to promote the creation of sustainable SMEs) played an important role in instilling entrepreneurial skills that enabled some SMEs to participate in global value chains; and welcomed the expansion of Empretec to more developing countries, especially LDCs.

In agreed conclusions on the outcomes of expert meetings, the Commission took note of the reports of: the Multi-year Expert Meeting on Enterprise

Development Policies and Capacity-building in Science, Technology and Innovation on its second session (Geneva, 20–22 January) [TD/B/C.II/MEM.1/7]; the Multi-year Expert Meeting on International Cooperation: South-South Cooperation and Regional Integration on its second session (Geneva, 14–16 December 2009) [TD/B/C.II/MEM.2/6]; the Multi-year Expert Meeting on Investment for Development on its second session (Geneva, 3–5 February 2010) [TD/B/C.II/MEM.3/6]; the Expert Meeting on Green and Renewable Technologies as Energy Solutions for Rural Development (Geneva, 9–11 February) [TD/B/C.II/EM.3/3]; and the Expert Meeting on the Contribution and Effective Use of External Resources for Development, in Particular for Productive Capacity-building (Geneva, 22–24 February) [TD/B/C.II/EM.1/3]. The Commission also took note of the report of the twenty-sixth session of the Intergovernmental Working Group of Experts on International Standards of Accounting and Reporting [YUN 2009, p. 958], and of the agreed conclusions therein, and approved the provisional agenda for the Group's twenty-seventh session (see p. 962).

TDB, at its fiftieth executive session in July [A/65/15 (Part III)], took note of the Commission's report and endorsed the agreed conclusions contained therein.

Commodities

The joint UNCTAD/DESA report *World Economic Situation and Prospects 2011* [Sales No. E.11.II.C.2] and its related report [E/2010/73] stated that primary commodity prices in 2010 fluctuated strongly compared with prices of manufactures. As a result, countries specializing in exports of primary commodities and those with high shares of imports of energy, food and industrial raw materials had large swings in their terms of trade. During 2010, the terms of trade of fuel exporters and exporters of minerals and mining products improved significantly along with rebounding commodity prices, but stayed below the peaks reached in 2008 and 2007. During 2009 and until the third quarter of 2010, the price of agricultural commodities fluctuated around an upward trend. The trend reflected rising global demand, while the volatility around the trend resulted from commodity-specific supply shortfalls caused by adverse climatic conditions, policy measures in some countries to restrict exports of commodities in short supply, and speculative behaviour. The non-oil commodity sector was still reeling from the sharp slide of primary commodity prices that started in 2008. Prices progressively recovered during 2009, but receded, in dollar terms, during the second quarter of 2010 owing to the financial turmoil in Europe. In the second half of 2010, prices surged again as a result of rising

demand for commodities in emerging Asian economies, replenishment of industrial inventories in advanced countries, the depreciation of the United States dollar amidst greater exchange-rate volatility, and increasing interest from financial investors in commodity markets. As primary commodities were increasingly seen as alternative financial assets, short-term capital moved deeper into commodity markets, risking higher volatility in commodity prices and raising economic insecurity for many developing countries.

TDB action. TDB, in September [A/65/15 (Part IV) & Corr.1], adopted agreed conclusions [502(LVII)] on economic development in Africa, in which it encouraged UNCTAD to continue its technical assistance to build productive capacity, and in particular to assist African countries, including with the process of transforming commodities into final goods. In an agreed outcome on evaluation and review of UNCTAD implementation of the Accra Accord [503(LVII)], TDB encouraged UNCTAD to enhance the development impact of its commodities work, including by making further improvements in the operation of the Special Unit on Commodities.

United Nations Cocoa Conference

The United Nations Cocoa Conference for the Negotiation of a Successor Agreement to the International Cocoa Agreement, 2001 (Geneva, 19 April and 21–25 June) [TD/COCOA.10/5], held under the auspices of UNCTAD and attended by 53 countries, concluded the new International Cocoa Agreement, 2010 [TD/COCOA.10/3] to replace the 2001 Agreement [YUN 2001, p. 880], which was due to expire in 2012. The Agreement aimed to develop and strengthen international cooperation between producers and consumers in the cocoa sector. It was adopted on 25 June and opened for signature at UN Headquarters on 1 October.

Individual commodities

Cocoa. As at 31 December, there were 18 parties to the International Cocoa Agreement, 2001 [YUN 2001, p. 880]. Cyprus and Sierra Leone became parties during the year.

The International Cocoa Agreement, 2010 (see above) had one signatory (Switzerland).

Sugar. As at 31 December, the International Sugar Agreement, 1992 [YUN 1992, p. 625] had 58 parties. Nicaragua became a party during the year.

Timber. As at 31 December, there were 53 parties to the International Tropical Timber Agreement, 2006 [YUN 2006, p. 1124]. During the year, Austria, Congo, Cyprus, the Democratic Republic of the

Congo, Fiji, France, Latvia, Luxembourg, Mali, Malta, Papua New Guinea, Peru and Poland became parties.

Common Fund for Commodities

The 1980 Agreement establishing the Common Fund for Commodities [YUN 1980, p. 621], a mechanism intended to stabilize the commodities market by helping finance buffer stocks of specific commodities, as well as commodity development activities such as research and marketing, entered into force in 1989, and the Fund became operational later that year. As at 31 December, the Agreement had 116 parties.

Finance

Financial policy

The DESA/UNCTAD *World Economic Situation and Prospects 2011* [Sales No. E.11.II.C.2] and its related report [E/2010/73] stated that most countries in 2010 had kept in place, or even intensified, policies of cheap money (low interest rates and quantitative easing) in an effort to help financial sectors return to normalcy and stimulate economic activity. That had, however, added new risks, including greater exchange-rate volatility among major currencies and a surge of volatile capital flows to emerging markets. Such tensions had weakened the commitment to coordinate policies at the international level, which in turn had made dealing with the global imbalances and other structural problems that led to the crisis, as well as those that were created by it, all the more challenging.

A new capital and liquidity reform package, Basel III, was agreed upon and issued by the Basel Committee on Banking Supervision (global standard-setter for the regulation of banks) between July and September. That important step forward required banks to hold larger amounts of capital and reserves against outstanding loans so as to increase their resilience; however, those new capital and liquidity standards applied only to banks. More needed to be done to address risks outside the traditional banking system, which represented a major factor in generating the global crisis in 2008.

Five major policy issues should be addressed: continued and coordinated fiscal stimulus; redesigned fiscal policy to strengthen its impact on employment and structural change; more effective monetary policy to address international spillover effects in the form of increased currency tensions and volatile short-term capital flows; more predictable access to development finance for achieving the MDGs; and more concrete and enforceable targets for international policy coordination.

Financial flows

The DESA/UNCTAD *World Economic Situation and Prospects 2011* [Sales No. E.11.II.C.2] and its related report [E/2010/73] stated that net transfers from developing to developed countries amounted to some \$557 billion in 2010, a slight increase from the 2009 level. While net private capital inflows to developing economies recovered strongly from their slump in 2008 and early 2009, reaching some \$500 billion, they remained well below the pre-crisis levels of 2007. Investors were searching for higher returns, and economic growth in emerging and other developing economies was much stronger than in advanced economies; also, extensive monetary easing had kept interest rates very low in the latter. With continued fragility and the substantial excess liquidity in developed financial markets, investors had shifted parts of their portfolios to emerging markets. Much of the surge in private capital flows to developing countries had taken the form of short-term equity investments, although foreign direct investment (FDI), especially in the extractive industries of commodity-exporting economies, also increased. The surge in capital inflows to emerging economies, fuelled by the quantitative easing in developed countries and portfolio reallocation by international investors, as well as by the weakening of the dollar, led to upward pressure on the exchange rates of some emerging economies. Developing countries responded by intervening in currency markets and imposing capital controls to avoid soaring exchange rates, loss of competitiveness and inflating asset bubbles. The report stressed the need for reform of financial regulation for managing cross-border capital flows.

Economic development in Africa

UNCTAD activities in support of Africa

The UNCTAD Trade and Development Board (TDB), at its fiftieth executive session (Geneva, 8 July) [A/65/15 (Part III)], considered and took note of an UNCTAD secretariat report on activities undertaken in favour of Africa [TD/B/EX(50)/2 & Corr.1], which reviewed UNCTAD activities within its three pillars—research and analysis, consensus-building and technical co-operation. UNCTAD supported African countries through partnerships with regional institutions and multilateral organizations. Those collaborations brought synergies to UNCTAD work in Africa and enhanced the impact of its activities.

UNCTAD had strengthened its support to African countries in areas such as trade; information and communications technology; finance and debt management; FDI; science, technology and innovation; tourism; and the environment. UNCTAD research and policy analysis work continued to draw the attention

of the international community to Africa's development challenges. Most of the African LDCs were not on target to meet the MDGs, in part due to a lack of adequate national and international policies to meet the challenge of development and poverty reduction in LDCs. Consequently, there was a need to pursue alternative policy responses.

UNCTAD technical cooperation support had strengthened African countries' human and institutional capacities, and there was a growing demand for technical assistance and advisory services. UNCTAD had also contributed to forming an African consensus on global issues. The capacity-building activities provided on multilateral trade and climate change had increased the ability of African countries to protect their interests in the Doha Round and climate change negotiations.

Africa and new forms of development partnership

TDB, at its fifty-seventh session in September [A/65/15 (Part IV) & Corr.1], had before it the UNCTAD *Economic Development in Africa Report 2010* [Sales No: E.10.II.D.13], which focused on South-South cooperation: Africa and the new forms of development partnership. The report examined recent trends in the economic relationships between Africa and other developing countries; the new forms of partnership that were animating those relationships; and the variety of institutional arrangements that were guiding and encouraging those new economic relationships. It provided information on African trade with developing countries outside Africa, as well as on official financial flows and FDI into Africa from those countries. Finally, it assessed policy issues arising from the new relationships in each of those areas.

Welcoming the report on 28 September [agreed conclusions 502(LVII)], TDB encouraged African countries to ensure that new loans from developing-country partners were used to finance projects that enhanced domestic capacity to avoid accumulation of unsustainable debt; and better integrate South-South cooperation in their national development strategies and plans. It encouraged the African Union Commission and the regional economic communities to play a more active role in coordinating Africa's relations with other developing countries, focus attention on regional priorities, and ensure a wider spread of the benefits of those partnerships, particularly to the poor and most vulnerable.

International financial system

Report of Secretary-General. In response to General Assembly resolution 64/190 [YUN 2009, p. 933], the Secretary-General submitted a July report on the international financial system and develop-

ment [A/65/189]. The report reviewed trends in the net transfer of financial resources to developing countries and efforts to reform the international monetary and financial system and architecture. It highlighted the challenges arising from the world financial and economic crisis and its impact on development, in particular in the key areas of financial regulation and supervision, multilateral surveillance, macroeconomic policy coordination, a global financial safety net, the international reserve system and governance reform of the Bretton Woods institutions.

Developing countries as a group continued to provide net financial resources to developed countries, totalling \$513 billion in 2009, a sum that was projected to rise to an estimated \$641.2 million in 2010. That amount was notably lower than the record high of \$883 billion reached in 2008, reflecting the transitory narrowing of global imbalances as a consequence of the global crisis. While official development assistance (ODA) grew slightly in real terms from 2008 to 2009, it was projected to fall short of internationally agreed aid commitments for 2010. Total net ODA from Organization for Economic Cooperation and Development (OECD) Development Assistance Committee (DAC) member countries rose slightly, by 0.7 per cent in real terms from 2008 to 2009, to reach \$119.6 billion, constituting 0.31 per cent of their combined gross national income in 2009.

The international community continued its efforts to overhaul financial regulation and supervision and to review the mandate and responsibilities of the International Monetary Fund (IMF) over surveillance, financing and stability of the international monetary system, including the international reserve system. The evolving regulatory framework needed to take due account of systemic risk and the overall stability of the financial system. Financial regulation should be both flexible enough to take into account domestic circumstances and internationally consistent, moving away from regulatory fragmentation. Multilateral surveillance remained at the centre of crisis-prevention efforts. Along with country-level analysis, it should provide greater coverage of macrofinancial issues, capital flows and systemic risks, including closer examination of members and institutions that were critical for global stability. Assessing international coherence and promoting coordination among national macroeconomic policies should become a chief objective of multilateral cooperation. There was also a need for close coordination of macroeconomic policy decisions with other areas of global governance. In terms of global financial stability, it was vital to strengthen the global financial safety net. A critical issue was to find an appropriate balance and develop effective coordinating mechanisms between multilateral, regional and bilateral arrangements and self-insurance. It was important to continue deliberations on the merits and

feasibility of moving to a more balanced and stable global reserve system, including an enhanced role for special drawing rights.

Communication. On 11 March [A/64/706], Singapore, on behalf of the 23-member informal Global Governance Group (3G), transmitted the document “Strengthening the Framework for G-20 Engagement of Non-Members”.

Bretton Woods institutions action. On 25 April, the Joint Ministerial Committee of the Boards of Governors of the Bank and the Fund on the Transfer of Real Resources to Developing Countries (Development Committee) endorsed a 3.13 percentage point increase in the voting power of developing and transition countries at the World Bank, bringing them to 47.19 per cent. That realignment included a selective capital increase of \$27.8 billion, including paid-in capital of \$1.6 billion.

The IMF Board of Governors, on 15 December, approved a package of far-reaching reforms of the Fund’s quotas and governance. The fourteenth General Review of Quotas was completed with a doubling of quotas to approximately 476.8 billion in special drawing rights (about \$734 billion) and a major realignment of quota shares among members.

GENERAL ASSEMBLY ACTION

On 20 December [meeting 69], the General Assembly, on the recommendation of the Second Committee [A/65/434/Add.2], adopted **resolution 65/143** without vote [agenda item 18 (b)].

International financial system and development

The General Assembly,

Recalling its resolutions 55/186 of 20 December 2000 and 56/181 of 21 December 2001, both entitled “Towards a strengthened and stable international financial architecture responsive to the priorities of growth and development, especially in developing countries, and to the promotion of economic and social equity”, as well as its resolutions 57/241 of 20 December 2002, 58/202 of 23 December 2003, 59/222 of 22 December 2004, 60/186 of 22 December 2005, 61/187 of 20 December 2006, 62/185 of 19 December 2007, 63/205 of 19 December 2008 and 64/190 of 21 December 2009,

Recalling also the United Nations Millennium Declaration and its resolution 56/210 B of 9 July 2002, in which it endorsed the Monterrey Consensus of the International Conference on Financing for Development, and the Plan of Implementation of the World Summit on Sustainable Development (“Johannesburg Plan of Implementation”),

Recalling further the Doha Declaration on Financing for Development: outcome document of the Follow-up International Conference on Financing for Development to Review the Implementation of the Monterrey Consensus, held in Doha from 29 November to 2 December 2008,

Recalling the Conference on the World Financial and Economic Crisis and Its Impact on Development and its outcome document,

Recalling also the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals and its outcome document,

Recognizing the work undertaken by the Ad Hoc Open-ended Working Group of the General Assembly to follow up on the issues contained in the Outcome of the Conference on the World Financial and Economic Crisis and Its Impact on Development, and taking note of its progress report,

Taking note of the decisions taken at the 2010 spring and annual meetings of the International Monetary Fund and the World Bank,

Expressing deep concern about the ongoing adverse impacts, particularly on development, of the world financial and economic crisis, the worst since the Great Depression, and recognizing that, while global growth is returning, there is a need to sustain the recovery, which is fragile and uneven,

Stressing, in this regard, the need to address the longstanding systemic fragilities and imbalances highlighted by the global crisis and the need for continuing efforts to reform and strengthen the international financial system,

Reaffirming the purposes of the United Nations, as set forth in its Charter, including to achieve international cooperation in solving international problems of an economic, social, cultural or humanitarian character and to be a centre for harmonizing the actions of nations in the attainment of common ends, and reiterating the need to strengthen the leadership role of the United Nations in promoting development,

Reiterating that the international financial system should support sustained, inclusive and equitable economic growth, sustainable development, and hunger and poverty eradication efforts in developing countries, while allowing for the coherent mobilization of all sources of financing for development,

Stressing the importance of commitment to ensuring sound domestic financial sectors, which make a vital contribution to national development efforts, as an important component of an international financial architecture that is supportive of development,

Recognizing the continued importance of good governance along with national ownership of policies and strategies, and recalling the commitment to promoting effective and efficient economic and financial institutions at all levels, which are key determinants of long-term, sustainable and inclusive economic growth and development, as well as to accelerating the collective recovery from the crisis, including through improved transparency, eradication of corruption and strengthened governance,

Stressing that good governance at the international level is fundamental for achieving sustainable development, reiterating in this regard the importance of promoting global economic governance by addressing the international finance, trade, technology and investment patterns that have an impact on the development prospects of developing countries in order to ensure a dynamic and enabling international economic environment, and reiterating also that, to this effect, the international community should take all necessary and appropriate measures, including ensuring support for structural and macroeconomic reform, finding a comprehensive solution to the external debt problem and increasing the market access of developing countries,

Taking note of the report of the Commission of Experts on Reform of the International Monetary and Financial System convened by the President of the General Assembly at its sixty-third session,

1. *Takes note* of the report of the Secretary-General;

2. *Recognizes* the urgent need to enhance the coherence, governance and consistency of the international monetary, financial and trading systems and the importance of ensuring their openness, fairness and inclusiveness in order to complement national development efforts to ensure sustained economic growth and the achievement of the internationally agreed development goals, including the Millennium Development Goals;

3. *Notes* the important efforts undertaken nationally, regionally and internationally to respond to the challenges posed by the financial and economic crisis, in order to ensure a full return to growth with quality jobs, to reform and strengthen financial systems and to create strong, sustainable and balanced global growth;

4. *Reaffirms* that global economic growth and a stable international financial system, inter alia, can support the capacity of developing countries to achieve their national policy objectives and internationally agreed development goals, including the Millennium Development Goals, and stresses the importance of cooperative and coordinated efforts by all countries and institutions to cope with the risks of financial instability;

5. *Notes* that the United Nations, on the basis of its universal membership and legitimacy, provides a unique and key forum for discussing international economic issues and their impact on development, and reaffirms that the United Nations is well positioned to participate in various reform processes aimed at improving and strengthening the effective functioning of the international financial system and architecture, while recognizing that the United Nations and the international financial institutions have complementary mandates which make the coordination of their actions crucial;

6. *Recalls*, in this regard, the resolve to strengthen the coordination of the United Nations system and multilateral financial, trade and development institutions so as to support economic growth, poverty eradication and sustainable development worldwide, on the basis of a clear understanding of and respect for their mandates and governance structures;

7. *Stresses* that the financial and economic crisis has highlighted the need for reform as well as added new impetus to ongoing international discussions on the reform of the international financial system and architecture, including on issues related to mandate, scope, governance, responsiveness and development orientation, as appropriate, and in this regard encourages continued open, inclusive and transparent dialogue;

8. *Recalls* that countries must have the flexibility necessary to implement countercyclical measures and to pursue tailored and targeted responses to the crisis, and calls for conditionalities to be streamlined to ensure that they are timely, tailored and targeted and that they support developing countries in the face of financial, economic and development challenges;

9. *Notes*, in this regard, the recent improvement of the lending framework of the International Monetary Fund

through, inter alia, streamlined conditions and the creation of more flexible instruments, such as a flexible credit line, while also noting that new and ongoing programmes should not contain unwarranted procyclical conditionalities;

10. *Reaffirms* the need to address the often expressed concern regarding the extent of the representation of developing countries in the major standard-setting bodies, therefore welcomes, as a step in the right direction, the expansion of the membership of the Financial Stability Forum, re-established in 2009 as the Financial Stability Board, and of the Basel Committee on Banking Supervision, as well as their increased outreach to non-members, and encourages the major standard-setting bodies to further review their membership while enhancing their effectiveness, with a view to expanding the representation of developing countries as appropriate;

11. *Recognizes* the role of private capital flows in mobilizing financing for development, stresses the challenges posed by excessive short-term capital inflows to many developing countries, encourages further review of the benefits and disadvantages of macroprudential measures available to mitigate the impact of volatile capital flows, and requests the Secretary-General to take this into account in preparing his report on the implementation of the present resolution;

12. *Notes* that developing countries can seek to negotiate, as a last resort, on a case-by-case basis and through existing frameworks, agreements on temporary debt standstills between debtors and creditors in order to help to mitigate the adverse impacts of the crisis and to stabilize macroeconomic developments;

13. *Reaffirms* the need to continue to broaden and strengthen the participation of developing countries in international economic decision-making and norm-setting, takes note of recent important decisions on reform of the governance structures, quotas and voting rights of the Bretton Woods institutions, better reflecting current realities and enhancing the voice and participation of developing countries, and reaffirms the need to continue the reform of the governance of those institutions in order to deliver more effective, credible, accountable and legitimate institutions;

14. *Calls*, in this regard, for the swift implementation of the reform of the voting power of developing countries and countries with economies in transition in the World Bank, as endorsed by the Development Committee in its communiqué of 25 April 2010, and of the decision taken by the Executive Board of the International Monetary Fund on 5 November 2010 on quotas, voting shares and governance;

15. *Notes* that allocations of special drawing rights have contributed to increased global liquidity and that there are discussions on policy options to promote long-term stability and the proper functioning of the international monetary system, including the potential role of special drawing rights and the complementary role of various regional arrangements therein, and requests the Secretary-General to take this into account in preparing his report on the implementation of the present resolution;

16. *Recognizes* that effective, inclusive multilateral surveillance should be at the centre of crisis prevention efforts, and stresses the need to strengthen surveillance of economic policies of countries with major financial centres and their impact, inter alia, on international interest rates,

exchange rates and capital flows, including private and public financing in developing countries;

17. *Stresses* the critical need to make regulation and supervision more effective, especially with respect to all major financial centres, instruments and actors, including systemically important financial institutions, credit-rating agencies and hedge funds, notes the efforts under way in this regard, including those of the Basel Committee on Banking Supervision and the Financial Stability Board, and stresses, while recognizing different national starting points and circumstances, the importance of global regulatory convergence, to prevent regulatory arbitrage, and the global implementation of standards;

18. *Invites* the international financial and banking institutions to enhance the transparency of risk-rating mechanisms, noting that sovereign risk assessments made by the private sector should maximize the use of strict, objective and transparent parameters, which can be facilitated by high-quality data and analysis, and encourages relevant development institutions, including the United Nations Conference on Trade and Development, to continue their work on the issue, including its potential impact on the development prospects of developing countries;

19. *Calls upon* the multilateral, regional and subregional development banks and development funds to continue to play a vital role in serving the development needs of developing countries and countries with economies in transition, including through coordinated action, as appropriate, stresses that strengthened regional development banks and subregional financial institutions can add flexible financial support to national and regional development efforts, thus enhancing their ownership and overall efficiency, and in this regard welcomes recent capital increases at multilateral and regional development banks and, in addition, encourages efforts to ensure that subregional development banks are adequately funded;

20. *Encourages* enhanced regional and subregional cooperation, including through regional and subregional development banks, commercial and reserve currency arrangements and other regional and subregional initiatives;

21. *Stresses* the need to continuously improve standards of corporate and public sector governance, including those related to accounting, auditing and measures to ensure transparency, noting the disruptive effects of inadequate policies;

22. *Requests* the Secretary-General to submit to the General Assembly at its sixty-sixth session a report on the implementation of the present resolution, to be prepared in cooperation with the Bretton Woods institutions and other relevant stakeholders;

23. *Decides* to include in the provisional agenda of its sixty-sixth session, under the item entitled "Macroeconomic policy questions", the sub-item entitled "International financial system and development".

Also on 20 December, the Assembly took note of the report of the Second Committee [A/65/434] on macroeconomic policy questions, including those related to the international financial system and development and external debt sustainability and development (**decision 65/525**).

Debt problems of developing countries

In response to General Assembly resolution 64/191 [YUN 2009, p. 936], the Secretary-General submitted a July report [A/65/155] that reviewed developments regarding the external debt of developing countries, with a special focus on the impact of the global financial and economic crisis on external debt sustainability. The report discussed policies and institutions aimed at reducing the prevalence and costs of debt crises. It described progress on debt relief and ODA and analysed new trends and modalities in multilateral financing.

Although several developing countries had demonstrated resilience vis-à-vis the crisis, they faced the risk of exhausting their limited policy space, in particular fiscal space. The LDCs and small, vulnerable low- and middle-income economies were at particular risk. The international community should continue to support those countries with grants, increased access to concessional financing and, when necessary, debt relief. Budgetary problems in the advanced economies should not be used as an excuse for cutting foreign aid, which absorbed a minuscule portion of the total fiscal outlay of most donor countries. Policies aimed at mitigating the prevalence and cost of the debt crisis involved the promotion of newer and safer debt instruments; regulation aimed at reducing destabilizing capital flows; the creation of an effective international lender of last resort; the design of guidelines aimed at limiting solvency crises by promoting responsible sovereign borrowing and lending to sovereigns; and the design of a mechanism for dealing with sovereign debt crises. A review of policies and frameworks was also needed. In particular, a review of the use and role of the Debt Sustainability Framework—the joint World Bank-IMF programme to support low-income countries in their efforts to achieve their development goals without creating future debt problems—was warranted in the light of its central role in determining the availability and the terms on which resources were delivered to developing countries. While reforming the financial architecture was a challenging task, there were several easy-to-implement actions that could have a positive impact on systemic stability, such as data collection and reporting. While having timely and comprehensive data on the level and composition of debt was a necessary condition for building early warning systems, cross-country data on the level of external debt of developing countries were available only with a one-year lag; there was no comprehensive cross-country data set covering the level and composition, by currency and maturity, of domestic debt, and information on subnational debt was often impossible to find. The official sector should intensify its efforts to collect and disseminate those data, and donors should support technical cooperation programmes

aimed at increasing the capacity of debt management offices to report timely, comprehensive and accurate debt statistics.

In a later report [A/66/164], the Secretary-General estimated that debt grew by approximately 10 per cent during 2010, bringing total external debt to nearly \$3.9 trillion. That large increase in the dollar value of external debt was partly due to movements in the value of the United States dollar in 2010, which depreciated by approximately 6 per cent in effective terms. The average debt service to export ratio of developing countries decreased from 12 per cent in 2009 to an estimated 9.2 per cent in 2010, and their average external debt to gross national income ratio decreased from 21.8 per cent in 2009 to an estimated 20.2 per cent in 2010.

GENERAL ASSEMBLY ACTION

On 20 December [meeting 69], the General Assembly, on the recommendation of the Second Committee [A/65/434/Add.3], adopted **resolution 65/144** without vote [agenda item 18 (c)].

External debt sustainability and development

The General Assembly,

Recalling its resolutions 58/203 of 23 December 2003, 59/223 of 22 December 2004, 60/187 of 22 December 2005, 61/188 of 20 December 2006, 62/186 of 19 December 2007, 63/206 of 19 December 2008 and 64/191 of 21 December 2009,

Recalling also the United Nations Millennium Declaration, adopted on 8 September 2000,

Recalling further the 2005 World Summit Outcome, *Recalling* the International Conference on Financing for Development and its outcome document and the Doha Declaration on Financing for Development: outcome document of the Follow-up International Conference on Financing for Development to Review the Implementation of the Monterrey Consensus,

Recalling also the Conference on the World Financial and Economic Crisis and Its Impact on Development and its outcome document,

Recalling further the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals and its outcome document,

Recalling its resolution 57/270 B of 23 June 2003,

Recalling also its resolution 60/265 of 30 June 2006 on the follow-up to the development outcome of the 2005 World Summit, including the Millennium Development Goals and the other internationally agreed development goals,

Emphasizing that debt sustainability is essential for underpinning growth, underlining the importance of debt sustainability and effective debt management to the efforts to achieve national development goals, including the Millennium Development Goals, and acknowledging that sovereign debt crises tend to be costly and disruptive, including for employment and productive investment, and tend to be followed by cuts in public spending, including on health and education, affecting in particular the poor and vulnerable,

Reaffirming that each country has primary responsibility for its own development and that the role of national policies and development strategies, including in the area of debt management, cannot be overemphasized for the achievement of sustainable development, and recognizing that national efforts, including to achieve development goals and to maintain debt sustainability, should be complemented by supportive global programmes, measures and policies aimed at expanding the development opportunities of developing countries, while taking into account national conditions and ensuring respect for national ownership, strategies and sovereignty,

Reaffirming also that multilateral institutions, including entities within the United Nations system and other relevant organizations, should continue to play an important role, given their respective mandates, in assisting countries in achieving and maintaining debt sustainability,

Reiterating that debt sustainability depends on a confluence of many factors at the international and national levels, and emphasizing that country-specific circumstances and the impact of external shocks, such as those derived from the world financial and economic crisis, should continue to be taken into account in debt sustainability analyses,

Recognizing the importance of efforts undertaken at the national, regional and international levels in response to the challenges posed by the world financial and economic crisis and faced by many developing countries, and acknowledging that the impacts on development of the crisis are still being felt, entail the possibility of undoing the progress made towards achieving the internationally agreed development goals, including the Millennium Development Goals, and threaten debt sustainability in some developing countries through, inter alia, the consequences on the real economy and the increase in borrowing to mitigate the negative impacts of the crisis,

Recognizing also the important role, on a case-by-case basis, of debt relief, including debt cancellation, as appropriate, and debt restructuring as debt crisis prevention and management tools for mitigating the impact of the world financial and economic crisis in developing countries,

Recognizing further the role of private capital flows in mobilizing financing for development, stressing the challenges posed by excessive short-term capital inflows to many developing countries, including to their debt sustainability, and encouraging further review of the benefits and disadvantages of the macroprudential measures available to mitigate the impact of volatile capital flows,

Expressing concern that some low-income countries may face increased challenges in servicing their debt,

Noting with appreciation that the Heavily Indebted Poor Countries Initiative, the Multilateral Debt Relief Initiative and bilateral donors have provided substantial debt relief to thirty countries that have reached the completion point under the Heavily Indebted Poor Countries Initiative, which has considerably reduced their debt vulnerability and enabled them to increase their investments in social services, while acknowledging with concern that some post-completion point countries remain classified as being at high risk of debt distress and need to avoid rebuilding unsustainable debt burdens,

Noting that six additional countries have reached the decision point under the Heavily Indebted Poor Countries Initiative and that four out of forty eligible heavily indebted

poor countries still have to reach the decision point, expressing concern that nearly all of these ten eligible countries, which are facing difficulties in reaching the decision or completion point under the Initiative, are classified as fragile economies by the World Bank, and stressing the importance of assisting these countries, as appropriate, in addressing their challenges to complete the heavily indebted poor countries process,

Convinced that enhanced market access for goods and services of export interest to developing countries contributes significantly to debt sustainability in those countries,

1. *Takes note* of the report of the Secretary-General;
2. *Emphasizes* the special importance of a timely, effective, comprehensive and durable solution to the debt problems of developing countries in order to promote their economic growth and development;

3. *Stresses* the importance of responsible lending and borrowing, emphasizes that creditors and debtors must share responsibility for preventing unsustainable debt situations, and encourages Member States, the Bretton Woods institutions, the regional development banks and other relevant multilateral financial institutions and stakeholders to pursue the ongoing discussions within the framework of the initiative of the United Nations Conference on Trade and Development to promote responsible sovereign lending and borrowing, taking into account the work on this issue carried out by other organizations and forums;

4. *Urges* all lenders and borrowers to integrate debt sustainability analyses into their decisions in order to help maintain sustainable levels of debt through a coordinated and cooperative approach between borrowers and lenders, underlines the role played by the Debt Sustainability Framework for low-income countries, jointly developed by the International Monetary Fund and the World Bank, in helping to guide borrowing and lending decisions, notes the recent review of the flexibility of the Framework, and encourages continued review of the Framework, with the full engagement of borrower Governments, in an open and transparent manner;

5. *Reiterates* that no single indicator should be used to make definitive judgements about debt sustainability, and in this regard, while acknowledging the need to use transparent and comparable indicators, invites the International Monetary Fund and the World Bank, in their assessment of debt sustainability, to continue to take into account the fundamental changes caused by, inter alia, natural disasters, conflicts and changes in global growth prospects or in the terms of trade, especially for commodity-dependent developing countries, as well as by the impact of developments in financial markets, and to provide information on this issue using the appropriate cooperation forums, including those involving Member States;

6. *Recognizes* that the long-term sustainability of debt depends on, inter alia, the economic growth, mobilization of domestic resources and export prospects of debtor countries and hence on the creation of an enabling international environment conducive to development, progress in following sound macroeconomic policies, transparent and effective regulatory frameworks and success in overcoming structural development problems;

7. *Also recognizes* the enormity and the multidimensional nature of the world financial and economic crisis, which caused a sharp deterioration of the debt ratios in

several developing countries, stresses the need to continue to assist developing countries in avoiding a build-up of unsustainable debt so as to reduce the risk of relapsing into another debt crisis, takes note in this regard of the additional resources made available during and since the crisis through the International Monetary Fund and the multilateral development banks, and calls for the continued provision of concessional and grant-based financing to low-income countries to enable them to respond to the consequences of the crisis;

8. *Further recognizes* the roles of the United Nations and the international financial institutions in accordance with their respective mandates, and encourages them to continue to support global efforts towards sustained, inclusive and equitable growth, sustainable development and the external debt sustainability of developing countries, including through continued monitoring of global financial flows and their implications in this regard;

9. *Emphasizes* the need for coordinated policies aimed at fostering debt financing, debt relief and debt restructuring, notes the recent improvement of the lending framework of the International Monetary Fund, through, inter alia, streamlined conditions and the creation of more flexible instruments, while noting that new and ongoing programmes should not contain unwarranted procyclical conditionalities, calls for the continued review of the new lending facilities, and urges the multilateral development banks to move forward on flexible, concessional, fast-disbursing and front-loaded assistance that will substantially and quickly assist developing countries facing financing gaps in their efforts to achieve the Millennium Development Goals, bearing in mind that new lending facilities will have to consider the individual absorptive capacities and debt sustainability of those countries;

10. *Notes* the provision by the International Monetary Fund of interest relief to low-income countries in the form of zero-interest payments on financing from concessional lending facilities until the end of 2011, and invites the Fund to consider reviewing its concessional loan facilities for low-income countries for the post-2011 period;

11. *Also notes* that developing countries can seek to negotiate, as a last resort, on a case-by-case basis and through existing frameworks, agreements on temporary debt standstills between debtors and creditors in order to help mitigate the adverse impacts of the crisis and stabilize macroeconomic developments;

12. *Further notes* the progress made under the Heavily Indebted Poor Countries Initiative and the Multilateral Debt Relief Initiative, while expressing concern that some countries have yet to reach decision or completion points, calls for the full and timely implementation of those Initiatives and for continued support to the remaining eligible countries in completing the Heavily Indebted Poor Countries Initiative process, and encourages all parties, both creditors and debtors, to fulfil their commitments as rapidly as possible in order to complete the debt relief process;

13. *Welcomes and encourages* the efforts of the heavily indebted poor countries, calls upon them to continue to strengthen their domestic policies to promote economic growth and poverty eradication through, inter alia, the creation of a domestic environment conducive to private-sector development, a stable macroeconomic framework and transparent and accountable systems of public finance,

and in this regard invites creditors, both private and public, that are not yet fully participating in debt relief initiatives to substantially increase their participation, including by providing comparable treatment to the extent possible to debtor countries that have concluded sustainable debt relief agreements with creditors, and invites the international financing institutions and the donor community to continue to provide adequate and sufficiently concessional financing;

14. *Underlines* the fact that heavily indebted poor countries eligible for debt relief will not be able to enjoy its full benefits unless all creditors, both public and private, contribute their fair share and become involved in the international debt resolution mechanisms to ensure the debt sustainability of those countries;

15. *Encourages* donor countries to take steps to ensure that resources provided for debt relief under the Heavily Indebted Poor Countries Initiative and the Multilateral Debt Relief Initiative do not detract from official development assistance resources intended to be available for developing countries;

16. *Notes with concern* that some low- and middle-income developing countries that are not included in existing debt relief initiatives may have large debt burdens that may create constraints on mobilizing the resources needed to achieve the internationally agreed development goals, including the Millennium Development Goals, indicating a possible need to consider debt relief initiatives for those countries on a case-by-case basis;

17. *Encourages* the Paris Club, in dealing with the debt of low- and middle-income debtor countries that are not part of the Heavily Indebted Poor Countries Initiative, to take into account their medium-term debt sustainability in addition to their financing gaps, and notes with appreciation the Evian approach of the Paris Club in providing different terms of debt relief in order to respond to the specific needs of debtor countries while preserving debt cancellation for heavily indebted poor countries;

18. *Stresses* the need to significantly address the debt problems of middle-income developing countries, and in this regard stresses the importance of the Evian approach of the Paris Club as a practical means of addressing this issue, and notes that the current debt sustainability framework used to analyse the debt situation of middle-income countries focuses mostly on medium-term debt dynamics;

19. *Also stresses* the need for the international community to remain vigilant in monitoring the debt situation of the least developed countries and to continue to take effective measures, preferably within existing frameworks, to address the debt problem of those countries, including through the cancellation of the multilateral and bilateral debt owed by least developed countries to creditors, both public and private;

20. *Welcomes* the efforts of and calls upon the international community to provide flexibility, and stresses the need to continue those efforts in helping post-conflict developing countries, especially those that are heavily indebted and poor, to achieve initial reconstruction for economic and social development;

21. *Also welcomes* the efforts of and invites creditors to provide flexibility to developing countries affected by natural disasters so as to allow them to address their debt concerns, while taking into account their specific situations and needs;

22. *Stresses* that debt relief can play a key role in liberating resources that should be directed towards activities consistent with poverty eradication, sustained economic growth, economic development and the internationally agreed development goals, including the Millennium Development Goals, and in this regard urges countries to direct the resources freed through debt relief, in particular through debt cancellation and reduction, towards those objectives;

23. *Calls for* the consideration of additional measures and initiatives aimed at ensuring long-term debt sustainability through increased grant-based and other forms of concessional financing, the cancellation of 100 per cent of the eligible official multilateral and bilateral debt of heavily indebted poor countries and, where appropriate and on a case-by-case basis, significant debt relief or restructuring for developing countries with an unsustainable debt burden that are not part of the Heavily Indebted Poor Countries Initiative;

24. *Invites* donor countries, taking into account country-specific debt sustainability analyses, to continue their efforts to increase bilateral grants to developing countries, which could contribute to debt sustainability in the medium to long term, and recognizes the need for countries to be able to promote employment and productive investment and to invest in, inter alia, health and education while maintaining debt sustainability;

25. *Calls for* the intensification of efforts to prevent and mitigate the prevalence and cost of debt crises by enhancing international financial mechanisms for crisis prevention and resolution, encourages the private sector to cooperate in this regard, and invites creditors and debtors to further explore, where appropriate and on a mutually agreed, transparent and case-by-case basis, the use of new and improved debt instruments and innovative mechanisms such as debt swaps, including debt for equity in Millennium Development Goal projects, as well as debt-indexation instruments;

26. *Also calls for* the consideration of enhanced approaches to sovereign debt restructuring and debt resolution mechanisms, based on existing frameworks and principles, with the broad participation of creditors and debtors, the comparable treatment of all creditors and an important role for the Bretton Woods institutions and other relevant organizations within the United Nations system, and, in this regard, calls upon all countries to promote and contribute to the discussions, including within the United Nations and other appropriate forums, on the need for and feasibility of a more structured framework for international cooperation in this area;

27. *Notes* the changing composition of the sovereign debt of some countries, which has shifted increasingly from official to commercial borrowing and from external to domestic public debt, although for most low-income countries external finance is still largely official, also notes that the levels of domestic debt and the significantly increased number of creditors, both official and private, could create other challenges for macroeconomic management and public debt sustainability, and stresses the need to address the implications of these changes, including through improved data collection and analysis;

28. *Recognizes* concerns about increasing vulture fund litigation, and in this regard also recognizes that Paris Club agreements represent useful instruments for international

cooperation and that debtor countries experience difficulties in obtaining comparable treatment from other creditors, as required by the standard clause included in those agreements;

29. *Stresses* the need to increase information-sharing, transparency and the use of objective criteria in the construction and evaluation of debt scenarios, including an assessment of domestic public and private debt, in order to ensure the achievement of development goals, recognizes that credit-rating agencies play a significant role in the provision of information, including the assessment of corporate and sovereign risks, and in this regard requests the Secretary-General to include an update on the oversight of credit-rating agencies when preparing his report on the implementation of the present resolution;

30. *Invites* the international community to continue efforts to increase support, including financial and technical assistance, for institutional capacity-building in developing countries to enhance sustainable debt management as an integral part of national development strategies, including by promoting transparent and accountable debt management systems and negotiation and renegotiation capacities and through supporting legal advice in relation to tackling external debt litigation and debt data reconciliation between creditors and debtors so that debt sustainability may be achieved and maintained;

31. *Invites* the United Nations Conference on Trade and Development, the International Monetary Fund and the World Bank, in cooperation with the regional commissions, development banks and other relevant multilateral financial institutions and stakeholders, to continue and intensify cooperation in respect of capacity-building activities in developing countries in the area of debt management and debt sustainability;

32. *Encourages* further improvement of the mutual exchange of information, on a voluntary basis, on borrowing and lending among all creditors and borrowers;

33. *Acknowledges* that timely and comprehensive data on the level and composition of debt are a condition necessary for, inter alia, building early warning systems aimed at limiting the impact of debt crises, calls for debtor and creditor countries to intensify their efforts to collect data, and calls for donors to consider increasing their support for technical cooperation programmes aimed at increasing the statistical capacity of developing countries in that regard;

34. *Calls upon* all Member States and the United Nations system, and invites the Bretton Woods institutions and the private sector, to take appropriate measures and actions for the implementation of the commitments, agreements and decisions of the major United Nations conferences and summits, in particular those related to the question of the external debt sustainability of developing countries;

35. *Requests* the Secretary-General to submit to the General Assembly at its sixty-sixth session a report on the implementation of the present resolution and to include in that report a comprehensive and substantive analysis of the external debt situation of developing countries;

36. *Decides* to include in the provisional agenda of its sixty-sixth session, under the item entitled "Macroeconomic policy questions", the sub-item entitled "External debt sustainability and development".

Financing for development

Follow-up to International Conference on Financing for Development and 2008 Review Conference

In 2010, the General Assembly, the Economic and Social Council and other bodies followed up on the 2002 International Conference on Financing for Development, held in Monterrey, Mexico [YUN 2002, p. 953] and the 2008 Follow-up International Conference on Financing for Development to Review the Implementation of the Monterrey Consensus, held in Doha, Qatar [YUN 2008, p. 1076].

High-level meeting of Economic and Social Council, Bretton Woods institutions, WTO and UNCTAD. The Economic and Social Council, in accordance with resolution 2009/30 [YUN 2009, p. 941] and **decision 2010/202** of 9 February, held a special high-level meeting with the Bretton Woods institutions, WTO and UNCTAD (New York, 18–19 March) under the theme "Building on Monterrey and Doha: achieving the internationally agreed development goals, including the MDGs". The meeting's discussions focused on three sub-themes: "Mobilizing domestic and international resources to fund existing and emerging MDG implementation gaps"; "Supporting the rehabilitation, recovery and development efforts of developing countries with special needs and those facing humanitarian emergency situations"; and "Enhancing the coherence and consistency of the international monetary, financial and trading systems in support of development". The meeting had before it a note by the Secretary-General [E/2010/11] that provided background information and suggested discussion points under the three sub-themes.

In his summary of the meeting [A/65/81-E/2010/83], the President of the Economic and Social Council stated that many participants agreed that the implementation of the global commitments enshrined in the Monterrey Consensus [YUN 2002, p. 953] and the Doha Declaration on Financing for Development [YUN 2008, p. 1069] was urgent and necessary in supporting the achievement of the MDGs. Many speakers viewed the mobilization of domestic resources, along with improved public financial management and an enabling environment, as the primary drivers for development and noted that all official development assistance (ODA) commitments needed more than ever to be fulfilled. Innovative sources of financing would be an important complement to ODA but should not be viewed as an alternative. Several participants emphasized that efforts to spur rehabilitation, recovery and development in countries with special needs should focus on increasing the productive capacity of the economy to overcome supply-side constraints and generate employment opportunities based on decent

work, which would in turn help to reduce poverty, and highlighted the need to focus IMF surveillance activities on systemically important countries, financial markets and the spillover effects of domestic actions. Some speakers noted the importance of strengthening regulatory mechanisms for financial flows, the need for an international sovereign debt restructuring mechanism and the need to consider setting up regional monetary funds. A number of participants raised the problem of financial speculation and possible ways of addressing it, including the imposition of a financial transaction tax and domestic capital controls.

Fourth High-level Dialogue on Financing for Development. On 23 February (**decision 64/551**), the General Assembly, recalling its resolution 64/194 [YUN 2009, p. 945], in which it decided to hold its fourth High-level Dialogue on Financing for Development on 16 and 17 March, decided, instead, to convene the Dialogue on 23 and 24 March in New York. The theme of the Dialogue was “The Monterrey Consensus and the Doha Declaration on Financing for Development: status of implementation and tasks ahead”. In his summary of the meeting [A/65/130], the Assembly President said that three round tables and an informal interactive dialogue addressed the reform of the international monetary and financial system and its implications for development; the impact of the financial and economic crisis on foreign direct investment and other private flows, external debt and international trade; the role of financial and technical development cooperation, including innovative sources of development finance, in leveraging the mobilization of domestic and international financial resources for development; and the link between financing for development and achieving the MDGs.

Most speakers in the plenary meeting of the Dialogue addressed the reform of global economic governance with a view to increasing the voice and participation of developing and transition economies to reflect the changing world economy. Some speakers called for expanding the participation of African countries in those institutions, in groups such as the G-20 and in the norm-setting bodies. While there was general agreement that mobilization of domestic resources was the primary source of finance for development, many speakers noted that it was necessary to mobilize a full range of international financing to supplement domestic resources. Almost all speakers called for the outcome of the Doha Round of multilateral trade negotiations to deliver on its development agenda and for the use of trade as a tool to promote sustainable development. A number of speakers emphasized that developing countries needed an enabling policy environment and appropriate regulatory mechanisms for attracting foreign investment to develop productive

capacities. The importance of innovative sources of financing in supplementing traditional development assistance was noted. Many speakers called for a just, lasting and development-oriented solution to the external indebtedness of developing countries to free up resources for development.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 23 July [meeting 46], the Economic and Social Council adopted **resolution 2010/26** [draft: E/2010/L.12/Rev.1] without vote [agenda item 6 (a)].

Follow-up to the International Conference on Financing for Development and the 2008 Review Conference

The Economic and Social Council,

Recalling the International Conference on Financing for Development, held in Monterrey, Mexico, from 18 to 22 March 2002 and the Follow-up International Conference on Financing for Development to Review the Implementation of the Monterrey Consensus, held in Doha from 29 November to 2 December 2008,

Recalling also the Outcome of the Conference on the World Financial and Economic Crisis and Its Impact on Development,

Recalling further General Assembly resolution 64/193 of 21 December 2009 on the follow-up to and implementation of the Monterrey Consensus and the outcome of the 2008 Review Conference (Doha Declaration on Financing for Development), Economic and Social Council resolution 2009/30 of 31 July 2009 on a strengthened and more effective intergovernmental inclusive process to carry out the financing for development follow-up, and all other relevant resolutions of the Assembly and the Council,

Taking note of the summary by the President of the Economic and Social Council of the special high-level meeting of the Council with the Bretton Woods institutions, the World Trade Organization and the United Nations Conference on Trade and Development, held in New York on 18 and 19 March 2010,

Taking note also of the note by the Secretary-General entitled “Building on Monterrey and Doha: towards achieving the internationally agreed development goals, including the Millennium Development Goals”,

Noting the deliberations held in the context of the preparatory process for the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals, to be held from 20 to 22 September 2010,

Reaffirming the Monterrey Consensus of the International Conference on Financing for Development in its entirety, its integrity and its holistic approach, recalling the resolve to take concrete action to implement the Monterrey Consensus and address the challenges of financing for development in the spirit of global partnership and solidarity in support of the achievement of the internationally agreed development goals, including the Millennium Development Goals,

Mindful that Member States and other stakeholders have put forward concrete proposals on the subject of strengthening the financing for development follow-up process,

Reaffirms that each country must take primary responsibility for its own development and that the role of national policies and development strategies cannot be overemphasized for the achievement of sustainable development, and recognizing that national efforts should be complemented by supportive global programmes, measures and policies aimed at expanding the development opportunities of developing countries, while taking into account national conditions and ensuring respect for national ownership, strategies and sovereignty,

Deeply concerned by the adverse impacts of the global financial and economic crisis on development, including on the capacity of developing countries to mobilize resources for development, and recognizing that an effective response to the current crisis requires the timely implementation of existing aid commitments,

1. *Reaffirms* the importance of staying fully engaged, nationally, regionally and internationally, in ensuring proper and effective follow-up to the implementation of the Monterrey Consensus of the International Conference on Financing for Development, as reaffirmed in the Doha Declaration on Financing for Development, and of continuing unrelenting efforts to build bridges between all relevant stakeholders within the holistic agenda of the financing for development process;

2. *Reiterates* the role played by the United Nations as a focal point for the financing for development follow-up process and the need to maintain this role to ensure the continuity and dynamism of the process, while reaffirming the need to further intensify the engagement of all stakeholders, including the United Nations system, the World Bank, the International Monetary Fund and the World Trade Organization, in the follow-up to and implementation of the commitments made at Monterrey and at Doha;

3. *Reaffirms* the role of the Economic and Social Council in promoting coherence, coordination and cooperation in the implementation of the Monterrey Consensus and the Doha Declaration and as a forum for multi-stakeholder involvement;

4. *Emphasizes* that the financing for development follow-up process should constitute a continuum of events, each contributing to and feeding into the next, ensuring the holistic nature of the process and making better and more effective use of existing mechanisms and resources;

5. *Welcomes* the new modalities of the special high-level meeting of the Council with the Bretton Woods institutions, the World Trade Organization and the United Nations Conference on Trade and Development, and notes the consultations held with those stakeholders prior to that meeting;

6. *Also welcomes* the substantive discussions undertaken during the special high-level meeting of the Council, and emphasizes that those discussions are an integral part of the financing for development follow-up process;

7. *Further welcomes* the increased interaction and coordination at the staff level with the institutions involved prior to the special high-level meeting of the Council;

8. *Encourages* the President of the Council, in consultation with Member States, to continue to work with the appropriate representatives of the Bretton Woods institutions, the World Trade Organization and the United Nations Conference on Trade and Development to improve the agenda and the format of the special high-level meeting

of the Council, considering innovative approaches that are conducive, inter alia, to the high-level participation of those institutions;

9. *Welcomes* the efforts undertaken to give more prominence to the consideration of the agenda item on financing for development during the annual substantive session of the Council, including the allocation of the item to its coordination segment, and stresses its resolve to continue to improve those modalities;

10. *Encourages* all relevant stakeholders to consider organizing seminars, panel discussions and briefings as part of the preparations for and contribution to the above-mentioned events in order to raise visibility, attract interest and participation and promote substantive discussions on a continuing basis;

11. *Reiterates* the importance of further improving cooperation between the United Nations, the Bretton Woods institutions and the World Trade Organization in the implementation of the Monterrey Consensus and the Doha Declaration, based on a clear understanding and respect for their respective mandates and governance structures;

12. *Welcomes*, in this regard, the participation of the President of the Council in the meeting of the Development Committee of the Bretton Woods institutions on 25 April 2010 as a useful practice;

13. *Encourages* the Department of Economic and Social Affairs of the Secretariat, especially the Financing for Development Office, to maintain regular interaction at the staff level with the World Bank, the International Monetary Fund, the World Trade Organization and the United Nations Conference on Trade and Development in the interest of greater coherence, coordination and cooperation, each acting in accordance with its respective intergovernmental mandate;

14. *Acknowledges* the efforts already undertaken to strengthen the financing for development follow-up process, underscores the fact that the modalities of the process should be reviewed, as appropriate, within a time frame to be determined by the General Assembly, and notes that the Secretary-General will present concrete proposals on the further strengthening of the financing for development follow-up process for consideration by Member States at the sixty-fifth session of the Assembly;

15. *Reiterates its appeal* to Member States and other potential donors to consider contributing generously to the Trust Fund for the Follow-up to the International Conference on Financing for Development, which would facilitate the implementation of a strengthened and more effective intergovernmental inclusive process to carry out the financing for development follow-up.

Report of Secretary-General. In response to General Assembly resolution 64/193 [YUN 2009, p. 942], the Secretary-General in August submitted his annual assessment [A/65/293] of the state of implementation of the Monterrey Consensus [YUN 2002, p. 953] and the Doha Declaration on Financing for Development [YUN 2008, p. 1069]. He described recent developments within the six thematic areas: mobilizing domestic financial resources for development; mobilizing international resources for development; foreign direct investment (FDI) and other private

flows; international trade as an engine for development; increasing international financial and technical cooperation for development; external debt; and addressing systemic issues. Other developments related to strengthening the financing for development inter-governmental follow-up process.

Communication. On 29 September [A/65/486], Yemen, as Chairman of the Group of 77 developing countries and China, transmitted to the Secretary-General the Ministerial Declaration adopted at the thirty-fourth annual meeting of Ministers for Foreign Affairs of the Group (New York, 28 September), which addressed, among other issues, the follow-up to and implementation of the outcome of the 2002 International Conference on Financing for Development and the 2008 Review Conference.

GENERAL ASSEMBLY ACTION

On 20 December [meeting 69], the General Assembly, on the recommendation of the Second Committee [A/65/435], adopted **resolution 65/145** without vote [agenda item 19].

Follow-up to the International Conference on Financing for Development

The General Assembly,

Recalling the International Conference on Financing for Development, held in Monterrey, Mexico, from 18 to 22 March 2002, and the Follow-up International Conference on Financing for Development to Review the Implementation of the Monterrey Consensus, held in Doha from 29 November to 2 December 2008, and its resolutions 56/210 B of 9 July 2002, 57/250, 57/272 and 57/273 of 20 December 2002, 57/270 B of 23 June 2003, 58/230 of 23 December 2003, 59/225 of 22 December 2004, 60/188 of 22 December 2005, 61/191 of 20 December 2006, 62/187 of 19 December 2007, 63/239 of 24 December 2008 and 64/193 of 21 December 2009, as well as Economic and Social Council resolutions 2002/34 of 26 July 2002, 2003/47 of 24 July 2003, 2004/64 of 16 September 2004, 2006/45 of 28 July 2006, 2007/30 of 27 July 2007, 2008/14 of 24 July 2008, 2009/30 of 31 July 2009 and 2010/26 of 23 July 2010,

Recalling also the 2005 World Summit Outcome,

Recalling further the Conference on the World Financial and Economic Crisis and Its Impact on Development and its outcome document,

Recalling the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals and its outcome document,

Taking note of the summary by the President of the General Assembly of the fourth High-level Dialogue on Financing for Development, held in New York on 23 and 24 March 2010,

Taking note also of the summary by the President of the Economic and Social Council of the special high-level meeting of the Council with the Bretton Woods institutions, the World Trade Organization and the United Na-

tions Conference on Trade and Development, held in New York on 18 and 19 March 2010,

Taking note further of the report of the Secretary-General entitled "Follow-up to and implementation of the Monterrey Consensus and the Doha Declaration on Financing for Development",

Taking note of the note by the Secretary-General entitled "Building on Monterrey and Doha: towards achieving the internationally agreed development goals, including the Millennium Development Goals",

Taking note also of the progress report of the Ad Hoc Open-ended Working Group of the General Assembly to follow up on the issues contained in the Outcome of the Conference on the World Financial and Economic Crisis and Its Impact on Development,

Noting the informal event on innovative sources of development finance organized by the Secretary-General on 3 June 2010,

1. *Reaffirms* the Monterrey Consensus of the International Conference on Financing for Development in its entirety, its integrity and its holistic approach, and recalls the resolve to take concrete action to implement the Monterrey Consensus and to address the challenges of financing for development in the spirit of global partnership and solidarity in support of the achievement of the internationally agreed development goals, including the Millennium Development Goals;

2. *Also reaffirms* that each country must take primary responsibility for its own development and that the role of national policies and development strategies cannot be overemphasized for the achievement of sustainable development, and recognizes that national efforts should be complemented by supportive global programmes, measures and policies aimed at expanding the development opportunities of developing countries, while taking into account national conditions and ensuring respect for national ownership, strategies and sovereignty;

3. *Expresses deep concern* about the ongoing adverse impacts of the global financial and economic crisis on development, including on the capacity of developing countries to mobilize resources for development, recognizes that, while global growth is returning, there is a need to sustain the recovery, which is fragile and uneven, and acknowledges that an effective response to the impacts of the crisis requires timely implementation of all development commitments, including existing aid commitments;

4. *Recalls* the importance of the overall commitment to just and democratic societies for development as spelled out in the Monterrey Consensus;

5. *Reaffirms its determination* to advance and strengthen the global partnership for development as the centrepiece of cooperation in the years ahead, as reaffirmed in the United Nations Millennium Declaration, the Monterrey Consensus, the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"), the 2005 World Summit Outcome, the Doha Declaration on Financing for Development: outcome document of the Follow-up International Conference on Financing for Development to Review the Implementation of the Monterrey Consensus and the outcome document of the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals, entitled "Keeping

the promise: united to achieve the Millennium Development Goals”;

6. *Recognizes* that the mobilization of financial resources for development and the effective use of all those resources are central to the global partnership for development, including in support of the achievement of the internationally agreed development goals, including the Millennium Development Goals;

7. *Also recognizes* that the mobilization of domestic and international resources and an enabling domestic and international environment are key drivers for development;

8. *Reaffirms* the importance of the implementation of the commitment to sound policies, good governance at all levels and the rule of law;

9. *Recognizes* that a dynamic, inclusive, well-functioning and socially responsible private sector is a valuable instrument for generating economic growth and reducing poverty, emphasizes the need to pursue, at the national level and in a manner consistent with national laws, appropriate policy and regulatory frameworks through which to encourage public and private initiatives, including at the local level, and to foster a dynamic and well-functioning business sector, while improving income growth and distribution, raising productivity, empowering women and protecting labour rights and the environment, and reiterates the importance of ensuring that the benefits of growth reach all people by empowering individuals and communities;

10. *Emphasizes* that the financial and economic crisis has demonstrated the need for more effective government involvement so as to ensure an appropriate balance between the market and the public interest, and recognizes the need to better regulate financial markets;

11. *Reiterates* the importance of investment in human capital, inter alia, in health and education, through inclusive social policies, in accordance with national strategies and priorities;

12. *Recalls* that the ongoing fight against corruption at all levels is a priority, reaffirms the need to take urgent and decisive steps to continue to combat corruption in all its manifestations in order to reduce obstacles to effective resource mobilization and allocation and to prevent the diversion of resources away from activities that are vital for development, recalls that this requires strong institutions at all levels, including, in particular, effective legal and judicial systems, and enhanced transparency, recognizes the efforts and achievements of developing countries in this regard, notes the increased commitment of States that have already ratified or acceded to the United Nations Convention against Corruption, and in this regard urges all States that have not yet done so to consider ratifying or acceding to the Convention;

13. *Also recalls* the resolve of Member States to enhance and strengthen domestic resource mobilization and fiscal space, including, where appropriate, through modernized tax systems, more efficient tax collection, the broadening of the tax base and the effective combating of tax evasion and capital flight, and reiterates that, while each country is responsible for its tax system, it is important to support national efforts in these areas by strengthening technical assistance and enhancing international cooperation and participation in addressing international tax matters;

14. *Reaffirms* the importance of implementing measures to curtail illicit financial flows at all levels, enhancing

disclosure practices and promoting transparency in financial information, and in this regard notes that strengthening national and multinational efforts to address this issue is crucial, including through support and technical assistance to developing countries to enhance their capacities;

15. *Notes* that foreign direct investment is a major source of financing for development, and in this regard calls upon developed countries to continue to devise source-country measures to encourage and facilitate the flow of foreign direct investment, inter alia, through the provision of export credits and other lending instruments, risk guarantees and business development services; calls upon developing countries and countries with economies in transition to continue their efforts to create a domestic environment conducive to attracting investments by, inter alia, achieving a transparent, stable and predictable investment climate with proper contract enforcement and respect for property rights; and stresses the importance of enhancing efforts to mobilize investment from all sources in human resources and physical, environmental, institutional and social infrastructure;

16. *Reaffirms* that international trade is an engine for development and sustained economic growth, and also reaffirms the critical role that a universal, rules-based, open, non-discriminatory and equitable multilateral trading system, as well as meaningful trade liberalization, can play in stimulating economic growth and development worldwide, thereby benefiting all countries at all stages of development;

17. *Emphasizes* the need to resist protectionist tendencies and to rectify any trade-distorting measures already taken that are inconsistent with World Trade Organization rules, recognizing the right of countries, in particular developing countries, to fully utilize their flexibilities consistent with their World Trade Organization commitments and obligations, and that the early and successful conclusion of the Doha Round with a balanced, ambitious, comprehensive and development-oriented outcome would provide much-needed impetus to international trade and contribute to economic growth and development;

18. *Stresses* the essential role that official development assistance plays in complementing, leveraging and sustaining financing for development in developing countries and in facilitating the achievement of development objectives, including the internationally agreed development goals, in particular the Millennium Development Goals, reiterates that official development assistance can play a catalytic role in assisting developing countries in removing constraints on sustained, inclusive and equitable growth by, inter alia, enhancing social, institutional and physical infrastructure, promoting foreign direct investment, trade and technological innovations, improving health and education, fostering gender equality, preserving the environment and eradicating poverty, and welcomes steps to improve the effectiveness and quality of aid based on the fundamental principles of national ownership, alignment, harmonization, managing for results and mutual accountability;

19. *Underlines* the fact that the fulfilment of all official development assistance commitments is crucial, including the commitments by many developed countries to achieve the target of 0.7 per cent of gross national product for official development assistance to developing countries by 2015 and to reach a level of at least 0.5 per cent of gross national

product for official development assistance by 2010, as well as a target of 0.15 per cent to 0.20 per cent of gross national product for official development assistance to least developed countries, and urges developed countries that have not yet done so to fulfil their commitments for official development assistance to developing countries;

20. *Reaffirms* that the United Nations funds, programmes and regional commissions, and the specialized agencies of the United Nations system, in accordance with their respective mandates, have an important role to play in advancing development and protecting development gains, in accordance with national strategies and priorities, including progress towards achieving the Millennium Development Goals, and reaffirms its determination to continue to take steps for a strong, well-coordinated, coherent, effective and efficient United Nations system in support of the Goals;

21. *Considers* that innovative mechanisms of financing can make a positive contribution in assisting developing countries in mobilizing additional resources for financing for development on a voluntary basis and that such financing should supplement and not be a substitute for traditional sources of financing, and, while recognizing the considerable progress in innovative sources of financing for development, calls for the scaling-up of current initiatives, where appropriate;

22. *Welcomes* the ongoing efforts to strengthen and support South-South cooperation and triangular cooperation, stresses that South-South cooperation is not a substitute for, but rather a complement to, North-South cooperation, and calls for the effective implementation of the Nairobi outcome document of the High-level United Nations Conference on South-South Cooperation, held in Nairobi from 1 to 3 December 2009;

23. *Emphasizes* the great importance of a timely, effective, comprehensive and durable solution to the debt problems of developing countries, since debt financing and relief can be an important source of capital for economic growth and development, and also emphasizes that creditors and debtors must share responsibility for preventing unsustainable debt situations;

24. *Also emphasizes* that debt sustainability is essential for underpinning growth, and underlines the importance of debt sustainability and effective debt management for efforts to achieve national development goals, including the Millennium Development Goals;

25. *Stresses* that the financial and economic crisis has highlighted the need for reform as well as added new impetus to ongoing international discussions on the reform of the international financial system and architecture, including on issues related to mandate, scope, governance, responsiveness and development orientation, as appropriate, and in this regard encourages continued open, inclusive and transparent dialogue;

26. *Notes* the important efforts undertaken nationally, regionally and internationally to respond to the challenges posed by the financial and economic crisis, in order to ensure a full return to growth with quality jobs, to reform and strengthen financial systems and to create strong, sustainable and balanced global growth;

27. *Calls for* increased efforts at all levels to enhance policy coherence for development, and affirms that the

achievement of the Millennium Development Goals requires mutually supportive and integrated policies for sustainable development;

28. *Recognizes* that recent special drawing rights allocations helped to increase global liquidity in response to the global financial and economic crisis;

29. *Reaffirms* the need to continue to broaden and strengthen the participation of developing countries in international economic decision-making and norm-setting, takes note of recent important decisions on the reform of the governance structures, quotas and voting rights of the Bretton Woods institutions, better reflecting current realities and enhancing the voice and participation of developing countries, and reaffirms the need to continue the reform of the governance of those institutions in order to deliver more effective, credible, accountable and legitimate institutions;

30. *Recalls* the provisions of its resolution 64/193 and of Economic and Social Council resolutions 2009/30 and 2010/26, relevant to the financing for development follow-up process, and in this regard:

(a) Notes with appreciation the efforts already undertaken to strengthen the financing for development follow-up process;

(b) Acknowledges that the modalities of the financing for development follow-up process should be reviewed, as appropriate, within a time frame to be determined by the General Assembly;

(c) Requests the Secretary-General to submit in August 2012 a report providing elements for an assessment of the existing modalities of the financing for development follow-up process and, on this basis, exploring detailed options regarding possible arrangements for strengthening the process, following his report entitled "Follow-up to and implementation of the Monterrey Consensus and the Doha Declaration on Financing for Development" and his note entitled "Coherence, coordination and cooperation in the context of the implementation of the Monterrey Consensus and the Doha Declaration on Financing for Development", taking into account the views and proposals of Member States and all relevant stakeholders and the need to ensure the coherence of United Nations processes in the field of financing for development;

31. *Also recalls* the decision to consider the need to hold a follow-up conference on financing for development by 2013, as appropriate;

32. *Decides* to hold its fifth High-level Dialogue on Financing for Development on 7 and 8 December 2011 at United Nations Headquarters, and requests the Secretary-General to prepare a note on the organization of work of that event, based on the organizational modalities of the fourth High-level Dialogue, to be submitted to the General Assembly before the end of its sixty-fifth session;

33. *Invites* the regional commissions to provide inputs for and to actively participate in the fifth High-level Dialogue, to be held in 2011, and in this context calls upon the regional commissions, with the support of regional development banks and other relevant entities, to hold regional consultations, as appropriate, as part of their inputs to the High-level Dialogue;

34. *Reiterates its appeal* to Member States and other potential donors to consider contributing generously to the

Trust Fund for the Follow-up to the International Conference on Financing for Development, which would facilitate the implementation of a strengthened and more effective and inclusive intergovernmental process to carry out the financing for development follow-up;

35. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "Follow-up to and implementation of the outcome of the 2002 International Conference on Financing for Development and the 2008 Review Conference", and requests the Secretary-General to submit, under that item, an annual analytical assessment of the status of implementation of the Monterrey Consensus and the Doha Declaration on Financing for Development and of the present resolution, to be prepared in full collaboration with the major institutional stakeholders.

Innovative mechanisms of financing for development

General Assembly informal event. In response to a General Assembly request contained in resolution 64/193 [YUN 2009, p. 942], the Assembly held an informal event on innovative sources of development finance (New York, 3 June). On 16 August, France, Japan, Norway and Spain transmitted to the Secretary-General the Chair's summary of the event [A/65/339]. In his closing remarks, the Chair—the Secretary-General's Special Adviser on Innovative Financing for Development—said that innovative financing was not just about new taxes, but was based on voluntary solidarity contributions as a complement to ODA. He highlighted the role of the private sector, referring to the advance market commitments initiative on the development of new vaccines and the launch, in March, of the MassiveGood initiative, which allowed travellers to make a small contribution to major global health causes when buying an airline ticket. He also underscored the need to combat illicit capital flows from developing countries and the role of civil society in enhancing accountability and transparency in that area. Other proposals that could be explored included financial transactions and environmental taxes in support of the MDGs.

Report of Secretary-General. The Secretary-General, in his August report on the follow-up to and implementation of the Monterrey Consensus and the Doha Declaration on Financing for Development [A/65/293] (see p. 955), noted that innovative mechanisms of development finance provided increasingly important contributions to complement ODA. Innovative fund-raising had generated an estimated \$57.1 billion in official flows between 2000 and 2008. While a range of schemes had developed, the most successful ones focused on addressing the health-related development agenda. Other proposals under discussion included an international financial/currency transaction tax, carbon taxes, special drawing rights allocations for development, illicit capi-

tal flow repatriation and facilitation of remittances. Expectations for identifying innovative financing mechanisms to tackle climate change were particularly high.

GENERAL ASSEMBLY ACTION

On 20 December [meeting 69], the General Assembly, on the recommendation of the Second Committee [A/65/435], adopted **resolution 65/146** without vote [agenda item 19].

Innovative mechanisms of financing for development

The General Assembly,

Recalling the United Nations Millennium Declaration, the 2005 World Summit Outcome and the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals and its outcome document,

Recalling also the Monterrey Consensus of the International Conference on Financing for Development and the Doha Declaration on Financing for Development: outcome document of the Follow-up International Conference on Financing for Development to Review the Implementation of the Monterrey Consensus,

Recalling further the Outcome of the Conference on the World Financial and Economic Crisis and Its Impact on Development,

Noting the informal event on innovative sources of development finance organized by the Secretary-General on 3 June 2010,

Recognizing the potential of innovative mechanisms of financing to contribute to the achievement of the internationally agreed development goals, including the Millennium Development Goals,

Noting the ongoing work on innovative sources of financing for development, including in various forums such as the Leading Group on Innovative Financing for Development,

1. *Reaffirms* the Monterrey Consensus of the International Conference on Financing for Development and the Doha Declaration on Financing for Development: outcome document of the Follow-up International Conference on Financing for Development to Review the Implementation of the Monterrey Consensus in their entirety, their integrity and their holistic approach, and recognizes that the mobilization of financial resources for development and the effective use of those resources are central to the global partnership for development, including in support of the achievement of the internationally agreed development goals, including the Millennium Development Goals;

2. *Also reaffirms* that each country must take primary responsibility for its own development and that the role of national policies and development strategies cannot be overemphasized for the achievement of sustainable development, and recognizes that national efforts should be complemented by supportive global programmes, measures and policies aimed at expanding the development opportunities of developing countries, while taking into account national conditions and ensuring respect for national ownership, strategies and sovereignty;

3. *Stresses* the essential role that official development assistance plays in complementing, leveraging and sustaining financing for development in developing countries and in facilitating the achievement of development objectives, including the internationally agreed development goals, in particular the Millennium Development Goals, reiterates that official development assistance can play a catalytic role in assisting developing countries in removing constraints on sustained, inclusive and equitable growth by, inter alia, enhancing social, institutional and physical infrastructure, promoting foreign direct investment, trade and technological innovations, improving health and education, fostering gender equality, preserving the environment and eradicating poverty, and welcomes steps to improve the effectiveness and quality of aid based on the fundamental principles of national ownership, alignment, harmonization, managing for results and mutual accountability;

4. *Also stresses* that innovative mechanisms of financing can make a positive contribution in assisting developing countries in mobilizing additional resources for development on a stable, predictable and voluntary basis;

5. *Reiterates* that such voluntary mechanisms should be effective, should aim to mobilize resources that are stable and predictable, should supplement and not be a substitute for traditional sources of financing, should be disbursed in accordance with the priorities of developing countries and should not unduly burden such countries;

6. *Highlights* the considerable progress in innovative sources of financing for development achieved to date, and stresses the importance of scaling up present initiatives and developing new mechanisms, as appropriate;

7. *Decides* to convene at its sixty-sixth session a separate meeting of the Second Committee under the item entitled "Follow-up to and implementation of the outcome of the 2002 International Conference on Financing for Development and the 2008 Review Conference" to consider the question of innovative mechanisms of financing for development;

8. *Requests* the Secretary-General to submit to the General Assembly at its sixty-sixth session a report examining the contribution and the potential of innovative mechanisms of financing for development in respect of achieving the internationally agreed development goals, including the Millennium Development Goals, as well as their effectiveness and their implications, taking into account that such mechanisms should be voluntary in nature and should not unduly burden developing countries.

Follow-up to conference on world financial and economic crisis

Report of working group. By resolution 63/305 [YUN 2009, p. 956], the General Assembly established the Ad Hoc Open-ended Working Group to follow up on the issues contained in the outcome of the 2009 Conference on the World Financial and Economic Crisis and Its Impact on Development [ibid., p. 947]. The Assembly President appointed Norway and Zambia to serve as co-facilitators. The Working Group held seven meetings between April and June, and in August submitted to the Assembly its progress report [A/64/884].

The Working Group examined the continued impact of the crisis and institutional policy responses to it. It also identified key issues and made proposals for further consideration, including: timetables for further scaling up of ODA; making ODA more effective by full implementation of the Paris Declaration on Aid Effectiveness [YUN 2005, p. 957], the Accra Agenda for Action [YUN 2008, p. 942] and the principles of national ownership, alignment, harmonization and managing for results; enhanced accountability in the follow-up of G-20 commitments made at the London Summit [YUN 2009, p. 947] to make available an additional \$1.1 trillion programme aimed at revitalizing the world economy; substantial recapitalization of the multilateral development banks to allow them to fulfil their mandate; increased access to concessionary finance for vulnerable middle-income countries; reducing transaction costs for remittances; reduction of conditionalities to enhance the fiscal space of developing countries to pursue countercyclical policies; and an assessment of the new conditionality frameworks of the Bretton Woods institutions before any further changes were considered.

The Assembly took note of the report on 13 September (**decision 64/565**).

Communication. On 28 July [A/64/886], Yemen transmitted a position paper containing the views and proposals of the Group of 77 and China as a contribution to the deliberations of the Working Group.

Response to global financial and economic crisis

CEB consideration. The High-level Committee on Programmes of the United Nations System Chief Executives Board for Coordination (CEB) at its nineteenth session (Geneva, 3–4 March) [CEB/2010/4] considered the state of play of the global financial and economic crisis. Committee members stressed that for the most vulnerable populations, the crisis was far from over. Such indicators as increases in malnutrition, child poverty, decline in household income and the closing of schools were particularly worrisome. Aid flows for development had not been commensurate with the levels of bailout packages for financial institutions. The UN system needed to advocate increasing investment in children, maintaining aid flows and ensuring the availability and monitoring of data. It was also important to use the international normative framework of human rights to develop integrated responses to the crisis and to build the capacities of States to fulfil their obligations. Committee members said that the joint crisis initiatives of the UN system had filled a need and allowed for a common outlook, permitting the UN system to move forward in maintaining the global macroeconomic perspective while paying attention to the human face of the recovery.

UNCTAD symposium. UNCTAD second Public Symposium (Geneva, 10–11 May) [TD/B/57/5 & Corr.1,2 & Add.1] discussed the subject of responding to global crises: new development paths. The event brought together over 300 representatives from around the world, including from civil society, the private sector, parliaments, UN agencies and other international organizations. The UNCTAD Trade and Development Board took note of the report on 20 September.

Economic and Social Council action. On 23 July, by **resolution 2010/25** on “Recovering from the world financial and economic crisis: a Global Jobs Pact” (see p. 1071), the Economic and Social Council welcomed the Global Jobs Pact adopted by the International Labour Conference in 2009 [YUN 2009, p. 947]. The Council said that countries that lacked the fiscal space to adopt appropriate response and recovery policies required particular support, and donor countries, multilateral organizations and other development partners should consider providing funding to implement the Pact’s recommendations and policy options.

Also on 23 July, the Council deferred consideration of the draft resolution entitled “Establishment of an ad hoc panel of experts on the world financial and economic crisis and its impact on development” until its resumed (2010) substantive session (**decision 2010/260**).

On 15 December, the Council decided to continue its consideration of the draft resolution during its substantive (2011) session, with a view to making final recommendations to the General Assembly (**decision 2010/264**).

Communication. On 3 February [A/64/649-E/2010/8], the Assembly President transmitted the summary report of the 2009 Parliamentary Hearing (New York, 19–20 November 2009) entitled “The way forward: building political support and implementing effective responses to the global economic crisis”. The annual event, organized by the Inter-Parliamentary Union and the United Nations, was attended by over 160 parliamentarians from some 50 countries and two regional parliaments.

Other issues

Competition law and policy

The Intergovernmental Group of Experts on Competition Law and Policy did not meet in 2010. The UNCTAD Trade and Development Commission, in May [TD/B/C.I/13], took note of the report of the tenth (2009) session of the Group of Experts [YUN 2009, p. 958], which served as a preparatory meeting for the Sixth United Nations Conference to Review All Aspects of the Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices (see below).

Sixth Review Conference

The Sixth United Nations Conference to Review All Aspects of the Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices (known as the Set) (Geneva, 8–12 November) [TD/RBP/CONF.7/11] marked the thirtieth anniversary of the adoption of the Set [YUN 1980, p. 626], which was a multilateral agreement on competition policy that provided equitable rules for the control of anti-competitive practices; recognized the development dimension of competition law and policy; and provided a framework for international operation and exchange of best practices.

The Conference took note of UNCTAD secretariat documents on assessment of the application and implementation of the Set [TD/RBP/CONF.7/2]; the role of competition policy in promoting economic development: the appropriate design and effectiveness of competition law and policy [TD/RBP/CONF.7/3]; the use of leniency programmes as a tool for the enforcement of competition law against hard-core cartels in developing countries [TD/RBP/CONF.7/4]; appropriate sanctions and remedies [TD/RBP/CONF.7/5]; the role of competition advocacy, merger control and the effective enforcement of law in times of economic trouble [TD/RBP/CONF.7/6]; review of capacity-building and technical assistance on competition law and policy [TD/RBP/CONF.7/7]; Model Law on Competition: substantive possible elements for a competition law, commentaries and alternative approaches in existing legislation [TD/RBP/CONF.7/8]; and voluntary peer review of competition policy: Armenia [UNCTAD/DITC/CLP/2010/1].

Three sessions addressed the implementation of competition law and policy; reviewed the experience gained in implementing the Set, including voluntary peer reviews; and discussed the role of competition policy in economic development. A voluntary peer review examined competition law and policy in Armenia, and a round table discussed the foundations of agency effectiveness. Consultations were held on the revised version of the Model Law on Competition.

By a 12 November resolution, the Conference decided that future sessions of the Intergovernmental Group of Experts on Competition Law and Policy should cover at least four clusters of issues: appropriate design and enforcement of competition law and policy; international cooperation and networking; cost-effectiveness, complementarity and collaboration in the provision of capacity-building and technical assistance to interested countries; and consultations on the Model Law. The Group of Experts should undertake an exchange of views and experiences of several developed and other interested countries on issues relating to cases concerning anticompetitive

practices and other issues relevant to competition that had been raised by member States. The Conference also decided that, in the light of the worldwide trend towards the adoption or reform of competition laws and the development of national competition laws and policies since the Set was adopted, the Group of Experts should embark on an exercise to map out and strengthen common ground among States in identifying anticompetitive practices affecting the economic development of countries. Governments were invited, during future meetings of the Group of Experts, to clarify the scope or application of their competition laws and policies with a view to improving mutual understanding about substantive principles and procedures.

The Conference was attended by representatives of 102 countries, 11 intergovernmental organizations, three UN system organizations and three non-governmental organizations.

The General Assembly, in resolution 65/142 (see p. 939), welcomed the convening of the Conference and took note of its report.

International standards of accounting and reporting

The Intergovernmental Working Group of Experts on International Standards of Accounting and Reporting (ISAR), at its twenty-seventh session (Geneva, 13–15 October) [TD/B/C.II/ISAR/57], had before it an UNCTAD secretariat document on developing a capacity-building framework for high-quality corporate reporting [TD/B/C.II/ISAR/56 & Add.1]. In agreed conclusions, the Working Group stated that the document provided useful guidance, and requested the UNCTAD secretariat to finalize it based on the discussions at the session and present it to its twenty-eighth (2011) session. The Group of Experts also asked the UNCTAD secretariat to develop further the measurement methodology to assess progress in capacity-building, as well as priorities for the capacity-building process, and to start creating a database of good practices on capacity-building in the area of accounting and reporting.

With regard to climate change-related corporate reporting, ISAR requested UNCTAD to continue its contribution to the field of environmental reporting frameworks, particularly those related to climate change issues, in order to promote a harmonized approach among member States. UNCTAD was also asked to coordinate that work with other international initiatives and with private- and public-sector stakeholders, and to report back on progress to the Group in 2011. As to corporate governance disclosure, ISAR requested UNCTAD to continue to focus on providing information to policymakers, investors and other stakeholders, and to continue to conduct country case studies in partnership with local institutions.

Taxation

Committee of Experts on International Cooperation in Tax Matters

On 23 July, the Economic and Social Council Council, by **decision 2010/257**, decided to convene the sixth session of the Committee of Experts on International Cooperation in Tax Matters in Geneva from 18 to 22 October and approved the provisional agenda for the session.

ECONOMIC AND SOCIAL COUNCIL ACTION

Also on 23 July [meeting 46], the Council and adopted **resolution 2010/33** [draft: E/2010/L.39] without vote [agenda item 13 (b)].

Committee of Experts on International Cooperation in Tax Matters

The Economic and Social Council,

Recalling its resolution 2004/69 of 11 November 2004, by which it decided that the Ad Hoc Group of Experts on International Cooperation in Tax Matters would be renamed the Committee of Experts on International Cooperation in Tax Matters,

Recognizing the call made in the Monterrey Consensus of the International Conference on Financing for Development for the strengthening of international tax cooperation through enhanced dialogue among national tax authorities and greater coordination of the work of the concerned multilateral bodies and relevant regional organizations, giving special attention to the needs of developing countries and countries with economies in transition,

Welcoming the request to the Economic and Social Council made in the Doha Declaration on Financing for Development and the Outcome of the Conference on the World Financial and Economic Crisis and Its Impact on Development to examine the strengthening of the institutional arrangements to promote international cooperation in tax matters, including the Committee of Experts on International Cooperation in Tax Matters,

Recognizing that, while each country is responsible for its tax system, it is important to support efforts in these areas by strengthening technical assistance and enhancing international cooperation and participation in addressing international tax matters, including in the area of double taxation,

Recognizing also the need for an inclusive, participatory and broad-based dialogue on international cooperation in tax matters,

Noting the activities developing within the concerned multilateral bodies and relevant subregional and regional organizations,

Taking note of the report of the Committee on its fifth session,

1. *Requests* the Secretary-General, taking into account the views of Member States and taking into consideration the work done on tax matters in other international forums, to submit to the Economic and Social Council by March 2011 a report examining the strengthening of institutional arrangements to promote international cooperation in tax

matters, including the Committee of Experts on International Cooperation in Tax Matters;

2. *Requests* the President of the Economic and Social Council to convene a discussion within the Council on international cooperation in tax matters by early 2011;

3. *Reiterates its appeal* to Member States and relevant organizations to consider contributing generously to the Trust Fund for International Cooperation in Tax Matters established by the Secretary-General in order to supplement regular budgetary resources, and invites the Secretary-General to intensify efforts in this regard, which will facilitate adequate representation from developing countries in the meetings of the subcommittees and working groups of the Committee;

4. *Takes note with appreciation* of the proposed United Nations Code of Conduct on Cooperation in Combating International Tax Evasion adopted by the Committee, and encourages Member States to further discuss the issue within the United Nations, as a practical means of enhancing international tax cooperation.

Committee session. The main task of the sixth session of the Committee of Experts on International Cooperation in Tax Matters (Geneva, 18–22 October) [E/2010/45-E/C.18/2010/7] was the revision of the United Nations Model Double Taxation Convention between Developed and Developing Countries, which the Committee was planning to complete by 2011. The session addressed: the United Nations Model Tax Convention update [E/C.18/2010/CRP.1]; dispute resolution [E/C.18/2010/CRP.2 & Add.1]; issues related to attribution of profits under article 7 of the United Nations Model Convention; transfer pricing; practical manual for developing countries [E/C.18/2010/CRP.4]; article 13: capital gains [E/C.18/2010/3]; taxation of development projects; exchange of information; tax treatment of services [E/C.18/2010/CRP.7 & Add.1]; article 14 of the United Nations Model Convention [E/C.18/2010/4 & E/C.18/2010/CRP.8]; the definition of permanent establishment: proposed revised article 5 commentary [E/C.18/2010/5 & E/C.18/2010/6]; the concept of beneficial ownership [E/C.18/2010/CRP.9]; revision of the Manual for the Negotiation of Bilateral Tax Treaties between Developed and Developing Countries [E/C.18/2010/CRP.10]; capacity-building in national tax systems [E/C.18/2010/CRP.11 & Add.1]; tax cooperation and its relevance to major environmental issues, particularly climate change [E/C.18/2010/CRP.12]; and tax competition in corporate tax: use of tax incentives in attracting FDI [E/C.18/2010/CRP.13]. Regarding exchange of information, the Committee noted the importance of taking up the proposed United Nations Code of Conduct on Cooperation in Combating International Tax Evasion at the country level and renewed its invitation to the Economic and Social Council to take action on the proposed Code of Conduct.

Transport

Maritime transport

The *Review of Maritime Transport, 2011* [Sales No. E.11.II.D.4], prepared by the UNCTAD secretariat, reported that, after contracting in 2009, international shipping experienced an upswing in demand in 2010 and recorded a positive turnaround in volumes, especially in the dry bulk and container trade segments. Total seaborne trade reached an estimated 8.4 billion tons in 2010. The year saw record deliveries of new tonnage, 28 per cent higher than in 2009, resulting in an 8.6 per cent growth in the world merchant fleet. World container port throughput increased by an estimated 13.3 per cent to 531 million 20-foot equivalent units in 2010, after stumbling briefly in 2009. China maintained its lead as the single most connected country, followed by Hong Kong (China), Singapore and Germany. Important discussions continued at the International Maritime Organization (IMO) regarding the scope and content of a possible international regime to control greenhouse gas emissions from international shipping. Developing countries expanded their participation in a range of maritime businesses: they held strong positions in ship scrapping, ship registration and the supply of seafarers, and had growing market shares in more capital-intensive or technologically advanced maritime sectors such as ship construction and shipowning. China and the Republic of Korea between them built 72.4 per cent of world ship capacity in 2010.

Transport of dangerous goods

Economic and Social Council action. The Economic and Social Council on 28 April (**decision 2010/201 B**) endorsed the Secretary-General's decision to approve an application from Switzerland for membership in the Subcommittee of Experts on the Transport of Dangerous Goods and an application from the Russian Federation for membership in the Subcommittee of Experts on the Globally Harmonized System of Classification and Labelling of Chemicals.

The Council, on 25 October (**decision 2010/201 E**), endorsed the Secretary-General's decision to approve an application from the Republic of Korea for membership in the Subcommittee of Experts on the Transport of Dangerous Goods, bringing the membership of the Subcommittee to 30.

Committee session. The Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized System of Classification and Labelling of Chemicals, at its fifth session (Geneva, 10 December) [ST/SG/AC.10/38 & Add.1 & Corr.1 &

Add.2,3], noted that the secretariat had issued the sixteenth revised edition of the Recommendations on the Transport of Dangerous Goods, Model Regulations [ST/SG/AC.10/1/Rev.16]; the fifth revised edition of the Recommendations on the Transport of Dangerous Goods, Manual of Tests and Criteria [ST/SG/AC.10/11/Rev.5]; and the third revised edition of the Globally Harmonized System of Classification and Labelling of Chemicals [ST/SG/AC.10/30/Rev.3]. The three publications were available in the six official languages of the United Nations and in electronic format.

The Committee took note of the reports of the Sub-Committee of Experts on the Transport of Dangerous Goods on its thirty-fifth (22–26 June 2009) [ST/SG/AC.10/C.3/70], thirty-sixth (30 November–9 December 2009) [ST/SG/AC.10/C.3/72], thirty-seventh (21–30 June 2010) [ST/SG/AC.10/C.3/74 & Add.1] and thirty-eighth (29 November–7 December 2010) [ST/SG/AC.10/C.3/76] sessions, all held in Geneva. The Committee endorsed the reports, including the amendments to the recommendations on the transport of dangerous goods and the new recommendations made.

The Committee had before it the reports of the Sub-Committee of Experts on the Globally Harmonized System of Classification and Labelling of Chemicals on its seventeenth (29–30 June 2009) [ST/SG/AC.10/C.4/34], eighteenth (9–11 December 2009) [ST/SG/AC.10/C.4/36], nineteenth (30 June–2 July 2010) [ST/SG/AC.10/C.4/38] and twentieth (7–9 December 2010) [ST/SG/AC.10/C.4/40 & Corr.1] sessions, all held in Geneva. The Committee endorsed the reports of the Sub-Committee, including the amendments to the text of the Globally Harmonized System of Classification and Labelling of Chemicals and the new provisions adopted. It also approved the programme of work of its two sub-committees.

The Committee recommended a draft resolution on its work for adoption by the Economic and Social Council at its 2011 substantive session.

UNCTAD institutional and organizational questions

In 2010, the Trade and Development Board (TDB)—the governing body of UNCTAD—held the following sessions, all in Geneva: fifty-seventh annual session (15–28 September) [A/65/15 (Part IV) & Corr.1], forty-ninth (8–9 June) [A/65/15 (Part II)], fiftieth (8 July) [A/65/15 (Part III)] and fifty-first (29–30 November and 2 December) [A/66/15 (Part I)] executive sessions.

In June, TDB addressed the follow-up to the Third (2001) United Nations Conference on the Least Developed Countries [YUN 2001, p. 770]; preparations for the Fourth (2011) United Nations Conference on the

Least Developed Countries: key development challenges facing the LDCs; and follow-up to the Millennium Summit and preparations for the September 2010 high-level plenary meeting of the General Assembly on the Millennium Development Goals: new development paths. Participants made recommendations on a number of issues including: new development approaches to agriculture and food security; reconsidering the macroeconomic framework; trade diversification and market access; reducing commodity dependence; investment promotion; infrastructure development; science and technology; development finance; and LDCs.

In July, TDB addressed UNCTAD activities in support of Africa; and matters requiring action by the Board arising from or related to reports and activities of its subsidiary bodies. It took note of the reports and endorsed the agreed conclusions of the Trade and Development Commission (second session) [TD/B/C.I/13]; the Investment, Enterprise and Development Commission (second session) [TD/B/C.II/10]; and the Working Party on the Strategic Framework and the Programme Budget (fifty-fifth session) [TD/B/WP/220]. It also approved topics for upcoming single-year and multi-year expert meetings.

In September [A/65/15 (Part IV) & Corr.1], TDB took action on economic development in Africa: South-South cooperation: Africa and the new forms of development partnerships [agreed conclusions 502(LVII)]; evaluation and review of UNCTAD's implementation of the Accra Accord [YUN 2008, p. 1042] [agreed outcome 503(LVII)] (see p. 966); and the review of UNCTAD technical cooperation activities and their financing [decision 504(LVII)] (see p. 965). It took note of the following: report of the United Nations Commission on International Trade Law on its forty-third session [A/65/17] (see p. 1339); report of the ITC Joint Advisory Group on its forty-third session [YUN 2009, p. 924]; report on the second UNCTAD Public Symposium (see p. 961); report by the UNCTAD secretariat on assistance to the Palestinian people [TD/B/57/4] (see p. 471); and report by the UNCTAD secretariat on progress made in the implementation of the outcomes of the major United Nations conferences and summits, and the UNCTAD contribution [TD/B/57/6]. TDB took note of the report of the Working Party on the Strategic Framework and the Programme Budget on its fifty-sixth session (Geneva, 6–8 September) [TD/B/WP/225], and endorsed the agreed conclusions and adopted the draft decision on the review of the technical cooperation activities of UNCTAD and their financing contained therein (see p. 965).

In November–December, TDB adopted agreed conclusions on the review of progress in the implementation of the Programme of Action for the Least Developed Countries for the Decade 2001–2010 (see

p. 843) and held a panel session entitled “From global crisis to sustainable development: the scope for a New International Development Architecture for the least developed countries”.

Technical cooperation

A report of the UNCTAD Secretary-General [TD/B/WP/232 & Add.1,2 & Corr.1], which reviewed UNCTAD technical cooperation activities and their financing in 2010, said that overall expenditures for such activities increased slightly to \$39.2 million. Contributions to trust funds totalled \$30.7 million, an increase of about 3 per cent over the previous year. Contributions by developing countries amounted to 31 per cent of total contributions to trust funds, about the same as in 2009. Expenditures on interregional projects accounted for 46.5 per cent of total delivery, while expenditures on country projects accounted for 39 per cent. Total delivery in support of LDCs decreased to 34 per cent from 41 per cent in 2009. The Automated System for Customs Data continued to be the largest UNCTAD technical assistance activity, followed by the Debt Management and Financial Analysis System. Those two programmes accounted for 47 per cent of total UNCTAD technical cooperation delivery. Actions in support of implementation of the Accra Accord and TDB decisions continued with a view to enhancing the impact of UNCTAD operational activities; activities in support of system-wide coherence continued to increase. In 2010, UNCTAD received about \$0.9 million from funding mechanisms (multi-donor trust funds and One United Nations Funds) at the country level. UNCTAD continued its coordination of the United Nations Chief Executives Board Inter-agency Cluster on Trade and Productive Capacity, which was active in 28 countries.

TDB, in September [A/65/15 (Part IV) & Corr.1], adopted the draft decision on the review of UNCTAD technical cooperation activities and their financing contained in the report of the Working Party on the Strategic Framework and the Programme Budget on its fifty-sixth session [TD/B/WP/225]. TDB took note of the reports prepared by the secretariat for the Working Party on the Strategic Framework and the Programme Budget; expressed appreciation for the increased contribution from the developing countries to the UNCTAD trust funds; and called for more coherence in the planning and implementation of technical cooperation programmes.

Strategic framework and programme budget

The UNCTAD Working Party on the Strategic Framework and Programme Budget held three sessions in 2010, all in Geneva.

At its fifty-fifth session (15–17 February) [TD/B/WP/220], the Working Party considered reports on UNCTAD communications strategy [TD/B/56/9/Rev.1] and publications policy [TD/B/56/10/Rev.1] as well as their implementation [TD/B/WP/219]. In agreed conclusions, the Working Party requested that, in implementing the communications strategy, particular attention be devoted to enhancing outreach to government policymakers. In implementing the publications policy, particular attention should be devoted to the implementation of the Accra Accord; to enhancing the quality, timeliness and relevance of UNCTAD publications; and to ensuring the timely translation of those publications.

At its fifty-sixth session (6–8 September) [TD/B/WP/225], the Working Party adopted a draft decision for consideration by TDB on the review of UNCTAD technical cooperation activities and their financing (see above). It adopted agreed conclusions on the in-depth evaluation of UNCTAD technical cooperation activities dedicated to LDCs, landlocked developing countries, small island developing States and other structurally weak, vulnerable and small economies [TD/B/WP/223 & Add.1, TD/B/WP/224]. It also adopted agreed conclusions on the progress report [TD/B/EX(50)/4] on the implementation of the recommendations contained in the 2009 evaluation of UNCTAD commodities programme [YUN 2009, p. 964] (see below).

At its fifty-seventh session (22–24 November and 2 December) [TD/B/WP/227], the Working Party adopted agreed conclusions on the review of the programme narrative component of the draft proposed programme budget for the biennium 2012–2013. It concurred with the proposed programme narrative for UNCTAD for the biennium 2012–2013 [TD/B/WP(57)/CRP.1/Rev.1]; recommended to the UNCTAD Secretary-General that he take full account of that document for his submission of the UNCTAD 2012–2013 proposed programme narrative to the UN Secretary-General; and requested the UNCTAD Secretary-General to intensify UNCTAD technical cooperation activities.

Evaluation

At the fiftieth TDB executive session in July [A/65/15 (Part III)], the UNCTAD secretariat presented a progress report [TD/B/EX(50)/4] on the implementation of recommendations from the 2009 independent external evaluation of UNCTAD commodities programme [YUN 2009, p. 964]. Several TDB participants reaffirmed the importance of UNCTAD work on commodities, noted with concern that the head of the Special Unit on Commodities had not been appointed and asked the UNCTAD Secretary-General to make every effort to make that appointment. TDB asked the Working Party on the Strategic Framework and the Programme Budget to carry out a detailed consideration of the progress report.

Implementation of Accra Accord

The Accra Accord, adopted at the twelfth session of the United Nations Conference on Trade and Development (UNCTAD XII) [YUN 2008, p. 1042], highlighted the role of UNCTAD as the focal point in the UN system for the integrated treatment of trade and development and interrelated issues in the areas of finance, technology, investment and sustainable development. The UNCTAD secretariat submitted to the Trade and Development Commission progress reports on the implementation of the provisions of the Accra Accord related to key trade and development issues [TD/B/C.I/9]; commodities [TD/B/C.I/10]; transport and trade facilitation [TD/B/C.I/11]; and cross-divisional capacity-building [TD/B/C.I/12].

In a July report on the evaluation and review of UNCTAD implementation of the Accord [TD/B/57/7 &

Add.1& Corr.1], the UNCTAD secretariat stated that the global economic crisis had featured prominently in UNCTAD work since Accra, as policymakers tried to understand what had gone wrong, mitigate the damage from the crisis, and seek a way forward onto new and more sustainable development paths. UNCTAD had put in place various measures to strengthen its institutional effectiveness and enhance its development role and impact, in accordance with the Accra Accord. In that regard, specific actions had been taken concerning outreach, technical cooperation and the intergovernmental machinery.

On 28 September, in agreed outcome 503(LVII) on the evaluation and review of UNCTAD implementation of the Accra Accord, TDB expressed general satisfaction with UNCTAD implementation of the Accord, while encouraging the secretariat to continue its implementation and highlighting areas that needed special attention.

Regional economic and social activities

In 2010, the five UN regional commissions continued to provide technical cooperation, including advisory services, to their member States, promote programmes and projects, and provide training to enhance national capacity-building in various sectors. Four of them held regular sessions during the year—the Economic Commission for Africa (ECA), the Economic and Social Commission for Asia and the Pacific (ESCAP), the Economic Commission for Latin America and the Caribbean (ECLAC), and the Economic and Social Commission for Western Asia (ESCWA). The Economic Commission for Europe did not meet in 2010. The Executive Secretaries of the commissions continued to hold periodic meetings to exchange views and coordinate activities and positions on major development issues.

ECA organized its annual session as part of the joint meetings of the African Union Conference of Ministers of Economy and Finance and the ECA Conference of African Ministers of Finance, Planning and Economic Development. The session met in March and adopted a ministerial statement by which Ministers committed to implement plans for economic transformation, job creation and poverty eradication by ensuring a food-secure Africa within five years.

In May, ESCAP adopted the Incheon Declaration emphasizing the need for stronger regional cooperation for more resilience in future crises and to bolster the capacity of countries in reaching the Millennium Development Goals. The Sixth Ministerial Conference on Environment and Development in Asia and the Pacific (Astana, Kazakhstan, 27 September–2 October) adopted the Ministerial Declaration on Environment and Development in Asia and the Pacific, 2010; the Regional Implementation Plan for Sustainable Development, 2011–2015; and the Astana “Green Bridge” Initiative: Europe-Asia-Pacific Partnership for the Implementation of “Green Growth”.

ECLAC, during its thirty-third session, adopted the Brasilia resolution, in which it asked the Executive Secretary to conduct studies and formulate policy proposals to build national economic and social development capacities. The Commission also asked the Executive Secretary to develop indicators for measuring the social and economic impact of South-South cooperation.

At its May session, ESCWA held two round tables: the first on national youth policies within the framework of the World Programme of Action for Youth to

the Year 2000 and Beyond and the second on human and institutional capacity-building. It called for the holding of an Arab Internet Governance Forum and adopted a statute establishing the ESCWA Technology Centre, which was endorsed by the Economic and Social Council in July.

Regional cooperation

In 2010, the United Nations continued to strengthen cooperation among its regional commissions, between them and other UN entities, and with regional and international organizations.

On 28 April (**decision 2010/207**), the Economic and Social Council decided that the theme for the regional cooperation item of its 2010 substantive session would be “Gender equality and empowerment of women in the implementation of the Millennium Development Goals (MDGs): regional perspectives”. The Council held an interactive dialogue with the Executive Secretaries of the regional commissions on that subject on 2 July.

Meetings of Executive Secretaries. The Executive Secretaries held three regular meetings during the year: in January (Beirut); and at the margins of both the Economic and Social Council session in July and of their dialogue with the Second (Economic and Financial) Committee of the General Assembly in November (New York) [E/2010/15, E/2011/15]. They focused on the regional commissions’ support to UN system-wide coherence at the regional and global levels; regional perspectives and contributions towards achieving the MDGs; promotion of policies leading to greater inclusion and equity; regional contributions to the United Nations Conference on Sustainable Development (Rio+20 process) (see p. 802), and regional cooperation as a tool for development. In addition, two joint side events were organized: one at the Assembly’s High-level Plenary Meeting on the MDGs (New York, 20–22 September) (see p. 813), during which the Executive Secretaries highlighted the regional perspectives on the achievement of the MDGs, and the role of regional cooperation in addressing key challenges in that regard and the other at the United Nations Framework Convention on Climate Change Conference (Cancún, Mexico, 29 November–10 December) (see p. 1019).

Review and reform of regional commissions

In a June report [E/2010/15], the Secretary-General updated actions taken by the regional commissions to implement the guidance given by Economic and Social Council resolution 1998/46 [YUN 1998, p. 1262] on mainstreaming regional dimensions into the work of the United Nations and enhancing the coherence of UN activities at the regional level. The report examined the progress by different regions in achieving the MDGs and the lessons learned from the global economic and financial crisis to address fallbacks and accelerate achievement of the MDGs. It also highlighted how South-South cooperation, strongly supported by the regional commissions, was being used to advance the development agenda and the efforts and progress in promoting the agenda of gender equality and empowerment of women. The report also covered developments in selected areas of regional and interregional cooperation, including other policy matters addressed during the regional commission ministerial sessions, further efforts to promote coherence at the regional level, including through the Regional Coordination Mechanism convened by the regional commissions, as well as interregional cooperation among the commissions.

An addendum to the report [E/2010/15/Add.1] contained the texts of resolutions and decisions adopted at recent meetings of the regional commissions calling for the Council's action.

In July, the Council adopted resolutions on the venue for the thirty-fourth session of ECLAC (see p. 993), and on the establishment of the ESCWA Technology Centre (see p. 995). It also adopted decisions on upgrading the ESCWA Section for Emerging and Conflict-Related Issues and the ESCWA Centre for Women to a division (see p. 998).

Africa

The Economic Commission for Africa (ECA) organized its 2010 annual session as part of the joint meetings of the African Union (AU) Conference of Ministers of Economy and Finance and the ECA Conference of African Ministers of Finance, Planning and Economic Development, in accordance with Economic and Social Council resolution 2007/4 [YUN 2007, p. 1014]. ECA held its forty-third session/Third Joint Annual Meetings of the AU and ECA Conference of Ministers (Lilongwe, Malawi, 29–30 March) [E/ECA/CM/43/4] under the theme “Promoting high-level sustainable growth to reduce unemployment and poverty”. It had before it an issues paper prepared by the ECA secretariat on the theme [E/ECA/COE/29/3] and the report of the twenty-ninth meeting of the

Committee of Experts of the Conference of African Ministers of Finance, Planning and Economic Development (Lilongwe, 25–28 March) [E/ECA/COE/29/7].

The session adopted a ministerial statement [E/ECA/CM/43/4], in which Ministers noted the progress in Africa towards the achievement of the MDGs and recognized the need for strengthening their policy responses, including those aimed at achieving food security and reducing unemployment. Ministers committed to implement plans for economic transformation, job creation and poverty eradication by ensuring a food-secure Africa within five years; support African least developed countries (LDCs) and those emerging from conflict to reduce unemployment, build capacity and provide policy support; accelerate regional integration as a strategy for achieving sustainable socio-economic development; address the impact of climate change through its integration in growth, employment and poverty eradication strategies; combat illicit financial flows by addressing its impact on the development process and request further analytical work on the subject and the preparation of a declaration for consideration at the next ministerial conference; establish pan-African financial institutions: the African Investment Bank, the African Central Bank and the African Monetary Fund; leverage support of key partners for Africa's development agenda; and mobilise additional support among African member States, the UN system, and international development partners for the further enhancement of the role of the African Institute of Economic Planning in building and renewing capacities for economic management and development planning.

Economic trends

In 2010, African economies continued to recover from the financial and economic crisis with a growth in gross domestic product (GDP) of 4.7 per cent, up from to 2.3 per cent in 2009 [E/2011/17]. Key growth factors included rising commodity prices and exports, sustained by countercyclical fiscal and monetary policies and increasing domestic demand, and more diversified exports. While most economies recovered from the loss in 2009, the pace of the recovery varied across countries and subregions. Oil-exporting countries expanded by 5.4 per cent, while oil-importing countries expanded by 3.9 per cent. East Africa, with a growth rate of 6.8 per cent and West Africa, with a growth rate of 6 per cent were the best performing of the five subregions, followed by North Africa, the main oil-producing subregion at 4.7 per cent, Central Africa at 4.3 per cent and Southern Africa at 3.3 per cent. The recovery was also helped by a notable increase in private capital. Foreign direct investment rebounded through growing interest in the mineral, services and manufacturing sectors, amounting to about 7 per cent of Africa's GDP. Aid flows also grew by 4 per cent,

despite economic difficulties faced by many donor countries, while some African countries continued to benefit from debt relief. Growth was largely jobless, however, and progress towards reducing poverty and achieving other MDGs remained slow, especially in sub-Saharan Africa.

The *Economic Report on Africa* [Sales No. E.10.II.K.I], a joint publication of ECA and the AU, devoted its 2010 edition to the theme “Promoting high-level sustainable growth to reduce unemployment in Africa”, and advised that in the aftermath of the global economic crisis African countries should pursue policies that countered the effects of the recession and laid the foundation for long-term, high-level, sustainable and employment-focused growth.

Activities

ECA activities in 2010 were organized under ten subprogrammes: macroeconomic analysis, finance and economic development; food security and sustainable development; governance and public administration; information and science and technology for development; trade, economic cooperation and regional integration; gender and women in development; supporting subregional activities for development; development planning and administration; statistics; and social development [E/ECA/COE/30/17]. ECA also continued to support the AU and the New Partnership for Africa's Development (NEPAD) [YUN 2001, p. 900].

Trade, economic cooperation and regional integration

ECA continued to strengthen regional integration in Africa through enhanced intra-African trade and physical integration, with particular emphasis on infrastructure and natural resources development. A key accomplishment in support of policy development and harmonization was the publication in May of *Assessing Regional Integration in Africa*, which focused on the theme “Enhancing intra-African trade”, providing policy recommendations to reverse the low level of intra-African trade. Three regional workshops and study tours were organized in Dar es Salaam, United Republic of Tanzania, Accra, Ghana, and Mombasa, Kenya, which enabled stakeholders to share and learn from experiences and best practices in trade facilitation, port operations and corridor management across Africa. On international trade, activities were undertaken to strengthen the capacity of African countries for effective participation in international trade negotiations and arrangements, particularly the Economic Partnership Agreements (EPAs), Aid for Trade and the African Growth and Opportunity Act (AGOA). ECA, in partnership with the African Union Commission (AUC), developed proposals

and policy options for consideration by African countries when existing AGOA preferences ended in 2015. The options were endorsed by the sixth ordinary session of the AU Ministers of Trade (Kigali, Rwanda, November), and led to the adoption of the Declaration on a Strategic Framework for Strengthening US-African Trade Relations 2010 and Beyond. ECA also provided technical inputs to two coordination meetings regarding EPAs, which resulted in a position paper on the subject. On the Aid for Trade initiative, the Commission carried out a number of activities designed to enhance the awareness, knowledge and capacity of member States and regional economic communities (RECs) to take advantage of its opportunities. In that regard, the study “Surmounting Africa's Trade Capacity Constraints: An Assessment of the Effectiveness of Aid for Trade” was prepared to help member States and RECs participate effectively in the third Global Review of Aid for Trade.

In the area of transport, ECA continued to work with other partners in the sub-Saharan Africa Transport Policy Programme, which aimed to build policy development and implementation capacity in the transport sector. With regard to natural resources, ECA and AUC completed the draft Framework Report of the International Study Group on Africa's mineral regimes, which formed part of the African Mining Vision 2050 [YUN 2009, p. 971]. An Action Plan was being developed to implement the Vision.

New Partnership for Africa's Development

As the coordinator of UN agencies and organizations working in Africa in support of NEPAD, a programme for the continent's development initiated by African leaders in 2001 [YUN 2001, p. 899], ECA, together with the AU, undertook joint activities to deepen the nature and scope of support for its implementation in the context of the Regional Coordination Mechanism. The activities encompassed technical assistance and capacity-building for institutional development, project development, resource mobilization and advocacy. ECA provided analytical work and technical assistance, with particular focus on socio-economic development and political governance issues.

In February [E/ECA/COE/29/16], ECA submitted a report on UN system-wide support to the AU and NEPAD in the context of the Regional Coordination Mechanism.

(For information on NEPAD, see p. 908).

Food security and sustainable development

ECA continued to strengthen the capacity of States to formulate and implement policies, strategies and programmes for achieving food security and sustainable development in Africa. It participated in

the eighteenth session of the UN Commission on Sustainable Development (New York, May) (see p. 801), providing technical support to African States through facilitation of the African regional discussions and effective participation in the thematic discussions. In collaboration with other partners, ECA organized a High-level Conference on African Agribusiness and Agro-Industries (Abuja, Nigeria, March). The Conference Declaration called for concerted efforts to accelerate agribusiness development. As a follow-up, ECA and the Food and Agriculture Organization of the United Nations developed an analytical framework to assess the national development context, trends and policies influencing the need for public-private partnership in agribusiness, and to draw lessons from the challenges and specific issues that needed to be considered. In the area of water resources development and management, ECA responded to several requests for assistance from States for urgent policy-related advice by servicing the Regional Forum on "Agricultural Water" (Accra, Ghana, May); the Zambezi coordination meeting and the twenty-first Southern African Development Community (SADC) Water Sector Regional Group Meeting (Gaborone, Botswana, June); and the Joint Eastern and Southern Africa Regional Climate Change Workshop (Nairobi, March).

Climate change

A March ECA secretariat report [E/ECA/COE/29/5] on climate change and development updated progress made by AUC and ECA, in collaboration with other partners, in support of Africa's climate change and development agenda. Among the recommendations contained in the paper were for Africa to take advantage of the opportunities for green growth and green jobs provided by the international climate change regime; continue pushing for more reforms in the governance system for climate change financing, and for quick operationalization of the Copenhagen Green Climate Fund to ensure ready access to much-needed funds; and make concerted efforts to better integrate Africa into global carbon markets. It also recommended that the Climdev-Africa Programme and its entities should be fully operationalized to ensure that African negotiators and policymakers at all levels could articulate and defend the continent's concerns and interests; and that a subprogramme on climate change and development be established at ECA to ensure sustainability of ongoing interventions aimed at addressing the issue in Africa.

The seventh African Development Forum (Addis Ababa, Ethiopia, 10–15 October), had as its theme "Acting on Climate Change for Sustainable Development in Africa". The Forum adopted a Consensus Statement intended to help strengthen Africa's partic-

ipation in international climate change negotiations and inform the continent's common position at the sixteenth session of the Conference of the Parties to the UN Framework Convention on Climate Change (Cancún, 29 November–10 December) (see p. 1019). It would also help raise awareness and build consensus among stakeholders on Africa's concerns and priorities in a post-2012 international climate change regime, and form the basis for the preparation of an African Action Plan on Climate Change.

Governance and public administration

ECA's objective under the governance and public administration subprogramme was to enhance the capacity of States to promote good governance practices to achieve major development objectives, including the MDGs and NEPAD priorities. Activities were undertaken to support the promotion of good governance in Africa, with particular focus on strengthening public administration and public sector management for effective service delivery, promote private sector development, enhance the role and capacity of civil society and support the African Peer Review Mechanism process to strengthen governance practices in Africa. The Commission worked with the United Nations Development Programme (UNDP) on the third edition of the *African Governance Report*, which would have as its theme "Elections and the Management of Diversity in Africa", enhancing the capacity of States to manage elections more effectively as instruments for managing diversity, while retaining the democratic ideals of credibility, transparency and fairness. The *Report on Mutual Review of Development Effectiveness*, jointly prepared by ECA and the Organization for Economic Cooperation and Development (OECD), was presented to the NEPAD Heads of State and Government Orientation Committee at their twenty-third summit (Kampala, Uganda, July). The Summit called on ECA and OECD to continue the Mutual Review process, which should serve as the main mutual accountability mechanism for monitoring and assessing the delivery of commitments made by both the African countries and their development partners relative to the African economic development agenda. A publication entitled *The Role of Parliaments in Promoting Best Practices in Governance* assessed the capacity and efficiency of national parliaments in Africa, their operational modalities, the level of autonomy they enjoyed, their funding, and their relationship with the executive arm of government and the judiciary. A study to help improve public financial management and domestic resource mobilization was presented to an ad hoc expert group meeting (Banjul, Gambia, November). ECA also organized a side event at the Joint Annual Meetings of the AU and ECA Confer-

ence of Ministers (Lilongwe, March), that drew the attention of policy makers to critical issues of illicit financial flows from Africa and their effect on the continent's development. An expert group meeting on strengthening popular participation and good governance took place (Addis Ababa, March) in preparation for the Fourth UN Conference on LDCs to be held in 2011 (see p. 846). Also in preparation for that Conference, ECA submitted, in March, the Outcome of the Africa Regional Preparatory Meeting for the Fourth United Nations Conference on LDCs (Addis Ababa, 8–9 March) [E/ECA/COE/29/21]. The meeting noted the progress made in the implementation of the Brussels Programme of Action for the LDCs for the Decade 2001–2010 [YUN 2001, p. 770] and proposed a new programme of action.

Information, science and technology for development

ECA continued to focus on improving the capacity to formulate, implement and evaluate strategies and policies in the area of information for development. It assisted Burkina Faso, Cote d'Ivoire, Ethiopia, the Gambia, Mali and the Niger to complete implementation of their national and sectoral information and communication technology (ICT) infrastructure plans and policies in the health, agriculture, education, commerce and government sectors. Benin, Ghana, Nigeria and Rwanda finalized their national and sectoral ICT policies and plans. ECA support to States in the implementation of the African Cyber Security Strategy programme harmonizing cyber legislation in Africa resulted in the development of a draft regional convention on cyber legislation. Another major initiative was the establishment of the Knowledge Network of African Community Telecentres to empower poor and disadvantaged communities through the transformation of existing ICT access points. Through the Information Technology Centre for Africa, ECA delivered training on "ICT Essentials for Government Leaders" to Parliamentarians in Swaziland and SADC. Also, in collaboration with AUC and other partners, ECA organized the second Science with Africa Conference (Addis Ababa, 22–25 June) on the theme "Science, Innovation and Entrepreneurship", which enabled the launch of the African Science, Technology and Innovation Endowment Fund, designed to support individuals, as well as research and development institutions in bringing their research outputs to markets, and the first African Technology Development and Transfer Network for generating economic and social value from research and development outputs by facilitating technology adaptation and commercialization.

Macroeconomic analysis, finance and economic development

ECA continued to strengthen the capacity of member States to design and implement policies to achieve sustained economic growth for poverty reduction, in line with the priorities of the MDGs [YUN 2000, p. 49] and NEPAD. Its work under the subprogramme was aimed at achieving higher and sustained economic growth through enhanced capacity for macroeconomic and sectoral policy analysis, international trade and finance. In the area of macroeconomic policy analysis, the secretariat undertook policy research and analysis, and prepared a number of reports, including the *Economic Report on Africa*, and the *Overview of Economic and Social Conditions in Africa, 2010*, which reviewed Africa's economic performance and assessed significant macroeconomic trends at all levels. ECA, the African Development Bank (AfDB), UNDP and the Development Bank of South Africa jointly organized the fifth African Economic Conference (Tunis, Tunisia, 27–29 October) on the theme "Setting the Agenda for Africa's Economic Recovery and Long-term Growth". The Conference, which brought together finance ministers, central bank governors, researchers, economists and development experts, shared views on key challenges facing Africa, underscoring the importance of good governance, infrastructure and private sector development and domestic resource mobilization in addressing them.

In February, ECA submitted a report [E/ECA/COE/29/11] entitled "Financing for development: a progress report on the implementation of the Monterrey Consensus", adopted at the 2002 International Conference on Financing for Development [YUN 2002, p. 953]. The report stated that progress was limited in realizing the objectives of the Monterrey Consensus. Whereas substantial progress was made in international resources mobilization and debt relief, domestic resource mobilization, foreign aid and international trade were disappointing. Accordingly, there was an urgent need for a more proactive role in implementing the Monterrey Consensus by, among other actions, strengthening the institutional framework; increasing Africa's voice and representation in global financial and economic governance; and harmonizing national, regional and international efforts and initiatives to ensure policy coherence.

Transport and communications

ECA continued to work with other partners in the context of the sub-Saharan African Transport Policy Programme (SSATP), an international partnership for building policy development and implementation capacity in the transport sector. The SSATP annual meeting was held in Kampala, Uganda, in October

and the Regional Economic Community–Transport Coordination Committee meeting in Nairobi, in May. Together with SSATP and AUC, ECA also organized a training workshop on “Legal Instruments on Transport and Trade Facilitation” (Addis Ababa, November), which agreed to prepare a compendium of all such instruments.

Gender and women in development

ECA continued to support member States to achieve gender equality through gender mainstreaming and the empowerment of women. ECA developed a Beijing+15 Follow-up Strategy, on the recommendation of the Eighth Africa Regional Conference on Women (Beijing+15) [YUN 2009, p. 972], to assist States and other stakeholders to implement the Banjul Declaration [ibid.] and the Africa-relevant outcomes of the fifty-fourth session of the Commission on the Status of Women (see p. 1177). The Strategy provided indicators for helping member States and stakeholders measure performance on the agreed priority areas over the next five years. ECA played a key role in strengthening the capacity of member States for collecting and analysing gender-aggregated data on emerging issues, such as unpaid work, violence against women and women’s political participation. In that regard, a training manual was developed and tested in Ghana and would be replicated in other countries. *A Compendium of Emerging Good Practices in Gender Mainstreaming* was prepared, addressing gender issues in peacebuilding and post-conflict reconstruction initiatives.

Significant results were achieved in capacity-building for gender mainstreaming in national development policies and programmes. Advisory services and technical assistance were provided to member States and regional organizations, particularly to the Gender Unit of the Central African Economic and Monetary Community (CEMAC), which enabled the adoption of a strategy to mainstream gender in CEMAC policies and programmes.

Subregional development activities

The five ECA subregional offices (SROs), located in Central Africa (Yaoundé, Cameroon), East Africa (Kigali, Rwanda), North Africa (Rabat, Morocco), Southern Africa (Lusaka, Zambia) and West Africa (Niamey, Niger), continued to promote and accelerate the process of regional integration by spearheading the delivery of operational activities targeted at the specific priorities of each subregion. SROs continued to enhance their support to States and regional economic communities (RECs) in strengthening their capacity to formulate and implement harmonised macro-economic and sectoral policies and programmes in trade, infrastructure, human capacity development, gender mainstreaming, agriculture and food security.

In March [E/ECA/COE/29/12], the Independent External Evaluation of ECA subregional offices reported that substantial progress had been made in the strengthening of SROs, initiated in 2006 [YUN 2006, p. 1151], yet a number of issues needed further attention in order to sustain their operationality and impact. Recommendations were made to deepen the process of strengthening the SROs, including that ECA should deploy at least half of the regional advisory resources to enable them to leverage more regional and international resources to support the development of RECs. Each SRO should also be provided with a rapid response fund under ECA regional advisory and extrabudgetary resources, and UN Headquarters should, under the regular budget, provide SROs with additional staff posts and non-staff resources.

Development, planning and administration

In 2010, the African Institute for Economic Development and Planning completed its repositioning, which was outlined in 2009 [YUN 2009, p. 973], resulting in a complete overhaul of its capacity-development and training programmes, enhancement of its allied policy research and dissemination work, re-design of the content of courses offered, and attention paid to the urgent need to scale-up training activities and tap all opportunities for decentralizing the delivery of services. The Institute expanded its training courses, as well as the number of participants and beneficiaries. It also decentralized the implementation of activities for enhancing its presence beyond its headquarters in Dakar, Senegal; organized a series of policy dialogues; and re-launched its policy research activities and its online programmes. The Institute also registered major success both in growth of its regular budget and in its extrabudgetary resources; contributions from member States reached a new peak and the number of countries contributing funds and countries without arrears were the highest ever recorded.

ECA submitted a report [E/ECA/COE/29/15] on assessing progress in Africa towards the MDGs, 2010, in preparation for the high-level meeting at UN Headquarters in September (see p. 813) to evaluate progress made by countries worldwide towards the MDG targets.

Statistics

The objective of ECA work under the statistics sub-programme was to improve the production, dissemination and use of key demographic, social, economic and environmental statistics, including MDG indicators, in accordance with internationally agreed standards and best practices. Priority activities included promoting, coordinating and advocating for statistical activities in Africa; building a data hub at ECA for

the provision of development data on Africa; implementing the 1993 System of National Accounts [YUN 1993, p. 1112] in Africa; supporting statistical training programmes; establishing a regional programme for population and housing censuses; improving the status of civil registration and vital statistics (CRVS) in Africa; and providing technical assistance.

ECA organized the sixth Africa Symposium on Statistical Development (Cairo, Egypt, 31 October–2 November) on the theme “Data Analysis and Use in the 2010 Round of Population and Housing Censuses”. The Symposium addressed a number of key issues, including the need to strengthen CRVS systems; the role of statistical training institutions in enhancing the capacity of stakeholders in census data analysis; revival of the African Statistical Association; implementation of the International Comparison Programme; capacity reinforcement of countries in post-enumeration surveys, sharing household survey data of African countries; and harmonization of population projections in inter-census periods.

The fifth meeting of the African Statistical Coordination Committee (Lilongwe, March) discussed the mechanisms for achieving greater synergy among regional institutions, and coordinating statistical programmes with a view to enhancing and sustaining the effectiveness of statistical support to African countries. The Ministerial Conference endorsed the report on implementation of the African Charter on Statistics and the Strategy for the Harmonization of Statistics in Africa. To facilitate the production and use of the harmonized data series, a repository of data from African countries was established under the aegis of the African Statistical Coordination Committee, with data aggregated at the continental, subregional and national levels. Based on joint data collection mechanisms established by ECA, AfDB and AUC, the second edition of the joint *African Statistical Yearbook* was produced, as well as the first joint *Statistical Pocketbook* containing the main indicators on social, economic and environmental conditions in Africa.

Social development

ECA work enhanced national and regional capacity to design, implement and monitor social policies and programmes. States were assisted in monitoring and tracking progress in implementing international and regional social development commitments. Results were achieved on a wide range of social development issues, including youth development, ageing, disability, maternal health, social protection, and international migration.

ECA produced the *African Youth Report 2010: Addressing the Youth, Education and Employment Nexus in the New Global Economy* to support member States in education and youth development, draw

attention to challenges faced by African youth, and contribute to the knowledge base on youth issues and guide the formulation and implementation of youth policies. To promote awareness and understanding of issues relating to social protection systems, ECA began preparation of nine country reports and case studies to examine the range of social protection regimes in Africa and their impact on reducing gender disparities in selected areas. ECA also provided technical assistance on international migration issues to help identify gaps in mainstreaming disability and increasing awareness of disability issues in international development and the poverty reduction agenda. It assisted AUC to draft the modalities and terms of reference for establishing the Advisory Council on Ageing in Africa.

Programme and organizational questions

Programme performance, 2008–2009

The twenty-ninth meeting of the Committee of Experts (Lilongwe, 25–28 March) had before it the first ECA programme performance report for 2008–2009 [E/ECA/COE/29/9], which showed that the Commission achieved significant results in its main service lines of knowledge generation, sharing and networking, advocacy and consensus-building, and advisory services and technical cooperation. Knowledge generation made up 43 per cent of ECA outputs, with 37 per cent and 20 per cent for advisory services and technical cooperation, and advocacy and consensus-building, respectively. A total of 538 outputs were programmed compared with 444 in the 2006–2007 biennium, due to the creation of new subprogrammes on statistics and social development, which increased the number of programmes from 8 to 10. It also reflected new project initiatives and increased operational involvement in implementing the agendas of AUC, NEPAD and RECS. The total implementation rate for 2008–2009 was 92 per cent. The report concluded that ECA needed to continue to build its capacity to report performance targets comprehensively to ensure that essential information was available and complete for evidence-based planning.

Strategic Framework for 2012–2013

The Conference of Ministers had before it the ECA proposed strategic framework for the 2012–2013 biennium [E/ECA/COE/29/10], which stated that the overall strategy of the ECA programme would continue to be organized around two main pillars: promoting regional integration in support of the AU vision and priorities; and meeting Africa’s special needs and emerging global challenges.

Organizational changes

In a March note [E/ECA/COE/29/14], the Executive Secretary reported on a review of the ECA reform programme, initiated in 2006, to allow the Commission to reposition itself to serve Africa better. The review found that several challenges remained, including fragmentation of responsibility for some key areas of work, such as trade and the environment, as well as for important development frameworks such as NEPAD, the MDGs and the Brussels Programme of Action for the Least Developed Countries. The knowledge management initiative had not lived up to its potential, while the functioning of management support processes was patchy. Bottlenecks were identified in many parts of the system, such as planning, budgeting, using resources and recruiting staff, all of which impacted negatively on programme delivery. In the light of the recommendations, some organizational changes were effected.

Construction of ECA office facilities

In April, an Ethiopian construction firm was awarded the contract to build the ECA new office facilities on the land granted by the Government of Ethiopia and another local company was confirmed as project consultant. The work, which would provide accommodation for 600 staff from various UN Agencies, was scheduled for completion in February 2012.

(For information on the construction of ECA office facilities, see p. 1465.)

Regional cooperation

Cooperation with regional organizations

The Secretary-General, in his consolidated report on UN cooperation with regional and other organizations [A/65/382], described cooperation activities between the UN system and the Economic Community of Central African States (ECCAS) and the Southern African Development Community (SADC).

On 24 December, the General Assembly decided that the items on cooperation between the United Nations and ECCAS and SADC would remain for consideration during its resumed sixty-fifth (2011) session (**decision 65/544**).

Asia and the Pacific

The Economic and Social Commission for Asia and the Pacific (ESCAP) held its sixty-sixth session (Incheon, Republic of Korea) [E/2010/39], in two parts:

the senior officials segment from 13 to 15 May; and the ministerial segment from 17 to 19 May, under the topic “Addressing challenges in the achievement of the MDGs: promoting a stable and supportive financial system; and green growth or environmentally sustainable economic growth, including through technology and financing”.

In the Incheon Declaration, adopted on 19 May [E/2010/39 (res. 66/1)], the Commission emphasized the need for stronger regional cooperation to make the region more resilient to future crises and bolster the capacity of countries in reaching the MDGs. ESCAP requested the Executive Secretary to assist members to achieve the MDGs; facilitate the reinforcement of regional partnerships; coordinate with multilateral funding agencies with a view to enhancing financial and technological flows for the development and deployment of clean technologies in developing countries; facilitate the exchange of information among members and associate members regarding national strategies and best practices in support of green growth, and further assist in developing national strategies in that regard; and report to the Commission on implementation of the resolution at its sixty-eight (2012) session.

The Commission also discussed issues pertinent to the Special Body on Pacific Island Developing Countries; the Commission’s subsidiary structure; management issues; activities of the Advisory Committee of Permanent Representatives and Other Representatives Designated by Members of the Commission [E/ESCAP/66/23 & Corr.1]; and the dates, venue and theme of the Commission’s sixty-seventh session.

Economic trends

According to the summary of the *Economic and Social Survey of Asia and the Pacific, 2011* [E/2011/18], in 2010, the region witnessed a dramatic “V-shaped” recovery in growth. For the economies most affected, following the initial critical support to growth through massive fiscal stimulus packages, the key driver of private-sector recovery was renewed strength in exports. Exporting economies began their recoveries in part through intraregional sales to the large robust economies in the region, and eventually to the developed economies that saw improved demand. The region achieved a growth rate of 8.8 per cent, however, that number was projected to fall back to 7.3 per cent in 2011, as the region faced fresh challenges, including the return of food and fuel crises, sluggish recovery in advanced economies and a large number of short-term capital flows, a build-up of asset bubbles, and appreciation of exchange rates. The region’s LDCs were not able to enjoy the emerging opportunities offered by expanding markets and strengthened connectivity owing to their lack of productive capacity.

Policy issues

Over and above the immediate risk in the recovery process, a complex set of policy challenges lay ahead. A key threat to the sustainability of regional growth was the return of inflationary pressures as the recovery gathered steam. Countries had to balance the risk of setting off an inflationary spiral with long-term negative growth against the risk of halting the short-term growth recovery trend. A critical decision for each economy was when and how to turn off fiscal stimulus and tighten monetary policy. Other than increases in demand-side inflationary pressures, a key factor behind rising prices was the return of supply-side pressure from commodity price volatility. A return to high food prices could follow and required close monitoring, as it would seriously affect the poorest people of the region, impacting poverty, exacerbating inequality and worsening health conditions. Asset bubbles were another source of concern for the recovery process. Abundant foreign capital, provided via the fiscal stimulus packages and buoyed by liquidity support to financial institutions in developed countries, had been attracted to the region because of its relatively strong growth prospects. Governments might consider moderating the inflows of short-term capital flows through various types of controls in order to maintain financial stability. Consensus was growing on the relevance of such measures as a part of the policy tool kit, especially in the context of the huge expansion of liquidity in the world economy that was finding an outlet in the Asia-Pacific region.

At its 2010 session, the Commission considered the *Economic and Social Survey, 2010* [Sales No. E.10.II.F.2], and *Financing an Inclusive and Green Future: A Supportive Financial System and Green Growth for Achieving the Millennium Development Goals in Asia and the Pacific* [Sales No. E.10.II.F.4].

Activities

Macroeconomic policy, poverty reduction and development

The Commission had before it documents on recent macroeconomic developments and other issues to be raised at the first session of the Committee on Macroeconomic Policy, Poverty Reduction and Inclusive Development [E/ESCAP/66/5]; the Asia-Pacific regional review of the Brussels Programme of Action for the LDCs for the Decade 2001–2010: Dhaka Outcome Document [E/ESCAP/66/6]; and the report of the Governing Council of the Centre for Alleviation of Poverty through Secondary Crops Development in Asia and the Pacific (CAPSA) [E/ESCAP/66/7].

The Commission, while noting a request to donor countries to deliver official development assistance

commitments in a timely manner, encouraged all countries to take primary responsibility and ownership of their development and to explore options for mobilizing financial resources. It noted the work of the Centre for Alleviation of Poverty through Secondary Crops Development in Asia and Pacific. Given the Centre's central role in promoting agricultural development and poverty alleviation, the Commission encouraged member countries to contribute to its funding. It also supported the recommendation of the Centre's Governing Council to change its name to the Centre for Alleviation of Poverty through Sustainable Agriculture, retaining the same acronym.

Trade and investment

The Commission considered the reports of the Committee on Trade and Investment on its first session [E/ESCAP/66/8]; the Asian and Pacific Centre for Transfer of Technology [E/ESCAP/66/9]; and the United Nations Asian and Pacific Centre for Agricultural Engineering and Machinery [E/ESCAP/66/10]. The Commission noted the need to adhere to market access commitments and refrain from protectionism, which would delay rather than help the recovery from the global economic crisis. It expressed its commitment to the primacy of a rule-based, equitable and transparent multilateral trading system in promoting global trade and development, and noted the importance of concluding multilateral trade negotiations under the Doha Development Agenda [YUN 2001, p. 1432]. The Commission called for needs-based technical assistance activities to strengthen the private sector, with a focus on capacity-building for small and medium-sized enterprises. It also called for stronger synergies between domestic and foreign investment, in particular through the coordination of national development and investment policies and strategies, and noted a request that the secretariat further study the design of effective public-private partnerships for the promotion of large-scale investments to meet local development needs.

Transport

The Commission endorsed the report of the Forum of Asian Ministers of Transport on its first session [YUN 2009, p. 976]. It adopted a resolution [E/2010/39 (res. 66/4)] inviting members and associate members to develop and implement transport policies at the national, subregional and regional levels. The Commission requested the Executive Secretary to continue to accord priority to the implementation of the Busan Declaration on Transport Development in Asia and the Pacific [YUN 2006, p. 1161] and the Regional Action Programme for Transport Development in Asia and the Pacific, phase I (2007–2011), especially

to develop the Asian Highway Network, the Trans-Asian Railway Network and intermodal transport infrastructure; and to bring about connectivity and the integration of those networks and other transport modes by developing an intergovernmental agreement on dry ports. The Executive Secretary should convene a ministerial conference on transport in 2011 to assess and evaluate the implementation of the Bangkok Declaration on Transport Development in Asia [YUN 2009, p. 977] and the Regional Action Programme for Transport Development in Asia and the Pacific, phase I (2007–2011), and to consider a regional action programme for phase II (2012–2016).

The Commission, in a resolution on improving road safety in Asia and the Pacific [res. 66/6], requested the Executive Secretary, in cooperation with the World Health Organization and other UN commissions, to prepare an implementation plan for the Asia-Pacific region, as an input to the Decade of Action for Road Safety [YUN 2009, p. 1230]; to develop regional goals, targets and indicators to be achieved by 2020 in order to assess and evaluate road safety progress, and to submit a progress report at its sixty-eighth (2012) session.

The Commission also noted the successful conclusion of the Asia-Pacific Ministerial Conference on Public-Private Partnerships for Infrastructure Development (Jakarta, Indonesia, 14–17 April), and the Jakarta Declaration on Public-Private Partnerships for Infrastructure Development in Asia and the Pacific [E/ESCAP/66/CRP.17]. On 19 May [res.66/5], the Commission asked the Executive Secretary to assist members and associate members with their capacity-building programmes, including public-private partnership policy framework formulation, legislative and regulatory reform, and administrative arrangements for public-private partnerships; provide technical support to help increase their public-private partnership readiness; establish a task force to elaborate the elements of a regional financial architecture to assist the region with increased capital availability for infrastructure development, as well as an Asia-Pacific network of public-private partnership units and programmes; undertake a periodic review of the progress made in infrastructure development through public-private partnerships; and report to the Commission at its seventy-first (2015) session.

The second session of the Committee of Transport (Bangkok, Thailand, 1–3 November) [E/ESCAP/67/7] reviewed major issues and challenges in transport related to promoting regional connectivity, namely, transport policy, infrastructure, facilitation and logistics, and discussed measures needed to address them. The Committee also reiterated the importance of the Busan Declaration on Transport Development in Asia and the Pacific and phase I of the Regional Action Programme for Transport Development (2007–2011),

and endorsed the thematic areas and actions at the regional and national levels for planning future activities under phase II (2012–2016) of the Regional Action Programme. It also requested the secretariat to proceed with the development of a draft intergovernmental agreement on dry ports, for consideration by further subregional and regional meetings; and preparations for the ministerial Conference on Transport in 2011.

Environment and development

The Commission considered the report of the Committee on Environment and Development on its first session [YUN 2009, p. 977]; the report of the Coordinating Committee for Geoscience Programmes in East and Southeast Asia [E/ESCAP/66/INF/3]; and the report of the Mekong River Commission [E/ESCAP/66/INF/4]. The Commission recognized the relevance of the work of the Mekong River Commission at its first summit (Hua Hin, Thailand, April), and its role as a regional platform for dialogue and information exchange on transboundary water resources management. The Commission called for increased collaboration among various subregional mechanisms and frameworks for increased efficiency.

The Commission [res. 66/7] requested the Executive Secretary, in cooperation with UN-Habitat and other UN entities, to continue to support Pacific members and associate members in implementing the Pacific Urban Agenda and Regional Action Framework; and in assessing progress in that regard, to convene a subregional workshop in the 2010–2011 biennium, and to report to the Commission at its sixty-eighth (2012) session.

The Sixth Ministerial Conference on Environment and Development in Asia and the Pacific (Astana, Kazakhstan, 27 September–2 October) [E/ESCAP/67/8] adopted three major outcome documents: the Ministerial Declaration on Environment and Development in Asia and the Pacific, 2010; the Regional Implementation Plan for Sustainable Development, 2011–2015; and the Astana “Green Bridge” Initiative: Europe-Asia-Pacific Partnership for the Implementation of “Green Growth”.

Information and communication technology

The Commission had before it the report of the Asian and Pacific Training Centre for Information and Communication Technology for Development (APCICT) [E/ESCAP/66/13]. At the fourth session of its Governing Council, members praised the range of valuable and innovative services that it had delivered in terms of ICT human capacity-building and bridging the digital divide in ESCAP members and associate members. The Council unanimously recommended to the Commission that APCICT continue beyond

2011. The Commission also considered reports on the evaluation of APCICT [E/ESCAP/66/18 & Add.1].

Regarding Pacific connectivity, the Commission was informed that the Pacific Islands Forum Leaders had requested a review of the Pacific Plan Digital Strategy and an update of the ICT development framework for the Pacific subregion. The Meeting of Pacific ICT Officials and Ministers (Tonga, 16–18 June) considered a new five-year ICT Strategy for the Pacific.

On 19 May [res. 66/14], the Commission noted the reports on APCICT and decided that the Centre should continue to operate beyond 2011. It requested the Executive Secretary to report on the implementation of the resolution at its sixty-eighth (2012) session.

Disaster risk reduction

The Commission had before it two information documents: the report of the Typhoon Committee [E/ESCAP/66/INF/5]; and the report of the Panel on Tropical Cyclones [E/ESCAP/66/INF/6]. The Commission noted the work of the secretariat in facilitating the implementation of the Hyogo Framework for Action 2005–2015, and its initiatives, such as the development of the Asia-Pacific gateway for disaster risk reduction and the Asia-Pacific disaster report. The Commission was informed that the Asia-Pacific Regional Space Agency Forum, at its sixteenth session (Bangkok, January), expressed the desire to see Sentinel Asia—a collaborative initiative between space and disaster management agencies—increasingly used by disaster management organizations supported by ESCAP and other relevant organizations in the region. ESCAP should work closely with the World Meteorological Organization towards disaster risk reduction. The Commission stressed the need to promote space-based applications for disaster risk management.

On 19 May [res. 66/8], the Commission adopted a resolution on the review of the proposal for the establishment of the Asian and Pacific centre for information, communication and space technology-enabled disaster management in the Islamic Republic of Iran inviting that country to provide the supplementary information requested in Commission resolution 64/10 [YUN 2008, p. 1111], and to take into account the outcome of the review requested in that resolution for submission in 2011.

Social development

The Commission had before it the report of the High-level Intergovernmental Meeting to Review Regional Implementation of the Beijing Platform for Action [YUN 1995, p. 1170] and its Regional and Global Outcomes [E/ESCAP/66/14 & Corr.1]. The Commission, in resolution [res. 66/9], endorsed the report of

the Bangkok Declaration on Beijing+15 [YUN 2009, p. 978]; commended the Executive Secretary for re-establishing the Thematic Working Group on Gender Equality and Empowerment of Women, which contributed to enhanced coordination and coherence among regional UN partners in the advancement of women and gender equality, and asked him to: strengthen the Commission's role in supporting members and associate members in implementing the Beijing Platform for Action, as well as the outcome of the twenty-third special session of the General Assembly; take the actions set out in the Bangkok Declaration on Beijing+15; and ensure that gender dimensions were mainstreamed into the Commission's programme of work.

In resolution [res. 66/10] on a regional call for action to achieve universal access to HIV prevention, treatment, care and support in Asia and the Pacific, the Commission asked the Executive Secretary to convene a high-level intergovernmental review for the region to assess progress against commitments in the Political Declaration on HIV/AIDS and the MDGs and efforts to ensure universal access; identify areas for regional cooperation, in particular in identifying and removing policy and legal barriers to universal access and promoting dialogue between health and other sectors, including justice, law and order and drug control; and bring the resolution to the attention of the General Assembly AIDS Review (see p. 1219), with a view to presenting issues of concern to the Asian and Pacific region.

The Commission decided [res. 66/11] that the High-level Intergovernmental Meeting on the Final Review of the Implementation of the Asian and Pacific Decade of Disabled Persons, 2003–2012 [YUN 2003, p. 1014], should be held in the Republic of Korea in 2012.

The Commission noted [res. 66/12] the Declaration on Population and Development: Fifteen Years after Cairo, adopted at the Asia-Pacific High-level Forum on the International Conference on Population and Development (ICPD) at 15: Accelerating Progress towards the ICPD and MDGs [YUN 2009, p. 976], in which the delegates reaffirmed their commitment to fully implement the ICPD Programme of Action [YUN 1994, p. 955] by 2014. It requested the Executive Secretary, in cooperation with the United Nations Population Fund and other UN system organizations, to convene the sixth Asian and Pacific Population Conference in Bangkok in 2012; and to report to the Commission's sixty-ninth (2013) session.

Statistics

The Commission, having considered the report of the Statistical Institute for Asia and the Pacific (SIAP) [E/ESCAP/66/15], emphasized the importance of statistics development in the region through methodo-

logical work and technical cooperation on increasing capacity for collecting data, and producing, analysing and disseminating statistics and indicators in support of evidence based policy formulation, the analysis of development trends, and the monitoring of progress in achieving development goals. It expressed support for the new directions incorporated into the Institute's work programme for the academic years 2010–2014, endorsed by the Governing Council at its fifth session [YUN 2009, p. 978] emphasizing skills-based training and the further development of the e-learning mode for the delivery of training. The Commission also noted that some States had increased their cash contributions to SIAP.

In other developments, the second session of the Committee on Statistics (Bangkok, 15–17 December) [E/ESCAP/67/12] agreed on a strategic plan to develop national capacities in the region by 2020, to generate a basic range of population, economic, social and environmental statistics, and create a more adaptive and cost-effective information management environment for national statistical offices. The Committee established steering and advisory groups to direct and guide further work on its decisions and recommendations.

Least developed, landlocked and small island developing countries

The Commission had before it the Port Vila Outcome Statement [E/ESCAP/66/1], adopted at the Pacific High-level Dialogue on the Mauritius Strategy for Implementation (Port Vila, Vanuatu, 8–9 February), and an information note "Outcome of the Pacific Conference on the Human Face of the Global Economic Crisis" [E/ESCAP/66/INF/7]. The Commission endorsed the Port Vila Outcome Statement as the Asia-Pacific regional input for the global review of the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States [YUN, 2005, p. 946] (see p. 850), and supported renaming the ESCAP Pacific Operations Centre as the ESCAP Subregional Office for the Pacific. The Commission [res. 66/2] invited members and associate members to support the Port Vila Outcome Statement, and requested the Executive Secretary to submit it to the General Assembly and the Pacific Islands Forum. In other action, the Commission noted that, in accordance with resolution 64/1 [YUN 2008, p. 1114] on the restructuring of the Commission, the Special Body on Pacific Island Developing Countries met for the first time.

On 19 May [res. 66/3], the Commission noted the Dhaka Outcome Document on the Brussels Programme of Action for the LDCs [YUN 2001, p. 770], adopted at the High-level Asia-Pacific Policy Dialogue on the Brussels Programme of Action for the

LDCs (Dhaka, Bangladesh, 18–20 January) [E/ESCAP/66/6], and asked the Executive Secretary to assist in forwarding it as the regional input to the Fourth United Nations Conference on the LDCs in Turkey in 2011, and to assist them in its implementation and in building capacity to make policy responses to mitigate the effects of the economic crisis, restore growth and achieve the MDGs.

Economic and technical cooperation

The Commission had before it an overview of ESCAP technical cooperation activities and extrabudgetary contributions in 2009 [E/ESCAP/66/22]. Total contributions received by the secretariat for technical cooperation activities in 2009, from the regular budget, as well as voluntary sources, amounted to \$15.8 million, a 30 per cent increase over 2008. Of that amount, \$4.3 million (27.3 per cent) was received from the UN system and \$8.3 million (53 per cent) from donors and participating developing countries. Other intergovernmental organizations and non-governmental organizations (NGOs) provided \$3.1 million (20 per cent). In addition to cash contributions, one NGO also provided, on a non-reimbursable loan basis, a total of 116 work-months of the services of experts in various disciplines.

Programme and organizational questions Programme performance, 2008–2009

In a February note [E/ESCAP/66/4], the secretariat submitted the ESCAP programme performance for the 2008–2009 biennium. At the end of 2009, 91 per cent of the planned outputs had been delivered. Regular budget delivery (above 100 per cent) was also on target. The major challenge faced during the period was the urgent and continuous need for timely, effective and coherent responses by the region to multiple development crises related to food, fuel, finance and climate change. In March [E/ESCAP/66/3], the secretariat provided a summary of progress in the implementation of Commission resolutions, and in April [E/ESCAP/66/2], in a subprogramme overview, it presented the issues and challenges related to inclusive and sustainable economic and social developments in Asia and the Pacific in the eight subprogrammes and highlighted support to member countries.

Monitoring and evaluation

The Commission had before it the report on ESCAP evaluation activities during the 2008–2009 biennium [E/ESCAP/66/17 & Corr.1], the report on the evaluation of APCICT [E/ESCAP/66/18], the management response to that evaluation [E/ESCAP/66/18/Add.1], and the report on the evaluation of SIAP [E/ESCAP/66/19 & Add.1].

On 19 May [E/2010/39 (res. 66/15)], the Commission noted the reports on ESCAP evaluation activities and those of its regional institutions, and requested the Executive Secretary to submit a plan of evaluations to its sixty-seventh (2011) session.

Proposed programme of work, 2010–2011

The Commission had before it a secretariat note [E/ESCAP/66/20] containing the proposed changes to the programme of work for the 2010–2011 biennium. The proposed changes addressed new mandates adopted after the Commission had endorsed the programme of work [YUN 2009, p. 980]; further consolidated the ESCAP publications programme; and strengthened the programmatic approach in ESCAP capacity-building activities.

The Commission endorsed the proposed changes to the 2010–2011 programme of work.

Draft Strategic Framework, 2012–2013

In a March note [E/ESCAP/66/21], the secretariat presented the draft strategic framework for the 2012–2013 biennium, which comprised the overall programme orientation and the objectives, expected accomplishments, indicators of achievement and strategies for each of the eight subprogrammes: macroeconomic policy and inclusive development; trade and investment; transport; environment and development; information and communication technology and disaster risk reduction; social development; statistics; and subregional activities for development.

The Commission endorsed the draft strategic framework for the 2012–2013 biennium, as modified.

ESCAP subregional offices

The Commission had before it the report of the Ad Hoc Intergovernmental Meeting on the New ESCAP Subregional Offices for East and North-East Asia, North and Central Asia, and the South and South-West Asia (Bangkok, 2–4 March) [E/ESCAP/66/16].

In a 19 May resolution [E/2010/39 (res. 66/13)], the Commission welcomed the outcomes of the Ad Hoc Intergovernmental Meeting on the New ESCAP Subregional Offices, and requested the Economic and Social Council and the General Assembly to endorse it and encourage global support for its implementation. It asked the Executive Secretary to ensure that the subregional offices were fully supported through the proposed budget for the 2012–2013 biennium.

ESCAP sixty-seventh session

The Commission, having considered the secretariat note on the proposed dates, venue and theme for its

sixty-seventh (2011) session [E/ESCAP/66/24], decided that the next session would be held in Bangkok, in April/May 2011, and that the theme topic for the session would be “Beyond the crises: long-term perspectives on social protection and development”.

Cooperation with regional bodies

In a consolidated report on cooperation between the United Nations and regional and other organizations [A/65/382-S/2010/490], the Secretary-General described the modalities of cooperation between the United Nations and the Economic Cooperation Organization, the Association of South East Asian Nations, and the Pacific Islands Forum.

GENERAL ASSEMBLY ACTION

On 13 December [meeting 64], the General Assembly adopted **resolution 65/129** [draft: A/65/L.40 & Add.1] without vote [agenda item 122 (j)].

Cooperation between the United Nations and the Economic Cooperation Organization

The General Assembly,

Recalling its resolution 48/2 of 13 October 1993, by which it granted observer status to the Economic Cooperation Organization,

Recalling also its previous resolutions on cooperation between the United Nations and the Economic Cooperation Organization, in which it invited various specialized agencies as well as other organizations and programmes of the United Nations system and relevant financial institutions to join in the efforts towards realizing the goals and objectives of the Economic Cooperation Organization,

Welcoming the efforts of the Economic Cooperation Organization to strengthen its relations with the United Nations system and with relevant international and regional organizations for the development and implementation of projects and programmes in all priority areas,

Expressing its satisfaction at the efforts of the United Nations system and the relevant international and regional organizations to extend technical and financial assistance to the Economic Cooperation Organization for its economic programmes and projects, and encouraging them to continue their support,

1. *Takes note with appreciation* of the report of the Secretary-General on the implementation of resolution 63/144 of 15 December 2008, and expresses satisfaction at the growing cooperation between the two organizations;

2. *Takes note* of the Tehran Declaration, issued at the tenth Economic Cooperation Organization summit meeting of Heads of State and/or Government of the States members of the Economic Cooperation Organization, held on 11 March 2009 in Tehran, following the eighteenth meeting of the Ministers for Foreign Affairs of the States members of the Economic Cooperation Organization on 9 March 2009, in which the Heads of State and/or Government, *inter alia*, reaffirmed their commitment to the goals and objectives of the Economic Cooperation Organization envisaged in the Treaty of Izmir, “ECO Vision 2015” and other basic documents, as well as the declarations of the previous summit meetings;

3. *Appreciates* the continued cooperation between the United Nations Industrial Development Organization and the Economic Cooperation Organization, especially in the field of trade capacity-building of member States, and expresses satisfaction at the successful conclusion of the second phase of their joint programmes aimed at enhancing the capacity of member States in strengthening their Standards, Metrology, Testing and Quality infrastructure;

4. *Encourages* cooperation between the Economic Cooperation Organization and the United Nations Industrial Development Organization in streamlining rules and regulations and strengthening institutions of the States members of the Economic Cooperation Organization to meet the requirements pertaining to the Technical Barriers to Trade, in the adoption of appropriate sanitary and phytosanitary measures and in strengthening private sector cooperation, in line with the plans of the Economic Cooperation Organization to establish trade associations at the regional level and encouraging women entrepreneurs, professionals/resource persons/consultants, marketing advisory firms, and others;

5. *Takes note* of the possibilities for cooperation between the Economic Cooperation Organization and the United Nations Industrial Development Organization in the field of investment, especially to assist member States in designing their investment policies, identifying potential sectors, attracting foreign direct investment and in the establishment of a database to monitor the impact of investment;

6. *Invites* the United Nations Conference on Trade and Development, the World Trade Organization and the International Trade Centre to develop strategies for Economic Cooperation Organization member States in their trade liberalization processes that could lead to the regional and global integration of their economies, as appropriate;

7. *Welcomes* the signing, during the tenth Economic Cooperation Organization summit meeting, of a trilateral memorandum of understanding between the Economic Cooperation Organization, the Islamic Development Bank and the United Nations Economic and Social Commission for Asia and the Pacific on the development of a transport network in the region, appreciates the efforts of the Economic Cooperation Organization to sign a similar memorandum of understanding with the United Nations Economic Commission for Europe and the Islamic Development Bank, and encourages a quadrilateral arrangement among these institutions for the development and facilitation of transit transport in the region;

8. *Also welcomes* the initiatives of the Economic Cooperation Organization for implementation of the Almaty Programme of Action: Addressing the Special Needs of Landlocked Developing Countries within a New Global Framework for Transit Transport Cooperation for Landlocked and Transit Developing Countries through the promotion of cooperation among landlocked and transit countries in the region, and invites the United Nations agencies, in particular the Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States, to assist in securing technical and financial assistance of international funding agencies and donors to initiate a regional study on the possibility of providing concessional services for landlocked countries in selected ports of transit countries of the region;

9. *Notes* the importance of the Green Card as an international third-party liability insurance system in facilitation of transit transport by road, and requests the Economic Commission for Europe to assist in expanding the system to the Economic Cooperation Organization region;

10. *Recognizes* the need for a unified railway law on international freight and passenger traffic by rail, appreciates the readiness of the Economic Cooperation Organization to promote such legal systems in the region, and requests the relevant United Nations agencies and institutions, particularly the Economic Commission for Europe, to enhance cooperation with the Economic Cooperation Organization in this regard;

11. *Takes note with appreciation* of the initiatives of the Economic Cooperation Organization to launch regular train operations along such important corridors in the region as Almaty-Istanbul, Almaty-Bandar Abbas and Islamabad-Tehran-Istanbul, especially in regard to developing transit corridors for landlocked developing countries;

12. *Appreciates* the joint initiatives of the Economic Cooperation Organization and the International Road Transport Union for the revitalization of the Silk Road by launching the Economic Cooperation Organization Silk Road Truck Caravan and organizing in Tehran in 2010 the international seminar on the Silk Road, and invites relevant United Nations agencies and institutions to support these initiatives;

13. *Notes with satisfaction* the enforcement of the Economic Cooperation Organization Transit Transport Framework Agreement, and appreciates the approach adopted in the Agreement to support and implement the United Nations conventions and agreements on transport and transit facilitation, particularly the Customs Convention on the International Transport of Goods under Cover of TIR Carnets (TIR Convention);

14. *Welcomes* the establishment of the Economic Cooperation Organization Coordination Group in Geneva alongside the relevant Economic Commission for Europe Working Parties, and requests the Commission to extend the necessary assistance for convening the meetings of the Coordination Group, as appropriate;

15. *Appreciates* the successful completion of the first phase of the Technical Cooperation Programme of the Economic Cooperation Organization and the Food and Agriculture Organization of the United Nations on strengthening seed supply in the Economic Cooperation Organization region, notes the proposal of the Organizations to initiate the second phase of the Programme, and invites relevant international institutions and donors to support this initiative;

16. *Notes* the establishment of the Economic Cooperation Organization Seed Association in Turkey, and appreciates the successful holding by Turkey of its first International Seed Trade Conference in cooperation with the Economic Cooperation Organization secretariat, the Food and Agriculture Organization of the United Nations, the Seed Association and the International Centre for Agricultural Research in Dry Areas, from 2 to 4 December 2009 in Antalya, Turkey;

17. *Welcomes* the initiative of the Economic Cooperation Organization and the proposal of Turkey to establish the Regional Coordination Unit for the Economic Cooperation Organization Regional Programme for Food Secu-

city in Turkey, and requests the relevant United Nations agencies, especially the Food and Agriculture Organization of the United Nations, to support the work of the Unit, as appropriate;

18. *Takes note* of the decision to initiate the Economic Cooperation Organization-Food and Agriculture Organization of the United Nations/Subregional Office for Central Asia project on seed sector development in the region within the scope of the Food and Agriculture Organization of the United Nations-Turkey Partnership Programme;

19. *Invites* the support of relevant United Nations agencies, especially the World Meteorological Organization, the Food and Agriculture Organization of the United Nations, the United Nations Environment Programme, the United Nations Development Programme, the World Bank and other institutions and organizations to provide financial and technical support for Economic Cooperation Organization regional projects related to drought management, and to support the programmes of its Regional Centre for Risk Management of Natural Disasters, established in Mashad in September 2007;

20. *Welcomes* the initiative of the Food and Agriculture Organization of the United Nations and the Economic Cooperation Organization for preparing a technical assistance project proposal on the implementation of the Regional Programme for Food Security under the Global Agriculture and Food Security Programme of the World Bank, and invites the World Bank to extend technical and financial support for the implementation of the Regional Programme, as appropriate;

21. *Invites* the United Nations specialized agencies and the United Nations Environment Programme to expand cooperation in the area of the environment with the Economic Cooperation Organization and to extend financial and technical assistance for feasibility studies of projects, consultancy services, training courses, workshops and expert and high-level group meetings in this regard;

22. *Takes note with appreciation* of the adoption of the plan of action on cooperation among the States members of the Economic Cooperation Organization in the field of ecotourism for the period 2009–2013, aimed at achieving, with the assistance of the relevant United Nations bodies, a greater understanding of opportunities and threats as well as a greater awareness of the management mechanisms that are necessary to ensure the sustainability of ecotourism;

23. *Appreciates* the efforts of the Economic Cooperation Organization to enhance cooperation in the field of health in the region in collaboration with international organizations and United Nations specialized agencies, especially the World Health Organization, the International Society of Blood Transfusion, the United Nations Development Programme, the United Nations Children's Fund and the United Nations Population Fund, and requests their continued support for the activities of the Economic Cooperation Organization in the field of health;

24. *Expresses its satisfaction* at the progress made by the Economic Cooperation Organization towards achieving the Millennium Development Goals related to child mortality, maternal mortality and combating HIV/AIDS, malaria and other diseases and takes note of its analytical report on the subject, and encourages the relevant United Nations agencies, especially the United Nations Development

Programme, the Joint United Nations Programme on HIV/AIDS, the United Nations Population Fund, the United Nations Children's Fund and the World Health Organization, to extend technical and financial support to the Economic Cooperation Organization to identify and implement regional projects based on the findings and recommendation of its report for the benefit of the member States;

25. *Appreciates* the efforts of the Economic Cooperation Organization to compile and disseminate drug-related data and organize training programmes in the field of drug control and organized crime for experts of the member States, with the technical and financial assistance of the United Nations Office on Drugs and Crime and the European Commission, and encourages the donor agencies to assist the Economic Cooperation Organization in this regard;

26. *Welcomes* the signing of the memorandum of understanding between the Economic Cooperation Organization and the European Commission on 3 February 2009 to implement the European Commission-funded project entitled "Fight against illicit drug trafficking from/to Afghanistan", appreciates the signing of a memorandum of understanding between the Economic Cooperation Organization and the International Organization for Migration on 27 January 2009, and calls for the effective implementation of these two memorandums of understanding;

27. *Takes note with appreciation* of the contributions made by the Economic Cooperation Organization towards reconstruction and development in Afghanistan, and appreciates its support for the high-level Core Group of Regional Forum Secretaries-General established at the meeting of the regional bodies on 19 July 2010 in Kabul to, inter alia, ensure coordination of the Afghan component of the regional cooperation frameworks;

28. *Appreciates* the work being done by the Cultural Institute of the Economic Cooperation Organization to expand and strengthen the cultural ties among the States members of the Economic Cooperation Organization, and requests the relevant United Nations institutions, especially the United Nations Educational, Scientific and Cultural Organization, to extend support to the programmes and projects of the Cultural Institute aimed at promoting the rich cultural heritage of the region;

29. *Also appreciates* the efforts of the Economic Cooperation Organization to promote cooperation among its member States in the fields of education and science by establishing its Education Institute in Ankara and the Science Foundation in Islamabad;

30. *Welcomes* the Comprehensive Plan of Action to Enhance External Relations of the Economic Cooperation Organization, adopted at the one hundred and fifty-first meeting of the Council of Permanent Representatives, on 4 August 2009, on behalf of the Council of Ministers to further promote its relations with regional peers, international and regional organizations and relevant non-Economic Cooperation Organization member States;

31. *Appreciates* the efforts of the Economic Cooperation Organization to establish or activate contact groups of Ambassadors of its member States within the United Nations and with other regional and international organizations to, inter alia, mobilize technical and financial assistance for the implementation of the regional projects of the Economic Cooperation Organization and to harmonize

their positions on issues of common interest, and invites the relevant international and regional organizations to extend all possible assistance to these contact groups;

32. *Requests* the Secretary-General to submit to the General Assembly at its sixty-seventh session a report on the implementation of the present resolution;

33. *Decides* to include in the provisional agenda of its sixty-seventh session the sub-item entitled "Cooperation between the United Nations and the Economic Cooperation Organization".

On 22 December [meeting 72], the Assembly adopted **resolution 65/235** [draft: A/65/L.55 & Add.1] without vote [agenda item 122 (c)].

Cooperation between the United Nations and the Association of Southeast Asian Nations

The General Assembly,

Bearing in mind the aims and purposes of the Association of Southeast Asian Nations, as enshrined in the Bangkok Declaration of 8 August 1967, in particular the maintenance of close and beneficial cooperation with existing international and regional organizations with similar aims and purposes,

Recalling all previous resolutions on cooperation between the United Nations and the Association of Southeast Asian Nations,

Noting with appreciation the report of the Secretary-General,

Noting with satisfaction that the activities of the Association of Southeast Asian Nations are consistent with the purposes and principles of the United Nations,

Welcoming efforts to strengthen partnership between the United Nations and regional organizations, and in this context welcoming also efforts to strengthen cooperation between the United Nations system and the Association of Southeast Asian Nations,

Welcoming also the participation of the Association of Southeast Asian Nations in the high-level meetings between the United Nations and regional organizations, as well as the collaboration between the Association of Southeast Asian Nations and the Economic and Social Commission for Asia and the Pacific to promote dialogue and cooperation among regional organizations in Asia and the Pacific,

Welcoming further the Association of Southeast Asian Nations as an observer in the General Assembly,

Recalling the First and Second Association of Southeast Asian Nations-United Nations Summits, held in Bangkok on 12 February 2000 and at United Nations Headquarters on 13 September 2005, respectively, and the commitment of leaders of the Association of Southeast Asian Nations and the Secretary-General of the United Nations to further broaden cooperation between the Association of Southeast Asian Nations and the United Nations,

1. *Welcomes* the entry into force on 15 December 2008 of the Charter of the Association of Southeast Asian Nations, which represents a historic milestone for the Association of Southeast Asian Nations, reflecting a common vision and commitment to the development of an Association of Southeast Asian Nations community so as to ensure lasting peace, stability, sustained economic growth, shared prosperity and social progress in the region;

2. *Continues to encourage* both the United Nations and the Association of Southeast Asian Nations to further

strengthen and expand their areas of cooperation, and in this context welcomes the signing on 27 September 2007 of the Memorandum of Understanding between the Association of Southeast Asian Nations and the United Nations on Association of Southeast Asian Nations-United Nations cooperation at United Nations Headquarters, which aims at establishing a partnership between the Association of Southeast Asian Nations and the United Nations that will encompass the full range of cooperation based on mutual benefits;

3. *Encourages* the United Nations to support the Association of Southeast Asian Nations undertakings in all three of its community-building pillars through appropriate and concrete steps, as outlined in the Cha-Am Hua Hin Declaration on the Road Map for an Association of Southeast Asian Nations Community (2009–2015);

4. *Commends* the President of the General Assembly, the Secretary-General of the United Nations and the Ministers for Foreign Affairs of the member States of the Association of Southeast Asian Nations for their efforts to hold regular meetings, on an annual basis, with the presence of the Secretary-General of the Association of Southeast Asian Nations, during the regular session of the Assembly, with a view to further strengthening the cooperation between the United Nations and the Association of Southeast Asian Nations;

5. *Continues to encourage* the United Nations and the Association of Southeast Asian Nations to convene Association of Southeast Asian Nations-United Nations Summits regularly, and underlines the importance of the presence thereof of the Secretary-General of the United Nations and heads of relevant United Nations departments, funds and programmes, and specialized agencies, and in this context welcomes the holding of the Third Association of Southeast Asian Nations-United Nations Summit, in Hanoi on 29 October 2010;

6. *Recognizes* the value of partnership between the United Nations and the Association of Southeast Asian Nations in providing timely and effective responses to global issues of mutual concern, in the context of partnership between the United Nations and regional organizations, and thus encourages the United Nations and the Association of Southeast Asian Nations to explore concrete measures for closer cooperation, particularly in the areas of food and energy security, the achievement of the Millennium Development Goals, peace and security, peacekeeping, post-conflict peacebuilding, climate change and disaster management, as reflected in the statement of the Co-Chairs of the Third Association of Southeast Asian Nations-United Nations Summit and the Joint Declaration on Association of Southeast Asian Nations-United Nations Collaboration in Disaster Management adopted at the Summit;

7. *Commends* the successful completion of the Association of Southeast Asian Nations-led coordinating mechanism for post-Nargis relief and recovery efforts in Myanmar, and acknowledges the outcome achieved in assisting the post-Nargis relief work by the Tripartite Core Group comprising the Government of Myanmar, the United Nations and the Association of Southeast Asian Nations, and the assistance provided by the international community to those in need;

8. *Encourages* cooperation between the United Nations and the Association of Southeast Asian Nations, particularly through the Association of Southeast Asian Nations Intergovernmental Commission on Human Rights and

the Association of Southeast Asian Nations Commission on the Promotion and Protection of the Rights of Women and Children, which are aimed at enhancing the promotion and protection of human rights through exchanges of best practices and capacity-building;

9. *Encourages* effective cooperation between member States of the Association of Southeast Asian Nations and the appropriate United Nations organizations in the delivery of operational activities in the area of development at the country level, particularly efforts to close the development gaps, including cooperation to support implementation of the Initiative for Association of Southeast Asian Nations Integration workplan II and the master plan on Association of Southeast Asian Nations connectivity;

10. *Takes note* of the efforts of the Association of Southeast Asian Nations to hold meetings with other regional organizations at the fringes of the sessions of the General Assembly to promote cooperation in support of multilateralism;

11. *Requests* the Secretary-General to submit to the General Assembly at its sixty-seventh session a report on the implementation of the present resolution;

12. *Decides* to include in the provisional agenda of its sixty-seventh session the sub-item entitled "Cooperation between the United Nations and the Association of Southeast Asian Nations".

On 24 December, the Assembly decided that the item "Cooperation between the United Nations and the Pacific Islands Forum" would remain for consideration until the resumed sixty-fifth (2011) session (**decision 65/544**).

Europe

The Economic Commission for Europe (ECE) did not meet in 2010. Its sixty-fourth session was scheduled for 2011. The state of the European region and the activities of ECE subsidiary bodies during 2010 are discussed below.

Economic trends

A report [E/2011/16] on the economic situation in the ECE region: Europe, North America and the Commonwealth of Independent States indicated that of the five UN regions as defined by the regional commissions, the ECE region was the most negatively impacted by the 2008 financial and economic crisis, with real growth declining from 3.2 per cent in 2007 to 0.9 per cent in 2008, to -3.7 per cent in 2009. Growth recovered to 2.6 per cent in 2010, and was expected to reach 2.8 per cent in 2011 and 2012. Sovereign debt levels increased significantly in a number of the region's economies and had become problematic, leading to premature fiscal consolidation that delayed and weakened the recovery. In many economies (except North America), gross domestic product remained below pre-crisis levels.

Activities

Trade

The Committee on Trade did not meet in 2010. At its third session in 2009 [YUN 2009, p. 981], it considered a number of reports and took related action. Although its fourth session was to have been held 25–26 February 2010, it was postponed to 14–15 June 2011.

Timber

The Timber Committee, at its sixty-eighth session (Geneva, 11–14 October) [ECE/TIM/2010/7], was briefed on international developments related to the forest sector [ECE/TIM/2010/2]; the International Year of Forests; the Ninth Session of the UN Forum on Forests; the Sixth Ministerial Conference on the Protection of Forests in Europe; and the joint session of the Timber Committee and the Food and Agriculture Organization of the United Nations (FAO)/European Forestry Commission. The Committee reviewed the cooperation activities and supported further efforts to strengthen partnerships with key organizations, particularly in the context of the International Year of Forests (2011) [YUN 2006, p. 1240]. The Committee also had before it secretariat notes on developments relevant to the UNECE/FAO joint timber and forestry programme of work and related matters that arose from the most recent UNECE session [ECE/TIM/2010/3], and on market developments in 2010 and prospects for 2011: joint session of the annual Timber Committee Market and the Society of Wood Science and Technology [ECE/TIM/2010/4].

The Committee also held a joint policy forum on "Building codes and standards: Influence on material use and construction practices" [ECE/TIM/2010/5], in collaboration with the Society of Wood Science and Technology. It took note of the forum's recommendation that the Executive Secretary form a task force on green building to address the issue in a neutral and scientific way.

The Committee reviewed and approved the planned outputs from October 2010 to December 2011 [ECE/TIM/2010/6], with additions as proposed by the secretariat. It also reviewed the outcome of the UNECE 2008–2009 biennial evaluation, and approved a proposal for the 2010–2011 biennial evaluation and the proposed cluster-level framework. The Committee agreed to further elaborate a proposal to create a joint UNECE/FAO working party on forests policy and management as a subsidiary body.

Transport

The seventy-second session of the Inland Transport Committee (Geneva, 23–25 February) [ECE/

TRANS/208 & Add.1] reviewed, among other topics: ECE reform in the field of transport; assistance to countries with economies in transition; the Transport, Health and Environment Pan-European Programme and environmental aspects of transport; and the review of the transport situation in ECE countries. It also discussed the inland water transport in the UNECE region, under the theme “Sustainable transport development: the case of inland water transport”.

Energy

The Committee on Sustainable Energy, at its nineteenth session (Geneva, 24–26 November) [ECE/ENERGY/84], focused its energy security dialogue on “Energy Security and Gas Infrastructure”, which examined the prospects of gas resources and infrastructure, including unconventional gas resources. It recommended that Government delegations and international organizations continue jointly to organize the Energy Security Dialogue; the secretariat should strengthen cooperation with other UN regional commissions and the UN system; and it should convene an informal intergovernmental group of experts to study the need for the elaboration of new international legal mechanisms aimed at ensuring energy security and report any findings at its twentieth (2011) session.

The Committee requested the secretariat to recommend to the UNECE Executive Committee to change the names of its ad hoc group of experts to the Group of Experts on Global Energy Efficiency 21; the Group of Experts on Coal Mine Methane; the Group of Experts on Cleaner Electricity Production from Coal and Other Fossil Fuels; and the Group of Experts on the Supply and Use of Gas. It also endorsed the requests by the Group of Experts on Coal Mine Methane and the Group of Experts on Cleaner Electricity Production from Coal and other Fossil Fuels for the renewal of their mandates for a further two years.

On the activities of its subsidiary bodies, the Committee took note of the status of implementation of the studies carried out by the Working Party on Gas, requested the secretariat to accelerate the preparation of the liquefied natural gas study, with the view to presenting it to the next session of the Working Party on Gas, and approved the programme of work for 2010–2013. It approved the programme of work of the Gas Centre, and emphasized the importance of broadening its outreach. The Committee also took note of the status and progress achieved by the Energy Efficiency 21 Programme; and directed the Expert Group on Resource Classification to further encourage testing and application of the United Nations Framework Classification for Fossil Energy and Mineral Reserves and Resources.

Environment

The Committee on Environmental Policy, at its seventeenth session (Geneva, 2–5 November) [ECE/CEP/161 & Corr.1], considered the environmental performance reviews (EPR) of Azerbaijan and Bosnia and Herzegovina, and presented the background document on the third cycle. The main outcomes of the Sixth Ministerial Conference on Environment and Development in Asia and Pacific (see p. 976) were presented, including the “Green Bridge” Initiative, designed to facilitate the establishment of a Europe-Asia-Pacific partnership for outlining the blueprint for a shift from the conventional development patterns to green growth. The Committee requested that a detailed proposal for a “Green Bridge” Partnership Programme be prepared for consideration at its special session in 2011.

The Committee considered the report of the Working Group on Environmental Monitoring and Assessment at its eleventh session (Geneva, 2–3 September) [ECE/CEP/AC.10/2010/2], and agreed to extend the mandate of the Group’s Joint Task Force on Environmental Indicators until the end of 2012. With regard to the preparation of the Seventh “Environment for Europe” Ministerial Conference (Astana Ministerial Conference), the Committee agreed on the agenda and approved the organizational and communication plans.

The Joint Task Force on Environmental Indicators [ECE/CEP-CES/GE.1/2010/2], at its second session (Geneva, 3–4 May), revised the five indicators discussed at its first session [YUN 2009, p. 983]; reviewed in detail six further indicators from the *Guidelines for the Application of Environmental Indicators in Eastern Europe, Caucasus and Central Asia*; and had an initial discussion on three sets of indicators that were not included in the *Guidelines* but were important in the international context.

Housing and land management

The Committee on Housing and Land Management, at its seventy-first session (Geneva, 20–21 September) [ECE/HBP/162], discussed various issues, including country profiles on the housing sector; affordable, healthy and ecological housing; improvement of urban environmental performance; land registration and land markets; housing modernization and management; building and construction safety; and cross-sectoral activities. The Committee also reviewed its 2010–2011 work programme [ECE/HBP/2010/1] and the 2011–2012 draft programme of work, annexed to its report. It decided to set up a Working Group on a legally binding instrument on affordable, healthy and ecological housing in the UNECE region and agreed on its terms of reference.

It recommended that the paper on the subject [ECE/HBP/2010/6] be used as a background document for discussion in the Working Group. The Committee endorsed the 2008–2009 biennial performance evaluation report and the 2010–2011 biennial evaluation plan. It also agreed that the group HUMAN would present proposals for consideration on the development of a “cluster structure” for the housing sector and an implementation strategy for a limited-profit housing industry.

Statistics

The Conference of European Statisticians, at its fifty-eighth session (Paris, 8–10 June) [ECE/CES/79], considered the implications of the meetings of its parent body—the February session of the UN Statistical Commission (see p. 1262). Two seminars were convened during the session on spatial statistics and the impact of global crises on statistical systems. The Conference discussed the outcomes of in-depth reviews by the Conference Bureau on statistical dissemination, communication and publications [ECE/CES/2010/1 & Add.1]; and government finance, fiscal and public sector statistics [ECE/CES/2010/2 & Add.1]; as well as the in-depth reviews of time-use surveys [ECE/CES/2010/25] and measuring the information society and statistics on science, technology and innovation [ECE/CES/2010/4].

The Conference considered a secretariat note [ECE/CES/2010/8] on the measurement of different emerging forms of households and families, which presented a framework and concepts and indicators for measuring new forms of family and household arrangements in the ECE region, including reconstituted families, commuters between households, living apart together, same-sex couples, and persons living apart but within a network. The Conference also considered a secretariat note [ECE/CES/2010/9] on the potential indicators for measurement of quality of employment, which grouped the indicators under seven dimensions that broadly outlined quality of employment: safety and ethics of employment, income and benefits from employment, working hours and balancing work and non-working life, security of employment and social protection, social dialogue, skills development and training, and workplace relationships and work motivation.

Economic cooperation and integration

The Committee on Economic Cooperation and Integration, at its fifth session (Geneva, 1–3 December) [ECE/CECI/2010/2], noted the conclusions and recommendations of the innovation performance review of Belarus, and asked the secretariat to consider joint follow-up steps to facilitate their implementation. The

Committee discussed issues, such as creating a supportive environment for innovative development and knowledge-based competitiveness; regulatory protection of intellectual property rights and strengthening their role in innovative development; entrepreneurship and small- and medium-sized enterprises development; financial intermediation in support of innovative development; best practices in public-private partnerships; and capacity-building activities.

The Committee also noted the 2011 programme of work and beyond [ECE/CECI/2010/4] and the 2010–2011 biennial evaluation plan. It recommended the renewal of the mandates of the Teams of Specialists on Innovation and Competitiveness Policies, on Intellectual Property and on Public-Private Partnerships until 2013.

Cooperation with regional bodies

In a consolidated report on cooperation between the United Nations and regional and other organizations [A/65/382-S/2010/490], the Secretary-General described the modalities of cooperation between the United Nations and the Eurasian Economic Community and the Black Sea Economic Cooperation Organization.

GENERAL ASSEMBLY ACTION

On 13 December [meeting 64], the General Assembly adopted **resolution 65/125** [draft: A/65/L.32] without vote [agenda item 122 (k)].

Cooperation between the United Nations and the Eurasian Economic Community

The General Assembly,

Recalling its resolutions 58/84 of 9 December 2003, in which it granted the Eurasian Economic Community observer status in the General Assembly, and 63/15 of 3 November 2008,

Recalling also that one of the purposes of the United Nations is to achieve international cooperation in solving international problems of an economic, social, cultural and humanitarian nature,

Recalling further the Articles of the Charter of the United Nations that encourage activities through regional cooperation for the promotion of the purposes and principles of the United Nations,

Taking note of the fact that the membership of the Eurasian Economic Community includes countries with economies in transition, and recalling in this regard its resolution 61/210 of 20 December 2006, in which it invited the United Nations system to enhance dialogue with and increase support to the regional and subregional cooperation organizations whose membership includes countries with economies in transition and whose efforts include assisting their members to fully integrate into the world economy,

Recalling its resolution 64/208 of 21 December 2009 in which it invited the United Nations development system, in

particular the funds and programmes, and at the regional level, in accordance with their respective mandates, to improve support, as appropriate, to middle-income countries,

Noting that the Treaty on the Establishment of the Eurasian Economic Community reaffirms the commitment of the States members of the Community to the principles of the Charter and also to the generally accepted principles and norms of international law,

Convinced that the strengthening of cooperation between the United Nations and other organizations of the United Nations system and the Eurasian Economic Community contributes to the promotion of the purposes and principles of the United Nations,

Expressing concern over the persistent natural disasters in countries of the region,

Recognizing that the issues of water and energy resources management, as well as the development, dissemination and transfer of technologies, have particular importance for the sustainable development of the countries members of the Eurasian Economic Community,

Recognizing also that the Eurasian Economic Community includes some landlocked countries, and in this regard underlining the key role of regional integration institutions such as the Eurasian Economic Community in the implementation of the Almaty Programme of Action: Addressing the Special Needs of Landlocked Developing Countries within a New Global Framework for Transit Transport Cooperation for Landlocked and Transit Developing Countries,

Recognizing further the value of regional and subregional cooperation efforts in meeting the challenges of the global economic and financial crisis, and in this regard noting the creation within the Eurasian Economic Community of the Anti-crisis Fund as a useful contribution to the multilateral response to the current crisis,

Noting the progress achieved in the area of regional economic integration through the establishment of a customs union by Belarus, Kazakhstan and the Russian Federation,

Noting with appreciation the activities of the Eurasian Development Bank in support of development and integration of the States members of the Eurasian Economic Community,

1. *Takes note* of the report of the Secretary-General on the implementation of General Assembly resolution 63/15, and expresses satisfaction with regard to the mutually beneficial interaction between the United Nations and the Eurasian Economic Community;

2. *Also takes note* of the activities of the Eurasian Economic Community in support of United Nations goals through the strengthening of regional cooperation in such areas as trade and economic development, the establishment of a customs union, energy, transport, agriculture and agro-industry, the regulation of migration, banking and finance, communications, education, health care and pharmaceuticals, biotechnology, environmental protection and natural disaster risk reduction;

3. *Commends* the commitment of the States members of the Eurasian Economic Community to scaling up regional economic integration by establishing a customs union and free-trade zone, consistent with the multilateral trading system, as well as the formation of a common energy market;

4. *Notes with appreciation* the progress achieved in cooperation between the Eurasian Economic Community and the Economic Commission for Europe, the Economic and Social Commission for Asia and the Pacific and the United Nations Development Programme, as well as the United Nations Industrial Development Organization, the United Nations Educational, Scientific and Cultural Organization, the International Atomic Energy Agency and the United Nations Conference on Trade and Development, including in the fields of water and energy resources management, energy efficiency, the development, dissemination and transfer of technologies, trade facilitation, transport, the environment, capacity-building, education, science and innovation, biotechnology and nanotechnology and investment promotion;

5. *Welcomes* the promotion of effective interaction within the framework of the United Nations Special Programme for the Economies of Central Asia;

6. *Underlines* the importance of further strengthening dialogue, cooperation and coordination between the United Nations system and the Eurasian Economic Community, and invites the Secretary-General of the United Nations to continue conducting, to this end, regular consultations with the Secretary-General of the Eurasian Economic Community, within existing resources, using for this purpose the relevant inter-institutional forums and formats, including the annual consultations between the Secretary-General of the United Nations and heads of regional organizations;

7. *Invites* the specialized agencies and other organizations, programmes and funds of the United Nations system, as well as international financial institutions, to further enhance cooperation and direct contacts with the Eurasian Economic Community for the purpose of undertaking joint implementation of programmes to achieve their goals;

8. *Invites in particular* the Economic Commission for Europe, the Economic and Social Commission for Asia and the Pacific and other related organizations of the United Nations system to further contribute to the development by the Eurasian Economic Community of a concept for the effective use of water and energy resources in States members of the Community as well as to the resolution of water-related disaster risk reduction issues in the region;

9. *Requests* the Secretary-General to submit to the General Assembly at its sixty-seventh session a report on the implementation of the present resolution;

10. *Decides* to include in the provisional agenda of its sixty-seventh session the subitem entitled "Cooperation between the United Nations and the Eurasian Economic Community".

On the same date [meeting 64], the Assembly adopted **resolution 65/128** [draft: A/65/L.35 & Add.1] without vote [agenda item 122 (d)].

Cooperation between the United Nations and the Black Sea Economic Cooperation Organization

The General Assembly,

Recalling its resolution 54/5 of 8 October 1999, by which it granted observer status to the Black Sea Economic Cooperation Organization, as well as its resolutions 55/211 of 20 December 2000, 57/34 of 21 November 2002, 59/259 of 23 December 2004, 61/4 of 20 October 2006 and 63/11

of 3 November 2008 on cooperation between the United Nations and the Black Sea Economic Cooperation Organization,

Recalling also that one of the purposes of the United Nations is to achieve international cooperation in solving international problems of an economic, social or humanitarian nature,

Recalling further the Articles of the Charter of the United Nations that encourage activities through regional cooperation for the promotion of the purposes and principles of the United Nations,

Recalling its Declaration on the Enhancement of Cooperation between the United Nations and Regional Arrangements or Agencies in the Maintenance of International Peace and Security of 9 December 1994,

Recognizing that any dispute or conflict in the region impedes cooperation, and stressing the need to solve such a dispute or conflict on the basis of the norms and principles of international law,

Convinced that the strengthening of cooperation between the United Nations and other organizations contributes to the promotion of the purposes and principles of the United Nations,

Recalling the report of the Secretary-General submitted pursuant to resolution 63/11,

1. *Takes note* of the Declaration adopted by the Heads of State and Government of the States members of the Black Sea Economic Cooperation Organization on the occasion of the Fifteenth Anniversary Summit of the Organization, held in Istanbul, Turkey, on 25 June 2007;

2. *Reiterates* the conviction that multilateral economic cooperation contributes to enhancing peace, stability and security to the benefit of the Black Sea region;

3. *Welcomes* the efforts towards the completion of the process of reforms in the Black Sea Economic Cooperation Organization envisaged in the Bucharest statement of 26 April 2006, issued by the Council of Ministers for Foreign Affairs of the States members of the Organization, thus contributing to the enhancement of the efficiency and effectiveness of the Organization, as well as its role in the economic and social development of its member States;

4. *Acknowledges* the commitment of the Black Sea Economic Cooperation Organization to contributing to the attainment of the Millennium Development Goals at national, regional and global levels;

5. *Takes note* of the resolve of the Black Sea Economic Cooperation Organization to foster a pragmatic and project- and results-oriented approach in the spheres of common interest for its member States, where improved regional cooperation could create synergies and increase the efficiency of resources used;

6. *Welcomes* the activities of the Black Sea Economic Cooperation Organization aimed at strengthening regional cooperation in fields such as energy, focusing on renewable sources of energy and energy efficiency, transport, institutional reform and good governance, trade and economic development, banking and finance, with a new approach involving environmental protection, sustainable development and entrepreneurship, communications, agriculture and agro-industry, health care and pharmaceuticals, tourism, science and technology, the exchange of statistical data and economic information, collaboration among Customs services, and combating organized crime and illicit traf-

ficking in drugs, weapons and radioactive material, acts of terrorism and illegal migration, and in other related areas;

7. *Also welcomes* the efforts of the Black Sea Economic Cooperation Organization to elaborate and realize concrete joint regional projects, particularly in the fields of energy and transport, which will contribute to the development of the Euro-Asian transport links;

8. *Takes note*, within this framework, of the signing in Belgrade on 19 April 2007 of the memorandum of understanding for the coordinated development of the Black Sea Ring Highway and the memorandum of understanding on the development of the Motorways of the Sea at the Black Sea Economic Cooperation Organization region;

9. *Welcomes* the financing of projects by the Project Development Fund of the Black Sea Economic Cooperation Organization, as well as by the Hellenic Development Fund, which was established within the Black Sea Economic Cooperation Organization, taking into account the guidelines of the Development Assistance Committee of the Organization for Economic Cooperation and Development for sustainable development and for achieving the Millennium Development Goals in the Black Sea region;

10. *Appeals* for greater cooperation between the Black Sea Economic Cooperation Organization and international financial institutions in co-financing feasibility and pre-feasibility studies of the projects in the wider Black Sea area;

11. *Takes note* of the positive contributions of the Parliamentary Assembly of the Black Sea Economic Cooperation Organization, the Business Council, the Black Sea Trade and Development Bank and the International Centre for Black Sea Studies to the strengthening of multifaceted regional cooperation in the wider Black Sea area;

12. *Also takes note* of the enhanced cooperation between the Black Sea Economic Cooperation Organization and the Economic Commission for Europe, the United Nations Development Programme and the United Nations Industrial Development Organization and the working contacts of the Black Sea Economic Cooperation Organization with the World Bank, the United Nations Children's Fund and the World Health Organization, aimed at promoting the sustainable development of the region of the Black Sea Economic Cooperation Organization;

13. *Welcomes* the multifaceted and fruitful cooperation between the Black Sea Economic Cooperation Organization and the Economic Commission for Europe, especially in the area of transport, within the framework of the Cooperation Agreement signed between the two organizations on 2 July 2001;

14. *Also welcomes* the implementation of the Black Sea Trade and Investment Promotion Programme, the first partnership project between the Black Sea Economic Cooperation Organization and the United Nations Development Programme, launched on 1 December 2006, and the signing of the cooperation agreement between the two organizations in Istanbul on 28 June 2007;

15. *Takes note* of the establishment of cooperation between the Black Sea Economic Cooperation Organization and the International Centre for Hydrogen Energy Technologies of the United Nations Industrial Development Organization, with emphasis placed on energy and the environment;

16. *Also takes note* of the increased cooperation between the Black Sea Economic Cooperation Organization

and the United Nations Office on Drugs and Crime and, within this framework, welcomes the launching on 1 September 2007 of the joint Black Sea Economic Cooperation Organization-United Nations Office on Drugs and Crime project on strengthening the criminal justice response to trafficking in persons in the Black Sea region;

17. *Further takes note* of the intensified cooperation between the Black Sea Economic Cooperation Organization and the European Union, and supports the efforts of the Organization to take concrete steps for the establishment of mutually beneficial partnerships;

18. *Takes note* of the cooperation established between the Black Sea Economic Cooperation Organization and other regional organizations and initiatives;

19. *Invites* the Secretary-General to strengthen dialogue with the Black Sea Economic Cooperation Organization with a view to promoting cooperation and coordination between the two secretariats;

20. *Invites* the specialized agencies and other organizations and programmes of the United Nations system to cooperate with the Black Sea Economic Cooperation Organization in order to continue programmes with the Organization and its associated institutions for the achievement of their objectives;

21. *Requests* the Secretary-General to submit to the General Assembly at its sixty-seventh session a report on the implementation of the present resolution;

22. *Decides* to include in the provisional agenda of its sixty-seventh session the sub-item entitled "Cooperation between the United Nations and the Black Sea Economic Cooperation Organization".

Latin America and the Caribbean

The Economic Commission for Latin America and the Caribbean (ECLAC), at its thirty-third session (Brasilia, Brazil, 30 May–1 June) [E/2010/40], considered the document entitled "Time for equality: closing gaps, opening trails" [LC/G.2432(SES.33/3)]. It held a high-level seminar on the subject with four panels: macroeconomics policies for development; structural heterogeneity and productivity gaps; social and labour institutions; and state, political actions, fiscal policy and social covenants. In the Brasilia resolution [E/2010/40 res. 650(XXXIII)], the Commission requested the Executive Secretary to disseminate the document and foster more in-depth comparative analysis with countries outside the region, and to conduct studies and formulate public policy proposals for building national economic and social development capacities. The Commission also heard a presentation on energy for a sustainable future: the vision of the UN Secretary-General's Special Advisory Group on Energy, and considered the biennial report on ECLAC's 2010 and 2011 activities [LC/G.2528(SES.34/7)], the draft programme of work of the ECLAC system for 2012–2013 and the report of the Committee on South-South Cooperation.

The Commission adopted other resolutions on South-South cooperation [res. 647(XXXIII)], which requested the secretariat to analyse new alternatives for generating the volume of resources necessary for financing the development of the countries of Latin America and the Caribbean, and develop indicators to reflect the particular realities in the countries and for measuring the social and economic impact of South-South cooperation; support for the work of the Latin American and Caribbean Institute for Economic and Social Planning [res. 652(XXXIII)]; follow-up to the Plan of Action for the Information Society in Latin America and the Caribbean [res. 653(XXXIII)]; ECLAC activities in relation to follow-up to the MDGs and implementation of the outcomes of major UN conferences and summits in the economic, social and related fields [res. 654(XXXIII)]; the report of the twenty-third session of the Caribbean Development and Cooperation Committee and the fourteenth meeting of the Monitoring Committee [res. 655(XXXIII)]; the agreements on population and development: priority issues for 2010–2012, adopted at the 2010 meeting of the ECLAC Ad Hoc Committee on Population and Development [res. 657(XXXIII)]; and the Regional Conference on Women in Latin America and the Caribbean [res. 658(XXXIII)], which urged active participation in the eleventh session of the Regional Conference on Women in Latin America and the Caribbean. The Commission adopted the ECLAC programme of work for 2012–2013, including the creation of a new subprogramme on financing for development [res. 648(XXXIII)], approved the calendar of conferences for 2010–2012 [res. 651(XXXIII)]; and recommended that the Economic and Social Council approve the invitation of El Salvador to host the Committee's next meeting [res. 656(XXXIII)].

The General Assembly adopted **resolution 65/242** (see p. 335) on Cooperation between the United Nations and the Caribbean Community.

Economic trends

A report on the economic situation in and outlook for Latin America and the Caribbean, 2010–2011 [E/2011/19] indicated that gross domestic product returned to growth in 2010, increasing by 6.1 per cent. While growth was seen throughout the region, reaching 6.8 per cent in South America and 4.9 per cent in Mexico and Central America, the English and Dutch-speaking Caribbean only saw growth of 0.5 per cent. That growth pushed the regional unemployment rate down to 7.5 per cent. The second half of the year saw the exhaustion of idle production capacity, public spending cuts and strong appreciation of the currencies of some countries in the region; as a result, growth in 2011 was projected to reach 4.2 per cent.

Activities

An ECLAC report on the Commission's work in 2010 and 2011 [LC/G.2528(SES.34/7)], addressed activities undertaken and progress made under its 12 subprogrammes: linkages with the global economy, regional integration and cooperation; production and innovation; macroeconomic policies and growth; social development and equality; mainstreaming the gender perspective in regional development; population and development; planning of public administration; environment and human settlements; natural resources and infrastructure; statistics and economic projections; subregional activities in Mexico and Central America; and subregional activities in the Caribbean.

Regional integration and cooperation

During the 2010–2011 biennium, the work of the subprogramme was conducted through the ECLAC International Trade and Integration Division, which continued to contribute to the improvement of the region's linkages with the global economy through the development of trade, integration and cooperation schemes; and the strengthening of ECLAC's role as a partner for assistance and technical advice. The subprogrammes's work was organized around three main areas: economic and commercial trends in Latin American international relations; internationalization strategies for Latin America and Caribbean countries, with an emphasis on competitiveness, and negotiation and administration of trade agreements; and regional integration and cooperation, trade and climate change, and the promotion of position linkages between trade and poverty reduction efforts and gender equality. A report on the regional debate on integration and the region's role in the global economy "Opportunities for Convergence and Regional Cooperation" was presented at the Unity Summit of Latin America and the Caribbean (Cancún, Mexico, February). A workshop with the various subregional integration schemes on areas of convergence and regional cooperation in Latin America, held at ECLAC headquarters in July, discussed the proposals contained in the report.

Production and innovation

The ECLAC Production, Productivity and Management Division provided research and technical assistance and a forum for regional dialogue on production activities. It studied the processes of structural change, innovation and technological development, with a special focus on information and communication technology (ICT). ECLAC participated in the Regional Plan of Action for the Information Society in Latin American and the Caribbean and published a book entitled *ICTs for growth and equality: renewing*

strategies for the information society, which highlighted the potential benefits of ICTs and suggested policy options for Governments. Technical assistance was provided for the implementation and monitoring of the Regional Plan of Action, including the definition of progress indicators, and capacity-building through training and advisory services, which benefited 260 policymakers and technical staff from 16 Latin American and 12 Caribbean countries in the areas of design and implementation of strategies, policies and measures to foster innovation, and science and technology. The Division also provided a consistent message on the need to strengthen policies to promote industrial and agricultural development and reduce disparities in productivity among industries and enterprises.

Macroeconomic policies and growth

While the region saw a vigorous recovery in 2010, the performance of the economies was uneven, creating new challenges for the analytical work and the technical support provided by the ECLAC Economic Development Division. The 2009–2010 edition of the Division's *Economic Survey* focused on the distributive impact of public policies, which was also debated at two high-level meetings held in April and August. The April expert meeting, held at ECLAC headquarters, aimed to stimulate policy discussions. The follow-up event in August consisted of six conferences with the participation of ECLAC officials and consultants, scholars and policymakers. The Division's *Preliminary Overview of Economics of Latin America and Caribbean* provided analysis of the region's economic performance and outlook at the end of the year.

The Division contributed to the debate on the role of fiscal policy in the region and beyond, in the context of the global economic crisis, through several workshops, including on fiscal policy for the strengthening of democracy in Latin America (27–28 April); macroeconomic volatility and fiscal space (3–4 August); and after the bicentennial: institutions and economic development in Latin America (30 September). At those events, the Division disseminated technical and policy documents on stimulus measures, fostering of sustainable development, protection of the most vulnerable sectors of the population and efforts to achieve greater social cohesion. The Division also ran several extrabudgetary projects related to fiscal policy and labour markets.

Equity and social cohesion

In 2010, the ECLAC Social Development Division focused on strengthening social protection and care provision with a redistributive emphasis, improving social expenditure and child poverty analysis, studying and promoting the positive impact of ICTs on health and education, and disseminating innovative social development projects.

ECLAC launched a study on *The Economy of Child Care in Haiti*, which proposed that social policies for women and children should be the pillar of reconstruction in that country, and addressed the issue of public policymaking in support of child care. The Division also organized an international seminar (Mexico, 17 February) that discussed proposals for measuring poverty apart from income levels, including through access to basic rights and the loss of freedoms. International and national experts also examined proposals and methodologies for measuring poverty in the region from a multidimensional perspective during a seminar on multidimensional poverty measurement in Latin America (Santiago, Chile, 10–12 November). Experts warned that over 50 per cent of the region's rural population was poor and almost a third lived in extreme poverty.

Mainstreaming gender in regional development

The ECLAC Division for Gender Affairs continued to generate knowledge and support the development and monitoring of public policies for gender equality in the region, and to incorporate the knowledge into capacity-building for national mechanisms for the advancement of women and national statistical institutes. The Division also supported the collection of data on the situation of women and men through the Gender Equality Observatory for Latin America and the Caribbean, and strengthened relations between producers and users of those gender indicators. The Observatory, established in response to the Quito Consensus [YUN 2007, p. 1031], was consolidated as an important strategic tool through a web portal in four languages. The biennium saw the number of users almost quadruple in comparison with 2008–2009, reaching over 209,000.

The eleventh session of the Regional Conference on Women in Latin America and the Caribbean (Brasília, 13–16 July) [LC/L.3309] brought together some 1,000 people from 31 ECLAC States, 16 UN agencies and funds, and 10 intergovernmental and governmental organizations. The Conference adopted the Brasília Consensus, which highlighted new commitments for attaining greater economic autonomy and equality in the workplace, enhancing the citizenship of women, broadening their participation in decision-making, addressing all forms of violence against them, and carrying out training and activities for exchanging and disseminating experiences.

Population and development

The ECLAC Latin American and Caribbean Demographic Centre–Population Division engaged in intensive technical support to enhance national cen-

sus capacities, and provided workshops and reference publications on a variety of census topics, such as living conditions, household equipment, environment, demographic and socio-economic characteristics, as well as the training of enumerators, use of new technologies, data coherence and demographic analysis. As its technical secretariat, the Division prepared the meeting of the ECLAC Ad Hoc Committee on Population and Development (Santiago, 12–14 May), which dealt mainly with population and health matters and agreed on population and development priorities for 2010–2012.

A workshop (Santiago, 7–9 June) focused on strengthening the capacities of national statistical offices for formulating the census questionnaire for the 2010 round of census. Four more workshops were organized on sharing experiences on classifications and nomenclatures; experiences in training of census supervisors and enumerators; analysis of census data, coherence, quality and coverage; and potential uses and applications of census data. The Division decided on four areas of focus during the next biennium: analysis of demographic trends; generation of data; inclusion of socio-demographic inputs in social programming at the national and local levels for decision-making in the design and implementation of public policies; and regional cooperation in population and development through South-South cooperation.

Public administration

The Latin American and Caribbean Institute for Economic and Social Planning (ILPES) provided policy advice and proposals in development strategies and public-sector economics to foster improved performance of public policies, programmes and projects, and strengthen and capitalize knowledge networks in those areas. It promoted and supported the creation of new instruments for budgetary policymaking and evaluation, and disseminated results-based management practices for incorporation into the public-policy cycle. It organized new international courses on planning, government and development; electronic government; and MDGs at the municipal level. It also provided strategic advisory services to the Governments of Costa Rica, the Dominican Republic, El Salvador and Paraguay, in areas related to development planning, prospective analysis and institutional strengthening. ILPES also expanded its training services within and outside the region through e-learning courses.

Technical cooperation was provided to 12 countries in planning, results-based management, fiscal policy, regional and local development strategies and policies, and e-government. In the field of research and analysis, ten documents were published and widely disseminated on diverse topics, such as public management,

budgeting, project and programme evaluation, local and regional development, and e-government issues. The twenty-second version of the regional seminar on fiscal policy, organized by ILPES and co-sponsored by the International Monetary Fund, the World Bank, OECD and the Inter-American Development Bank, with the support of the German Agency for International Cooperation (Santiago, January), discussed fiscal policy responses and options for coping with the financial crisis.

Sustainable development and human settlements

The ECLAC Sustainable Development and Human Settlements Division continued to work on interrelationships among economic growth, environmental protection, urban development and social equity, as well as consolidating work on the economics of climate change. The subprogramme focused on two areas for strengthening the capacities of the countries in the region: evaluating the advances, gaps and strategic opportunities for sustainable development, the integration of sustainable criteria in public policies and institution-building for environmental management, including urban development, land use and metropolitan areas; and climate change impacts, mitigation and adaptation, including disaster and risk assessment and management. Efforts were devoted to capacity-building through courses, workshops and seminars, with officials from all countries in the region benefiting from numerous courses on urban projects, urban responses to climate change, impacts of sea level rise in coastal zones, the clean development mechanism, adaptation to climate change, projects on Reducing Emission from Deforestation and Forest Degradation, social impacts of climate change, green tax reforms and risk management.

During the nineteenth General Assembly of Ministers and High-level Authorities of Housing and Urban Development in Latin America and the Caribbean (Argentina, September), it was emphasized that responses were urgently needed for poverty and precarious urban and rural habitats, social housing programmes and urban development and climate change. ECLAC organized an international conference and a meeting on risk, habitat and megacities, with the Helmholtz Association of Germany (Santiago, March), at which experts examined the dynamics of growth of human settlements in relation to urban and rural land markets.

The Division produced *Economics of Climate Change in Latin America and the Caribbean (2010)*, which detailed the main economic effects of global warming in different potential scenarios and suggested options for action to avoid greater damage to the region. The Division also organized, in conjunction with ILPES, the third session of the twenty-second

regional seminar on fiscal policy (Santiago, January), and an international seminar on planning and sustainable management of natural and sustainable resources (Cartagena de Indias, Colombia, August).

ECLAC conducted several missions to estimate the socio-economic and environmental impacts of disasters, including earthquakes in Haiti and Chile, the El Niño phenomenon in Bolivia, the influenza A (H1N1) epidemic in Mexico, and Tropical Storm Agatha in Guatemala and El Salvador.

Natural resources and infrastructure

The ECLAC Natural Resources and Infrastructure Division contributed to strengthening the region's capacities to formulate and implement policies for promoting and moving simultaneously toward economic growth, social equity and environmental sustainability. The Division provided substantial technical assistance to the countries of the region to strengthen their institutional capacities and skills for enhancing their regulatory frameworks. It also organized the first policy dialogue on energy efficiency in the region: "Towards sustainable institutionalities" (Santiago, November), which created a database of performance indicators to serve in evaluating the results of policies and programmes applied.

In the field of mining, the Division organized, jointly with the Sustainable Development and Human Settlements Divisions, the Senior Expert Group Meeting on Sustainable Development of Lithium Resources (Santiago, November). The Division also organized a high-level seminar (Montevideo, Uruguay, October) that discussed the role of transport and ports in sustainable development. It was also active in infrastructure, transport and logistics policies. Ten countries (Belize, Colombia, Costa Rica, the Dominican Republic, El Salvador, Guatemala, Mexico, Nicaragua, Honduras, Panama) signed the Tuxtla Declaration, which recognized the support given by ECLAC and requested that joint work be carried out in multimodal transport policies, logistics chain security and infrastructure projects.

Statistics and economic projections

The ECLAC Statistics and Economic Projections Division continued to help the region's countries build, strengthen and harmonize statistical information and decision-making systems. It supported countries in enhancing national accounts quality and coverage, with 24 of them making progress in implementing the System of National Accounts 1993 [YUN 1993, p. 1112], including satellite accounts. Several countries were also assisted in updating the base year for their consumer price indices and improving international harmonization.

ECLAC organized a regional seminar on national accounts (Lima, Peru, November), which discussed the strategy for implementing the 2008 recommendations on national accounts, as well as how to coordinate the worldwide efforts of several international agencies. Two regional seminars were held on the Millennium indicators: the first on health matters, jointly with the Pan American Health Organization (April); and the second on ICT (September). They provided a forum for analysing discrepancies between national and international data and complementary indicators for specific goals. Progress was made towards the development of a multidimensional poverty measurement, with ECLAC organizing two events on the issue (Santiago, May and November). The report *ECLAC: Development of Official Statistics in the Region* stated that significant progress had been made in developing statistics, and described the main trends and challenges in the development of official statistics.

Subregional activities

Caribbean

The ECLAC subregional headquarters for the Caribbean in Port of Spain, Trinidad and Tobago, continued to strengthen the capacity of policymakers and other ECLAC stakeholders to formulate and implement economic and social development measures and improve opportunities for integration in the Caribbean, as well as between the Caribbean and the wider Latin America region. Six countries were at various stages of formulating or adopting policies and measures in line with ECLAC recommendations, among which were the establishment of gender policies, the development of databases to disseminate statistical results, the adoption of sophisticated measures for conducting country poverty assessments, and the use of the methodology for developing environmental indicators to address other areas of the MDGs. A number of countries adopted policies or programmes that enhanced their capacity and technical expertise to follow up on the major international programmes of action in the economic, social and environmental fields.

At its twenty-third session (St. George's, Grenada, 17 March), the Caribbean Development and Cooperation Committee reviewed the implementation of the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States [YUN 2005, p. 946], and considered progress in the Caribbean toward the achievement of the MDGs, in preparation for the high-level meeting at the General Assembly's sixty-fifth session (see p. 813). The subregional headquarters convened a number of workshops contributing to the development of the subregion's statistical capacity, including one in response to a request for technical assistance from the Government of Grenada

to improve its statistical capacity in the use of the REDATAM software.

In the area of social development, the subprogramme hosted an experts group meeting in collaboration with UN-Women on good practices in national action plans on violence against women (13–15 September); a regional seminar, in collaboration with the ECLAC Division for Gender Affairs, on the use of administration records to measure violence against women in the Caribbean (30 November–1 December); and a regional workshop on the implementation of the Convention on the Rights of Persons with Disabilities [YUN 2006, p. 785] in the Caribbean (9–10 November). The *Caribbean Millennium Development Goals Report 2010* assessed achievements and constraints in countries' efforts to accomplish the Goals.

Mexico and Central America

In 2010, the subregional economy started growing again after the 2008 financial crisis, though at a slower pace than before the crisis. Due to the strain on the economy, efforts under the subprogramme were aimed at assisting Governments and stakeholders of the countries served by the office in Mexico to strengthen their capacities to address economic and social issues, as well as to design or evaluate policies and measures in the areas of trade, integration and sustainable development. The assistance was directed towards different economic and social agents, resulting in four countries adopting ECLAC analysis and recommendations in key issues for development, and six countries in fundamental aspects of sectoral policies.

ECLAC organized a seminar on equality and development (June) and a workshop on tools for assessing the effects of climate change on agriculture (San Jose, November), attended by government officials and academics from Costa Rica. A study was also completed under the subprogramme on energy and climate change in Central America, whose findings were presented to meetings held in Guatemala City (August) and San Jose (August). Technical assistance was provided to: the infrastructure, energy, transportation, housing and human settlements sectors in Haiti, as well as for other post-disaster needs; the Ministry of Agriculture, Livestock and Food of Guatemala; the Governments of El Salvador and Guatemala, following the eruption of Pacaya Volcano and the passage of Hurricane Agatha; and to the Government of Colombia to evaluate the impacts of the flooding in the country.

Programme and organizational questions

During its thirty-third session (Brasilia, Brazil, 30 May–1 June) [E/2010/40], the Commission adopted a number of resolutions on programme and organizational matters.

ECLAC Calendar of conferences

The Commission [res. 651(XXXIII)] reaffirmed its decision to maintain the current intergovernmental structure and pattern of meetings and approved the ECLAC calendar of conferences for 2010–2012 annexed to the resolution.

Proposed strategic framework, 2012–2013

The Commission [res. 648(XXXIII)] adopted the ECLAC programme of work for the 2012–2013 biennium, including the creation of a new subprogramme on financing for development. The priorities of the programme of work were increasing macroeconomic stability and enhancing policies for reducing vulnerability and mitigating the effects of economic and financial crises; strengthening the region's access to financing for development and enhancing the financial architecture; increasing the region's productivity potential and reducing productivity gaps to achieve convergence, with particular emphasis on innovation and new technologies; improving the region's position in the international economy through trade, cooperation and regional integration; promoting a social covenant by improving social security, reducing social risks and reinforcing gender mainstreaming in public policies; enhancing sustainable development policies and energy efficiency and addressing the impacts of climate change; and improving institution-building for the management of global and transboundary issues and the provision of public goods at the regional level. The Commission requested the Executive Secretary to examine the challenges faced by the region in connection with the 2008–2009 economic and financial crisis and related issues.

Venue of ECLAC thirty-fourth session

The Commission [res. 656(XXXIII)] recommended that the Economic and Social Council approve the holding of the Commission's thirty-fourth session in El Salvador in 2012.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 20 July [meeting 42], the Economic and Social Council, on the recommendation of ECLAC [E/2010/15/Add.1], adopted **resolution 2010/4** without vote [agenda item 10].

Venue of the thirty-fourth session of the Economic Commission for Latin America and the Caribbean

The Economic and Social Council,

Bearing in mind paragraph 15 of the terms of reference of the Economic Commission for Latin America and the Caribbean, as well as rules 1 and 2 of the rules of procedure of the Commission,

Considering the invitation of the Government of El Salvador to host the thirty-fourth session of the Commission,

1. *Expresses its gratitude* to the Government of El Salvador for its generous invitation;

2. *Notes* the acceptance by the Economic Commission for Latin America and the Caribbean of this invitation with pleasure;

3. *Endorses* the decision of the Commission to hold its thirty-fourth session in El Salvador in the first half of 2012.

Cooperation with regional bodies

The Secretary-General, in his September consolidated report on cooperation between the United Nations and regional and other organizations [A/65/382], outlined UN relations with the Latin American Economic System (SELA). The formulation of the UNDP-United Nations Conference on Trade and Development-SELA Joint Regional Programme for Trade, Investment and Development Issues in Latin America and the Caribbean (2010–2012) was finalized. The Programme aimed to enhance the capacity of Latin American and Caribbean countries in formulating policy responses in trade, investment and human development.

On 24 December, the General Assembly decided that the item on "Cooperation between the United Nations and the Latin American Economic System" would remain for consideration during its resumed sixty-fifth (2011) session (**decision 65/544**).

Western Asia

The Economic and Social Commission for Western Asia (ESCWA), at its twenty-sixth session (Beirut, Lebanon, 17–20 May) [E/2010/41], considered during the senior officials segment management issues, the Executive Secretary's report on the Commission's activities [E/ESCWA/26/5], the draft 2012–2013 strategic framework [E/ESCWA/26/7], and progress made in the establishment of the ESCWA Technology Centre [E/ESCWA/26/9]. The ministerial segment held two round tables: the first on national youth policies within the framework of the World Programme of Action for Youth to the Year 2000 and Beyond [YUN 1995, p. 1211]; and the second on human and institutional capacity-building [E/ESCWA/26/4]. The theme of youth policies was considered by delegates in view of its relevance to the countries in the region, particularly in the light of the proclamation by the United Nations, in Assembly resolution 64/134 [YUN 2009, p. 1187], of 2010 as the International Year of Youth: Dialogue and Mutual Understanding. Discussion centred on youth and education, employment, health, participation in decision-making and public life; globalization and exceptional issues. At the end of the session, ESCWA distributed a booklet on *Youth Development in the ESCWA Region: Statistical Profiles, National Strategies and Success Stories*.

The Commission adopted 10 resolutions, including one on the establishment of the ESCWA Technology Centre.

Economic trends

The economic outlook of the ESCWA region improved in 2010. The economies in the region grew by 4.7 per cent, compared with 1.9 per cent in 2009. The recovery was a result of higher external and domestic demand, bolstered by active fiscal measures. That came in the wake of a strong recovery of crude oil prices since the second quarter of 2009, and the non-realization of several worst-case scenarios that could have affected the region's economic development, such as balance-of-payment crises and associated currency devaluations. The Gulf Cooperation Council (GCC) countries grew by 4.4 per cent, while in the more diversified economies growth increased to 5.7 per cent. Inflation in the GCC countries reached 3 per cent, while in the more diversified economies it increased to 8.3 per cent.

Activities

In 2010, ESCWA activities under its 2010–2011 work programme [E/ESCWA/27/5 (Part I)] focused on seven subprogrammes: integrated management of natural resources for sustainable development; social development; economic development and integration; ICT for regional integration; statistics for evidence-based policymaking; the advancement of women; and conflict mitigation and development.

Natural resources management for sustainable development

The ESCWA Sustainable Development and Productivity Division was responsible for implementing that subprogramme, which aimed at improving the sustainable management and use of natural resources in the region, and promoting regional cooperation and harmonization in the management of water, energy and the production sectors. The Division organized a pilot project that provided support to women in adopting techniques to improve the quality of produce and increase their income, and an ad hoc group meeting on the sustainable livelihoods approach (SLA) (Beirut, 24–25 November) [E/ESCWA/SDPD/2010/WG.4/6/Report], which sought to encourage the sharing of experiences and lessons learned from local SLA initiatives, the identification of priorities for rural development and the enrichment of a draft guide on the "Application of the SLA in the ESCWA region", prepared by ESCWA. The meeting concluded with a set of recommendations supporting the implementation of SLA.

Assistance provided by ESCWA to the League of Arab States Arab Ministerial Council for Electricity contributed to the adoption of the Arab Strategy for

Renewable Energy and the Arab Guiding Framework for Improving Energy Efficiency in the Electricity Sector at End Users Level, which became effective at the end of the year.

On 19 May [E/2010/41 res. 297(XXVI)], the Commission commended the secretariat in following up the realization of the MDGs, in particular progress in the ESCWA region. It requested the Executive Secretary to develop an MDG monitor for societal progress, including gender equality and youth empowerment.

Social development

The ESCWA Social Development Division aimed at strengthening national social policies that were region-specific and culturally sensitive, and encouraging community development action. During the biennium, ESCWA supported Jordan, Lebanon and Oman in consideration of their social protection schemes. ESCWA engaged with countries to better understand labour-related challenges facing Governments in the region and to increase knowledge of the characteristics and impact of labour regulations and labour market policies. ESCWA organized workshops and seminars (Iraq, Lebanon, Palestine, Yemen) on the role of civil society in the development process and in promoting a dynamic public-civic relationship. In addition, ESCWA initiatives to follow the repercussions, causes and dynamics of the Arab uprisings resulted in potential resolutions, action plans, and technical input for a dynamic civic engagement in the process of change and transition towards democratization.

ESCWA also organized, in coordination with the Arab Institute for Training and Research in Statistics, the First Coordinators' Workshop on Measuring the Well-being and Progress of Arab Societies (Beirut, 1–5 November) [E/ESCWA/SD/2010/WG.4/Report], which aimed to build the capacities of national coordinators through training and information. It developed a draft national action plan of measuring well-being and progress of society based on the regional roadmap.

On 19 May [res. 295(XXVI)], the Commission stressed the importance of the Guiding Declaration of the Economic and Social Commission for Western Asia on Giving Greater Attention to Youth Policies: An Opportunity for Development, annexed to the resolution.

Economic development and integration

The ESCWA Economic Development and Globalization Division aimed at strengthening macroeconomic policymaking for short-term economic growth and sustainable economic development in member countries, negotiation of trade and investment agreements, and trade facilitation. The League of Arab

States-United Nations Arab MDG report “The Third Arab Report of the MDGs 2010 and the Impact of the Global Economic Crises”, presented at the twenty-sixth ESCWA Ministerial Session (May), and the thirtieth session of the Arab Ministers of Social Affairs (12–13 December), was followed by an open dialogue session between the members of the Thematic Working Group on MDGs and Arab Ministers of Development and Social Affairs.

ESCWA focused on mobilizing both domestic and international resources for development and organized ten national training workshops on negotiations of bilateral investment agreements, double taxation avoidance, and compilation of foreign direct investment abroad. The workshops contributed to upgrading the negotiation skills of some 245 government officials in Jordan, Lebanon, Oman, the Sudan, the Syrian Arab Republic and the United Arab Emirates.

During the eleventh session of its Committee on Transport (Beirut, 22–24 March), ESCWA prepared the terms of reference for the working group on the harmonization of institutional frameworks and legislation in the transport sector in the region. The Committee also agreed on a set of recommendations that called on countries to adopt the ESCWA international agreements on transport, in addition to other recommendations related to transport and trade facilitation in the region.

ICT and related development issues

The ESCWA Information and Communication Technology Division aimed at narrowing the digital divide to build an inclusive development-oriented information society and knowledge-based economy. ESCWA assisted countries in accelerating ICT development by advocating for and supporting improvements in the production and service sectors, and implementing strategies and action plans. The regional ESCWA Technology Centre (Amman, Jordan) was fully operational and ESCWA continued the maintenance and updating of the Information Society Portal for the ESCWA region. The two expert group meetings on promotion of South-South cooperation in technology transfer discussed the priority areas of cooperation in such transfer, shared best practices and successful case studies in the areas of water, energy, agriculture and ICT, and produced a collaboration framework with multi-owners for critical technology development, management, maintenance, and service.

The Division, in partnership with the League of Arab States, organized an Expert Group Meeting on the Regional Roadmap for Internet Governance (Beirut, 25–26 October) [E/ESCWA/ICTD/2010/WG.7/Report], which gathered private and public Internet experts to discuss Internet governance; a pro-

posal for an Arab Internet Governance Forum (IGF); and public consultations on proposed registry policies for the Arab top-level domains “.arab”. Participants endorsed the Arab Regional Roadmap for Internet Governance: Framework, Principles and Objectives, and called for the holding of an Arab IGF, as well as collaboration in Internet governance and the enhancement of the Arab role in that regard.

On 19 May [res. 294(XXVI)], the Commission adopted the statute of the ESCWA Technology Centre, which was annexed to the resolution, and requested the Executive Secretary to take steps for its implementation, including the conclusion of a headquarters agreement, and to establish the board of governors and to report in 2012.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 20 July [meeting 42], the Economic and Social Council, on the recommendation of ESCWA [E/2010/15/Add.1], adopted **resolution 2010/5** without vote [agenda item 10].

Establishment of the Economic and Social Commission for Western Asia Technology Centre

The Economic and Social Council,

Noting that the Economic and Social Commission for Western Asia at its twenty-sixth session, held in Beirut from 17 to 20 May 2010, adopted resolution 294(XXVI) on the establishment of the Economic and Social Commission for Western Asia Technology Centre and the statute of the Centre,

Endorses the resolution on the establishment of the Economic and Social Commission for Western Asia Technology Centre and the statute of the Centre, as set out in the annex to the present resolution.

ANNEX

294(XXVI) Establishment of the Economic and Social Commission for Western Asia Technology Centre

The Economic and Social Commission for Western Asia,

Recalling the 2005 World Summit Outcome, Economic and Social Council resolution 2004/68 of 5 November 2004 and the United Nations Millennium Declaration, in which the promotion of science and technology was identified as a United Nations priority,

Recalling also General Assembly resolution 64/222 of 21 December 2009 adopting the Nairobi outcome document of the High-level United Nations Conference on South-South Cooperation, in which the Assembly emphasized the need to promote, including through South-South cooperation, access to and the transfer of technology,

Recalling further its resolution 284(XXV) of 29 May 2008, by which it approved the establishment of the Economic and Social Commission for Western Asia Technology Centre,

Expressing its appreciation to the Government of Jordan for its offer to host the Centre, and noting that resources for the Centre should come from the following sources:

- (a) Support from the host country,
- (b) Support from the Economic and Social Commission for Western Asia,
- (c) Income received by the Centre for services provided to beneficiaries,
- (d) Any other funding sources approved by the Board of Governors,

1. *Adopts* the statute of the Economic and Social Commission for Western Asia Technology Centre, in accordance with the present resolution, as the basis for its operations;

2. *Requests* the Executive Secretary to take all steps necessary for the prompt establishment of the Centre, including the conclusion of a headquarters agreement between the host country and the United Nations;

3. *Also requests* the Executive Secretary to establish the founding Board of Governors by soliciting nominations from member countries;

4. *Further requests* the Executive Secretary to report to the Commission at its twenty-seventh session on the implementation of the present resolution, including the initial operating phase of the Centre, and the achievements of the Commission in that regard.

7th plenary meeting
19 May 2010

ANNEX TO RESOLUTION 294(XXVI)

Statute of the Economic and Social Commission for Western Asia Technology Centre

Establishment

1. The Economic and Social Commission for Western Asia Technology Centre shall be established in accordance with the following terms and conditions.

Mission

2. The mission of the Centre is to assist members of the Economic and Social Commission for Western Asia and public and private organizations to acquire the tools and capabilities necessary to accelerate socio-economic development in order to attain technological parity with other nations and regions of the world and to contribute to the conversion of the economies of member countries into economies based on scientific and technological knowledge.

Objectives

3. The objectives of the Centre are to assist the members of the Economic and Social Commission for Western Asia by strengthening their capabilities to develop and manage national systems; develop, transfer, adapt and apply technology; determine the suitable technology for the region and facilitate its development and improve the legal and commercial framework for the transfer of technology. The Centre also aims at enhancing the technological and scientific knowledge content of major economic sectors in member countries.

Functions

4. The Centre will achieve the above objectives by undertaking such functions as:

- (a) Conducting research and analysis of trends, conditions and opportunities;
- (b) Providing advisory services;
- (c) Disseminating information and promoting good practices;
- (d) Developing partnerships and other networks with regional and international organizations and key stakeholders;
- (e) Training national personnel, particularly scientists and policy analysts;
- (f) Assessing the scientific and technological level and content of production and service sectors and measuring performance indicators of those sectors in the localization of scientific and technological knowledge.

Status and organization

5. The Centre shall have a Board of Governors (hereinafter referred to as "the Board"), an Executive Director and staff, and a Technical Committee.

6. The Centre shall be located in Amman. A host country agreement shall be concluded between the Government of Jordan and the United Nations.

7. The activities of the Centre shall be in line with relevant resolutions and decisions adopted by the General Assembly, the Economic and Social Council and the Commission. The Centre shall be subject to the financial and staff regulations and rules of the United Nations and applicable administrative instructions and issuances.

Board of Governors

8. The Centre shall have a Board of Governors consisting of a standing representative designated by the Government of Jordan and no fewer than six additional representatives nominated by the other members of the Economic and Social Commission for Western Asia and elected by the Commission. The representatives who are elected by the Commission shall be elected for a period of three years and shall be eligible for re-election one more time only. If a representative is unable to serve for the full term, the vacancy shall be filled by the Government of that representative. The Executive Secretary of the Economic and Social Commission for Western Asia or his/her representative shall attend meetings of the Board but shall not have the right to vote.

9. During the two-year establishment period, a Board of Governors will be constituted comprising representatives of all member countries who so wish.

10. The Executive Director of the Centre shall serve as secretary of the Board of Governors and, in such capacity, shall keep and circulate minutes of Board meetings to its members.

11. Representatives of (a) any State Member of the United Nations, (b) United Nations bodies and specialized and related agencies, and (c) such other organizations as the Board may deem appropriate, as well as experts in fields of interest to the Board, may, at the Board's discretion, be invited to attend Board meetings.

12. The Board shall meet at least once a year and shall adopt its own rules of procedure. Sessions of the Board shall be convened by the Executive Secretary of the Economic and Social Commission for Western Asia, who may propose special sessions of the Board at his/her own initiative and shall convene such special sessions at the request of a majority of Board members.

13. A quorum for Board meetings shall be a majority of its members.

14. Each member of the Board shall have one vote. Decisions and recommendations of the Board shall be made by consensus or, where this is not possible, by a majority of the members present and voting. For the purposes of these rules, the phrase “members present and voting” means members casting an affirmative or negative vote. Members who abstain from voting are considered as not voting.

15. The Board shall, at each regular session, elect a Chair and a Vice-Chair. The Chair and the Vice-Chair shall hold office until the next regular session of the Board. The Chair or, in his/her absence, the Vice-Chair shall preside at Board meetings. If the Chair is unable to serve for the full session for which he/she has been elected, the Vice-Chair shall act as Chair for the remainder of that session.

16. The Board shall review the administration and financial status of the Centre and the implementation of its programme of work. The Executive Secretary of the Economic and Social Commission for Western Asia shall submit an annual report as adopted by the Board to the Commission at its regular sessions.

Executive Director and staff

17. The Centre shall have an Executive Director and such additional staff as are appointed by the Secretary-General in accordance with United Nations regulations, rules and administrative instructions. The Executive Director and additional staff shall have the status of Economic and Social Commission for Western Asia staff members.

18. The Executive Director shall be responsible to the Executive Secretary of the Economic and Social Commission for Western Asia for the administration of the Centre and the implementation of its programme of work.

Technical Committee

19. The Centre shall have a Technical Committee consisting of experts from member countries of the Economic and Social Commission for Western Asia and from intergovernmental and non-governmental organizations. Members of the Technical Committee shall be appointed by the Executive Director in consultation with the Executive Secretary of the Commission.

20. The Technical Committee shall be responsible for advising the Executive Director on the formulation of the programme of work and on other technical matters concerning the Centre's operations.

21. Reports of meetings of the Technical Committee, and the Executive Director's observations thereon, shall be submitted to the Board at its next session.

22. The Chair at each meeting of the Technical Committee shall be elected by the majority vote of those members of the Technical Committee present and voting.

Resources of the Centre

23. The Centre shall be financed from the following sources:

- (a) Support from the host country;
- (b) Support from the Economic and Social Commission for Western Asia;
- (c) Income received by the Centre for services provided to beneficiaries;

(d) Any other funding sources approved by the Board of Governors.

24. The Centre shall endeavour to mobilize sufficient resources to support its activities, in addition to those received from the host country pursuant to the agreement signed between the host country and the United Nations.

25. The United Nations shall maintain separate trust funds for donations for technical cooperation projects or other special contributions for activities of the Centre.

26. The financial resources of the Centre shall be administered in accordance with the Financial Regulations and Rules of the United Nations.

Amendments

27. Amendments to the present statute shall be adopted by the Economic and Social Commission for Western Asia.

28. In the event of any procedural matter arising that is not covered by the present statute or rules of procedure adopted by the Board of Governors, the pertinent part of the terms of reference and rules of procedure of the Economic and Social Commission for Western Asia shall apply.

Entry into force

29. The present statute shall enter into force on the date of its adoption by the Commission.

Statistics

The ESCWA Statistics Division aimed at improving the production and use of harmonized and comparable economic, social and sectoral statistics, including gender-disaggregated data, thereby allowing for informed and evidence-based decision-making. The Statistical Committee, at its ninth session (Beirut, 13–15 October) [E/ESCWA/SD/2010/IG.1/10], discussed the implications of meetings held by global and regional agencies on the Division's work programme and the activities of the Statistical Committee, strategic issues of official statistics in the region, the celebration of World Statistics Day, the MDGs, capacity-building in statistics for evidence-based policymaking, and a report on the activities of the Task Force on the 2010 Round of Population and Housing Censuses in the region. The Division also discussed the implementation of recommendations made by the Committee at its eighth (2008) session, progress made in carrying out statistics-related activities in the period between its eighth and ninth sessions, and an overview of the ESCWA programme of work for the 2010–2011 biennium.

Advancement of women

The ESCWA Centre for Women (ECW) organized two workshops for participants from national women machineries and gender focal points of Ministries of Labour to provide guidelines for formulating gender mainstreaming strategies within those Ministries. ECW assisted countries in integrating a gender per-

spective into conflict resolution and post-conflict reconstruction processes through the organization of a workshop on the implementation of Security Council resolution 1325(2000) [YUN 2000, p. 1113] on women, peace and security; and the introduction of “ESCWA-United Nations High Commissioner for Refugees guidelines on the protection of women living in conflict situations”.

ECW also co-organized a workshop with the Inter-Parliamentarian Union on the role of parliamentarians in implementing the Convention on the Elimination of All Forms of Discrimination against Women [YUN 1979, p. 895] and combating violence against women by introducing gender-sensitive legislation.

On 19 May [res. 293(XXVI)], the Commission called on member countries to adopt the resolution on the follow-up to the implementation of the Beijing Platform for Action in the Arab countries after fifteen years: Beijing+15, and the recommendation on supporting ECW with additional resources in order to upgrade it to a division, adopted by the Committee on Women at its fourth session [YUN 2009, p. 991]. It asked the secretariat to complete the administrative procedures related to the upgrading of ECW.

The Economic and Social Council, by **decision 2010/254** of 23 July, deferred consideration of the draft resolution recommended by ESCWA entitled “Upgrading the ESCWA Centre for Women to the level of a division and follow-up to the implementation of the Beijing Platform for Action in the Arab countries after 15 years: Beijing+15” until its 2010 resumed substantive session. On 15 December, the Council, by **decision 2010/265**, further deferred consideration of the item to its 2011 substantive session.

Conflict mitigation and development

The ESCWA Section for Emerging and Conflict-related Issues (ECRI) aimed to increase understanding by countries of the impact of conflict and enhance their capacity to identify, assess, predict and respond to challenges posed by conflict, with a view to reducing its impact on development. ESCWA continued to focus on strengthening national capacities in assessing and mapping governance limitations and priority/focus areas, identifying policy recommendations and developing action plans for the establishment of a more efficient distribution of power, and competencies between the central and local governments to achieve equitable access to essential services.

In 2010, the Section conducted a study entitled *Food Security and Conflict in the ESCWA Region* [E/ESCWA/ECRI/2010/1], which argued that the nexus between conflict and food insecurity should be bro-

ken through the provision of new economic opportunities resulting from greater regional cooperation.

On 19 May [res. 292(XXVI)], the Commission decided to establish a committee on emerging issues and development in conflict settings, whose functions and mandate would be determined after further consultation with member countries. It requested the secretariat to upgrade ECRI to a division similar to other ESCWA subprogrammes, with a view to meeting the needs of member countries and intensifying activities in the areas of emerging issues, development in situations of conflict and instability, development in the least developed countries and development of public sector institutions.

The Economic and Social Council, by **decision 2010/253** of 23 July, deferred consideration of the draft resolution recommended by ESCWA entitled “Upgrading the ESCWA section for Emerging and Conflict-related Issues to the level of a division and establishing a governmental committee on emerging issues and development in conflict settings” to its 2010 resumed substantive session. On 15 December, the Council, by **decision 2010/265**, further deferred consideration of the item to its 2011 substantive session.

Programme and organizational questions

On 19 May [res. 298(XXVI)], the Commission endorsed the change in the title of subprogramme 2, from “Integrated Social Policies” to “Social Development”; and adopted the amendments to the work programme for the 2010–2011 biennium [res. 299(XXVI)], the sessional reports of its subsidiary bodies [res. 300(XXVI)], and the draft strategic framework for the 2012–2013 biennium [res. 301(XXVI)] [E/ESCWA/26/7].

In an August bulletin [ST/SGB/2010/7], the Secretary-General outlined the functions and organization of the ESCWA secretariat, and abolished the 2002 bulletin on the subject [ST/SGB/2002/16].

Cooperation with LAS

On 13 December, the General Assembly, in **resolution 65/126** (see p. 1416) commended the efforts of the League of Arab States to promote multilateral cooperation between the United Nations and the League of Arab States and requested the Secretary-General to continue efforts to strengthen cooperation and coordination between the two organizations and other UN system organizations and agencies in the political, economic, social, humanitarian, cultural, administrative and technical fields.

Energy, natural resources and cartography

Among the several UN bodies dedicated to the conservation, development and use of energy and natural resources in 2010, the International Atomic Energy Agency (IAEA), in addition to its work on the non-proliferation of nuclear weapons, continued to address global issues related to nuclear technology, in particular by serving as the focal point for worldwide cooperation in the peaceful uses of nuclear technology and for promoting global nuclear safety and security. The IAEA Peaceful Uses Initiative, launched during the year, increased funding for technical cooperation activities.

The General Assembly designated 2012 as the International Year of Sustainable Energy for All, and 2013 as the Year of International Water Cooperation. The Assembly also recognized the right to water and sanitation, and that access to clean water and sanitation was fundamental to the achievement of all human rights. It called for greater support of capacity-building efforts, particularly for developing countries.

A high-level interactive dialogue on World Water Day (22 March) highlighted that solutions to competition over shared water resources and transboundary surface and ground water would support the achievement of many Millennium Development Goals. Meanwhile, the inter-State distribution of transboundary water continued to present a challenge, particularly in countries with arid or semi-arid climates. The midterm comprehensive review of the International Decade for Action, “Water for Life”, 2005–2015, highlighted the need for further mobilization of resources during the second half of the Decade.

The Economic and Social Council took note of the recommendations of the Ninth United Nations Regional Cartographic Conference for the Americas and the Eighteenth United Nations Regional Cartographic Conference for Asia and the Pacific, and adopted a resolution on global geographic information management.

Energy and natural resources

Energy

Nuclear energy

International Atomic Energy Agency

As set forth in its annual report [GC(55)/2], the International Atomic Energy Agency (IAEA) continued in 2010 to address global issues related to nuclear technology, in particular by serving as the focal point for

worldwide cooperation in the peaceful uses of nuclear technology, for promoting global nuclear safety and security, and for providing assurances through its verification activities that international undertakings to use nuclear facilities and materials for peaceful purposes only were being honoured (see PART ONE, Chapter VII). The fifty-fourth session of the IAEA General Conference (Vienna, 20–24 September) adopted resolutions on measures to strengthen international cooperation in nuclear, radiation, transport and waste safety; nuclear security; strengthening the Agency’s technical cooperation activities; strengthening the Agency’s activities related to nuclear science, technology and applications; strengthening the effectiveness and improving the efficiency of the safeguards system and application of the Model Additional Protocol; implementing the safeguards agreement between the Agency and the Democratic People’s Republic of Korea; and applying the IAEA safeguards in the Middle East. During the year, the General Conference approved Swaziland’s membership; the Agency’s membership remained at 151 States.

In July [A/65/140], the Secretary-General transmitted to the General Assembly the IAEA annual report for 2009 [YUN 2009, p. 527]. The Assembly took note of the report on 8 November (resolution 65/9) (see p. 1001).

IAEA activities

During 2010 [GC(55)/2], as IAEA reported, construction worldwide started on 15 new nuclear power reactors, the largest number since 1985. Five new reactors were connected to the power grid and one reactor was retired, resulting in a net increase of global nuclear generating capacity to 375 gigawatts of electric power. As at 31 December, there were 441 reactors in operation and 66 under construction. Expansion and growth prospects remained centred in Asia. Of the 15 construction starts, 12 were in Asia, as were two thirds of the reactors under construction at the end of the year. Four of the five new reactors connected to the grid were in Asia. Of the 441 nuclear power reactors in operation, 358 had been operating for more than 20 years. Many Member States therefore gave high priority to operating their reactors for longer than the 30 to 40 years originally envisaged.

Of the 60 countries that received Agency assistance in launching nuclear power programmes, approximately one third were studying the nuclear power

option in preparation for a decision, while roughly half had expressed interest in understanding the issues, but had not taken steps toward a decision.

In December, the Board of Governors authorized the Director General to take steps towards the establishment of a low-enriched uranium bank, which would be owned and controlled by the Agency as a supply of last resort for nuclear power generation, while avoiding any disturbance of the commercial fuel market. The bank would be funded exclusively through voluntary contributions.

Uranium production increased by 16 per cent in 2009 compared with 2008. In Kazakhstan, production increased by more than 70 per cent, making it by far the world's top uranium producer in 2009, up from fifth place in 2003 and second place in 2008.

The Agency continued its work in applying nuclear and isotopic techniques in the areas of food and agriculture, health, water resources, the environment and industry. It strengthened its partnerships with health and cancer control organizations through the World Health Organization (WHO)/IAEA Joint Programme on Cancer Control, launched in 2009 [YUN 2009, p. 528]. As part of its capacity-building and awareness initiatives, the Agency invited 72 policymakers from Africa and Asia and the Pacific to attend co-ordination and planning meetings on cancer control. The Programme of Action for Cancer Therapy (PACT) was leading the Agency's response to the cancer crisis. The integrated missions of PACT (impACT) were in high demand by Member States, with 16 impACT reviews conducted in 2010.

In June, the Agency formed the Regulatory Co-operation Forum to assist Member States in their legal and regulatory frameworks for nuclear safety and security. The Forum optimized regulatory support from Member States with advanced nuclear power programmes to newcomer Member States. The Agency carried out missions in Iran, Jordan, Thailand, the United Arab Emirates and Viet Nam, particularly for strengthening safety infrastructure. Regarding nuclear power, the disposal of high-level waste remained the one step in the civilian nuclear fuel cycle where there was no industrial-scale facility in operation. Finland, France and Sweden, however, had made substantial progress and were expected to bring repositories into full operation around 2020. For low and intermediate level waste, disposal facilities were operating in 23 countries.

Worldwide statistics on the decommissioning of nuclear power plants did not change significantly. As at 31 December, 124 power reactors were shut down, of which 15 reactors were dismantled, 52 were in the process of being dismantled or planning for short-term dismantling, 48 were kept in safe enclosure mode, 3 were entombed, and 6 had no specified decommissioning strategies.

The International Expert Group on Nuclear Liability (INLEX) continued to serve as the Agency's main forum for dealing with questions related to nuclear liability. At its tenth meeting in 2010, INLEX reported on the ratification status of the international nuclear liability conventions and the European Commission legal study on the harmonization of the civil nuclear liability system within the European Union. INLEX also exchanged preliminary views on a draft Explanatory Text on the Joint Protocol Relating to the Application of the Vienna Convention and the Paris Convention.

In Africa, the technical cooperation programme focused on developing technical, managerial and institutional capacities in nuclear science and technology. A second focus was the application of nuclear techniques to achieve increased food security, improved nutrition and health services, better management of groundwater resources, improved energy development planning, including the feasibility of the nuclear power option, quality control in industrial development, and a cleaner and safer environment. In Asia and the Pacific, the emphasis was on strengthening human and institutional capacity for nuclear safety and for applications of nuclear technology in health, agriculture and industry, and supporting infrastructure building for Member States embarking on nuclear power. In Europe, the focus was on safety and security in all aspects of the peaceful uses of nuclear technology and the use of radiation in health care. In Latin America, in addition to ongoing projects in radiotherapy, nuclear medicine, plant breeding, pest control and water management, strategic alliances and partnerships continued to be important means to address the development needs of Member States. Emphasis was placed on disseminating the achievements of the projects carried out in connection with the Regional Co-operation Agreement for the Promotion of Nuclear Science and Technology in Latin America and the Caribbean over the past 25 years.

As the IAEA Director General reported to the General Assembly in November [A/65/PV.46], with 60 countries considering introducing nuclear energy, IAEA had a key advisory role on matters of legal and regulatory frameworks, and safety and security. Nuclear safety and security continued to improve, reflecting better designs and operating procedures, as well as strengthened and more effective regulatory environments and strong cultures of safety. Launched during the year, the IAEA Peaceful Uses Initiative, initially supported by the United States with a \$50 million contribution over a five-year period, increased funding for technical cooperation activities, particularly for countries embarking on new nuclear power programmes.

GENERAL ASSEMBLY ACTION

On 8 November [meeting 46], the General Assembly adopted **resolution 65/9** [draft: A/65/L.10 & Add.1] without vote [agenda item 87].

**Report of the International Atomic
Energy Agency**

The General Assembly,

Having received the report of the International Atomic Energy Agency for 2009,

Taking note of the statement by the Director General of the International Atomic Energy Agency, in which he provided additional information on the main developments in the activities of the Agency during 2010,

Recognizing the importance of the work of the Agency,

Recognizing also the cooperation between the United Nations and the Agency and the Agreement governing the relationship between the United Nations and the Agency as approved by the General Conference of the Agency on 23 October 1957 and by the General Assembly in the annex to its resolution 1145(XII) of 14 November 1957,

1. *Takes note with appreciation* of the report of the International Atomic Energy Agency;

2. *Takes note* of resolutions GC(54)/RES/7 on measures to strengthen international cooperation in nuclear, radiation, transport and waste safety; GC(54)/RES/8 on nuclear security; GC(54)/RES/9 on the strengthening of the Agency's technical cooperation activities; GC(54)/RES/10 on strengthening the Agency's activities related to nuclear science, technology and applications, comprising GC(54)/RES/10 A on non-power nuclear applications, GC(54)/RES/10 B on nuclear power applications and GC(54)/RES/10 C on nuclear knowledge, education and training; GC(54)/RES/11 on strengthening the effectiveness and improving the efficiency of the safeguards system and application of the Model Additional Protocol; GC(54)/RES/12 on the implementation of the Agreement between the Agency and the Democratic People's Republic of Korea for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons; GC(54)/RES/13 on the application of Agency safeguards in the Middle East; and decisions GC(54)/DEC/8 on the message to the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals in New York, and GC(54)/DEC/11 on the amendment to article XIV.A of the Statute of the Agency, adopted by the General Conference of the Agency at its fifty-fourth regular session, held from 20 to 24 September 2010;

3. *Reaffirms its strong support* for the indispensable role of the Agency in encouraging and assisting the development and practical application of atomic energy for peaceful uses, in technology transfer to developing countries and in nuclear safety, verification and security;

4. *Appeals* to Member States to continue to support the activities of the Agency;

5. *Requests* the Secretary-General to transmit to the Director General of the Agency the records of the sixty-fifth session of the General Assembly relating to the activities of the Agency.

International Year of Sustainable Energy for All

Subsequent to the ministerial-level Delhi International Renewable Energy Conference 2010 (27–29 October) and the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals (see p. 813), the Assembly designated 2012 as the International Year of Sustainable Energy for All.

GENERAL ASSEMBLY ACTION

On 20 December [meeting 69], the General Assembly, on the recommendation of the Second (Economic and Financial) Committee [A/65/436/ & Corr.1], adopted **resolution 65/151** without vote [agenda item 20].

**International Year of Sustainable
Energy for All**

The General Assembly,

Reiterating the principles of the Rio Declaration on Environment and Development and of Agenda 21, and recalling the recommendations and conclusions contained in the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation") concerning energy for sustainable development,

Recalling Economic and Social Council resolution 1980/67 of 25 July 1980 on international years and anniversaries and General Assembly resolutions 53/199 of 15 December 1998 and 61/185 of 20 December 2006 on the proclamation of international years,

Recalling also its resolution 55/2 of 8 September 2000, by which it adopted the United Nations Millennium Declaration,

Recalling further the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals and its outcome document,

Recalling its resolutions 53/7 of 16 October 1998, 54/215 of 22 December 1999 and 55/205 of 20 December 2000, as well as its resolutions 56/200 of 21 December 2001, 58/210 of 23 December 2003, 60/199 of 22 December 2005, 62/197 of 19 December 2007, 63/210 of 19 December 2008 and 64/206 of 21 December 2009,

Concerned that over three billion people in developing countries rely on traditional biomass for cooking and heating, that one and a half billion people are without electricity and that, even when energy services are available, millions of poor people are unable to pay for them,

Recognizing that access to modern affordable energy services in developing countries is essential for the achievement of the internationally agreed development goals, including the Millennium Development Goals, and sustainable development, which would help to reduce poverty and to improve the conditions and standard of living for the majority of the world's population,

Emphasizing the importance of investing in access to cleaner energy technology options and a climate-resilient future for all and the need to improve access to reliable, affordable, economically viable, socially acceptable and environmentally sound energy services and resources for sustainable development, and taking into consideration the diversity of situations, national policies and specific needs of countries, in particular developing countries,

Emphasizing also the need to take further action to mobilize the provision of adequate financial resources of sufficient quality and arriving in a timely manner,

Reaffirming support for the implementation of national policies and strategies to combine, as appropriate, the increased use of new and renewable energy sources and low-emission technologies, the more efficient use of energy, greater reliance on advanced energy technologies, including cleaner fossil fuel technologies, and the sustainable use of traditional energy resources, as well as the promotion of access to modern, reliable, affordable and sustainable energy services and the enhancement of national capacities to meet the growing energy demand, as appropriate, supported by international cooperation in this field and by the promotion of the development and dissemination of appropriate, affordable and sustainable energy technologies and the transfer of such technologies, on mutually agreed terms, to developing countries and countries with economies in transition,

1. *Decides* to declare 2012 the International Year of Sustainable Energy for All;

2. *Notes* the efforts of the United Nations system to work towards ensuring energy access for all and to protect the environment through the sustainable use of traditional energy resources, cleaner technologies and newer energy sources;

3. *Requests* the Secretary-General, in consultation with relevant agencies within the United Nations system and UN-Energy, and mindful of the provisions of the annex to Economic and Social Council resolution 1980/67, to organize and coordinate activities to be undertaken during the Year;

4. *Encourages* all Member States, the United Nations system and all other actors to take advantage of the Year to increase awareness of the importance of addressing energy issues, including modern energy services for all, access to affordable energy, energy efficiency and the sustainability of energy sources and use, for the achievement of the internationally agreed development goals, including the Millennium Development Goals, sustainable development and the protection of the global climate, and to promote action at the local, national, regional and international levels;

5. *Requests* the Secretary-General to submit to the General Assembly at its sixty-seventh session a report on the implementation of the present resolution, taking into account, inter alia, the initiatives taken by Member States and international organizations to create at all levels an enabling environment for the promotion of access to energy and energy services and the use of new and renewable energy technologies, including measures to improve access to such technologies.

Natural resources

Water resources

UN-Water

According to the *UN-Water Annual Report 2010*, priority areas for the inter-agency mechanism UN-Water [YUN 2004, p. 1034] during the year included transboundary waters, wastewater management, climate change, water supply and basic sanitation, and

water quality. World Water Day (22 March) raised awareness of the urgent need to improve water quality. During World Water Week (Stockholm, Sweden, 6–9 September), UN-Water organized a dialogue session highlighting how poor water quality threatened the achievement of the Millennium Development Goals (MDGs). More particularly, the UN-Water Global Annual Assessment on Sanitation and Drinking-Water—the UN mechanism coordinated by WHO—*noted*, in its first comprehensive report, that progress towards the MDGs relating to sanitation and drinking water was significantly lower than that achieved in education and health. Despite the huge demonstrable savings in health care directly attributable to safe drinking water and sanitation, many countries were not allocating sufficient resources to achieve their targets.

International Decade for Action, “Water for Life”, 2005–2015

On 28 July, by **resolution 64/292** (see p. 743), recalling the International Decade for Action, “Water for Life”, 2005–2015, the General Assembly recognized the human right to water and sanitation, and that access to clean water and sanitation was fundamental to the achievement of all human rights. The Assembly called upon States and international organizations to contribute to capacity-building efforts, particularly in developing countries, to provide safe and affordable drinking water for all.

Midterm review

In a March note [A/64/693] submitted pursuant to Assembly resolution 64/198 [YUN 2009, p. 999] on the organization of the midterm comprehensive review of the International Decade, the Secretary-General outlined the activities that had been prepared for the review. Those included intergovernmental processes as well as UN system programmes, communication strategy and partnership initiatives. The Secretary-General recommended further mobilization of resources during the second half of the Decade, and urged Member States, national and international organizations, major groups and the private sector to increase voluntary contributions to the UN-Water multi-donor trust fund and programmes. Towards achieving the Decade’s goals in Africa, special focus needed to be placed on the region’s water development and management, with the involvement of the UN-Water regional mechanism, and on gender, water and sanitation initiatives.

High-level interactive dialogue. On World Water Day (22 March), a high-level interactive dialogue on the implementation of the International Decade, having the theme “Water, peace and security: trans-

boundary water cooperation”, was convened in New York. Corresponding to the three interactive multi-stakeholder panels included in the dialogue, Secretariat notes provided background information on water, peace and security; transboundary water cooperation [A/64/692]; water and the internationally agreed development goals [A/64/694]; and water, climate change and disasters [A/64/695]. Finding solutions to competition over shared water resources and managing transboundary surface and ground waters were considered important for the achievement of many MDGs. The inter-State distribution of transboundary water continued to present a challenge, particularly in countries with arid or semi-arid climates. Water management at the national level must first be improved, utilizing principles of integrated water resource management, as a prerequisite to effective transboundary water cooperation. During the Decade, little attention had been paid to transboundary cooperation. Although the MDG for safe drinking water appeared likely to be achieved in all of the world’s regions except sub-Saharan Africa, an estimated investment of \$11.3 billion per year would be needed to achieve all of the MDGs for safe drinking water and sanitation. Given the need to adapt to climate change, the failure to improve water resource management would jeopardize the MDGs and sustainable development more broadly.

The General Assembly President, in his closing statement, said that the dialogue reaffirmed that access to water for drinking and productive activities, as well as access to sanitation services, were prerequisites for lifting people out of poverty, promoting gender equality, reducing child mortality and increasing maternal health; that managing water resources sustainably was vital to achieving economic growth and safeguarding ecosystems; that improving water resource management systems would help countries adapt to the challenges of climate change; that cooperation was essential for transboundary water management; and that the global water challenge had to be addressed through global responsibility—from local to national, regional and international levels.

High-level International Conference. The High-level International Conference on the Midterm Comprehensive Review of the Implementation of the International Decade for Action, “Water for Life”, 2005–2015 (Dushanbe, Tajikistan, 8–9 June), issued the Dushanbe Declaration on Water, transmitted to the Secretary-General by Tajikistan in a letter of 21 June [A/65/88]. The conference, which featured water cooperation as a major theme, called on Governments to consider establishing national committees to facilitate achieving the targets of “Water for Life”, and acknowledged the role UN-Water played in promoting cooperation and building capacity.

International Year of Water Cooperation, 2013

In the wake of the interactive dialogue on the implementation of the International Decade and the Dushanbe Conference on the Midterm Comprehensive Review (see above), the General Assembly declared 2013 as the International Year of Water Cooperation.

GENERAL ASSEMBLY ACTION

On 20 December [meeting 69], the General Assembly, on the recommendation of the Second Committee [A/65/436/Add.1], adopted **resolution 65/154** without vote [agenda item 20 (a)].

International Year of Water Cooperation, 2013

The General Assembly,

Recalling its resolution 47/193 of 22 December 1992 on the observance of World Day for Water, its resolution 55/196 of 20 December 2000, by which it proclaimed 2003 the International Year of Freshwater, its resolution 58/217 of 23 December 2003, by which it proclaimed the International Decade for Action, “Water for Life”, 2005–2015, to commence on World Water Day, 22 March 2005, its resolution 59/228 of 22 December 2004, its resolution 61/192 of 20 December 2006, by which it proclaimed 2008 the International Year of Sanitation, and its resolution 64/198 of 21 December 2009 on the midterm comprehensive review of the implementation of the Decade,

Recalling also Economic and Social Council resolution 1980/67 of 25 July 1980 on international years and anniversaries and General Assembly resolutions 53/199 of 15 December 1998 and 61/185 of 20 December 2006 on the proclamation of international years,

Recalling further the Rio Declaration on Environment and Development and all its principles, Agenda 21, the Programme for the Further Implementation of Agenda 21, the Johannesburg Declaration on Sustainable Development, the Plan of Implementation of the World Summit on Sustainable Development (“Johannesburg Plan of Implementation”) and the outcome document of the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals and the commitments made therein,

Emphasizing that water is critical for sustainable development, including environmental integrity and the eradication of poverty and hunger, and is indispensable for human health and well-being and central to achieving the Millennium Development Goals,

Reaffirming the internationally agreed development goals on water and sanitation, including those contained in the United Nations Millennium Declaration, and determined to achieve the goal to halve, by 2015, the proportion of people who are unable to reach or afford safe drinking water, and the goals set out in the Johannesburg Plan of Implementation to halve the proportion of people without access to basic sanitation and to develop integrated water resources management and water efficiency plans by 2005, with support to developing countries,

Recalling its resolution 64/292 of 28 July 2010 on the human right to water and sanitation,

Recalling also Human Rights Council resolution 15/9 of 30 September 2010,

Welcoming the outcome and the work of the Commission on Sustainable Development at its twelfth, thirteenth, sixteenth and seventeenth sessions on the issues of water and sanitation,

Noting the interactive dialogue of the sixty-fourth session of the General Assembly on the implementation of the Decade, convened on 22 March 2010, World Water Day,

Noting also the work of the High-level International Conference on the Midterm Comprehensive Review of the Implementation of the International Decade for Action, “Water for Life”, 2005–2015, held in Dushanbe on 8 and 9 June 2010,

Noting further the holding of the fifth World Water Forum in Istanbul, Turkey, from 16 to 22 March 2009, and noting that the sixth World Water Forum will be held in Marseille, France, in March 2012,

Remaining concerned by the slow and uneven progress in achieving the goal of halving the proportion of the population without sustainable access to safe drinking water and basic sanitation, while global climate change and other challenges seriously affect water quantity and quality, and in this regard recognizing the crucial role that the International Year of Water Cooperation could play, inter alia, in strengthening dialogue and cooperation at all levels, as appropriate, and its important contribution to the Decade,

1. *Takes note* of the report of the Secretary-General on the midterm comprehensive review of the implementation of the International Decade for Action, “Water for Life”, 2005–2015;

2. *Decides* to declare 2013 the International Year of Water Cooperation;

3. *Invites* the Secretary-General, in cooperation with UN-Water, and mindful of the provisions of the annex to Economic and Social Council resolution 1980/67, to take appropriate steps to organize the activities of the Year and to develop necessary proposals on activities at all levels to support Member States in the implementation of the Year;

4. *Encourages* all Member States, the United Nations system and all other actors to take advantage of the Year to promote actions at all levels, including through international cooperation, as appropriate, aimed at the achievement of the internationally agreed water-related goals contained in Agenda 21, the Programme for the Further Implementation of Agenda 21, the United Nations Millennium Declaration and the Johannesburg Plan of Implementation, as well as to increase awareness of their importance;

5. *Requests* the Secretary-General to report to the General Assembly at its sixty-ninth session on the implementation of the present resolution.

Cartography

By **decision 2010/241** of 21 July, the Economic and Social Council took note of the reports of the Ninth United Nations Regional Cartographic Conference for the Americas and of the Eighteenth United Nations Regional Cartographic Conference for Asia and the Pacific [YUN 2009, p. 1000]. On the same day, the Council requested (**decision 2010/240**) the Secretary-General to submit at its substantive session of 2011 a report on global geographic information management.

Environment and human settlements

In 2010, the United Nations and the international community enhanced efforts to strengthen the protection of the environment and to address emerging environmental challenges through legally binding instruments and the activities of the United Nations Environment Programme (UNEP).

The eleventh special session of the UNEP Governing Council/Global Ministerial Environment Forum discussed the environment in the multilateral system as an emerging policy issue. It adopted the Nusa Dua Declaration, which addressed fundamental environmental concerns, particularly those related to climate change, sustainable development, the green economy and biodiversity. The Council established a consultative group of ministers or high-level representatives to consider the broader reform of the international environmental governance system. It adopted guidelines for the development of national legislation on access to information, public participation and access to justice in environmental matters, and for the development of domestic legislation on liability, response action and compensation for damage caused by activities dangerous to the environment. The Council also adopted decisions on UNEP support for Haiti following the devastating January earthquake in that country; enhanced coordination across the UN system, including the Environment Management Group; the intergovernmental science-policy platform on biodiversity and ecosystem services; the environmental situation in the Gaza Strip; oceans; and financing options for chemical wastes.

On 22 September, the General Assembly held a high-level meeting as part of the observance of the International Year of Biodiversity. The meeting discussed core strategic and political issues, including the framing the post-2010 biodiversity strategy; the benefits of biodiversity for development and poverty alleviation; and measures to meet the objectives of the Convention on Biological Diversity and the United Nations Framework Convention on Climate Change (UNFCCC). The tenth meeting of the Conference of Parties to the Convention on Biological Diversity adopted the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization on Biological Diversity, and the Strategic Plan for Biodiversity 2011–2020, including the Aichi Biodiversity Targets. The fifth meeting of the Conference of the Parties to the Convention on Biological Diversity Serving as

The Meeting of the Parties to the Cartagena Protocol on Biosafety adopted the Strategic Plan for the Cartagena Protocol on Biosafety for the period 2011–2020.

The sixteenth session of the Conference of the Parties to UNFCCC adopted the Cancún Agreements, setting out a plan for long-term cooperative action towards a global goal to substantially reduce global emissions by 2050, and to cooperate in achieving the peak of global and national greenhouse gas emissions as soon as possible. The Agreements also established the Cancún Adaptation Framework to enhance action on adaptation, and an Adaptation Committee to promote coherent implementation of such action.

The Assembly re-elected Achim Steiner as UNEP Executive Secretary for a four-year term of office beginning on 15 June 2010 and ending on 14 June 2014.

The United Nations Human Settlements Programme (UN-Habitat) continued to support the implementation of the 1996 Habitat Agenda and the Millennium Development Goals. The fifth session of the World Urban Forum was held in Rio de Janeiro, Brazil, in March, under the theme “The right to the city—Bridging the urban divide”. The Forum discussed emerging urban inequality, policy alternatives and effective practices in human settlements development. The World Urban Campaign, designed to advance the drive by UN-Habitat and its Habitat Agenda partners for better, smarter, greener and more equitable cities, was launched during the session.

In August, the Assembly elected Joan Clos as Executive Director of UN-Habitat for a four-year term of office beginning on 18 October 2010 and ending on 17 October 2014.

Environment

UN Environment Programme

Governing Council/Ministerial Forum

The eleventh special session of the Governing Council/Global Ministerial Environment Forum (GC/GMEF) of the United Nations Environment Programme (UNEP) was held in Nusa Dua, Bali, Indonesia, from 24 to 26 February [A/65/25].

Ministerial-level consultations (24–26 February) held under the overarching theme “Environment in the multilateral system” discussed international environmental governance and sustainable development, the green economy, and biodiversity and ecosystems. The Council/Forum had before it the President’s summary [UNEP/GCSS.XI/INF/9] of the discussion by ministers and heads of delegation at the twenty-fifth (2009) GC/GMEF session [YUN 2009, p. 1002]. The UNEP Executive Director delivered a policy statement [UNEP/GCSS.XI/2], which was summarized in the report of the proceedings of the session [UNEP/GCSS.XI/11]. The Committee of the Whole, established by the Council/Forum, held four meetings to consider the agenda items assigned to it. On 26 February, the President of the Council/Forum presented a draft summary of the views expressed during the ministerial consultations on each theme, which was annexed to the report of the session. The Council/Forum also had before it a document on regional civil society statements: major groups stakeholders’ messages to GC/GMEF [UNEP/GCSS.XI/INF/5], which contained their observations and recommendations related to the theme of the special session.

On 26 February [A/65/25 (dec. SS.XI/9)], the Council/Forum adopted the Nusa Dua Declaration, which addressed the most fundamental environmental aspects and concerns, in particular, climate change, sustainable development, the green economy and biodiversity. Coming a decade after the adoption of the Malmö Ministerial Declaration [YUN 2000, p. 968], the Nusa Dua Declaration provided a future strategy for tackling environmental challenges in the short, medium and long terms.

On 21 July (**decision 2010/237**), the Economic and Social Council took note of the Governing Council’s report on its eleventh special session.

The General Assembly took note of the report in resolution 65/162 of 20 December (see below).

Subsidiary body

In 2010, the Committee of Permanent Representatives, which was open to representatives of all UN Member States and members of specialized agencies, held an extraordinary meeting on 4 February [UNEP/CPR/110/3] and regular meetings on 16 March [UNEP/CPR/111/2], 15 June [UNEP/CRP/112/2] and 15 December [UNEP/CPR/114/2]. The Committee discussed, among other subjects, the outcome of the eleventh (2010) GC/GMEF special session and preparations for the twenty-sixth (2011) session.

In December [UNEP/GC.26/INF/4], the Executive Director transmitted the report on the work of the Committee since the twenty-fifth (2009) GC/GMEF session [YUN 2009, p. 1002].

GENERAL ASSEMBLY ACTION

On 20 December [meeting 69], the General Assembly, on the recommendation of the Second (Economic and Financial) Committee [A/65/436/Add.7], adopted **resolution 65/162** without vote [agenda item 20 (g)].

Report of the Governing Council of the United Nations Environment Programme on its eleventh special session

The General Assembly,

Recalling its resolutions 2997(XXVII) of 15 December 1972, 53/242 of 28 July 1999, 55/200 of 20 December 2000, 57/251 of 20 December 2002 and 64/204 of 21 December 2009 and other previous resolutions relating to the Governing Council/Global Ministerial Environment Forum of the United Nations Environment Programme,

Recalling also the 2005 World Summit Outcome,

Recalling further the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals and its outcome document,

Taking into account Agenda 21 and the Plan of Implementation of the World Summit on Sustainable Development (“Johannesburg Plan of Implementation”),

Reaffirming the Rio Declaration on Environment and Development and its principles,

Reaffirming its commitment to strengthening the role of the United Nations Environment Programme as the leading global environmental authority that sets the global environmental agenda, promotes the coherent implementation of the environmental dimensions of sustainable development within the United Nations system and serves as an authoritative advocate for the global environment, as set out in the Nairobi Declaration on the Role and Mandate of the United Nations Environment Programme of 7 February 1997 and in the Nusa Dua Declaration of 26 February 2010,

Noting the role played by the United Nations Environment Programme in the organization of the three ad hoc intergovernmental and multi-stakeholder meetings on an intergovernmental science-policy platform on biodiversity and ecosystem services,

Reiterating that capacity-building and technology support to developing countries in environment-related fields are important components of the work of the United Nations Environment Programme,

Recalling the Bali Strategic Plan for Technology Support and Capacity-building,

Recognizing the need for heightened efforts to increase the political priority attached to the sound management of chemicals and wastes and the increased need for sustainable, predictable, adequate and accessible financing for the chemicals and wastes agenda,

1. *Takes note* of the report of the Governing Council of the United Nations Environment Programme on its eleventh special session and the decisions contained therein;

2. *Welcomes* the Nusa Dua Declaration of 26 February 2010 as a contribution to the United Nations Conference on Sustainable Development, to be held in 2012, and calls for the active and effective participation of the United Nations Environment Programme in the preparatory process of the Conference;

3. *Recognizes* that the ratification and implementation of relevant multilateral environmental agreements contribute to more effective international environmental governance and better protection and management of the global environment, and in this context invites Member States to ratify and implement relevant multilateral environmental agreements;

4. *Welcomes* the outcome of the Simultaneous Extraordinary Meetings of the Conferences of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and the Stockholm Convention on Persistent Organic Pollutants, held in Bali, Indonesia, from 22 to 24 February 2010, also welcomes the consultative process on financing options for chemicals and wastes and supports further efforts through the United Nations Environment Programme to continue these discussions, and in this regard encourages cooperation and coordination among the secretariats of the Basel, Rotterdam and Stockholm conventions and support for Governments in their efforts to implement, comply with and enforce these multilateral environmental agreements;

5. *Stresses* the importance of the implementation of the Strategic Approach to International Chemicals Management, particularly through its Quick Start Programme;

6. *Notes with appreciation* the progress achieved at the first session of the intergovernmental negotiating committee to prepare a global legally binding instrument on mercury, held in Stockholm from 7 to 11 June 2010, and encourages further efforts towards a successful conclusion to the negotiations, and invites the Executive Director of the United Nations Environment Programme to continue to ensure full support for the negotiation process with the goal of completing the instrument prior to the twenty-seventh session of the Governing Council/Global Ministerial Environment Forum with the aim of agreeing on a legally binding instrument on mercury, to include provisions, among others, aimed at reducing atmospheric emissions of mercury and to specify arrangements for capacity-building and technical and financial assistance, recognizing that the ability of developing countries and countries with economies in transition to implement some legal obligations effectively under a legally binding instrument is dependent upon the availability of capacity-building and adequate technical and financial assistance;

7. *Recognizes* the important role played by the regional centres of the Basel and Stockholm conventions, particularly in the implementation of international commitments and in the area of technology transfer, and in this regard encourages Member States and other stakeholders to promote the full and coordinated use of the centres to strengthen the regional delivery of assistance for the implementation of the Basel, Rotterdam and Stockholm conventions;

8. *Takes note* of United Nations Environment Programme Governing Council decision SS.XI/1 of 26 February 2010 on international environmental governance, the set of options for improving international environmental governance identified by the consultative group of ministers or high-level representatives referred to therein and the invitation by the Governing Council to the President of the Council to transmit the set of options to the General

Assembly at its sixty-fourth session as an input to the continuing process of improving international environmental governance, and notes the ongoing work of the consultative group of ministers or high-level representatives, which will present its final report to the Governing Council at its twenty-sixth session in anticipation of the contribution of the Council;

9. *Encourages* the United Nations Environment Programme to support the ongoing work of the Joint Liaison Group of the secretariats and offices of the relevant subsidiary bodies of the Convention on Biological Diversity, the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa, and the United Nations Framework Convention on Climate Change ("the Rio Conventions") and the Liaison Group of Biodiversity-related Conventions, acknowledges the importance of improving coherence in the implementation of the Rio Conventions, recognizes the importance of enhancing synergies among the biodiversity-related conventions, without prejudice to their specific objectives, and encourages the conferences of the parties to the biodiversity-related multilateral environmental agreements to consider strengthening efforts in this regard, taking into account relevant experiences and bearing in mind the respective independent legal status and mandates of all these instruments;

10. *Underlines* the need to further advance and accelerate the full implementation of the Bali Strategic Plan for Technology Support and Capacity-building with a view to achieving its objectives in the areas of capacity-building and technology support for developing countries and countries with economies in transition, invites relevant United Nations funds and programmes and the specialized agencies and the secretariats of multilateral environmental agreements to consider mainstreaming the Bali Strategic Plan in their overall activities, and calls upon Governments and other stakeholders in a position to do so to provide the funding and technical assistance necessary to further advance and fully implement the Bali Strategic Plan;

11. *Recognizes* that South-South cooperation is not a substitute for, but rather a complement to, North-South cooperation, and in this regard requests the United Nations Environment Programme to deepen its cooperation with related United Nations agencies, regions, subregions and existing South-South cooperation initiatives to develop joint activities and synergies of capacity in advancing South-South cooperation in support of capacity-building and technology support in the context of the Bali Strategic Plan;

12. *Invites* the United Nations Environment Programme to contribute, notably by providing ideas and proposals reflecting its competencies, experiences and lessons learned, to the preparatory process of the United Nations Conference on Sustainable Development;

13. *Reiterates* the continuing need for the United Nations Environment Programme to conduct up-to-date, comprehensive, scientifically credible and policy-relevant global environment assessments, in close consultation with Member States, in order to support decision-making processes at all levels, and in this regard notes that the fifth report in the Global Environment Outlook series and its related summary for policymakers is currently under development, and stresses the need to enhance the policy relevance of the Outlook by, inter alia, identifying policy

options to speed up the achievement of the internationally agreed goals and to inform global and regional processes and meetings where progress towards the agreed goals will be discussed, including the United Nations Conference on Sustainable Development;

14. *Emphasizes* the need to further enhance coordination and cooperation among the relevant United Nations organizations in the promotion of the environmental dimension of sustainable development and to enhance cooperation between the United Nations Environment Programme and regional and subregional organizations, and welcomes the continued active participation of the Programme in the United Nations Development Group and the Environment Management Group, as well as in the United Nations exercises at the country level, including United Nations Development Assistance Framework processes and “Delivering as One” programmes for those countries implementing this initiative;

15. *Reiterates* the instrumental role of regional offices of the United Nations Environment Programme in assisting countries in mainstreaming their environmental priorities and maintaining the strategic presence of the Programme at the national and regional levels as part of the continued efforts of the Programme in shifting emphasis from delivery of outputs to achievement of results within its budget and programme of work, and calls for increased support to strengthen the human, financial and programmatic capacities of all regional offices;

16. *Notes* the cooperation of the Environment Management Group, including by working with the United Nations System Chief Executives Board for Coordination and its subsidiary bodies, in enhancing, inter alia, cooperation in programming environmental activities in the United Nations system in the areas of biodiversity and land degradation, including by supporting the implementation of the strategic plans of the secretariats of the United Nations Convention to Combat Desertification and the Convention on Biological Diversity, including the post-2010 biodiversity targets;

17. *Takes note* of United Nations Environment Programme Governing Council decision SS.XI/4 of 26 February 2010 entitled “Intergovernmental science-policy platform on biodiversity and ecosystem services”, the Busan outcome of the third ad hoc intergovernmental and multi-stakeholder meeting on an intergovernmental science-policy platform on biodiversity and ecosystem services, held in Busan, Republic of Korea, from 7 to 11 June 2010, the decision entitled “Science-policy interface on biodiversity, ecosystem services and human well-being and consideration of the outcome of the intergovernmental meetings” adopted by the Conference of the Parties to the Convention on Biological Diversity at its tenth meeting, held in Nagoya, Japan, from 18 to 29 October 2010, and the decision on the United Nations Educational, Scientific and Cultural Organization and the intergovernmental science-policy platform on biodiversity and ecosystem services adopted by the Executive Board of that Organization at its one hundred and eighty-fifth session, and requests the United Nations Environment Programme, without prejudice to the final institutional arrangements for the intergovernmental science-policy platform on biodiversity and ecosystem services and in consultation with all relevant organizations and bodies, in order to fully operationalize the platform,

to convene a plenary meeting providing for the full and effective participation of all Member States, in particular representatives from developing countries, to determine modalities and institutional arrangements for the platform at the earliest opportunity;

18. *Calls upon* international and bilateral donors and other countries in a position to do so to support the full and effective participation of representatives from developing countries in the plenary meeting;

19. *Welcomes* the activities undertaken by the United Nations Environment Programme with a view to strengthening the protection and sustainable management of marine and coastal ecosystems and further mainstreaming the marine and coastal strategy of the Programme in line with the United Nations Millennium Declaration and the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States;

20. *Also welcomes* the efforts undertaken to date by the United Nations Environment Programme in response to the devastating impact of the earthquake of 12 January 2010 on the people, economy and environment of Haiti, and in this regard urges the Programme, in coordination with the United Nations country team, to continue to perform its key role in ensuring that environmental considerations are mainstreamed into the overall humanitarian relief and recovery programme;

21. *Further welcomes* the increased contributions to the Environment Fund, and reiterates its invitation to Governments that are in a position to do so to increase their contributions to the Fund;

22. *Reiterates* the need for stable, adequate and predictable financial resources for the United Nations Environment Programme, and, in accordance with resolution 2997(XXVII), underlines the need to consider the adequate reflection of all the administrative and management costs of the Programme in the context of the United Nations regular budget;

23. *Also reiterates* the importance of the Nairobi headquarters location of the United Nations Environment Programme, and requests the Secretary-General to keep the resource needs of the Programme and the United Nations Office at Nairobi under review so as to permit the delivery, in an effective manner, of necessary services to the Programme and to the other United Nations organs and organizations in Nairobi;

24. *Decides* to include in the provisional agenda of its sixty-sixth session, under the item entitled “Sustainable development”, a sub-item entitled “Report of the Governing Council of the United Nations Environment Programme on its twenty-sixth session”.

International environmental governance

The eleventh GC/GMEF special session (see p. 1005) held ministerial consultations (24–26 February) on international environmental governance and sustainable development on the basis of a discussion paper submitted by the Executive Director [UNEP/GCSS. XI/10]. The paper addressed, among other matters, the outcomes of the 2009 consultative group meetings on international environmental governance [YUN

2009, p. 1005]; the recommendations contained in the 2009 report of the Joint Inspection Unit (JIU) on the management review of environmental governance within the UN system [ibid., p. 1004]; the benefits to States Parties from the continuing synergies process between the 1989 Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal [YUN 1989, p. 420], the 1998 Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade [YUN 1998, p. 997] and the 2001 Stockholm Convention on Persistent Organic Pollutants [YUN 2001, p. 971]; preparations for the United Nations Conference on Sustainable Development, to be held in 2012; and the way forward.

In the Nusa Dua Declaration [A/65/25 (dec. SS.XI.9)], adopted by the Governing Council in February, GMEF noted that the international environmental governance architecture had become complex and fragmented, and committed to making it more effective.

In a separate decision [dec. SS.XI/1], the Governing Council noted the options for improving international environmental governance identified by the Consultative Group of Ministers or High-level Representatives on International Environmental Governance. It requested the Executive Director to identify, in consultation with Governments through the Committee of Permanent Representatives, incremental changes in the options that could be implemented during the 2010–2011 biennium and those to be integrated into the development of the 2012–2013 programme of work, and to report to GC/GMEF at its twenty-sixth (2011) session. It invited the Council President to transmit the options to the General Assembly at its resumed sixty-fourth (2010) session as an input to the continuing process of improving international environmental governance. The Council decided to establish a regionally representative, consultative group of ministers or high-level representatives, as well as high-level representatives of relevant UN agencies designated through the Environment Management Group. The Executive Director, who would participate as an adviser, would invite the UN system to provide input to the group, including by assessing gaps, needs and considerations related to how the system was achieving the objectives and functions for international environmental governance. The group would consider the broader reform of the international environmental governance system, building on the options but remaining open to new ideas. It would seek inputs from civil society groups and present a final report to the Governing Council at its twenty-sixth (2011) session in anticipation of the Council's contribution to the second meeting of the open-ended preparatory committee of the United Nations Conference on Sustainable Development and the Assembly's sixty-fifth (2010) session.

Note by Assembly President. In May [A/64/778], the General Assembly President transmitted to the Assembly a 19 April letter from the President of the eleventh GC/GMEF special session, which contained the options presented by the Consultative Group for improving international environmental governance.

Meeting of Consultative Group. The Executive Director, in a December note [UNEP/GC.26/18], reported that the Consultative Group of Ministers or High-level Representatives on International Environmental Governance met in Nairobi, from 7 to 9 July, and in Espoo, Finland, from 21 to 23 November. The Consultative Group identified potential system-wide responses to the challenges of international environmental governance, including the development of a system-wide strategy for the environment in the UN system to increase its effectiveness, efficiency and coherence, and the strengthening of the environmental pillar of sustainable development. Other responses dealt with strengthening the science-policy interface with the full participation of developing countries; encouraging synergies between compatible multilateral environmental agreements; creating a stronger link between global environmental policymaking and financing; and developing a system-wide capacity-building framework for the environment. The Consultative Group suggested that the Governing Council, at its twenty-sixth (2011) session, consider the UNEP contribution to identifying the implementation of, and actors responsible for, follow-up to functions and system-wide responses. The Group also considered institutional forms that would best implement those responses and achieve the objectives and functions identified during the Belgrade Process of international environmental governance reform [YUN 2009, p. 1005]. It recognized the need to develop all the options for improving international environmental governance, and suggested that those relating to the establishment of a new umbrella organization for sustainable development and the reform of the Economic and Social Council and the United Nations Commission on Sustainable Development would best be addressed in the wider sustainable development context. The Group suggested that existing institutions be strengthened and enhanced.

Report of Executive Director. In a December report [UNEP/GC.26/3] submitted in response to the Governing Council's request [dec. SS.XI/1], the Executive Director stated that the secretariat had prepared a table identifying incremental reforms of and changes to international environmental governance to serve as a basis for consultation with the Committee of Permanent Representatives. Five consultations were held with the Committee in 2010, on 9 April, 3 June, 5 and 28 October and 9 December. Overall, the reforms were received positively and suggestions were made for implementation and follow-up action.

Requests were made for additional analysis of the financial implications of some suggested actions; such an analysis would be provided by the secretariat in a supplementary document.

UNEP activities

Monitoring and assessment

In a December report [UNEP/GC.26/4] on the state of the environment and the UNEP contribution to meeting substantive environmental challenges, the Executive Director summarized the key policy issues emanating from UNEP assessment and early warning activities. The issues were drawn from the findings of various integrated and thematic assessments conducted over the previous two years across six subprogrammes: climate change, disasters and conflicts, ecosystem management, environmental governance, harmful substances and hazardous waste, and resource efficiency. The report also discussed intergovernmental scientific assessments, technology support, capacity-building and the identification of emerging environmental issues for reviewing the world environmental situation. It concluded that, after decades of producing science-based environmental assessments, countries had developed significant capacity to engage in, and undertake, environmental assessments. The assessments generally resulted in sound recommendations for policymakers based on the best available science, using recognized and accepted assessment methodologies. Those methodologies had produced tools, training packages, methodology manuals, e-learning platforms and trainers' networks, and built capacity to undertake assessments at multiple scales across a variety of themes. The evidence indicated, however, that the process of applying the policy recommendations emanating from environment and ecosystem-based assessments was difficult and could further impede the already slow rate of progress in meeting national policy needs and achieving internationally agreed environmental goals.

The Executive Director also submitted a detailed inventory of all assessments led and supported by UNEP since 2009 [UNEP/GC.26/INF/13], which provided updated information on assessments in progress.

General Assembly action. The General Assembly, in **resolution 65/173** of 20 December (see p. 808) on the promotion of ecotourism for poverty eradication and environment protection, underlined the importance of conducting an environmental impact assessment, in accordance with national legislation, for the development of ecotourism opportunities.

UNEP-Live

In a December report [UNEP/GC.26/4/Add.1], the Executive Director, in response to a 2009 Governing Council decision [YUN 2009, p. 1006], described

the requirements for a migration to targeted assessments in thematic priority and, in particular, the characteristics of a supporting framework for such assessments referred to as "UNEP-Live". The goals of UNEP-Live were to provide a coordinating node for displaying and having access to a global federation of assessment and reporting systems, and ready access to tools and information supporting two-way assessment processes at a level that was meaningful to decision makers. The objectives of the framework were to increase the use and reuse of the results of existing assessment processes and products; provide a context in which national capacity-development requirements could be identified and presented as candidates for resource mobilization; and develop and document institutional mechanisms to establish and maintain a global federation of assessment producers and consumers. Migrating to a dynamic platform for developing and delivering thematic and integrated environmental assessments would require, among other things, the development of a process for UNEP to identify, beginning in 2011, future assessment requirements; assessment of the requirements of UNEP member States to be reported in 2012 at the twelfth GC/GMEF special session; a fund-raising strategy; and the establishment of a federation of partners and a secretariat. The UNEP-Live framework would be implemented in a phased approach with the goal of achieving the migration between 2012 and 2015. Phase 1: consolidation and exploration of future options (2011–2012) would broaden the use of existing inputs to, or the results of, environmental assessment processes, including data, assessments, information systems, methodologies, expertise, institutional relationships, and regional and thematic information-sharing networks. The initial phase would focus on making UNEP assessment products more accessible and useful; and characterizing UNEP assessment partners and their requirements. The main goal of phase 2: elaboration (2012–2013) would be to design an assessment support system that met defined user needs. A key task would be the refinement of the assessment and reporting needs and requirements of UNEP and its partners. The goal of phase 3: transformation (2014–2015) would be to increase the use of UNEP-Live as designed and tested during the previous two phases by UNEP and its partners. The end product would be a fully operational UNEP-Live framework that would enable migration to targeted and thematic assessments and build capacity in countries for assessment and reporting.

UNEP Year Book

The *UNEP Year Book* presented new developments and scientific insights of particular interest to policymakers. The *Year Book 2010: New Science and*

Developments in our Changing Environment reported on progress in areas corresponding to the six UNEP thematic priorities: environmental governance; the effects of continuing degradation and loss of the world's ecosystems; impacts of climate change; the effects of harmful substances and hazardous waste on human health and the environment; environmentally related disasters and conflicts; and unsustainable use of resources.

Other activities

In 2010, UNEP coordinated efforts across 49 UN entities to prepare the first generation of greenhouse gas inventories. By the end of the year, 15 UN organizations had submitted emission-reduction action plans. It also launched a UN-wide campaign on in-house sustainability, known as Greening the Blue, to highlight ways in which staff could contribute to resource efficiency. UNEP assisted the Department of Field Support in conducting the first environmental impact assessments for new base camp sites in Mogadishu, Somalia, and Mombasa, Kenya. It supported baseline studies on energy, water and waste reduction options for peacekeeping camps, recommending practical measures that could cut more than 25 per cent in energy consumption, 40 per cent in water use, and reduce the amount of solid waste reaching landfills.

Environment and sustainable development

The Commission on Sustainable Development, at its eighteenth session (New York, 3–14 May) [E/2010/29], considered its 2010–2011 thematic cluster: transportation, chemicals, waste management, and mining and a 10-year framework of programmes on sustainable consumption and production patterns. The Commission had before it, among other reports by the Secretary-General, an overview [E/CN.17/2010/3] of the implementation of Agenda 21 [YUN 1992, p. 672] and the Johannesburg Plan of Implementation [YUN 2002, p. 822], and specific implementation reports on chemicals [E/CN.17/2010/5], waste management [E/CN.17/2010/6], and the 10-year framework of programmes in support of consumption and production [E/CN.17/2010/8 & Corr.1].

The UNEP Governing Council, in the Nusa Dua Declaration [dec. SS.XI/9] (see p. 1006), welcomed the decision made by the General Assembly in resolution 64/236 [YUN 2009, p. 802] to organize the United Nations Conference on Sustainable Development in 2012. It encouraged UNEP participation in the Conference's preparatory process, as called for in the resolution, and the contribution of UNEP to the programme of work outlined for the eight-

eenth (see above) and nineteenth (2011) sessions of the Commission on Sustainable Development.

Achieving the Millennium Development Goals

The General Assembly, at its High-level Plenary Meeting on the Millennium Development Goals (MDGs) (see p. 813), adopted, in **resolution 65/1** (see p. 815), the outcome document "Keeping the promise: united to achieve the Millennium Development Goals". In the section on MDG 7 (ensuring environmental sustainability), Assembly members committed to, among other actions, pursuing environmental sustainability through nationally owned comprehensive and coherent planning frameworks, adopting national legislation, and promoting the development and dissemination of affordable and sustainable technology; supporting implementation of the 1994 United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa [YUN 1994, p. 944]; strengthening political commitment and action to implement the global objectives on forests and the sustainable management of all types of forests in order to reduce the loss of forest cover and improve the livelihoods of those who depend on forests; and pursuing more efficient and coherent implementation of the objectives of the 1992 Convention on Biological Diversity [YUN 1992, p. 683] and addressing implementation gaps. The Assembly committed to calling on States to take action to address climate change in accordance with the principles identified in the 1992 United Nations Framework Convention on Climate Change [YUN 1992, p. 681], including the principle of common but differentiated responsibilities and respective capabilities; ensuring the sustainable management of marine biodiversity and ecosystems, including fish stocks, and addressing the adverse effects of climate change on the marine environment and marine biodiversity; supporting countries to preserve fragile mountain ecosystems as an important source of fresh water and as repositories of rich biological diversity; and promoting sustainable consumption and production patterns. The Assembly also committed to increasing sustainable access to safe drinking water and basic sanitation by prioritizing integrated water and sanitation; promoting integrated waste management systems; redoubling efforts to close the sanitation gap; and working towards cities without slums, beyond current targets.

Small island developing States

In a July report [A/65/115] on the five-year review of the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States [YUN

2005, p. 946], the Secretary-General provided a global synthesis of the national and regional review reports of the Strategy for consideration by the General Assembly at its high-level review meeting (New York, 24–25 September). The report reviewed threats facing small island developing States, especially from climate change and natural and environmental disasters. It also addressed issues related to sustainable production and consumption, waste management and biodiversity, as well as coastal and marine, freshwater and land resources.

(For information on the five-year review of the Mauritius Strategy, see p. 848.)

South-South cooperation

In response to a 2009 Governing Council decision [YUN 2009, p. 1009], the UNEP Executive Director submitted a December report on progress made in promoting South-South cooperation to achieve sustainable development [UNEP/GC.26/9]. In implementing its 2008–2009 and 2010–2011 programmes of work, UNEP employed a range of South-South cooperation approaches in the delivery of capacity-building and technology-support activities; it initiated consultations with organizations, institutions and networks to forge new strategic partnerships and alliances. Specific activities included strengthening interaction with the United Nations Development Programme (UNDP) Special Unit for South-South Cooperation, focusing on UNEP contribution to and participation in global South-South cooperation processes and events, and on UNEP input to meetings of the High-level Committee on South-South Cooperation; and participating in the UN inter-agency meeting on South-South cooperation (New York, February), and a High-level Event on South-South Cooperation and Capacity Development (Bogotá, Colombia, March). UNEP developed policy guidance and updated its operational guidelines to facilitate and enhance the systematic integration of South-South cooperation into its programme of work. The guidance provided direction for, among other things, stronger policy and programming support for South-South cooperation, specifically in determining how that cooperation was to be integrated into each thematic priority in the new UNEP matrix approach to programming; strengthening and facilitating opportunities for exchanges between countries through the regional offices and in collaboration with UN country teams; strengthening engagement in UN country team processes to enhance the integration of environmental sustainability into programming processes; strengthening coordination structures and capacities for South-South cooperation at UNEP headquarters and regional offices; and establishing strategic partnerships and participation in multilateral forums to promote South-South cooperation on environmental matters and to leverage syn-

ergies and technical expertise and resources for such cooperation. UNEP was also developing an exchange mechanism to advance South-South cooperation in its work and among key partners.

The report concluded that the UNEP South-South cooperation policy guidance and operational guidelines, which were expected to become operational in 2011, would serve as agency-wide reference tools for and substantive inputs into efforts to meet the objectives in the Bali Strategic Plan for Technology Support and Capacity-building [YUN 2004, p. 1040].

In December, the Executive Director submitted a note on UNEP regional and national activities to promote South-South cooperation [UNEP/GC.26/INF/14].

(For information on South-South cooperation, see p. 891.)

International Panel for Sustainable Resource Management

In December [UNEP/GC.26/INF/16], the Executive Director submitted the report of the International Panel for Sustainable Resource Management. The Panel, comprising 26 international experts and scientists from a broad spectrum of disciplines, was tasked with preparing assessment reports on resource issues critical to the international community regarding the environment and sustainable development. A Steering Committee provided strategic guidance to the Panel's work, with UNEP hosting its secretariat. As at December, the Panel had completed assessment reports on biofuels, metal stocks in society, and the environmental impacts of consumption and production. Assessment reports were being prepared on decoupling the use of natural resources and environmental impacts from economic activity; environmental impacts; sustainable land use and soil management; further assessments on metals; water efficiency; and cities and urbanization.

Coordination and cooperation

In a February decision on enhanced coordination across the UN system, including the Environment Management Group (EMG) [dec. SS.XI/3], the Governing Council requested the Executive Director to enhance the capacity of the regional offices to participate effectively in mainstreaming environmental sustainability in common country assessments and the United Nations Development Assistance Frameworks. EMG was encouraged to continue its cooperation, including by working with the United Nations System Chief Executives Board for Coordination (CEB) and its subsidiary bodies, in enhancing the promotion of sustainable UN system management practices. This included making further progress

towards climate neutrality and sustainable procurement; cooperation in programming UN system environmental activities in biodiversity, land degradation and the green economy, including by supporting implementation of the strategic plans of the 1994 United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa [YUN 1994, p. 944], the 1992 Convention on Biological Diversity [YUN 1992, p. 683] and the post-2010 biodiversity targets; and assessing how the UN system could more coherently assist countries in transitioning to a green economy. It also encouraged EMG to enhance coherence in mainstreaming environmental considerations in UN country-level operational activities, in particular by identifying options for the development of a UN system-wide approach to environmental concerns.

In December [UNEP/GC.26/15], the Executive Director submitted a report on enhanced coordination across the UN system, including EMG. The report summarized the Group's work during the year, directions for further work, and the UNEP secretariat's contribution to environmental, inter-agency cooperation-related work under CEB.

At its sixteenth meeting (New York, 21 September), senior EMG officials reviewed the Group's work in 2010, which included the preparation of the first common greenhouse gas inventory for the UN system and a report entitled "Advancing the biodiversity agenda—a UN system-wide contribution". EMG members contributed to the July and November meetings of the Consultative Group of Ministers or High-level Representatives on International Environmental Governance (see p. 1009). The Group also participated in the consultative process on environmental and social safeguards, which assessed conceptual frameworks that could provide a balanced approach to the challenge of cross-cutting environmental and social issues. Working with CEB and its High-level Committees on Programmes and on Management, as well as the United Nations Development Group, UNEP promoted coordination of environmental activities within the UN system. UNEP was also instrumental in bringing an environmental dimension to the responses by CEB and the High-level Committee on Programmes to the financial and economic crisis through the implementation of the Board's joint crisis initiatives. UNEP was the lead agency in the joint crisis initiative on the green economy. In that capacity, it highlighted the importance of mobilizing and refocusing the global economy towards green growth and the need to safeguard the integrity of ecosystems, in the context of work by the Board and the High-level Committee on Programmes on moving towards a process of globalization that was fairer, greener and more sustainable.

Memorandums of understanding

In February [dec. SS.XI/3], the Governing Council welcomed progress in the implementation of the revised memorandum of understanding (MOU) between UNEP and UNDP [YUN 2009, p. 1009], signed in December 2008 [YUN 2008, p. 1151] to achieve deeper cooperation between the two agencies, including by joint programming. The Council encouraged the Executive Director to expedite implementation of the MOU, in particular through the immediate establishment of the joint working group provided for therein, and an annual progress report.

In response to the Council's request, the Executive Director, in December 2010 [UNEP/GC.26/INF/9/Add.1], transmitted the annual report on the implementation of the MOU. UNEP and UNDP cooperated on the Poverty and Environment Initiative, a programme with joint management, programme design and budgeting. UNEP/UNDP collaboration was expanded to address the need for a more coherent and systemic approach within the UN system in environment and climate change, and guidance notes were issued on mainstreaming environmental sustainability and integrating climate change considerations into country analyses. Global and regional projects were the main drivers of collaboration on the ground, generating new opportunities and funding options. Collaborative arrangements focused on administrative services, program management support and institutional coordination; project/programme design, technical expertise, and monitoring and evaluation services; and communications, dissemination, funding, resource mobilization, publications and training.

In a December note [UNEP/GC.26/INF/9], the Executive Director presented a summary of corporate MOUs concluded between UNEP and other UN system bodies since the last report on the subject [YUN 2008, p. 1151]. MOUs were signed in 2009 with the United Nations Educational, Scientific and Cultural Organization and the United Nations Economic Commission for Asia and the Pacific.

Environment in the multilateral system: the green economy

Ministerial consultations on the environment in the multilateral system were held during the eleventh special session of the UNEP Governing Council on the basis of a background paper on the green economy [UNEP/GCSS.XI/10/Add.1]. The green economy was defined as a system of economic activities related to the production, distribution and consumption of goods and services that resulted in improved human well-being over the long term, while not exposing future generations to significant environmental risks or ecological scarcities.

It implied the decoupling of resource use and environmental impacts from economic growth, and was characterized by substantially increased investment in green sectors, supported by enabling policy reforms. Those investments, both public and private, provided the mechanism for the reconfiguration of businesses, infrastructure and institutions, and for the adoption of sustainable consumption and production processes. The reconfiguration would lead to, among other benefits, reduced energy and materials in production processes, less waste and pollution, and significantly reduced greenhouse gas emissions. It could also assuage food, energy and water security concerns, while supporting the achievement of sustainable development and the MDGs. The paper examined the green economy in relation to climate change, sustainable consumption and production, chemicals and waste management, and ecosystem services.

In the Nusa Dua Declaration [dec. SS.XI/9], the Governing Council acknowledged that the advancement of the concept of a green economy in the context of sustainable development and poverty eradication could significantly address current challenges and deliver economic development opportunities and benefits for all nations. It also acknowledged the leading role of UNEP in discussions to further define and promote the concept of a green economy. The Council encouraged the Executive Director to contribute that work to the preparatory committee for the Conference on Sustainable Development, which was to be held in 2012, and to convey the lessons learned by UNEP in that effort.

In a later report [UNEP/GC.26/INF/17], the Executive Director summarized international developments in relation to the green economy and described related UNEP activities in 2010. During the year, UNEP released four publications on the green economy: *Green Economy Report: A Preview*; *Green Economy: Developing Countries Success Stories*; *Green Economy: A Brief for Policymakers on the Green Economy and Millennium Development Goals*; and a technical working paper entitled *Green Economy: Driving a Green Economy Through Public Finance and Fiscal Policy Reform*.

An increasing number of countries requested support and assistance with their national green economy initiatives and strategies. UNEP was in discussion with 21 countries to provide advisory services for national and regional dialogue and consultation; macroeconomic and sector-specific assessments on green economy opportunities and challenges; and training and capacity-building activities. In Africa, UNEP initiated implementation of a regional pilot project on the green economy and social and environmental entrepreneurship. In the Asia-Pacific region, it supported the development, promotion and visibility of national initiatives to transition to a green economy. In Eastern Europe, activities included macroeconomic assess-

ments of green economy investment opportunities, a national workshop to promote awareness of a green economy and resource efficiency in Azerbaijan, and collaboration on a green economy strategy in the Ukraine. In Latin America and the Caribbean, UNEP assisted with the development of a regional green economy initiative, building on the process for the creation of a single market in that region. In West Asia, UNEP assisted Jordan in developing its national programme for green economic development. At the regional level, its involvement included a workshop with the League of Arab States to raise awareness of the concept of a green economy, and activities to promote an understanding of a green economy, building on the process of the Regional Roundtable on Sustainable Consumption and Production in the Arab region. UNEP also developed a proposal for a Mediterranean green economy initiative.

Environmental emergencies

In 2010, UNEP continued to assist vulnerable and crisis-affected countries by providing assessments and using them to develop recovery programmes that addressed environmental needs and priorities, and to support peacebuilding strategies and long-term sustainable development.

In the Sudan, UNEP guidance and technical support to aid communities in mainstreaming environmental considerations into its operations in the country resulted in nearly half of all aid projects integrating environmental activities into their programmes. UNEP completed a comprehensive assessment of the role of the environment in conflict and peacebuilding in Sierra Leone. Community-based natural resource management was established as the de facto strategy for rural Afghanistan; UNEP established 26 community-based projects across three provinces of that country. It was instrumental in the development of a national system for parks and the conservation of nature and biodiversity in key reserves and conservation areas.

UNEP assisted the Departments of Peacekeeping Operations and of Field Support to conduct the first-ever environmental impact assessments and baseline studies for new base camps in Mogadishu, Somalia, and Mombasa, Kenya. The pilot study, which examined issues such as the placement of camps and resource efficiency in relation to energy, water and waste, would be used as a model for other UN field missions.

Oil slick in Lebanon

In response to General Assembly resolution 64/195 [YUN 2009, p. 1011], the Secretary-General submitted an August report [A/65/278] reviewing progress in implementing resolutions 61/194 [YUN 2006, p. 1215],

62/188 [YUN 2007, p. 1053], 63/211 [YUN 2008, p. 1150] and 64/195 on the oil slick on Lebanese shores that resulted from the 2006 destruction by Israel of oil storage tanks in Lebanon following the outbreak of hostilities between Israel and the paramilitary group Hizbullah [YUN 2006, p. 574]. The marine oil spill resulted in the release of some 15,000 tons of fuel oil into the Mediterranean Sea, contaminating about 150 kilometres of coastline in Lebanon and the Syrian Arab Republic. As at June, some 500 cubic metres of liquid and 3,200 cubic metres of semi-solid and solid waste were collected during clean-up operations and stored in containers in secure temporary storage sites, with the contribution of all partners, particularly Japan. UN agencies evaluated Lebanon's mechanisms for the operation of an Eastern Mediterranean Oil Spill Restoration Trust Fund and, in consultation with the Government of Lebanon, proposed that the Trust Fund be hosted by the Lebanon Recovery Fund. The proposal was approved by the Steering Committee of the Lebanon Recovery Fund on 30 June.

The Secretary-General was concerned at the lack of acknowledgment on the part of Israel of its responsibilities with regard to reparations and compensation to the Government and people of Lebanon and Syria affected by the oil spill. He welcomed the agreement that the Lebanon Recovery Fund should host the Eastern Mediterranean Oil Spill Restoration Fund.

GENERAL ASSEMBLY ACTION

On 20 December [meeting 69], the General Assembly, on the recommendation of the Second Committee [A/65/436 & Corr.1], adopted **resolution 65/147** by recorded vote (163-8-5) [agenda item 20].

Oil slick on Lebanese shores

The General Assembly,

Recalling its resolutions 61/194 of 20 December 2006, 62/188 of 19 December 2007, 63/211 of 19 December 2008 and 64/195 of 21 December 2009 on the oil slick on Lebanese shores,

Reaffirming the outcome of the United Nations Conference on the Human Environment, especially principle 7 of the Declaration of the Conference, in which States were requested to take all possible steps to prevent pollution of the seas,

Emphasizing the need to protect and preserve the marine environment in accordance with international law,

Taking into account the 1992 Rio Declaration on Environment and Development, especially principle 16, in which it was stipulated that the polluter should, in principle, bear the cost of pollution, and taking into account also chapter 17 of Agenda 21,

Noting with great concern the environmental disaster caused by the destruction by the Israeli Air Force on 15 July 2006 of the oil storage tanks in the direct vicinity of Jiyeh electric power plant in Lebanon, resulting in an oil slick that covered the entirety of the Lebanese coastline and extended to the Syrian coastline,

Noting that the Secretary-General expressed grave concern at the lack of acknowledgement on the part of the Government of Israel of its responsibilities vis-à-vis reparations and compensation to the Government and people of Lebanon and the Syrian Arab Republic affected by the oil spill,

Acknowledging that the Secretary-General concluded that this oil spill is not covered by any of the international oil spill compensation funds and thus merits special consideration, and recognizing his recommendation that further consideration be given to the option of examining the potential role of the United Nations Compensation Commission in securing the relevant compensation from the Government of Israel,

Noting again with appreciation the assistance offered by donor countries and international organizations for the clean-up operations and the early recovery and reconstruction of Lebanon through bilateral and multilateral channels, including the Athens Coordination Meeting on the response to the marine pollution incident in the Eastern Mediterranean, held on 17 August 2006, and the Stockholm Conference for Lebanon's Early Recovery, held on 31 August 2006,

Acknowledging that the Secretary-General has welcomed the agreement of the Lebanon Recovery Fund to host the Eastern Mediterranean Oil Spill Restoration Trust Fund under its existing mechanisms,

1. *Takes note* of the report of the Secretary-General on the implementation of resolution 64/195;

2. *Expresses its deep concern*, for the fifth consecutive year, about the adverse implications of the destruction by the Israeli Air Force of the oil storage tanks in the direct vicinity of the Lebanese Jiyeh electric power plant for the achievement of sustainable development in Lebanon;

3. *Considers* that the oil slick has heavily polluted the shores of Lebanon and partially polluted Syrian shores and consequently has had serious implications for livelihoods and the economy of Lebanon, owing to the adverse implications for natural resources, biodiversity, fisheries and tourism, and human health in the country;

4. *Requests* the Government of Israel to assume responsibility for prompt and adequate compensation to the Government of Lebanon and other countries directly affected by the oil slick, such as the Syrian Arab Republic, whose shores have been partially polluted, for the costs of repairing the environmental damage caused by the destruction, including the restoration of the marine environment, in particular in the light of the observation by the Secretary-General concerning the lack of any acknowledgement on the part of the Government of Israel of the relevant paragraphs of resolutions 61/194, 62/188, 63/211 or 64/195;

5. *Requests* the Secretary-General to give further consideration to the option of examining the potential role of the United Nations Compensation Commission in securing the relevant compensation from the Government of Israel;

6. *Reiterates its appreciation* for the efforts of the Government of Lebanon and those of Member States, regional and international organizations, regional and international financial institutions, non-governmental organizations and the private sector in the initiation of clean-up and rehabilitation operations on the polluted shores, and encourages Member States and the above-mentioned entities to continue their financial and technical support to the Gov-

ernment of Lebanon towards achieving the completion of clean-up and rehabilitation operations, with the aim of preserving the ecosystem of Lebanon and that of the Eastern Mediterranean Basin;

7. *Welcomes* the agreement of the Lebanon Recovery Fund to host the Eastern Mediterranean Oil Spill Restoration Trust Fund, based on voluntary contributions, to provide assistance and support to the States directly adversely affected in their integrated environmentally sound management, from clean-up to safe disposal of oily waste, of this environmental disaster resulting from the destruction of the oil storage tanks at Jiyeh electric power plant;

8. *Invites* States, intergovernmental organizations, non-governmental organizations and the private sector to make voluntary financial contributions to the Eastern Mediterranean Oil Spill Restoration Trust Fund, and in this regard requests the Secretary-General to mobilize international technical and financial assistance, in order to ensure that the Trust Fund has sufficient and adequate resources, since Lebanon is still engaged in the treatment of wastes and the monitoring of recovery;

9. *Recognizes* the multidimensionality of the adverse impact of the oil slick, and requests the Secretary-General to submit to the General Assembly at its sixty-sixth session a report on the implementation of the present resolution under the item entitled "Sustainable development".

RECORDED VOTE ON RESOLUTION 65/147:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cape Verde, Chad, Chile, China, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Australia, Canada, Israel, Marshall Islands, Micronesia, Nauru, Palau, United States.

Abstaining: Cameroon, Colombia, Niger, Panama, Tonga.

Environmental response in Haiti

In a February decision [dec. SS.XI/2], the Governing Council noted the devastating impact of the earthquake that struck Haiti on 12 January (see p. 320) on the people, economy and environment of that country, and expressed concern regarding the disaster's medium- and long-term social, economic and environmental impacts. The Governing Council welcomed the response and strong commitment by Governments, the UN system, international financial institutions and the international community to support Haiti, particularly UNEP efforts to address urgent environmental and post-disaster matters. It urged UNEP to assist the people of Haiti and the UN country team during the emergency recovery phase by incorporating environmental needs into the humanitarian flash appeal and environmental considerations into the rehabilitation and reconstruction phases. It underlined the need to structure an environmental agenda for the reconstruction of affected areas in a participatory manner. The Executive Director was requested to ensure that UNEP performed its key role in addressing environmental restoration and management under the overall coordination of the UN country team and by taking part in relevant clusters, in particular with regard to human vulnerability and poverty eradication.

The earthquake in Haiti led to an explosion of waste, severe water and sanitation issues, and a wide range of environmental problems related to camps for the displaced. In south-west Haiti, UNEP and its partners designed an integrated 20-year sustainable development programme including reforestation, erosion control, fisheries management and small business development, as well as improved access to water and sanitation, health and education.

(For information on the post-earthquake humanitarian response in Haiti, see p. 918.)

Environmental situation in Gaza Strip

In February [dec. SS.XI/6], the Governing Council, having considered the report on the environmental assessment of the Gaza Strip following the escalation of hostilities between December 2008 and January 2009 [YUN 2009, p. 1012], requested the Executive Director to take the necessary measures, in coordination with the relevant UN country team, to assist in implementing the recommendations contained in the report. It invited Governments, UN system entities and international financial institutions to provide financial, technical and logistical support and assistance to ensure the success of further UNEP work in the Gaza Strip.

General Assembly issues

The Executive Director, in January [UNEP/GCSS. XI/INF/3], provided information on issues arising

from resolutions adopted by the General Assembly in 2009 that called for action by, or were of relevance to, UNEP.

Administrative and budgetary matters

Budget execution

A February note by the Executive Director [UNEP/GCSS.XI/INF/4] contained information on the execution of the UNEP 2008–2009 biennial budget. Provisional resources for the biennium, including from the UN regular budget, the Environment Fund, trust funds, earmarked contributions and trust fund support, amounted to \$570.5 million, including a balance, as at 1 January 2008, of \$108.5 million. Total claims on resources were estimated at \$406.3 million. The provisional year-end balance of funds as at 31 December 2009 was \$159.2 million. Financial reserves stood at \$22.5 million.

Trust funds

The Executive Director submitted a report on the management of trust funds and earmarked contributions [UNEP/GC.26/14/Rev.2]. As at 30 November, there were 90 active UNEP-administered trust funds. For the 2008–2009 biennium, actual expenditure amounted to \$704.1 million, of which \$119.3 million related to funds directly supporting the UNEP programme of work, \$175.6 million to conventions, protocols and regional seas programmes, and \$409.2 million to special accounts and trust funds. For the 2010–2011 biennium, total estimated expenditures of \$747 million included \$162.2 million for trust funds directly supporting the UNEP programme of work, \$175.6 million for trust funds for conventions, protocols and regional seas, and \$409.2 million for special accounts and trust funds. The projected expenditure for the 2012–2013 biennium amounted to \$777.4 million, of which \$157 million related to trust funds directly supporting the UNEP programme of work, \$186.3 million to conventions and regional seas programmes and \$434.1 million to special accounts and trust funds. Total earmarked expenditure was \$99.8 million for the 2008–2009 biennium, an increase of \$26.6 million over the previous biennium. Expenditures in terms of earmarked contributions for the 2010–2011 and 2012–2013 bienniums in support of the UNEP programme of work were estimated at \$66 million and \$104 million, respectively.

Board of Auditors report

A note by the Executive Director [UNEP/GC.26/INF/7] contained the report of the Board of Auditors and the financial report and audited financial statements of UNEP for the biennium ended 31 De-

cember 2009 [A/65/5/Add.6]. The report showed total income of \$733 million and expenditure of \$682.7 million, an increase of 26.7 per cent, and 26 per cent, respectively, over the previous biennium. The excess of income over expenditure was \$50.3 million. As at 31 December 2009, unpaid pledges to the Multilateral Fund for the Implementation of the Montreal Protocol on Substances that Deplete the Ozone Layer was \$183.9 million, or 72 per cent of the 2008–2009 pledges of \$254.5 million. More than \$117 million of unpaid pledges were more than five years old. The Board recommended that UNEP formulate an accountability policy for the treatment of long-outstanding pledges. End-of-service and post-retirement liabilities amounted to \$58.1 million. No decision had been made regarding the funding of the organization's employee obligations.

The Board made recommendations related to, among other issues, implementation of International Public Sector Accounting Standards; the preparation of financial statements; travel claims; accounting treatment of education grants; end-of-service and post-retirement benefits; and accounting treatment for projects implemented by external partners.

Election of Executive Director

In April [A/64/749], the Secretary-General informed the General Assembly of his intention to nominate Achim Steiner for re-election as Executive Director of UNEP. The Assembly, by **decision 64/420** of 22 April, re-elected Mr. Steiner as Executive Director for a four-year term of office beginning on 15 June 2010 and ending on 14 June 2014.

Global Environment Facility

The Global Environment Facility (GEF) united 182 member Governments, in partnership with international institutions, NGOs and the private sector, to address environmental issues. It provided grants to developing countries and countries with economies in transition for projects related to biodiversity, climate change, international waters, land degradation, the ozone layer and persistent organic pollutants (POPs). The GEF partnership comprised 10 agencies: UNEP, UNDP, the World Bank, the Food and Agriculture Organization of the United Nations, the United Nations Industrial Development Organization, the African Development Bank, the Asian Development Bank, the European Bank for Reconstruction and Development, the Inter-American Development Bank and the International Fund for Agricultural Development. GEF served as the financial mechanism for the 1992 Convention on Biological Diversity [YUN 1992, p. 683], the 1992 United Nations Framework Convention on Climate Change [ibid., p. 681], the 1994 United Na-

tions Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa (UNCCD) [YUN 1994, p. 944], and the 2001 Stockholm Convention on Persistent Organic Pollutants [YUN 2001, p. 971].

Since its establishment in 1991 [YUN 1991, p. 505], GEF had allocated \$9.2 billion, supplemented by more than \$40 billion in co-financing, for over 2,700 projects in more than 165 countries. During that period, GEF made more than 12,000 small grants directly to non-governmental organizations (NGOs) and community organizations through its Small Grants Programme.

During the period from 1 July 2009 to 30 June 2010, GEF financed 202 projects for a total of \$3.03 billion, investing \$552.37 million in GEF resources and mobilizing an additional \$2.479 billion in co-financing from development partners. GEF approved 93 new projects in the climate change mitigation focal area; approximately \$260 million in GEF Trust Fund resources was allocated to the projects, supplemented by an additional \$1.585 billion in co-financing. It approved 67 projects in the biodiversity focal area, allocating \$147 million in GEF funding, supplemented by \$465 million in co-financing. GEF approved 16 new projects in the POPs focal area, allocating some \$55 million for the projects, supplemented by \$136 million generated in co-financing. In the international waters focal area, six new projects were approved, along with two other multi-focal projects with international waters components. Total allocations for those projects amounted to \$22 million, supplemented by some \$78 million generated in co-financing. GEF approved one new project in the ozone-depletion focal area, allocating some \$9 million in GEF funding, supplemented by \$12 million in co-financing; and one new project in the land degradation focal area, allocating approximately \$3 million in GEF financing, supplemented by \$5 million generated in co-financing. Fifteen multi-focal area projects were also approved by GEF; some \$55 million in GEF funding was allocated for such projects, supplemented by \$197 million in co-financing.

GEF, in its July report to the Conference of the Parties to the United Nations Framework Convention on Climate Change [FCCC/CP/2010/5], stated that negotiations for the GEF-5 replenishment concluded on 12 May, with 35 donors pledging \$4.34 billion for the period from 1 July 2010 to 30 June 2014. Total new donor funding increased by 54 per cent over GEF-4. The GEF Council approved the GEF-5 replenishment agreement at its special meeting in Punta del Este, Uruguay, in May. Its policy recommendations centred on enhancing country ownership and improving the effectiveness and efficiency of the GEF network. At its June meeting, the GEF Council approved implementation measures for key GEF-5 reforms.

The fourth GEF Assembly was convened in Punta del Este from 25 to 26 May. It discussed two areas of reform: enhancing country ownership and improving GEF effectiveness and efficiency. The Assembly approved two amendments to the Instrument for the Establishment of the Restructured Global Environment Facility, revising the process for the appointment of the GEF Chief Executive Officer/Chairperson and lengthening the term of that official to four years; and confirming the availability of GEF to serve as a financial mechanism for UNCCD.

In December [UNEP/GC.26/12], the UNEP Executive Director reported on the amendments to the Instrument for the Establishment of the Restructured Global Environment Facility. By a December note [UNEP/GC.26/INF/15], he submitted to the UNEP Governing Council documentation supporting the information provided in the report, including a letter from the GEF Chief Executive Officer/Chairperson requesting the Executive Director to facilitate the adoption of the amendments and report on progress.

International conventions and mechanisms

In a December note [UNEP/GC.26/INF/21 & Corr.1], the Executive Director explained the distribution and evolution of managerial and administrative authority in respect of multilateral environmental agreements (MEAs) administered by UNEP. He stated that UNEP provided treasury and other secretariat services to the Multilateral Fund of the Montreal Protocol on Substances that Deplete the Ozone Layer, and administrative services to MEAs relating to the Convention on Biological Diversity, the Convention on International Trade in Endangered Species of Wild Fauna and Flora, and the Convention on the Conservation of Migratory Species of Wild Animals and its co-located agreements, as well as the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, the Stockholm Convention on Persistent Organic Pollutants, the Vienna Convention for the Protection of the Ozone Layer, and the regional seas programmes and associated conventions. Although the Executive Director had taken steps to augment UNEP administrative accountability and capacity, including through the creation of an Office of Operations, the majority of the central administrative services provided to those MEAs were through the United Nations Office at Nairobi (UNON). The management and administrative relationship between UNEP and MEAs, however, had experienced considerable difficulty. In 2009, the Executive Director initiated the update of the administrative and accountability arrangements governing the UNEP relationship with MEAs. In the financial report and audited financial statements for

the year ended 31 December 2009 [A/65/5/Add.6], the Board of Auditors recommended that UNEP re-examine the extent of its control over MEA funds, with a view to assessing the appropriateness of their inclusion in its financial statements.

The Executive Director said that for UNEP to continue managing MEA human, financial and physical resources, those MEA conferences of parties that had qualified the Executive Director's authority—while enhancing that of the executive head of the relevant MEA, renaming and/or establishing a distinct legal identity for the immediate MEA secretariat and establishing requirements that conflicted with UN and UNEP regulations, rules and related administrative instructions—would need to amend those decisions to clearly recognize the authority of the Executive Director and of UN and UNEP regulations, rules and related administrative instructions, or else UNEP would need to establish a clear legal and administrative distinction between itself and MEA resources. In the event that did not happen, MEA secretariats would have to undertake significantly more administrative tasks and/or enter into direct administrative relationships with UN and/or other service providers. Conferences of parties would also need to approve MEA budgets that enabled a managerial and administrative separation from UNEP. MEAs would have to determine whether they were to retain UN-affiliation beyond UNEP and whether to apply and/or utilize UN regulations and administrative arrangements. The legal and administrative separation of UNEP and UNEP-administered MEAs would also entail additional costs.

Note by Secretary-General. In response to General Assembly resolutions 64/73 [YUN 2009, p. 1016], 64/202 [ibid., p. 1023] and 64/203 [ibid., p. 1019], the Secretary-General, in an August note [A/65/294], transmitted reports submitted by the secretariats of the United Nations Framework Convention on Climate Change (see below), the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa (see p. 1025), and the Convention on Biological Diversity (see p. 1022).

Climate Change convention

As at 31 December, 193 States and the European Union (EU) were parties to the United Nations Framework Convention on Climate Change (UNFCCC), which was opened for signature in 1992 [YUN 1992, p. 681] and entered into force in 1994 [YUN 1994, p. 938].

At year's end, 191 States and the EU were parties to the Kyoto Protocol to the Convention [YUN 1997, p. 1048], which entered into force in 2005 [YUN 2005, p. 1146]. San Marino and Somalia became parties

during the year. There were 23 parties to the 2006 amendment to annex B of the Protocol [YUN 2006, p. 1220], which had not yet entered into force. China, Egypt, Morocco and Ukraine deposited their instruments of ratification in 2010.

The sixteenth session of the Conference of the Parties to UNFCCC (Cancún, Mexico, 29 November–10 December) [FCCC/CP/2010/7 & Add.1,2 & Corr.1] adopted the Cancún Agreements: Outcome of the work of the Ad Hoc Working Group on Long-term Cooperative Action under the Convention. The Agreements set out a shared vision for long-term cooperative action, by which parties agreed to work towards a global goal for substantially reducing global emissions by 2050, and to cooperate in achieving the peaking of global and national greenhouse gas emissions as soon as possible. The Agreements also established the Cancún Adaptation Framework to enhance action on adaptation, including through international cooperation, and an Adaptation Committee to promote coherent implementation of the enhanced action on adaptation. It also dealt with national mitigation commitments or actions by developed country parties, including the establishment of a registry to record mitigation actions seeking international support. The Agreements addressed policy approaches and positive incentives related to reducing emissions from deforestation and forest degradation in developing countries; the role of conservation, sustainable management of forests and enhancement of forest carbon stocks in developing countries; approaches to enhance the cost-effectiveness of and to promote mitigation actions; economic and social consequences and response measures; and finance, technology and capacity-building. It established a Green Climate Fund and a Standing Committee to assist the Conference of the Parties in exercising its functions with respect to the Convention's financial mechanism. Regarding technology development and transfer, a Technology Mechanism was established, comprising a Technology Executive Committee and a Climate Technology Centre and Network. The Agreements also addressed capacity-building and the periodic review of the adequacy of the long-term goal to hold the increase in global average temperature below 2 degrees Celsius above pre-industrial levels.

The Conference of Parties also adopted decisions on, among other matters, the fourth review of the financial mechanism; additional guidance to the GEF assessment of the Special Climate Change Fund; further guidance for the operation of the Least Developed Countries Fund, and extension of its mandate; progress on enhancing implementation of the amended New Delhi work programme on article 6 of the Convention; national communications from par-

ties included in annex I to the Convention; capacity-building for developing countries; and administrative and financial matters.

The sixth session of the Conference of the Parties serving as the meeting of the parties to the Kyoto Protocol, held concurrently with the sixteenth session of the UNFCCC Conference of the Parties [FCCC/KP/CMP/2010/12 & Add.1,2], adopted decisions on the Cancún Agreements: land use, land-use change and forestry; the report on the Adaptation Fund Board; review of the Adaptation Fund; a proposal by Kazakhstan to amend annex B to the Protocol; the methodology for the collection of international transaction log fees in 2012–2013; supplementary information in national communications submitted in accordance with article 7 of the Protocol; capacity-building for developing countries; administrative, financial and institutional matters; the compliance committee; and further guidance relating to the clean development mechanism, as well as guidance on the implementation of article 6 of the Protocol, and carbon dioxide capture and storage in geological formations as clean development mechanism project activities.

In November [FCCC/KP/CMP/2010/10], the Executive Board of the Protocol's clean development mechanism issued its annual report covering its work from 17 October 2009 to 14 October 2010.

The Subsidiary Body for Scientific and Technological Advice held its thirty-second (Bonn, Germany, 31 May–10 June) [FCCC/SBSTA/2010/6] and thirty-third (Cancún, 30 November–4 December) [FCCC/SBSTA/2010/13] sessions. The Subsidiary Body for Implementation also held its thirty-second (Bonn, 31 May–9 June) [FCCC/SBI/2010/10 & Add.1] and thirty-third (Cancún, 30 November–4 December) [FCCC/SBI/2010/27] sessions.

GENERAL ASSEMBLY ACTION

On 20 December [meeting 69], the General Assembly, on the recommendation of the Second Committee [A/65/436/Add.4], adopted **resolution 65/159** without vote [agenda item 20 (d)].

Protection of global climate for present and future generations of humankind

The General Assembly,

Recalling its resolutions 43/53 of 6 December 1988, 54/222 of 22 December 1999, 62/86 of 10 December 2007, 63/32 of 26 November 2008 and 64/73 of 7 December 2009 and other resolutions and decisions relating to the protection of the global climate for present and future generations of humankind,

Recalling also the provisions of the United Nations Framework Convention on Climate Change, including the acknowledgement that the global nature of climate change calls for the widest possible cooperation by all countries and

their participation in an effective and appropriate international response, in accordance with their common but differentiated responsibilities and respective capabilities and their social and economic conditions,

Recalling further the United Nations Millennium Declaration, in which Heads of State and Government resolved to make every effort to ensure the entry into force of the Kyoto Protocol to the United Nations Framework Convention on Climate Change and to embark on the required reduction in emissions of greenhouse gases,

Recalling the Johannesburg Declaration on Sustainable Development and the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),

Recalling also the 2005 World Summit Outcome,

Recalling further the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals and its outcome document,

Recalling the outcome of the thirteenth session of the Conference of the Parties to the Convention and of the third session of the Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol, held in Bali, Indonesia, from 3 to 15 December 2007, and noting the outcomes of all previous sessions,

Reaffirming the Programme of Action for the Sustainable Development of Small Island Developing States, the Mauritius Declaration and the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States,

Remaining deeply concerned that all countries, in particular developing countries, including the least developed countries, landlocked developing countries, small island developing States and countries in Africa, face increased risks from the adverse effects of climate change, and stressing the need to address adaptation needs relating to such effects,

Recognizing that low-lying and other small island countries, countries with low-lying coastal, arid and semi-arid areas or areas liable to floods, drought and desertification and developing countries with fragile mountainous ecosystems are particularly vulnerable to the adverse effects of climate change,

Noting that, to date, there are one hundred and ninety-four parties to the Convention, including one hundred and ninety-three States and one regional economic integration organization,

Noting also that, currently, the Kyoto Protocol has attracted one hundred and ninety-two ratifications, accessions, acceptances or approvals, including by forty-one of the parties included in annex I to the Convention,

Noting further the amendment to annex B to the Kyoto Protocol,

Noting the work of the Intergovernmental Panel on Climate Change and the need to build and enhance scientific and technological capabilities, inter alia, through continuing support to the Panel for the exchange of scientific data and information, especially in developing countries,

Noting also the significance of the scientific findings of the fourth assessment report of the Intergovernmental Panel on Climate Change, which provide an integrated scientific, technical and socio-economic perspective on relevant

issues and contribute positively to the discussions under the Convention and the understanding of the phenomenon of climate change, including its impacts and risks,

Reaffirming that poverty eradication and sustainable development are global priorities,

Recognizing that deep cuts in global emissions will be required to achieve the ultimate objective of the Convention,

Reaffirming its commitment to the ultimate objective of the Convention, namely, to stabilize greenhouse gas concentrations in the atmosphere at a level that prevents dangerous anthropogenic interference with the climate system, and also reaffirming that such a level should be achieved within a time frame sufficient to allow ecosystems to adapt naturally to climate change, to ensure that food production is not threatened and to enable economic development to proceed in a sustainable manner,

Reaffirming the financial obligations of developed country parties and other developed parties included in annex II to the Convention under the Convention and the Kyoto Protocol,

Acknowledging women as key actors in the efforts towards sustainable development, and recognizing that a gender perspective can contribute to efforts to address climate change,

Taking note of the report of the Executive Secretary of the United Nations Framework Convention on Climate Change on the United Nations Climate Change Conference, Copenhagen, 2009, and its follow-up,

1. *Recognizes* the urgency of addressing and the seriousness of the challenge of climate change, and calls upon States to show strong political will in working cooperatively towards achieving the ultimate objective of the United Nations Framework Convention on Climate Change through the urgent implementation of its provisions;

2. *Notes* that States that have ratified the Kyoto Protocol to the United Nations Framework Convention on Climate Change welcome the entry into force of the Protocol on 16 February 2005, and strongly urges States that have not yet done so to ratify the Protocol in a timely manner;

3. *Takes note* of the outcome of the fifteenth session of the Conference of the Parties to the Convention and of the fifth session of the Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol, hosted by the Government of Denmark from 7 to 19 December 2009;

4. *Notes with appreciation* that the Government of Mexico hosted the sixteenth session of the Conference of the Parties to the Convention and the sixth session of the Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol in Cancun from 29 November to 10 December 2010;

5. *Notes* the ongoing parallel work of the Ad Hoc Working Group on Long-term Cooperative Action under the Convention and of the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol, in accordance with their respective mandates, and that the respective parties to the Convention and the Protocol call for the completion of this work;

6. *Encourages* Member States to approach the United Nations Climate Change Conference in Cancun with optimism and determination, with a view to achieving a substantive, balanced and ambitious outcome of the sixteenth session of the Conference of the Parties to the Convention

and of the sixth session of the Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol;

7. *Notes with appreciation*, in this regard, the offer of the Government of South Africa to host the seventeenth session of the Conference of the Parties to the Convention and the seventh session of the Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol, to be held in 2011;

8. *Urges* parties to the Convention, and invites parties to the Kyoto Protocol, to continue to make use of the information contained in the fourth assessment report of the Intergovernmental Panel on Climate Change in their work;

9. *Recognizes* that climate change poses serious risks and challenges to all countries, particularly developing countries, especially the least developed countries, landlocked developing countries, small island developing States and countries in Africa, including those that are particularly vulnerable to the adverse effects of climate change, calls upon States to take urgent global action to address climate change in accordance with the principles identified in the Convention, including the principle of common but differentiated responsibilities and respective capabilities, and in this regard urges all countries to fully implement their commitments under the Convention, to take effective and concrete actions and measures at all levels and to enhance international cooperation within the framework of the Convention;

10. *Reaffirms* that efforts to address climate change in a manner that enhances the sustainable development and sustained economic growth of developing countries and the eradication of poverty should be carried out by promoting the integration of the three components of sustainable development, namely, economic development, social development and environmental protection, as interdependent and mutually reinforcing pillars, in an integrated, coordinated and balanced manner;

11. *Recognizes* the urgency of providing financial and technical resources, as well as capacity-building and access to and transfer of technology, to assist those developing countries adversely affected by climate change;

12. *Notes* the ongoing work of the Joint Liaison Group of the secretariats and offices of the relevant subsidiary bodies of the Framework Convention, the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa, and the Convention on Biological Diversity, and encourages close cooperation to promote complementarities among the three secretariats while respecting their independent legal status;

13. *Invites* the conferences of the parties to the multi-lateral environmental conventions, when setting the dates of their meetings, to take into consideration the schedule of meetings of the General Assembly and of the Commission on Sustainable Development so as to ensure the adequate representation of developing countries at those meetings;

14. *Invites* the secretariat of the Framework Convention to report, through the Secretary-General, to the General Assembly at its sixty-sixth session on the work of the Conference of the Parties;

15. *Decides* to include in the provisional agenda of its sixty-sixth session, under the item entitled "Sustainable development", the sub-item entitled "Protection of global climate for present and future generations of humankind".

Vienna Convention and Montreal Protocol

As at 31 December, 195 States and the EU were parties to the 1985 Vienna Convention for the Protection of the Ozone Layer [YUN 1985, p. 804], which entered into force in 1988 [YUN 1988, p. 810].

Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer, which was adopted in 1987 [YUN 1987, p. 686], stood at 195 States and the EU. Parties to the 1990 Amendment to the Protocol [YUN 1990, p. 522] numbered 194 States and the EU, with Lesotho becoming a party in 2010. Parties to the 1992 Amendment [YUN 1992, p. 684] numbered 191 States and the EU, with Lesotho becoming a party. Parties to the 1997 Amendment [YUN 1997, p. 1049] numbered 181 States and the EU, with China, Lesotho and Mozambique becoming parties. Parties to the 1999 Amendment [YUN 1999, p. 986] numbered 165 States and the EU, with Antigua and Barbuda, Bangladesh, China, Lesotho and Mozambique becoming parties.

The twenty-second meeting of the Parties to the Montreal Protocol (Bangkok, Thailand, 8–12 November) [UNEP/OzL.Pro.22/9] adopted 26 decisions. It approved the terms of reference for an evaluation of the Protocol's financial mechanism and for the study on the 2012–2014 replenishment of the Multilateral Fund for the Implementation of the Montreal Protocol; and it approved the revised 2010 budget and the 2011 budget. It also adopted decisions relating to essential-use nominations for controlled substances for 2011; essential-use exemptions for chlorofluorocarbon 113 for aerospace applications in the Russian Federation; critical-use exemptions for methyl bromide for 2011 and 2012; global laboratory and analytical use exemption; uses of controlled substances as process agents; hydrochlorofluorocarbons preblended in polyols; destruction technologies with regard to ozone-depleting substances; progress in the transition for the use of halon; and treatment of stockpiled ozone-depleting substances. Other decisions dealt with the situation in Haiti following the devastating earthquake that occurred there on 12 January and the export of ozone-depleting substances to that country; non-compliance with the Protocol; and administrative matters.

The Implementation Committee under the Non-Compliance Procedure for the Montreal Protocol held its forty-fourth (Geneva, 21–22 June) [UNEP/OzL.Pro/ImpCom/44/5] and forty-fifth (Bangkok, 4–5 November) [UNEP/OzL.Pro/ImpCom/45/5] sessions.

Convention on air pollution

As at 31 December, the number of parties to the 1979 Convention on Long-range Transboundary Air Pollution [YUN 1979, p. 710], which entered into force in 1983 [YUN 1983, p. 645], remained at 50 States

and the EU. Eight protocols to the Convention dealt with the programme for monitoring and evaluation of pollutants in Europe (1984); the reduction of sulphur emissions or their transboundary fluxes by at least 30 per cent (1985); the control of emissions of nitrogen oxides or their transboundary fluxes (1988); the control of volatile organic compounds or their transboundary fluxes (1991); the further reduction of sulphur emissions (1994); heavy metals (1998); persistent organic pollutants (1998); and the abatement of acidification, eutrophication and ground-level ozone (1999). Amendments to the protocol on persistent organic pollutants were adopted in 2009 [YUN 2009, p. 1018].

The twenty-eighth session of the Executive Body for the Convention (Geneva, 13–17 December) [ECE/EB.AIR/106 & Corr.1 & Add.1,2] adopted 19 decisions. It revised the mandate for the Task Force on the Hemispheric Transport of Air Pollution; decided to include consideration of black carbon in the revision of the 1999 Gothenburg Protocol to Abate Acidification, Eutrophication and Ground-level Ozone, and requested the Working Group on Strategies and Review to prepare the text of a revised Protocol; established a Coordinating Group on promotion of actions towards implementation of the United Nations Economic Commission for Europe Convention on Long-range Transboundary Air Pollution in Eastern Europe, the Caucasus and Central Asia; adopted the long-term strategy for the Convention and requested the Bureau of the Executive Body to develop an action plan for its implementation; and adopted rules of procedure to aid the effective operation of the Convention and its Protocols. Other decisions dealt with compliance issues.

Convention on Biological Diversity

As at 31 December, 192 States and the EU were parties to the 1992 Convention on Biological Diversity [YUN 1992, p. 683], which entered into force in 1993 [YUN 1993, p. 810].

At year's end, the number of parties to the Cartagena Protocol on Biosafety, which was adopted in 2000 [YUN 2000, p. 973] and entered into force in 2003 [YUN 2003, p. 1051], rose to 159 States and the EU. Guinea-Bissau and Somalia became parties during the year.

The fourteenth meeting of the Subsidiary Body on Scientific, Technical and Technological Advice (Nairobi, 10–21 May) [UNEP/CBD/COP/10/3] adopted 17 recommendations for consideration by the tenth (2010) meeting of the Conference of the Parties to the Convention.

The tenth meeting of the Conference of the Parties to the Convention on Biological Diversity (Nagoya, Japan, 18–29 October) [UNEP/CBD/COP/10/27] adopted the Nagoya Protocol on Access to Genetic

Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization on Biological Diversity. The Protocol would be opened for signature at UN Headquarters from 2 February 2011 to 1 February 2012. The Conference also adopted the Strategic Plan for Biodiversity 2011–2020, which included 20 headline targets for 2015 or 2020—the Aichi Biodiversity Targets—organized under five strategic goals. The Conference invited parties to appoint a resource mobilization focal point to facilitate national implementation of the resource mobilization strategy and adopted indicators for monitoring its implementation. The Conference adopted decisions on the third edition of the Global Biodiversity Outlook: implications for the future implementation of the Convention; the implementation of the Convention and Strategic Plan; integration of biodiversity into poverty eradication and development, which included the establishment of an Expert Group on Biodiversity for Poverty Eradication and Development; and examination of the outcome-oriented biodiversity goals and targets and associated indicators, and consideration of their possible adjustment for the period beyond 2010.

The Conference invited the General Assembly to declare 2011–2020 the United Nations Decade on Biodiversity. It adopted a multi-year programme of work for the Conference of the Parties for 2011–2020; guidelines for the fifth national report on Conference implementation; the mission, goals and objectives of the clearing-house mechanism for 2011–2020; and the consolidated update of the Global Strategy for Plant Conservation, including the outcome-oriented global targets for 2011–2020. The Conference endorsed the Plan of Action on Subnational Government, Cities and Other Local Authorities for Biodiversity (2011–2020), adopted at the City Biodiversity Summit 2010 (Nagoya, 24–26 October). It adopted the consolidated list of guidance to the financial mechanism, including programme priorities; additional guidance to GEF in the provision of financial resources; the terms of reference for a full assessment of the amount of funds necessary to assist developing countries and countries with economies in transition in fulfilling their commitments under the Convention for the sixth replenishment period of the GEF Trust Fund; and the terms of reference for the fourth review of the effectiveness of the financial mechanism. The Conference adopted the revised delineation of dry and sub-humid lands, and established an ad hoc technical expert group to suggest ways to develop standards to avoid spreading invasive alien species not covered by current international standards. The Conference also adopted the Tkarihwaí:ri Code of Ethical Conduct to Ensure Respect for the Cultural and Intellectual Heritage of Indigenous and Local Communities Relevant to the Conservation and Sustainable Use of Biological Diversity.

Further decisions addressed the science-policy interface on biodiversity, ecosystem services and human well-being; new and emerging issues; the International Year of Biodiversity (see p. 1030); gender mainstreaming; business engagement; the multi-year Plan of Action for South-South Cooperation on Biodiversity for Development, adopted by the Group of 77 developing countries and China on 17 October; inland waters biodiversity; marine and coastal biodiversity; mountain biological diversity; protected areas; the sustainable use of biodiversity; biodiversity and climate change; agriculture and biodiversity; forest biodiversity; biofuels and biodiversity; the Global Taxonomy Initiative; mechanisms to promote the effective participation of indigenous and local communities in the work of the Convention; elements of sui generis systems for the protection of traditional knowledge; the multi-year programme of work on the implementation of article 8(j) and related provisions of the Convention; incentive measures; and administrative and budgetary matters.

Cartagena Protocol on Biosafety

The fifth meeting of the Conference of the Parties to the Convention on Biological Diversity Serving as the Meeting of the Parties to the Cartagena Protocol on Biodiversity (Nagoya, 11–15 October) [UNEP/CBD/BS/COP-MOP/5/17] adopted 17 decisions. It endorsed the terms of reference for a comprehensive review of the updated Action Plan for Building Capacities for effective Implementation of the Protocol, and adopted the Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety, which would be opened for signature from 7 March 2011 to 6 March 2012. The meeting adopted the programme of work on public awareness, education and participation concerning the safe transfer, handling and use of living modified organisms; the Strategic Plan for the Cartagena Protocol on Biodiversity for the 2011–2020 period and the multi-year programme of work of the Conference of the Parties serving as the meeting of the Parties to the Protocol; and the programme budget for its secretariat for the 2011–2012 biennium.

GENERAL ASSEMBLY ACTION

On 20 December [meeting 69], the General Assembly, on the recommendation of the Second Committee [A/65/436/Add.6], adopted **resolution 65/161** without vote [agenda item 20 (f)].

Convention on Biological Diversity

The General Assembly,

Recalling its resolutions 55/201 of 20 December 2000 and 64/203 of 21 December 2009 and all other previous resolutions relating to the Convention on Biological Diversity,

Recalling also the outcomes of the United Nations Conference on Environment and Development, held in Rio de Janeiro, Brazil, in June 1992,

Recalling further that in its resolution 61/203 of 20 December 2006 it declared 2010 the International Year of Biodiversity,

Reiterating that the Convention is the key international instrument for the conservation and sustainable use of biological resources and the fair and equitable sharing of benefits arising from the utilization of genetic resources, including by appropriate access to genetic resources and appropriate transfer of relevant technologies, taking into account all rights over those resources and to those technologies, and by appropriate funding,

Recognizing the potential contribution of other multilateral environmental agreements, including the biodiversity-related conventions, and of international organizations in support of the three objectives of the Convention,

Reaffirming that, in accordance with the Charter of the United Nations and the principles of international law, States have the sovereign right to exploit their own resources pursuant to their own environmental policies and the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction,

Noting that one hundred and ninety-two States and one regional economic integration organization are parties to the Convention and that one hundred and fifty-nine States and one regional economic integration organization are parties to the Cartagena Protocol on Biosafety to the Convention on Biological Diversity,

Recognizing that the achievement of the three objectives of the Convention is crucial for sustainable development, poverty eradication and the improvement of human well-being and a major factor underpinning the achievement of the internationally agreed development goals, including the Millennium Development Goals,

Recalling the commitments of the World Summit on Sustainable Development, held in Johannesburg, South Africa, from 26 August to 4 September 2002, to pursue a balanced, efficient and coherent implementation of the three objectives of the Convention,

Recognizing the continuing need for greater progress in the implementation by parties of obligations and commitments under the Convention in order to achieve its objectives, and in this regard emphasizing the need to comprehensively address the challenges to the full implementation of the Convention at the national, regional and global levels,

Recalling the high-level meeting of the General Assembly on biodiversity, held on 22 September 2010 as a contribution to the International Year of Biodiversity,

Recalling also the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals and its outcome document,

Expressing deep appreciation to the Government of Japan for hosting the tenth meeting of the Conference of the Parties to the Convention and the fifth meeting of the Conference of the Parties serving as the Meeting of the Parties to the Cartagena Protocol, and welcoming the decision by the Conference of the Parties at its tenth meeting to endorse the offer of the Government of India to host the eleventh meet-

ing of the Conference of the Parties, to be held from 8 to 19 October 2012, and the sixth meeting of the Conference of the Parties serving as the Meeting of the Parties to the Cartagena Protocol, to be held from 1 to 5 October 2012,

1. *Takes note* of the report of the Executive Secretary of the Convention on Biological Diversity on the work of the Conference of the Parties to the Convention;

2. *Recognizes* the important outcomes of the tenth meeting of the Conference of the Parties to the Convention on Biological Diversity and the fifth meeting of the Conference of the Parties serving as the Meeting of the Parties to the Cartagena Protocol on Biosafety, held in Nagoya, Japan, from 18 to 29 October 2010 and from 11 to 15 October 2010, which represent a significant contribution to the comprehensive implementation of the three objectives of the Convention;

3. *Notes* the adoption by the Conference of the Parties to the Convention at its tenth meeting of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from Their Utilization to the Convention on Biological Diversity, and acknowledges the potential role of access and benefit-sharing in contributing to the conservation and sustainable use of biological diversity, poverty eradication and environmental sustainability and, thereby, to the achievement of the Millennium Development Goals;

4. *Notes with appreciation* the adoption by the Conference of the Parties to the Convention at its tenth meeting of the updated and revised Strategic Plan for Biodiversity 2011–2020 and the Aichi Biodiversity Targets;

5. *Notes* the adoption by the Conference of the Parties to the Convention at its tenth meeting of a decision on the strategy for resource mobilization in support of the achievement of the three objectives of the Convention, and looks forward to the adoption by the Conference of the Parties at its eleventh meeting, as mandated, of targets to ensure the effectiveness of the strategy, provided robust baselines have been identified and endorsed and an effective reporting framework has been adopted, with a view to fully meeting the commitment to substantially increase human, financial and technical resources from all sources;

6. *Also notes* the adoption by the Conference of the Parties to the Convention at its fifth meeting serving as the Meeting of the Parties to the Cartagena Protocol of the Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety, which provides international rules and procedures in the field of liability and redress for damage resulting from transboundary movements of living modified organisms;

7. *Further notes* the work of the Ad Hoc Technical Expert Group on Biodiversity and Climate Change, and encourages parties, Governments, relevant organizations and the Executive Secretary of the Convention to take the findings of the Group into consideration, where appropriate, when carrying out work on biodiversity and climate change;

8. *Notes* the adoption by the Conference of the Parties to the Convention at its tenth meeting of a decision on mechanisms to promote the effective participation of indigenous and local communities in the work of the Convention;

9. *Encourages* the Global Environment Facility to continue supporting the implementation of the three objectives

of the Convention, especially its work on assisting the early entry into force of the Nagoya Protocol;

10. *Welcomes* the significant progress made in developing a multi-year plan of action on biodiversity for development based on the framework for South-South cooperation, and encourages parties and Governments to further contribute to its development;

11. *Notes* the ongoing work of the Joint Liaison Group of the secretariats and offices of the relevant subsidiary bodies of the Convention on Biological Diversity, the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa, and the United Nations Framework Convention on Climate Change ("the Rio Conventions") and of the Liaison Group of Biodiversity-related Conventions, acknowledges the importance of improving coherence in the implementation of the Rio Conventions, recognizes the importance of enhancing synergies among the biodiversity-related conventions, without prejudice to their specific objectives, and encourages the conferences of the parties to the biodiversity-related multilateral environmental agreements to consider strengthening efforts in this regard, taking into account relevant experiences and bearing in mind the respective independent legal status and mandates of these instruments;

12. *Reaffirms* the intrinsic value of biological diversity as well as the ecological, genetic, social, economic, scientific, educational, cultural, recreational and aesthetic values of biological diversity and its components, taking into account their importance for sustainable development;

13. *Notes* the consideration of aspects related to the economic valuation of ecosystems and biodiversity in the context of the work of the Convention on Biological Diversity, including *The Economics of Ecosystems and Biodiversity* reports, as referred to in relevant decisions adopted by the Conference of the Parties to the Convention at its tenth meeting;

14. *Also notes* the adoption by the Conference of the Parties to the Convention at its tenth meeting of a decision on the administration of the Convention and budget for the programme of work for the biennium 2011–2012, which included the revised administrative arrangements between the secretariat of the Convention and the United Nations Environment Programme and through which the Conference of the Parties looked forward to the rapid completion of the service-level agreement provided for in those arrangements, requested the Executive Secretary of the Convention to report to the Conference of the Parties through its Bureau on the implementation of those arrangements and invited the Executive Director of the United Nations Environment Programme to report on those arrangements to the Governing Council of the United Nations Environment Programme at its twenty-sixth session;

15. *Invites* countries that have not yet done so to ratify or accede to the Convention;

16. *Invites* parties to the Convention that have not yet ratified or acceded to the Cartagena Protocol to consider doing so;

17. *Invites* parties to the Convention to sign, ratify or accede to the Nagoya Protocol at the earliest opportunity;

18. *Invites* parties to the Cartagena Protocol to sign, ratify or accede to the Nagoya-Kuala Lumpur Supplementary Protocol at the earliest opportunity;

19. *Decides*, following the invitation by the Conference of the Parties to the Convention at its tenth meeting, to declare 2011–2020 the United Nations Decade on Biodiversity, with a view to contributing to the implementation of the Strategic Plan for Biodiversity 2011–2020, and in this regard requests the Secretary-General, in consultation with Member States, to lead the coordination of the activities of the Decade on behalf of the United Nations system, with the support of the secretariat of the Convention on Biological Diversity, the secretariats of other biodiversity-related conventions and relevant United Nations funds, programmes and agencies, and invites Member States in a position to do so to contribute, on a voluntary basis, to the funding of the activities of the Decade;

20. *Invites* the secretariat of the Convention to report, through the Secretary-General, to the General Assembly at its sixty-sixth session on the work of the Conference of the Parties;

21. *Decides* to include in the provisional agenda of its sixty-sixth session, under the item entitled "Sustainable development", the sub-item entitled "Convention on Biological Diversity".

Convention to combat desertification

As at 31 December, the number of parties to the 1994 United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa (UNCCD) [YUN 1994, p. 944], which entered into force in 1996 [YUN 1996, p. 958], amounted to 193 States and the EU. Iraq became a party during the year.

In an August note [A/65/294] on the implementation of UN environmental conventions, the Secretary-General reported on the implementation of resolution 64/202 [YUN 2009, p. 1023]. The secretariat of the Convention was exploring partnerships and collaboration with relevant agencies and programmes, including a joint work programme with UNDP, collaboration on drought with the International Strategy for Disaster Reduction (ISDR) and an agreement with the United Nations Forum on Forests (UNFF) to work on issues related to dry forests and reducing emissions from deforestation and forest degradation. The Convention and ISDR signed a memorandum of understanding in May setting out a framework for collaborating on reducing the vulnerability of communities to drought-related risk and expanding networks to advance the prevention of drought-associated disasters. On 25 May, the UNCCD secretariat signed a memorandum of understanding with UNFF to address the institutional gap between drylands and forests, an essential step towards more effective implementation of sustainable forest and land management. The secretariat was working with the secretariat of the Framework Convention on Climate Change to advise selected least developed countries on the synergistic implementation of both Conventions, and had reviewed national adaptation programmes of action and national action

plans to identify the overlapping priority projects and develop proposals addressing land degradation and sustainable land management.

An inter-agency task force was established to prepare activities for the United Nations Decade for Deserts and the Fight against Desertification (2010–2020), declared by the Assembly in resolution 64/201 [ibid., p. 1025]. The task force prepared an implementation strategy for the Decade, including a coordination mechanism. The Decade was launched on 16 August during the Second International Conference on Climate, Sustainability and Sustainable Development in Semi-arid Regions (Fortaleza, Brazil, 16–20 August). The meeting of the Bureau of the Conference of Parties (Bonn, Germany, 23–24 June) supported the principle of convening a one-day high-level event of the General Assembly in 2011 to address desertification, land degradation and drought in the context of global sustainability.

GENERAL ASSEMBLY ACTION

On 20 December [meeting 69], the General Assembly, on the recommendation of the Second Committee [A/65/436/Add.5], adopted **resolution 65/160** without vote [agenda item 20 (e)].

Implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa

The General Assembly,

Recalling its resolutions 58/211 of 23 December 2003, 61/202 of 20 December 2006, 62/193 of 19 December 2007, 63/218 of 19 December 2008 and 64/202 of 21 December 2009 and other resolutions relating to the implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa,

Recalling also the 2005 World Summit Outcome and the outcome document of the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals,

Recalling further the United Nations Decade for Deserts and the Fight against Desertification (2010–2020),

Recalling the Bali Strategic Plan for Technology Support and Capacity-building,

Supporting the implementation of the Convention through joint action by the international community in addressing the causes and the poverty impacts of desertification and land degradation in arid, semi-arid and dry subhumid areas, consistent with articles 1, 2 and 3 of the Convention, taking into account the ten-year strategic plan and framework to enhance the implementation of the Convention (2008–2018) and supporting the exchange of best practices and lessons learned, including from regional cooperation, and the mobilization of adequate and predictable financial resources,

Reaffirming the Plan of Implementation of the World Summit on Sustainable Development (“Johannesburg Plan

of Implementation”), in which the Convention is recognized as one of the tools for poverty eradication, and reiterating its resolve to eradicate extreme poverty,

Acknowledging that desertification, land degradation and drought are challenges of a global dimension in that they affect all regions of the world,

Concerned that extreme desertification and land degradation processes affect also the arid, semi-arid and dry subhumid areas in Latin America and the Caribbean, Asia, the Northern Mediterranean and Central and Eastern Europe, a situation which, having been fully described in the ten-year strategic plan and framework, has not been acknowledged in all its magnitude, increasing the vulnerability of poor communities and compromising food security,

Concerned also by the increasing frequency and severity of dust storms and sandstorms affecting arid and semi-arid regions and their negative impact on the environment and the economy,

Concerned further by the negative impacts that desertification, land degradation, loss of biodiversity and climate change have on each other, recognizing the potential benefits of complementarities in addressing these problems at all levels in a mutually supportive manner, and recognizing also the interrelationship between climate change, loss of biodiversity and desertification and the need to intensify efforts to combat desertification and to promote sustainable land management,

Concerned by the negative economic impacts of desertification, land degradation and drought, and in this regard welcoming the organization in 2012 of the second United Nations Convention to Combat Desertification Scientific Conference, on the theme “Economic assessment of desertification, sustainable land management and resilience of arid, semi-arid and dry subhumid areas”,

Noting the need for enhanced cooperation among the secretariats of the United Nations Convention to Combat Desertification, the United Nations Framework Convention on Climate Change and the Convention on Biological Diversity, while respecting their individual mandates,

Underlining the cross-sectoral nature of desertification, land degradation and drought mitigation, and in this regard inviting all relevant United Nations organizations to cooperate with the secretariat of the United Nations Convention to Combat Desertification in supporting an effective response to those challenges,

Expressing concern that one billion inhabitants of drylands are among the poorest on the planet and are lagging behind in the achievement of the Millennium Development Goals, in particular those relating to hunger and poverty, as indicated in the joint report of the Convention and the United Nations Development Programme entitled “The Forgotten Billion: MDG Achievement in the Drylands”,

Recognizing the need for investment in sustainable land management in arid, semi-arid and dry subhumid areas, and emphasizing the need for the full implementation of the ten-year strategic plan and framework,

Noting that the ten-year strategic plan and framework highlights the importance given to the development and implementation of scientifically based and sound methods for monitoring and assessing desertification and the efforts under way to promote scientific research and to strengthen the scientific basis of the activities on desertification and drought under the Convention,

Welcoming the decision of the Conference of the Parties to the Convention at its ninth session to endorse the offer of the Government of the Republic of Korea to host the tenth session of the Conference of the Parties in Changwon City, Gyeongnam Province, to be held from 10 to 21 October 2011,

1. *Takes note* of the report of the Secretary-General on the implementation of resolution 64/202 and on the implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa;

2. *Invites* Member States to enhance support for the implementation of the Convention, including by mainstreaming its core issues into development strategies, where appropriate and needed, to integrate desertification and land degradation into their plans and strategies for sustainable development and to integrate national action programmes related to drought and desertification into national development strategies;

3. *Also invites* Member States, in particular the donor community and the United Nations system, to address the needs of more than one billion inhabitants of drylands by encouraging appropriate investments to contribute to achieving the internationally agreed development goals, including the Millennium Development Goals, in those areas;

4. *Welcomes* the outcomes of the seventeenth session of the Commission on Sustainable Development regarding desertification, land degradation and drought, and emphasizes the need to implement the policy options pertaining to the thematic cluster of issues of that session;

5. *Is fully aware* of the need to cooperate at the global and regional levels, with a view to preventing and managing dust storms and sandstorms, including through the sharing of related information, forecasting and early warning systems, and therefore invites Member States and relevant organizations to cooperate in the sharing of information, forecasting and early warning systems related to dust storms and sandstorms;

6. *Invites* all parties and all involved institutions to engage in and actively support the process of strengthening the scientific basis of the activities on desertification and drought under the Convention, in particular those required to assess the economic impacts of desertification, land degradation and drought in arid, semi-arid and dry subhumid areas and to measure the impact of the implementation of the Convention and the subsequent enhancement of the technical capabilities of national coordinating bodies and national focal points of the Convention;

7. *Recommends* the strengthening of the advisory role of the Committee for the Review of the Implementation of the Convention and the Committee on Science and Technology, through their recommendations, in order to monitor effectively the decisions of the Conference of the Parties to the Convention;

8. *Requests* all States parties to the Convention to promote awareness among local populations, in particular women, young people and civil society organizations, and to include them in the implementation of the ten-year strategic plan and framework to enhance the implementation of the Convention (2008–2018), and encourages affected States parties and donors to take into account the issue of participation of civil society in Convention processes when setting priorities in national development strategies, in con-

formity, inter alia, with the comprehensive communication strategy adopted by the Conference of the Parties to the Convention at its ninth session;

9. *Decides* to convene a one-day high-level meeting on the theme “Addressing desertification, land degradation and drought in the context of sustainable development and poverty eradication” on Tuesday, 20 September 2011, prior to the general debate of its sixty-sixth session;

10. *Also decides* to hold the general debate of its sixty-sixth session from Wednesday, 21 September 2011, on the understanding that these arrangements shall in no way create a precedent for the general debate at future sessions;

11. *Is convinced* that the high-level meeting should contribute to raising awareness of desertification, land degradation and drought at the highest level, should reaffirm the fulfilment of all commitments to the Convention and its ten-year strategic plan and framework, ensuring a higher priority for desertification, land degradation and drought on the international agenda, and should also contribute to the preparation of the United Nations Conference on Sustainable Development, and therefore:

(a) *Decides* that the meeting will be organized within existing resources and structured around an opening plenary meeting, followed by one interactive panel in the morning, on the same theme as the high-level meeting, followed by a second interactive panel in the afternoon, followed by a closing plenary meeting;

(b) *Also decides* that the panels will be co-chaired by Heads of State or Government, one from the North and one from the South for each panel, to be appointed by the President of the General Assembly, with due regard for geographical balance, in consultation with regional groups;

(c) *Encourages* the holding of the meeting at the highest possible political level, with the participation of Heads of State or Government, ministers, special representatives and other representatives, as appropriate;

(d) *Decides* that the preparations for the meeting will be undertaken under the authority of the President of the General Assembly at its sixty-fifth session, and that the Executive Secretary of the United Nations Convention to Combat Desertification will serve as the focal point of the meeting;

(e) *Requests* the Secretary-General to prepare a background paper for the meeting, in consultation with Member States, to be made available no later than June 2011;

(f) *Decides* that the meeting will be chaired by the President of the General Assembly, who will present at the closing plenary meeting a summary of the discussions based on the report of the co-chairs of the panels, for transmission, under his authority, to the Conference of the Parties to the United Nations Convention to Combat Desertification at its tenth session, to be held in Changwon City, Gyeongnam Province, Republic of Korea, from 10 to 21 October 2011, and to the United Nations Conference on Sustainable Development;

(g) *Invites* the heads of the United Nations funds and programmes, the specialized agencies and regional commissions, the Executive Secretaries of the United Nations Framework Convention on Climate Change and the Convention on Biological Diversity and the heads of intergovernmental organizations and entities having observer status in the General Assembly to participate, as appropriate, in

the meeting, in accordance with the rules and procedures established by the Assembly;

(b) Decides that the President of the General Assembly will consult with representatives of non-governmental organizations in consultative status with the Economic and Social Council, civil society organizations and the private sector, and with Member States, as appropriate, regarding the list of representatives of non-governmental organizations, civil society organizations and the private sector that may participate in the meeting;

(i) Also decides that the speaking order at the opening plenary meeting will be as follows: the President of the General Assembly, the Secretary-General, the Executive Secretary of the United Nations Convention to Combat Desertification, the President of the ninth session of the Conference of the Parties to the United Nations Convention to Combat Desertification and the incoming President of the tenth session of the Conference of the Parties, the Group of 77 and China, the European Union, the Group of African States and other Member States, in accordance with United Nations protocol;

12. Welcomes the enhanced collaboration and cooperation between the secretariat of the Convention and United Nations programmes, funds, agencies and entities working on land degradation issues;

13. Notes the ongoing work of the Joint Liaison Group of the secretariats and offices of the relevant subsidiary bodies of the United Nations Convention to Combat Desertification, the United Nations Framework Convention on Climate Change and the Convention on Biological Diversity, and encourages continuing cooperation in order to promote complementarities in the work of the secretariats while respecting their independent legal status;

14. Also notes the outcome of the fifth replenishment of the Global Environment Facility Trust Fund, and invites donors to the Facility to ensure that it is adequately resourced during the next replenishment period, to enable it to allocate sufficient and adequate resources to its six focal areas, in particular its land degradation focal area;

15. Welcomes the amendment to the Instrument for the Establishment of the Restructured Global Environment Facility whereby the Facility shall be available to serve as a financial mechanism of the United Nations Convention to Combat Desertification, pursuant to article 20, paragraph 2 (b), and article 21 of the Convention;

16. Takes note of the report of the Joint Inspection Unit entitled "Assessment of the Global Mechanism of the United Nations Convention to Combat Desertification" and of the decision of the Conference of the Parties to the Convention at its ninth session requesting the Bureau of the ninth session, together with the Managing Director of the Global Mechanism and the Executive Secretary of the Convention, and taking into account the views of other interested relevant entities such as the host countries and the International Fund for Agricultural Development, to undertake and supervise an evaluation of existing and potential reporting, accountability and institutional arrangements for the Global Mechanism and their legal and financial implications, including the possibility of identifying a new institution or organization to house the Global Mechanism, taking into account the scenarios presented in the Joint Inspection Unit assessment of the Global Mecha-

nism and the need to avoid duplication and overlap in the work of the secretariat of the Convention and the Global Mechanism, and also requesting the Bureau of the ninth session to submit to the Conference of the Parties at its tenth session a report on that evaluation for consideration and decision on the issue of reporting, accountability and institutional arrangements for the Global Mechanism;

17. Decides to include in the provisional agenda of its sixty-sixth session, under the item entitled "Sustainable development", the sub-item entitled "Implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa";

18. Requests the Secretary-General to submit to the General Assembly at its sixty-sixth session a report on the implementation of the present resolution.

Environmental activities

The atmosphere

High-level Advisory Group. In follow-up to the commitment of developed countries in the 2009 Copenhagen Accord [YUN 2009, p. 1015] to mobilizing \$100 billion a year by 2020 to address the needs of developing countries to address climate change, the Secretary-General, on 12 February, established the High-level Advisory Group on Climate Change Financing. The Group, co-chaired by the Prime Ministers of Ethiopia and Norway, focused on identifying proposals on how to significantly scale up long-term financing for mitigation and adaptation strategies in developing countries from public and private sources and how best to deliver such financing.

In its report, submitted to the Secretary-General in November, the Group concluded that it was challenging but feasible to meet the \$100 billion a year goal. Funding would have to come from a variety of sources, including alternative sources of finance, the scaling up of existing sources and increased private flows. Grants and highly concessional loans were crucial for adaptation in the most vulnerable developing countries, such as the least developed countries, small island developing States and countries in Africa. Strong commitments to domestic mitigation and the introduction of public instruments based on carbon pricing were important for mobilizing climate financing, both private and public. The Group identified potential sources of finance and examined issues involved in combining instruments, including overlaps and interactions. It emphasized the importance of a carbon pricing in the range of \$20 to \$25 per tonne of carbon dioxide equivalent as a key element of reaching the \$100 billion per year goal. Based on that amount, an estimated \$30 billion could be mobilized annually; some \$10 billion could be raised annually from carbon pricing international transport; and another \$10 billion from other instruments, such as

the redeployment of fossil fuel subsidies in developed countries or some form of financial transaction tax. The \$20–\$25 per tonne carbon pricing could generate some \$100 to \$200 billion of gross private capital flows, with net flows in the range of \$10 to \$20 billion. Some \$30 billion to \$50 billion in increased market flows could be generated annually. The net flow from multilateral banks would be \$11 billion. The Advisory Group was of the view that the credibility of both developed and developing countries in raising and using resources would be greatly increased if over the next decade there was confidence that those resources would be spent wisely, be quickly accessed and produce results. Funding for adaptation should be prioritized for the most vulnerable developing countries, small island developing States and Africa.

Intergovernmental Panel on Climate Change

The thirty-second session of the Intergovernmental Panel on Climate Change (IPCC) (Busan, Republic of Korea, 11–14 October), which was attended by some 300 participants, focused primarily on revising the scope of the synthesis report for the Fifth Assessment Report (AR5), and addressed the recommendations of the InterAcademy Council (IAC) review of IPCC processes and procedures. The Panel adopted decisions in response to the IAC review, including on treatment of “grey literature” and uncertainty, as well as processes to address errors in previous reports. It established task groups on processes and procedures, communications, conflict of interest policy, and management and governance to address recommendations requiring further examination. The Panel also accepted a revised outline for the AR5 synthesis report. Participants addressed the communications strategy and replacement of members on the IPCC Bureau. Progress reports were presented on the Special Report on Renewable Energy Sources and Climate Change Mitigation, the Task Force on National Greenhouse Gas Inventories and the IPCC Peace Prize Scholarship Fund.

Biodiversity and ecosystem services

The eleventh special session of the UNEP Governing Council/Global Ministerial Environment Forum (GC/GMEF) held ministerial consultations on the topic “biodiversity and ecosystems” from 24 to 26 February. A discussion paper presented by the Executive Director [UNEP/GCSS.XI/10/Add.2] provided background information on the topic.

The Governing Council, in a February decision [dec. SS.XI/4], noted the outcomes of the second ad hoc intergovernmental and multi-stakeholder meeting on an intergovernmental science-policy platform on biodiversity and ecosystem services [YUN 2009, p. 1019]. It invited Governments and relevant organizations

to finalize, in 2010, their deliberations on improving the science-policy interface for biodiversity and ecosystem services for the conservation and sustainable use of biodiversity, long-term human well-being and sustainable development. The Council requested the Executive Director to support Governments and relevant organizations to finalize those deliberations and to convene, in June, a final ad hoc intergovernmental and multi-stakeholder meeting to reach agreement on whether to establish an intergovernmental science-policy platform on biodiversity and ecosystem services. The Executive Director was also asked to make available to all parties the information requested at the second meeting in time for the third meeting, and transmit, on the Council’s behalf, the outcomes of and documentation from the third and final meeting to the General Assembly at its sixty-fifth (2010) session for consideration during the high-level segment on biological diversity in September (see p. 1030) and thereafter. The Council invited Governments and organizations to provide extrabudgetary resources for the process, and asked the Executive Director to cooperate with the secretariats of biodiversity-related multilateral environmental agreements and other bodies to ensure the full involvement of key stakeholders in the preparation of the third meeting.

In the Nusa Dua Declaration [dec. SS.XI/9] (see p. 1006), GC/GMEF acknowledged that biodiversity was at the core of human existence and was threatened by rapid global change. It was committed to finalizing deliberations on improving the science-policy interface for biodiversity and ecosystem services in 2010, and encouraged UNEP to continue to play a leadership role in advancing understanding of the economics of biodiversity and ecosystems services and its policy implications, through a study of ecosystems and biodiversity.

Third ad hoc meeting. Participants at the third ad hoc intergovernmental and multi-stakeholder meeting on an intergovernmental science-policy platform on biodiversity and ecosystems (Busan, 7–11 June) [A/65/383] considered the establishment of an intergovernmental science-policy platform on biodiversity and ecosystems on the basis of options proposed by the secretariat for improving the interface [UNEP/IPBES/3/2 & Corr.1]. The meeting adopted the “Busan outcome”, by which it agreed to establish a platform to strengthen the science-policy interface for biodiversity and ecosystem services for the conservation and sustainable use of biodiversity, long-term human well-being and sustainable development. The new platform should respond to requests from Governments; identify and prioritize key scientific information for policymakers; assess knowledge on biodiversity and ecosystems services and their interlinkages; support policy formulation and implementation; and prioritize capacity-building needs to improve the interface. The platform should

be established as an independent intergovernmental body administered by one or more UN organizations, agencies, funds or programmes, with the plenary serving as its decision-making body and open to participation by all Member States and regional economic integration organizations. A core trust fund should be created to receive voluntary contributions, and the platform should be independently reviewed and evaluated periodically. The Assembly, at its sixty-fifth (2010) session should be invited to take action to establish the platform.

In a December report [UNEP/GC.26/6], the Executive Director transmitted the Busan outcome to the Governing Council and suggested further action to ensure the establishment of the intergovernmental science-policy platform.

Communication. On 15 July [A/65/191], the Republic of Korea requested the inclusion in the agenda of the General Assembly's sixty-fifth (2010) session a supplementary item entitled "Intergovernmental science-policy platform on biodiversity and ecosystem services". In an explanatory memorandum, the Republic of Korea drew attention to the agreements reached in the Busan outcome and stated that, in the context of the International Year of Biodiversity and the high-level segment of the Assembly in September, it was important for the international community to establish such a platform.

International Year of Biodiversity

High-level meeting. In accordance with General Assembly resolutions 61/203 [YUN 2006, p. 1225], by which the Assembly declared 2010 the International Year of Biodiversity, and 64/203 on the Convention on Biological Diversity [YUN 2009, p. 1019], the Assembly held a high-level plenary meeting on biological diversity on 22 September as a contribution to observance of the Year. In preparation for the high-level meeting, an informal meeting was held in Geneva (1–2 September), followed by a ministerial meeting (3 September) of the 11 States (Argentina, Bahamas, Brazil, Germany, India, Indonesia, Japan, Kenya, Netherlands, Malaysia, Slovakia) that had presided or would preside over the Conference of the Parties to the Convention. By **decisions 64/555** of 15 April and **64/567** of 13 September, the Assembly decided on the schedule and modalities of the high-level meeting.

In a July background paper on the subject [A/64/865], the Secretary-General recalled that at the 2002 World Summit on Sustainable Development [YUN 2002, p. 821], States committed to achieving, by 2010, a significant reduction in the rate of loss of biodiversity at the global, regional and national levels—the "2010 biodiversity target". One hundred and seventy parties to the Convention on Biological Diversity had final-

ized their national biodiversity strategies and action plans or equivalent instruments. The tenth meeting of the Conference of the Parties to the Convention (see p. 1022) would establish the strategic framework and programme for the next phase of implementation, and the high-level meeting would provide an opportunity to consider the status and trends of biodiversity; the risks to human well-being, development and security posed by the continued loss of biodiversity; and strategies and measures to reduce such risks.

The high-level meeting consisted of an opening and closing plenary, and thematic panels, which discussed four core strategic and political issues: framing the post-2010 biodiversity strategy; ensuring the means for implementing the strategy; deriving benefits from biodiversity for development and poverty alleviation; and ensuring that measures to meet the objectives of the Convention on Biological Diversity and the United Nations Framework Convention on Climate Change [YUN 1992, p. 681] were mutually supportive and reinforcing.

Opening the meeting [A/65/PV.7], the Assembly President said that biodiversity was declining throughout the world and human activities were largely responsible. The deterioration of many vital ecosystem services jeopardized the progress accomplished towards the MDGs. While all were threatened by a decline in biodiversity, the consequences were more onerous for the poorest countries. Many areas rich in biodiversity were located in developing countries, whose people were particularly dependent on agriculture, fishing and forestry for their subsistence. The international community was mobilizing to deal with the threat. The Assembly President hoped that the high-level meeting would contribute to the negotiations to be undertaken at the meeting of the Conference of the Parties to the Convention on Biological Diversity to ensure that the new strategic plan to be adopted at that meeting would be exhaustive, ambitious and feasible.

The Secretary-General, addressing the meeting, said that 2010 also was the deadline by which the international community had pledged to substantially reduce the rate of biodiversity loss. The 2010 biodiversity target, however, would not be met. The third edition of *Global Biodiversity Outlook*, issued by the Convention on Biological Diversity, showed that the global decline in biodiversity was, in fact, accelerating. During the Year, the United Nations needed to demonstrate the concrete benefits of investing in biodiversity and show that protecting ecosystems could help achieve the MDGs and build resilience to climate change.

The Assembly President, in his summary of the high-level meeting [A/65/PV.10], said that Member States and other participants emphasized the importance of biodiversity and healthy ecosystems for

achieving the MDGs, especially in poverty eradication. They drew attention to the adverse impact that continued biodiversity loss could have on the poor and other populations that depended on such natural resources as fisheries and agriculture. They noted the importance of achieving the objectives of the Convention on Biological Diversity and attached great significance to securing successful outcomes at the tenth meeting of the Conference of the Parties.

While noting the progress made towards the negotiation of the draft protocol on access to and benefit sharing of genetic resources, Member States and other participants called for stronger political impetus and flexibility in the negotiations to ensure the adoption of an effective protocol at the Nagoya meeting. The meeting was also an important opportunity to develop a post-2010 strategic plan with measurable and time-bound biodiversity targets for 2020. For the plan to be translated into a concrete outcome, it would need to be integrated into national biodiversity targets and strategies. A decade for biodiversity, as well as the proposed South-South multi-year plan of action, would support the implementation of the new strategic plan. They stressed the importance of establishing an intergovernmental science-policy platform for biodiversity and ecosystem services, and welcomed the progress achieved at the intergovernmental and multi-stakeholder meeting held in June (see p. 1029).

Terrestrial ecosystems

Deforestation and forest degradation

United Nations Forum on Forests

The United Nations Forum on Forest (UNFF) did not meet in 2010. In accordance with Economic and Social Council decision 2009/241 [YUN 2009, p. 1027], the ninth UNFF session would be held in 2011.

In June 2010 [E/CN.18/2010/2], the UNFF secretariat issued a note on strategies to mobilize resources from all sources to support the implementation of sustainable forest management, the achievement of the global objectives on forests, and the implementation of the non-legally binding instrument on all types of forests [YUN 2007, p. 1069], including strengthening and improving access to funds and establishing a global forest fund. The note was submitted to facilitate the work of the Open-ended Intergovernmental Ad Hoc Expert Group on Forest Financing, established in 2009 [YUN 2009, p. 1027], during its first meeting (Nairobi, 13–17 September) [E/CN.18/2011/13]. The note reviewed the history of forest financing discussions and highlighted major forest-related financing activities and developments, including national and regional activities, the United Nations Collaborative Programme on Reducing Emissions from Deforestation

and Forest Degradation in Developing Countries (REDD), and REDD-plus, which took into account the role of conservation, the sustainable management of forests and enhancement of forest carbon stocks. The note also discussed UNFF progress in forest financing; and moving from a sector-centred to a people-centred approach to forest financing.

Communications. A 26 October letter [E/CN.18/2011/15] from Mexico and Switzerland transmitted to the Secretary-General the report of the Oaxaca Workshop (Oaxaca, Mexico, 31 August–3 September) entitled “Forests Governance, Decentralization and REDD-plus in Latin America and the Caribbean”. By a 3 November letter [E/CN.18/2011/16], Indonesia, Mexico, South Africa and Switzerland transmitted the report on the “Forest governance and decentralization workshop series”. On 9 December [E/CN.18/2011/17], Ghana transmitted the summary report on the major groups-led initiative (Accra, Ghana, 26–30 July) in support of UNFF on the theme “Applying sustainable forest management to poverty reduction: strengthening the multi-stakeholder approach within the United Nations Forum on Forests”.

International Year of Forests (2011)

The Secretary-General, in a November report [E/CN.18/2011/7], provided information on activities organized by Governments, the Collaborative Partnership on Forests, and international, regional and subregional organizations, as well as major groups, to celebrate the International Year of Forests, 2011, which was declared by the General Assembly in resolution 61/193 [YUN 2006, p. 1240]. The report recommended, among other measures, that UNFF renew its invitation to Member States to establish coordinating committees or designate focal points to promote and coordinate national and local initiatives related to the Year, and encourage Governments, regional and international organizations and major groups to support related activities.

Marine ecosystems

Oceans and seas

The UNEP Governing Council, in a February decision [dec. SS.XI/7], welcomed the adoption of the Manado Ocean Declaration by the World Ocean Conference (Manado, Indonesia, 11–15 May 2009), which addressed threats to the oceans, the adverse effects of climate change on the oceans and the role of oceans in climate change. The Council requested the Executive Director to strengthen UNEP work on the protection and sustainable management of marine and coastal ecosystems and mainstream its marine and coastal strategy into the implementation of the 2010–2013 programme of work and medium-term strategy. He should extend

UNEP cooperation with other UN agencies to support implementation of the Manado Ocean Declaration in tackling the state of the world's oceans, and support and enhance developing countries' capacity to manage marine and coastal ecosystems sustainably in the context of the Bali Strategic Plan for Technology Support and Capacity-building [YUN 2004, p. 1040]. The Council urged Governments to achieve the long-term conservation, management and sustainable use of marine resources and coastal habitats through precautionary and ecosystem approaches; implement long-term strategies in meeting internationally agreed sustainable development goals related to the marine environment; and strengthen global partnerships for development. They should implement national strategies for the sustainable management of marine and coastal ecosystems, in particular for mangroves, coastal wetlands, seagrasses, estuaries and coral reefs, which served as protective and productive buffer zones that had significant potential to combat the adverse effects of climate change. The Council called on Governments to reduce the land-based and sea-based pollution of ocean and coastal areas, and promote the sustainable management of fisheries to enhance the health and resilience of marine and coastal ecosystems. It also called on Governments, international organizations and oceanographic institutions and other research and development agencies to promote research, systematic observation, knowledge management, capacity-building, information and data exchange related to vulnerability and risk assessment of climate change impacts on marine ecosystems, communities, fisheries and other marine-related industries; emergency preparedness, monitoring and forecasting climate change and ocean variability; and public awareness of early-warning system capacity. Governments and international and regional financial institutions were invited to support developing countries in implementing marine and coastal initiatives at the national, regional and global levels. The Executive Director was asked to report to the Governing Council's twenty-sixth (2011) session on UNEP activities to implement the decision.

In December [UNEP/GC.26/10], the Executive Director submitted a report on UNEP activities undertaken in 2010 to implement the Governing Council's decision. The UNEP marine and coastal strategy was embedded in the 2010–2011 and 2012–2013 programmes of work, and was built around the priority themes of land-ocean connections, ecosystems for human well-being reconciling use and conservation, and vulnerable people and places. The strategy encompassed many of the issues member States faced in managing marine and coastal environments, such as pollution, habitat destruction and climate change. UNEP activities supported member States in ensuring that water was managed appropriately, and supported countries in valuing ecosystem services and

ensuring that they were managed to support sustainable development. It assisted countries in accepting trade-offs to ensure that ecosystem services contributed to development and were not degraded; and assisted communities vulnerable to change, such as small island developing States, and those with vulnerable habitats, such as coral reefs and seamounts. The strategy facilitated collaborative work through the thematic subprogrammes of the UNEP 2010–2013 medium-term strategy and its themes also overlapped with the issues and challenges set out in the Manado Ocean Declaration (see p. 1031). UNEP also supported countries, especially small island developing States, by developing ecosystem management tools and building national capacities for assessment and the integrated management of marine and coastal ecosystem services, including coupled integrated assessment and marine spatial planning. Support was provided to national planners and decision-makers in implementing an ecosystem-based management approach through a manual of marine and coastal ecosystem-based management principles and good-practice case studies. UNEP developed a flagship programme to support countries seeking to adapt to climate change through an ecosystem-based approach, including developing countries undertaking vulnerability assessments and capacity-building to maintain the resilience of those ecosystems most vulnerable to climate change and to maximize ecosystem services for adaptation. During the first phase of the programme, technical, policy and financial interventions, including adaptation projects in low-lying coastal areas, were implemented.

Coral reefs

The International Coral Reef Initiative (ICRI), an informal partnership between States and organizations to preserve coral reefs and related ecosystems around the world, held its twenty-fourth General Meeting (Monaco, 12–15 January). The meeting adopted recommendations on international trade in coral reef species and related products, and for the Caribbean region; and resolutions on coral reef-associated fisheries, the 1995 "Call to Action" for the protection of coral reefs, and the International Coral Reef Action Network (ICRAN).

The twenty-fifth ICRI general meeting (Apia, Samoa, 8–12 November) discussed progress on the implementation of the ICRI plan of action, ICRAN, the Global Coral Reef Monitoring Network and issues related to the Pacific region.

GENERAL ASSEMBLY ACTION

On 20 December [meeting 69], the General Assembly, on the recommendation of the Second Committee [A/65/436 & Corr.1], adopted **resolution 65/150** without vote [agenda item 20].

Protection of coral reefs for sustainable livelihoods and development

The General Assembly,

Recalling the Rio Declaration on Environment and Development and Agenda 21, the Programme of Action for the Sustainable Development of Small Island Developing States, the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"), the Mauritius Declaration and the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States, the United Nations Millennium Declaration and the United Nations Framework Convention on Climate Change,

Reaffirming the United Nations Convention on the Law of the Sea, which provides the overall legal framework for ocean activities, and emphasizing its fundamental character, conscious that the problems of ocean space are closely interrelated and need to be considered as a whole through an integrated, interdisciplinary and intersectoral approach,

Recalling the Convention on Biological Diversity as an important instrument in the conservation and sustainable use of marine biodiversity,

Recalling also biodiversity-related conventions and organizations, including the Convention on International Trade in Endangered Species of Wild Fauna and Flora, the Convention on Wetlands of International Importance especially as Waterfowl Habitat, the Convention on the Conservation of Migratory Species of Wild Animals, the Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region, the United Nations Educational, Scientific and Cultural Organization and the Food and Agriculture Organization of the United Nations,

Recognizing the role of national legislation in the context of the protection of coral reefs and related ecosystems within national jurisdictions,

Recalling its annual resolutions on oceans and the law of the sea and on sustainable fisheries, including resolution 61/105 of 8 December 2006, its resolution 63/214 of 19 December 2008, entitled "Towards the sustainable development of the Caribbean Sea for present and future generations", its resolution 64/73 of 7 December 2009 on the protection of global climate for present and future generations of humankind, its resolution 64/203 of 21 December 2009 on the Convention on Biological Diversity and its resolution 64/236 of 24 December 2009, in which it decided to organize, in 2012, the United Nations Conference on Sustainable Development, and other relevant resolutions,

Taking note of the Manado Ocean Declaration, adopted by the World Ocean Conference on 14 May 2009, and the Jakarta Mandate on Marine and Coastal Biological Diversity of 1995,

Noting the work of the secretariat of the Convention on Biological Diversity on marine and coastal biodiversity, in particular on coral reefs and related ecosystems, and the outcome of the tenth meeting of the Conference of the Parties to the Convention, held in Nagoya, Japan, from 18 to 29 October 2010, including in relation to the updating and revision of the strategic plan for the post-2010 period,

Noting also the request made by the Conference of the Parties to the Convention on Biological Diversity, at its tenth meeting, to the Executive Secretary of the Convention to prepare, subject to the availability of financial resources, a report on the progress made in the implementation of the specific workplan on coral bleaching adopted by the Conference of the Parties in its decision VII/5,

Recognizing that millions of the world's inhabitants depend on the health of coral reefs and related ecosystems for sustainable livelihoods and development, as they are a primary source of food and income, add to the aesthetic and cultural dimensions of communities and also provide for protection from storms, tsunamis and coastal erosion,

Expressing grave concern about the adverse impact of climate change and ocean acidification on the health and survival of coral reefs and related ecosystems around the world, including through sea-level rise, the increase in the severity and incidence of coral bleaching, rising sea surface temperature and higher storm intensity, combined with the synergistic negative effects of waste run-off, overfishing, destructive fishing practices, alien invasive species and coral mining,

Maintaining that the United Nations Framework Convention on Climate Change is the primary international, intergovernmental forum for negotiating the global response to climate change, and calling upon States to take urgent global action to address climate change in accordance with the principles identified in the Convention, including the principle of common but differentiated responsibilities and respective capabilities,

Acknowledging that, in many countries, indigenous and local communities have a distinctive relationship with marine and coastal environments, including coral reefs and related ecosystems, and in some cases ownership thereof, in accordance with national legislation, and that such peoples have an important role to play in the protection, management and preservation of those reefs and related ecosystems,

Acknowledging also the leadership role in tropical marine ecosystem management provided by the International Coral Reef Initiative, a partnership of Governments, international organizations and non-governmental organizations, and its twenty-fifth general meeting, held in Samoa from 8 to 12 November 2010 under the co-chairmanship of Samoa and France,

Welcoming regional initiatives, including the Coral Triangle Initiative on Coral Reefs, Fisheries and Food Security, the Micronesia Challenge, the Caribbean Challenge, the Eastern Tropical Pacific Seascape project, the West Indian Ocean Partnership, the West African Conservation Challenge and the Regional Initiative for the Conservation and Wise Use of Mangroves and Corals for the Americas Region,

Welcoming also the efforts of the agencies, programmes and funds of the United Nations system in the field of the protection of marine biodiversity and, in particular, coral reefs and related ecosystems,

1. *Urges* States, within their national jurisdictions, and the competent international organizations, within their mandates, given the imperative for action, to take all practical steps at all levels to protect coral reefs and related ecosystems for sustainable livelihoods and development, including immediate and concerted global, regional and

local action to respond to the challenges and to address the adverse impact of climate change, including through mitigation and adaptation, as well as of ocean acidification, on coral reefs and related ecosystems;

2. *Also urges* States to formulate, adopt and implement integrated and comprehensive approaches for the management of coral reefs and related ecosystems under their jurisdiction, encourages regional cooperation in accordance with international law regarding the protection and enhancement of the resilience of coral reefs, and in that respect calls upon development partners to support such efforts in developing countries, including through the provision of financial resources, capacity-building, environmentally sound technologies and know-how on mutually agreed terms, as well as the exchange of relevant scientific, technical, socio-economic and legal information, to enable developing countries to take all action necessary for the protection of their coral reefs and related ecosystems, as appropriate;

3. *Requests* the Secretary-General to submit a report on the importance of protecting coral reefs and related ecosystems for sustainable livelihoods and development, including an analysis of the economic, social and development benefits of protecting coral reefs, in the context of the themes and objectives of the United Nations Conference on Sustainable Development in 2012, for consideration by the General Assembly at its sixty-sixth session and for the information of other forums;

4. *Also requests* the Secretary-General, taking into consideration existing reports in preparing that report, to identify potential actions consistent with international law needed to protect coral reefs and related ecosystems, including proposals for coordinated and coherent action across the United Nations system, taking into account the views of Member States, the agencies and programmes of the United Nations system, in particular the United Nations Development Programme and the United Nations Environment Programme, and relevant international organizations, including the International Coral Reef Initiative and the Intergovernmental Panel on Climate Change, as well as the outcomes and decisions of relevant multilateral environmental agreements.

Assessment of assessments

In response to General Assembly resolution 60/30 [YUN 2005, p. 1436], UNEP submitted to the twelfth meeting of the Global Meeting of the Regional Seas Conventions and Action Plans (see p. 1035) a summary for decision makers of the final report "An Assessment of Assessments: Findings of the Group of Experts" [UNEP(DEPI)/RS.12/4]. The Group of Experts recommended a framework for the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socio-economic Aspects, consisting of an overall objective, a description of the scope of the Regular Process, a set of principles to guide its establishment and operation, and best practices to be followed in designing the Regular Process and applying its principles. The first five-year cycle of the Process would take place from 2010 to

2014. The Group of Experts also proposed options for institutional arrangements of the Regular Process, including its relationship to the United Nations, which could consist of a UN open-ended informal consultative process on oceans and law of the sea, or ad hoc meetings. Other options dealt with the establishment of a management and review body; a panel of experts; an additional pool of experts; a secretariat; and focal points within Governments, international organizations, the private sector and civil society organizations to facilitate interaction and collaboration. The resources required for the first five-year cycle were estimated at between \$20 and \$28 million. Additional costs for capacity-building would have to be calculated in the light of evaluation needs.

As requested in section XII of Assembly resolution 64/71 [YUN 2009, p. 1033], the Ad Hoc Working Group of the Whole on the regular process for global reporting and assessment of the state of the marine environment, including socio-economic aspects, met at UN Headquarters from 30 August to 3 September [A/65/358]. The Working Group had before it the Secretary-General's report setting out the views of States on the fundamental building blocks of the Regular Process [A/65/69/Add.1] and the results of the "assessment of assessments" [YUN 2009, p. 1032]. The Working Group recommended that the Regular Process should be an intergovernmental process that would contribute to achieving the goal of sustainable development of the oceans, seas and their resources, as well as the MDGs. It would provide a credible, peer-reviewed assessment, based on the best science and the priorities established by the Ad Hoc Working Group. The Regular Process should aim to strengthen the science-policy interface for the sustainable use, management and conservation of the oceans and seas, as well as their resources and biodiversity. It would undertake post-assessment evaluations of outcomes and products, and the Group of Experts would undertake periodic self-evaluations of its work. The Regular Process would be overseen by a General Assembly Ad Hoc Working Group of the Whole, which would establish a management and review mechanism comprised of States members. For the first phase of the first assessment cycle (2010–2012), the Group of Experts appointed pursuant to resolution 64/71 would be requested to continue, but from the second phase of that cycle, they should be appointed by Member States, according to equitable geographic distribution. The Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs would provide secretariat support to the Regular Process.

The Assembly, in section XII of **resolution 65/37 A** (see p. 1373), endorsed the recommendations of the Ad Hoc Working Group of the Whole. It requested the Group of Experts to develop options for achieving the 2014 deadline for the completion of the first cy-

cle of the Regular Process for consideration by the Ad Hoc Working Group of the Whole at its 2011 meeting. The Assembly welcomed the establishment by the Secretary-General of the voluntary trust fund for supporting the operations of the Regular Process for the first cycle and the scholarship fund to support training programmes for developing countries.

Regional Seas Programme

The twelfth Global Meeting of the Regional Seas Conventions and Action Plans (Bergen, Norway, 20–22 September) [UNEP(DEPI)/RS.12/1] discussed marine biodiversity: coastal waters and high seas; marine and coastal invasive species and ballast water management; implementation of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities and the Regional Seas Programmes; the transboundary waters assessment programme; ecosystem-based management; and economic valuation of marine and coastal ecosystem services.

Sustainable development of Caribbean Sea

In response to General Assembly resolution 63/214 [YUN, 2008, p. 1168], the Secretary-General submitted an August report [A/65/301] on the sustainable development of the Caribbean Sea. The report described national and regional activities to protect the Caribbean Sea from pollution and disasters, and to manage living and non-living coastal and marine resources. The Caribbean Sea Commission, which provided a structure for political oversight for the provision of technical resources and research support for users of the Caribbean Sea and promoted regional efforts to achieve its preservation and sustainable use, held five meetings between 30 June 2008 and 14 June 2010. It established subcommissions dealing with scientific and technical; legal; and governance, outreach and public information matters. The report also discussed the legal and financial implications of the concept of the Caribbean Sea as a special area in the context of sustainable development. The Secretary-General concluded that the concept of the designation of the Sea as such an area under the United Nations Convention on the Law of the Sea (see p. 1356) was still under development.

The Secretary General's report also included the report of the Association of Caribbean States on progress made in the implementation of resolution 63/214. The report discussed the institutionalization of and international support for the Caribbean Sea Commission; progress with regard to international agreements; programmes to halt the loss of marine biodiversity; disaster prevention, preparedness, mitigation, management, relief and recovery; development of human resource capacity in the Caribbean

region; and the legal and financial implications of the concept of the Caribbean Sea as a special area within the context of sustainable development.

GENERAL ASSEMBLY ACTION

On 20 December [meeting 69], the General Assembly, on the recommendation of the Second Committee [A/65/436/Add.2], adopted **resolution 65/155** without vote [agenda item 20 (b)].

Towards the sustainable development of the Caribbean Sea for present and future generations

The General Assembly,

Reaffirming the principles and commitments enshrined in the Rio Declaration on Environment and Development, the principles embodied in the Declaration of Barbados, the Programme of Action for the Sustainable Development of Small Island Developing States, the Johannesburg Declaration on Sustainable Development and the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"), as well as other relevant declarations and international instruments,

Recalling the Declaration and review document adopted by the General Assembly at its twenty-second special session,

Taking into account all its relevant resolutions, including resolutions 54/225 of 22 December 1999, 55/203 of 20 December 2000, 57/261 of 20 December 2002, 59/230 of 22 December 2004, 61/197 of 20 December 2006 and 63/214 of 19 December 2008,

Taking into account also the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States,

Recalling the 2005 World Summit Outcome,

Recalling also the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region, signed at Cartagena de Indias, Colombia, on 24 March 1983, and the protocols thereto, which contain the definition of the wider Caribbean region of which the Caribbean Sea is part,

Reaffirming the United Nations Convention on the Law of the Sea, which provides the overall legal framework for ocean activities, and emphasizing its fundamental character, conscious that the problems of ocean space are closely interrelated and need to be considered as a whole through an integrated, interdisciplinary and intersectoral approach,

Recalling the Convention on Biological Diversity as an important instrument in the conservation and sustainable use of marine biodiversity,

Recalling also biodiversity-related conventions, including the Convention on International Trade in Endangered Species of Wild Fauna and Flora and the Convention on Wetlands of International Importance especially as Waterfowl Habitat,

Emphasizing the importance of national, regional and global action and cooperation in the marine sector as recognized by the United Nations Conference on Environment and Development in chapter 17 of Agenda 21,

Recalling the relevant work done by the International Maritime Organization,

Considering that the Caribbean Sea area includes a large number of States, countries and territories, most of which are developing countries and small island developing States that are ecologically fragile and socially and economically vulnerable and are also affected, inter alia, by their limited capacity, narrow resource base, need for financial resources, high levels of poverty and the resulting social problems, and the challenges and opportunities of globalization and trade liberalization,

Recognizing that the Caribbean Sea has unique biodiversity and highly fragile ecosystems,

Recognizing also that the Caribbean has been shown to be the most tourism-dependent region in the world relative to its size,

Noting that the Caribbean Sea, when compared to all other large marine ecosystems, is surrounded by the largest number of countries in the world,

Emphasizing that the Caribbean countries have a high degree of vulnerability occasioned by climate change, climate variability and associated phenomena, such as the rise in sea level, the El Niño phenomenon and the increase in the frequency and intensity of natural disasters caused by hurricanes, floods and droughts, and that they are also subject to natural disasters, such as those caused by volcanoes, tsunamis and earthquakes,

Bearing in mind the heavy reliance of most of the Caribbean economies on their coastal areas, as well as on the marine environment in general, to achieve their sustainable development needs and goals,

Acknowledging that the intensive use of the Caribbean Sea for maritime transport, as well as the considerable number and interlocking character of the maritime areas under national jurisdiction where Caribbean countries exercise their rights and duties under international law, present a challenge for the effective management of resources,

Noting the problem of marine pollution caused, inter alia, by land-based sources and the continuing threat of pollution from ship-generated waste and sewage, as well as from the accidental release of hazardous and noxious substances in the Caribbean Sea area,

Taking note of the relevant resolutions of the General Conference of the International Atomic Energy Agency on safety of transport of radioactive materials,

Mindful of the diversity and dynamic interaction and competition among socio-economic activities for the use of the coastal areas and the marine environment and their resources,

Mindful also of the efforts of the Caribbean countries to address in a more holistic manner the sectoral issues relating to the management of the wider Caribbean Sea region and, in so doing, to promote integrated management of the wider Caribbean Sea region in the context of sustainable development, through a regional cooperative effort among Caribbean countries,

Welcoming the continued efforts of the States members of the Association of Caribbean States to develop and implement regional initiatives to promote the sustainable conservation and management of coastal and marine resources, and recognizing in this regard the firm commitment by Heads of State and Government of the Association to take

the steps necessary to ensure the recognition of the Caribbean Sea as a special area in the context of sustainable development, without prejudice to relevant international law,

Recalling the creation by the Association of Caribbean States of the Caribbean Sea Commission, and welcoming its ongoing work,

Cognizant of the importance of the Caribbean Sea to present and future generations and to the heritage and the continuing economic well-being and sustenance of people living in the area and of the urgent need for the countries of the region to take appropriate steps for its preservation and protection, with the support of the international community,

1. *Recognizes* that the Caribbean Sea is an area of unique biodiversity and a highly fragile ecosystem that requires relevant regional and international development partners to work together to develop and implement regional initiatives to promote the sustainable conservation and management of coastal and marine resources, including the consideration of the concept of the Caribbean Sea as a special area in the context of sustainable development, including its designation as such without prejudice to relevant international law;

2. *Notes* the efforts of the Caribbean States and the work undertaken by the Caribbean Sea Commission of the Association of Caribbean States, including the development of their concept of the designation of the Caribbean Sea as a special area in the context of sustainable development, and invites the international community to support such efforts;

3. *Welcomes* the plan of action adopted by the Caribbean Sea Commission, including its scientific and technical components and its governance and outreach components, and invites the international community and the United Nations system to support, as appropriate, Caribbean countries and their regional organizations in their efforts to implement the plan of action;

4. *Also welcomes* the resources provided by some donors to support the work of the Caribbean Sea Commission, and invites the international community to continue and to enhance its support, as appropriate, to the Commission, including through the provision of financial resources, capacity-building and technical support, the transfer of technology on mutually agreed terms and the sharing of experience in the areas of work of the Commission;

5. *Recognizes* the efforts of Caribbean countries to create conditions leading to sustainable development aimed at combating poverty and inequality, and in this regard notes with interest the initiatives of the Association of Caribbean States in the focal areas of sustainable tourism, trade, transport and natural disasters;

6. *Calls upon* the United Nations system and the international community to assist, as appropriate, Caribbean countries and their regional organizations in their efforts to ensure the protection of the Caribbean Sea from degradation as a result of pollution from ships, in particular through the illegal release of oil and other harmful substances, and pollution from the illegal dumping or accidental release of hazardous waste, including radioactive materials, nuclear waste and dangerous chemicals, in violation of relevant international rules and standards, as well as pollution from land-based activities;

7. *Invites* the Association of Caribbean States to submit to the Secretary-General a report on the progress made in the implementation of the present resolution, for consideration by the General Assembly at its sixty-seventh session;

8. *Calls upon* all States to become contracting parties to relevant international agreements to enhance maritime safety and to promote the protection of the marine environment of the Caribbean Sea from pollution, damage and degradation from ships and ship-generated waste;

9. *Supports* the efforts of Caribbean countries to implement sustainable fisheries management programmes and to meet the principles of the Code of Conduct for Responsible Fisheries of the Food and Agriculture Organization of the United Nations;

10. *Calls upon* States, taking into consideration the Convention on Biological Diversity, to develop national, regional and international programmes to halt the loss of marine biodiversity in the Caribbean Sea, in particular fragile ecosystems such as coral reefs and mangroves;

11. *Invites* Member States and intergovernmental organizations within the United Nations system to continue their efforts to assist Caribbean countries in becoming parties to the relevant conventions and protocols concerning the management, protection and sustainable utilization of Caribbean Sea resources and in implementing those conventions and protocols effectively;

12. *Calls upon* the international community, the United Nations system and the multilateral financial institutions, and invites the Global Environment Facility, within its mandate, to support actively the national and regional activities of the Caribbean States towards the promotion of the sustainable management of coastal and marine resources;

13. *Expresses deep concern* about the severe destruction and devastation caused to several countries by heightened hurricane activity in the wider Caribbean region in recent years;

14. *Urges* the United Nations system and the international community to continue to provide aid and assistance to the countries of the Caribbean region in the implementation of their long-term programmes of disaster prevention, preparedness, mitigation, management, relief and recovery, on the basis of their development priorities, through the integration of relief, rehabilitation and reconstruction into a comprehensive approach to sustainable development;

15. *Acknowledges* the pivotal role of the Association of Caribbean States in regional dialogue and in the consolidation of a wider Caribbean cooperation zone in the field of disaster risk reduction, as well as the importance of the international community in deepening existing cooperation and consolidating new initiatives with that regional mechanism in the context of the outcomes of the High-level Conference on Disaster Reduction of the Association of Caribbean States, held in Saint-Marc, Haiti, from 14 to 16 November 2007, and the plan of action approved by the Ministerial Council of the Association upon the recommendation of the Conference;

16. *Invites* Member States, international and regional organizations and other relevant stakeholders to consider training programmes for the development of a human resources capacity at different levels and to develop research aimed at enhancing the food security of Caribbean coun-

tries, as well as the sustainable management of renewable marine and coastal resources;

17. *Calls upon* Member States to improve, as a matter of priority, their emergency response capabilities and the containment of environmental damage, particularly in the Caribbean Sea, in the event of natural disasters or an accident or incident relating to maritime navigation;

18. *Requests* the Secretary-General to report to the General Assembly at its sixty-seventh session, under the sub-item entitled "Follow-up to and implementation of the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States" of the item entitled "Sustainable development", on the implementation of the present resolution, including a section on the possible legal and financial implications of the concept of the Caribbean Sea as a special area in the context of sustainable development, including its designation as such without prejudice to relevant international law, taking into account the views expressed by Member States and relevant regional organizations.

Waste from chemical munitions dumped at sea

The Baltic Marine Environment Protection Commission, or Helsinki Commission [YUN 2003, p. 1480], at its ministerial meeting (Moscow, 18–20 May), agreed to establish an ad hoc expert group to update and review existing information on dumped chemical munitions in the Baltic Sea.

On 20 December [A/65/PV.69], the General Assembly considered a draft resolution on cooperative measures to assess and increase awareness of the environmental effects of waste originating from chemical munitions dumped at sea.

GENERAL ASSEMBLY ACTION

On 20 December [meeting 69], the General Assembly, on the recommendation of the Second Committee [A/65/436 & Corr.1], adopted **resolution 65/149** without vote [agenda item 20].

Cooperative measures to assess and increase awareness of environmental effects related to waste originating from chemical munitions dumped at sea

The General Assembly,

Recalling the recommendations of the United Nations Conference on the Human Environment, held in Stockholm in June 1972,

Noting relevant provisions of Agenda 21, adopted at the United Nations Conference on Environment and Development in Rio de Janeiro, Brazil, in June 1992 and reaffirmed in the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"), adopted in Johannesburg, South Africa, in September 2002,

Recalling relevant international and regional instruments such as the United Nations Convention on the Law of the Sea, the Convention on the Prevention of Marine Pollution

by Dumping of Wastes and Other Matter, the Convention for the Protection of the Marine Environment of the North-East Atlantic, the Convention on the Protection of the Marine Environment of the Baltic Sea Area, the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region and the Agreement on the Protection of the Marine Environment and the Coastal Area of the South-East Pacific,

Taking note of the final report of the ad hoc Working Group on Dumped Chemical Munitions to the Helsinki Commission at its sixteenth meeting, held in Helsinki from 14 to 17 March 1995, and noting that the Helsinki Commission, at its ministerial meeting held in Moscow from 18 to 20 May 2010, agreed to establish a Helsinki Commission expert group to update and review the existing information on dumped chemical munitions in the Baltic Sea,

Noting that Member States, international and regional organizations and civil society have undertaken activities to discuss the issues relating to waste originating from chemical munitions dumped at sea and to promote international cooperation and exchange of experience and practical knowledge,

Noting also the concerns about the potential long-term environmental effects related to waste originating from chemical munitions dumped at sea, including their potential impact on human health,

1. *Notes* the importance of raising awareness of the environmental effects related to waste originating from chemical munitions dumped at sea;

2. *Invites* Member States and international and regional organizations to keep under observation the issue of the environmental effects related to waste originating from chemical munitions dumped at sea and to cooperate and voluntarily share relevant information on this issue;

3. *Invites* the Secretary-General to seek the views of Member States and relevant regional and international organizations on issues relating to the environmental effects related to waste originating from chemical munitions dumped at sea, as well as on possible modalities for international cooperation to assess and increase awareness of this issue, and to communicate such views to the General Assembly at its sixty-eighth session for further consideration.

Protection against harmful products and waste

Chemical safety

As at 31 December, 139 States and the EU were parties to the 1998 Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade [YUN 1998, p. 997], which entered into force in 2004 [YUN 2004, p. 1063]. Albania, Antigua and Barbuda, Guatemala, Lao People's Democratic Republic, Mozambique, Somalia, St. Vincent and the Grenadines, the former Yugoslav Republic of Macedonia, and Tonga became parties during the year.

The Chemical Review Committee, a subsidiary body of the Conference of the Parties to the Rot-

terdam Convention, at its sixth meeting (Geneva, 15–19 March) [UNEP/FAO/RC/CRC.6/16], considered its Bureau's preliminary review of notifications and proposed priorities for chemicals [UNEP/FAO/RC/CRC.6/3]; and reviewed notifications of final regulatory actions to ban or severely restrict one chemical for which at least two notifications appeared to meet the criteria in Annex II to the Convention and three chemicals for which only one notification appeared to meet the criteria. It recommended that the Conference of the Parties to the Convention list endosulfan as a pesticide in Annex III to the Convention. The Committee also agreed on the draft text of the decision guidance document on endosulfan and forwarded it to the Conference of the Parties.

International chemicals management

In February [E/CN.17/2010/5], the Secretary-General submitted a report on the review of implementation of Agenda 21 [YUN 1992, p. 672] and the Johannesburg Plan of Implementation [YUN 2002, p. 822] of the 2002 World Summit on Sustainable Development [ibid., p. 821] with regard to chemicals. The report stated that significant progress had been made in attaining the 2020 goal on the sound management of chemicals, but that global progress had not been sufficient, with implications for the health and welfare of millions of people. The increasing production and consumption of chemicals in developing countries and countries with economies in transition strained those countries' capacity for sound management of chemicals. Such management was frequently accorded low priority in development plans and was consequently under-resourced. In many cases, national legislation and policies needed to be updated. A lack of public awareness of potential health and environmental risks and a lack of resources and human capacity to manage and reduce risks were challenges of increasing urgency. More active engagement of multiple stakeholders would be critical to addressing such challenges.

Mercury

The Intergovernmental Negotiating Committee to prepare a global, legally binding instrument on mercury held its first session (Stockholm, Sweden, 7–11 June) [UNEP(DTIE)Hg/INC.1/21], in accordance with Governing Council decision 25/5 III [YUN 2009, p. 1034]. Among the documents before it were secretariat notes presenting options for substantive provisions that might be included in the legally binding instrument on mercury [UNEP(DTIE)Hg/INC.1/5] and setting out draft final provisions for the instrument [UNEP(DTIE)Hg/INC.1/7]. Representatives participating in the session stated that the secretariat

proposals could serve as starting points for the negotiations. The final provisions should provide clear and flexible procedures to facilitate implementation and compliance, and avoid creating constraints that would inhibit ratification or impede parties in meeting their obligations. The Committee agreed that the secretariat would prepare for consideration at its next session draft elements of the comprehensive approach to mercury called for by decision 25/5, including both binding and voluntary measures as a means of facilitating the Committee's work.

A December note by the Executive Director [UNEP/GC.26/INF/12] contained a report on the overall progress of the UNEP Global Mercury Partnership from January 2009 to June 2010, developed by the Partnership Advisory Group. As at 30 June, there were 70 official partners, comprising 15 Governments, 4 inter-governmental organizations, 31 NGOs and 20 others. The United States pledged \$675,000, and Switzerland \$49,936, to support Partnership activities. In 2009, UNEP provided \$115,000 from the Environment Fund to support activities, and secured other funding through the establishment of the Mercury Small Grants Programme. Although the partnership donor base had expanded, overall funding had decreased. Additional funding was required to implement UNEP activities under the Partnership in line with priority actions established in the partnership area business plans.

The report assessed the effectiveness of the partnership areas for artisanal and small-scale gold mining, mercury cell chlor-alkali production, mercury air transport and fate research, products containing mercury, mercury releases from coal combustion, mercury waste management, and mercury supply and storage. In order to effectively track partnership area progress in future reports, the Partnership Advisory Group recommended that many of the partnership areas include more targets and specific indicators of progress in their business plans. The report also addressed ways to encourage the advancement of the work of the partnership areas; meeting the overall objective of the Partnership; and responding to Governing Council decision 25/5 III.

UNEP and the Global Mercury Partnership convened the Global Forum on Artisanal and Small-scale Gold Mining in Manila, Philippines from 7 to 9 December.

Harmful products

In response to Economic and Social Council resolution 2008/13 [YUN 2008, p. 1172], the Secretary-General, by a May note [E/2010/79], transmitted the updated chemicals volume of the Consolidated List of Products Whose Consumption and/or Sale have

been Banned, Withdrawn, Severely Restricted or Not Approved by Governments, established in 1982 [YUN 1982, p. 1010], as well as the UNEP contribution covering pesticides and industrial chemicals. The 2010 version of the List consolidated information on control actions available from both the 1998 Rotterdam Convention [YUN 1998, p. 997] and the 2001 Stockholm Convention on Persistent Organic Pollutants [YUN 2001, p. 971]. The most up-to-date information on regulatory actions taken to protect human health and the environment from the adverse effects of pesticides and industrial chemicals would continue to be made available on the Convention websites.

The Secretary-General also transmitted in May [E/2010/84], in accordance with resolution 2008/13, the World Health Organization report entitled "Pharmaceuticals: Restrictions in Use and Availability".

ECONOMIC AND SOCIAL COUNCIL ACTION

On 23 July [meeting 46], the Economic and Social Council adopted **resolution 2010/32** [draft: E/2010/L.38] without vote [agenda item 13 (e)].

Consolidated List of Products Whose Consumption and/or Sale Have Been Banned, Withdrawn, Severely Restricted or Not Approved by Governments

The Economic and Social Council,

Noting the entry into force in 2004 of the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, and of the Stockholm Convention on Persistent Organic Pollutants,

Noting also that detailed information on products whose consumption and/or sale have been banned, withdrawn, severely restricted or not approved by Governments is readily accessible on the Internet,

1. *Takes note* of the notes by the Secretary-General transmitting the report of the United Nations Environment Programme on the chemicals volume of the Consolidated List of Products Whose Consumption and/or Sale Have Been Banned, Withdrawn, Severely Restricted or Not Approved by Governments and the report of the World Health Organization on the pharmaceuticals volume of the Consolidated List;

2. *Decides* to discontinue consideration of the Consolidated List of Products Whose Consumption and/or Sale Have Been Banned, Withdrawn, Severely Restricted or Not Approved by Governments at its future substantive sessions.

Persistent organic pollutants

As at 31 December, 170 States and the EU were parties to the 2001 Stockholm Convention on Persistent Organic Pollutants (POPs) [YUN 2001, p. 971], which entered into force in 2004 [YUN 2004, p. 1066].

Belize, Bosnia and Herzegovina, Ireland and Somalia became parties during the year.

The sixth meeting of the Persistent Organic Pollutants Review Committee (Geneva, 11–15 October) [UNEP/POPS/POPRC.6/13] decided to submit to the Conference of the Parties to the Stockholm Convention recommendations on the elimination of brominated diphenyl ethers from the waste stream, and on risk reduction for perfluorooctane sulfonic acid, its salts and perfluorooctane sulfonyl fluoride. Other decisions dealt with updating the Basel Convention technical guidelines on the environmentally sound management of POPs; unintentional releases of chemicals newly listed in Annexes A and C to the Convention; substitution and alternatives to perfluorooctane sulfonate and its derivatives; toxic interactions; endosulfan; hexabromocyclododecane; chemicals occurring as unintentional trace contaminants in products and articles; climate change and POPs; and other matters.

Hazardous wastes

As at 31 December, 174 States and the EU were parties to the 1989 Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal [YUN 1989, p. 420], which entered into force in 1992 [YUN 1992, p. 685]. The Lao People's Democratic Republic, Somalia and Tonga became parties during the year. The 1995 amendment to the Convention [YUN 1995, p. 1333], not yet in force, had been ratified, accepted or approved by 69 parties, with Greece becoming a party in 2010. The number of parties to the 1999 Basel Protocol on Liability and Compensation for Damage resulting from Transboundary Movement of Hazardous Wastes and Their Disposal [YUN 1999, p. 998], not yet in force, remained at 10.

The seventh session of the Open-ended Working Group of the Convention (Geneva, 10–14 May) [UNEP/CHW/OEWG/7/21] adopted decisions on strengthening the Convention's regional and coordinating centres; the Partnership for Action on Computing Equipment; technical guidelines on the transboundary movement of e-waste, and on the sound management of used tyres, mercury wastes and persistent organic pollutants; the co-processing of hazardous waste in cement kilns; the Mobile Phone Partnership Initiative; the environmentally sound dismantling of ships; and other matters.

Waste management

In December [UNEP/GC.26/8], the Executive Director reported on the implementation of the Governing Council's 2009 decision on waste management [YUN 2009, p. 1036], including lessons learned through UNEP activities in that regard. The Execu-

tive Director stated that Governments, particularly local governments, often lacked knowledge relating to environmentally sound waste management and were unaware of the potential for recovering resources from waste. Authorities dealing with waste management were not always familiar with the process of stakeholder involvement, and building trust from stakeholders could take time. Lack of local capacity also affected progress and results, and lack of funding limited the implementation of projects. The impact of projects could be enhanced if funds were available in advance to support the implementation of schemes. New approaches like integrated solid-waste management required long-term support to ensure that they were understood. The regional implementation meetings of the Commission on Sustainable Development highlighted the opportunities presented by waste management, especially in terms of the recovery of resources, and identified a number of challenges.

UNEP was developing innovative approaches to waste management, with an emphasis on resource recovery and the environmentally sound disposal of residual waste. Its programmes on the management of specific waste streams (e-waste, waste agricultural biomass, waste plastics) were geared towards maximizing the recovery of resources. Parallel activities included support to countries in strengthening implementation of waste-related multilateral agreements, preventing illegal trade through the training of customs officials and the development of environmentally friendly products through its life cycle initiative. UNEP established the Global Partnership on Waste Management for promoting partnerships for waste-related activities across the UN system, as well as among Governments, the private sector, universities and research institutions, and civil-society organizations. The Partnership would be a clearing house for best practices and regulatory frameworks, provide capacity-building and technical assistance, and promote cooperation with bilateral development agencies and the private sector. The Partnership was launched during the second workshop on waste (Osaka, Japan, 18–19 November), which agreed to focus on waste prevention; the reduce, reuse and recycle—the “three Rs”—approach for waste management; waste agricultural biomass; and integrated solid-waste, e-waste and hazardous waste management. UNEP, in cooperation with the Basel Convention secretariat, would continue to promote resource augmentation through waste recovery, reuse and recycling, in particular for municipal waste at the local level and certain material flows at the global level. It would take the lead in developing and implementing integrated waste-management strategies and action plans for municipalities, particularly in developing countries.

Financing chemicals and waste agenda

The UNEP Governing Council considered a note of the Executive Director on financing the chemicals and waste agenda [YUN 2009, p. 1036] and a note on policy options for such financing [UNEP/GCSS.XI/INF/8/Add.1].

The Governing Council, in a February decision [dec. SS.XI/8], welcomed the establishment of a consultative process on financing options for chemicals and wastes and the work carried out by UNEP, and requested the Executive Director to continue leading the consultative process. The process should consider, among other issues, the financial challenges faced by developing countries and countries with economies in transition to implement effectively their chemicals and wastes agendas. The Council asked the Executive Director to report on progress made and the direction of the consultative process, with the aim of providing a final report; and launch initiatives to raise awareness of the importance of the sound management of chemicals and wastes. Governments and other interested parties, including the private sector, were invited to provide financial and in-kind support to that process and to awareness-raising initiatives. The Executive Director was asked to report to the twenty-sixth (2011) Council session on the implementation of the decision.

In December [UNEP/GC.26/11], the Executive Director, responding to the Council's decision, reported that the policy options presented to the eleventh special session of the Governing Council (see p. 1005) were revised and made available to the participants of the third meeting of the consultative process, which would take place in 2011. That meeting was expected to develop an action plan that contained initial components of the financing package, and set a direction for the consultative process that would enable the International Conference on Chemicals Management at its third (2012) session and the Governing Council at its twenty-seventh (2013) session to adopt resolutions and decisions in line with the provisions of [dec. SS.XI/8]. In addition, it was envisaged that the action plan would include achievable recommendations for action by stakeholders, along with clear responsibilities and specific implementation timelines. It would also pay due attention to the development of new partnerships.

Cooperation and coordination within chemicals and waste cluster

In a December report [UNEP/GC.26/16], the Executive Director reviewed efforts to enhance cooperation and coordination within the chemicals and waste cluster and suggested ways to extend that process within and beyond the multilateral environmental agreements related to chemicals and hazardous

wastes. The report also discussed future institutional arrangements for chemicals and hazardous wastes until 2050.

Significant progress had been made under the Strategic Approach to International Chemicals Management [YUN 2006, p. 1246] in improving cooperation and coordination between the chemicals and hazardous wastes-related Basel, Rotterdam and Stockholm Conventions, but more needed to be done. No systematic attempts had been made to link the legal obligations of the chemicals and hazardous wastes instruments. It might not be efficient in the long term to continue to develop separate instruments as new problems were identified, and more comprehensive approaches might need to be considered. The sound management of chemicals and hazardous wastes was likely to become even more important in the global economy as it sought to meet the basic needs of a growing world population and increasing consumer demand. Existing national and global frameworks were struggling to respond to those challenges, and while the consequences of poor chemicals and hazardous wastes management were better understood, such knowledge had not kept pace with the development of the industries in the sector. UNEP was developing a global chemicals outlook to assess the status of health, environmental, economic and institutional factors related to the production, use and disposal of chemicals; examine chemicals management options in the context of the MDGs; and provide information on the economic costs of inaction on chemical hazards, and guidance for achieving sound chemicals management by 2020. Preliminary findings would be presented in 2012, and the outlook would be available at the twenty-seventh (2103) session of the UNEP Governing Council. UNEP was also developing the fifth report in the Global Environmental Outlook series, with a chapter dedicated to chemicals and hazardous wastes.

The report concluded that a more streamlined and efficient process was being sought to develop multilateral environmental agreements. The Governing Council should request the Executive Director to initiate a study of a cross-sectoral and global process leading to a stronger and better-coordinated management of chemicals and hazardous wastes. The Executive Director should also continue the successful cooperation and coordination efforts with the secretariats of the Basel, Rotterdam and Stockholm Conventions, with a view to further enhancing collaborative work on the chemicals and hazardous wastes-related agenda.

Other matters

Environmental law

The Governing Council/Global Ministerial Environment Forum eleventh special session held ministe-

rial consultations on the topic of environmental law. Participants considered reports submitted in 2009 [YUN 2009, p. 1037] on draft guidelines for the development of national legislation on access to information, public participation and access to justice in environmental matters; and for the development of domestic legislation on liability, response action and compensation for damage caused by activities dangerous to the environment. Also considered was a January 2010 note [UNEP/GCSS.XI/INF/6/Add.2] on the results of further consultations between Governments following the 2009 intergovernmental meeting on the draft guidelines [ibid.], including commentary thereon, a sample list of hazardous substances and a list of activities and installations dangerous to the environment.

In a February decision [dec. SS.XI/5 A], the Governing Council adopted the guidelines for the development of national legislation on access to information, public participation and access to justice in environmental matters, noting that the guidelines were voluntary. It decided that the UNEP secretariat would disseminate the guidelines and the commentary thereon to all countries for further comments, and invited countries to take the guidelines into consideration in the development or amendment of their national legislation related to the subject matters covered by them. The Executive Director was asked to assist countries with the development or amendment of relevant national legislation, policies and strategies, and to provide updates on progress through regular reporting on the implementation of the programme of work and budget.

The Council also adopted guidelines [dec. SS.XI/5 B] for the development of domestic legislation on liability, response action and compensation for damage caused by activities dangerous to the environment, affirming that the guidelines were voluntary and did not set a precedent for the development of international law. It requested the Executive Director to disseminate the guidelines to all countries and assist them with the development or amendment of relevant national legislation, policies and strategies. Countries were invited to provide comments on the draft commentary and annexes contained in the Executive Director's January note, and to take the guidelines into consideration in the development or amendment of related national legislation. The Executive Director was asked to report on progress through the regular reporting on the implementation of the work programme and budget.

UN system environmental profile

JIU report. In February, the Executive Director forwarded to the Governing Council the report of the Joint Inspection Unit (JIU) on the environmental profile of UN system organizations [UNEP/GCSS.XI/INF/10]. The objective of the review was to assess the

environmental policies and practices of UN system organization secretariats on their sustainable use of resources, including energy consumption, in light of their mission to promote relevant, internationally accepted environmental conventions. It highlighted best practices and identified norms and benchmarks of business policies and measures to be promoted throughout those organizations and their partner entities and organs.

The report revealed that viable means and initiatives existed for improving environmental performance, drawing on technological progress in energy use and environmental protection and sustainability, leading to considerable cost savings. The development of such means, however, was piecemeal, as UN system organizations lacked a formal and systematic framework for an integrated, in-house environmental management system based on legislative mandates and applicable environmental norms and standards. The organizations also lacked senior-level administrative and managerial leadership, and many of their secretariats were not sure how to apply the multilateral environmental agreements (MEAs). Coordination between UN system organizations on the climate-neutral initiative had produced a system-wide accounting framework for carbon dioxide emissions and a critical mass of networked environment managers, representing an asset towards the adoption of broader, in-house environmental management policies.

JIU called on the General Assembly to monitor and support the Secretary-General's efforts to develop and implement in-house sustainable policies, and to increase the accountability of the organizations vis-à-vis Member States. Regular reports on the state of implementation of the climate neutral initiative should be submitted to the Assembly to identify further administrative and budgetary implications of such measures, in particular carbon offsetting, so that it could support their implementation. The Assembly should request the Secretary-General to promote information sharing on experience and best practices for enhancing the environmental management and performance of the organizations through a peer review process among members of the Environment Management Group.

Other findings and recommendations called on the Secretary-General to compile and streamline instruments and guidelines on in-house environmental management; launch an internal carbon-offsetting mechanism to save brokerage and other costs for the purchase of certified emission reductions issued by the Clean Development Mechanism; and issue a CEB statement to promote not only the achievement of climate neutrality, but also the implementation of all MEAs by the secretariats of the organizations. The Secretary-General should inform Member States, staff and the public of the results of the strategies adopted, developed and implemented.

Actions were identified to facilitate the carbon offsets of organizations for air travel; improve the monitoring, accounting and reporting on those actions by using the UN Department of Economic and Social Affairs environmental management accounting guidelines; and promote the greening of UN premises. Host country agreements with UN system organizations could encourage sustainable procurement of goods and services integrated with local supply chains in host countries to avoid adversely affecting the interests of particular stakeholders or country groups. Common norms and standards applicable to in-house environmental management should be identified based on best practices.

By September notes, the Secretary-General transmitted to the Assembly the JIU report [A/65/346], and his comments and those of CEB thereon [A/65/346/Add.1]. UN system entities generally supported the report's main recommendations, including the need for common guidelines for developing environmental management systems adapted to their needs; the need to properly record expenses associated with reducing carbon emissions; and the establishment of common practices for sustainable procurement.

In December [UNEP/GC.26/INF/22], the Executive Director transmitted to the Governing Council the JIU report and the comments of the Secretary-General and CEB thereon.

International Mother Earth Day

By **decision 64/556** of 15 April, the General Assembly decided to convene, on 22 April, a special meeting on the occasion of International Mother Earth Day.

The special meeting to mark the Day, designated by the Assembly in resolution 63/278 [YUN 2009, p. 1037], was held during its eighty-third plenary session [A/64/PV.83]. In opening the debate, the Assembly President said that the Day was an occasion for global recognition that humans and nature were part of a system in which their harmonious relationship was essential. In order to live in harmony with nature, solutions to current environmental challenges were needed. The Assembly had to address issues related to water, clean air and food security. In that regard, developed and developing countries had to come together to find ways to improve modes of production and the sustainability of natural resources.

Harmony with nature

In response to General Assembly resolution 64/196 [YUN 2009, p. 1038], the Secretary-General submitted an August report [A/65/314] on harmony with nature, which provided an overview of how twenty-first century consumption and production patterns had

severely affected the Earth's carrying capacity. The report placed special emphasis on the social and environmental pillars of sustainable development and their interface. It also addressed educational system trends with regard to sustainable development worldwide.

The report concluded that the current technological age had seen an impoverishment in the historical relationship between human beings and nature. Nature was treated as a commodity that existed largely for the benefit of people, and all environmental problems as solvable through technology. Loss of biodiversity, desertification, climate change and the disruption of a number of natural cycles were among the costs of the disregard for nature and the integrity of its ecosystems and life-supporting processes. The submissions to the report by Member States, major groups and the UN system had revealed a variety of ways in which diverse stakeholders were seeking to promote harmony with nature through sustainable development.

The report recommended, among other measures, that science education be upgraded worldwide and cross-disciplinary science education advanced at all levels with a sustainable development perspective. Relevant UN organizations, institutions, research centres and Nobel laureates should be invited to provide regular briefings for decision makers on the work being carried out in systems thinking; research being undertaken to integrate the three pillars—economic, social, environmental—of sustainable development; and the work being carried out worldwide to reconcile conventional and complementary medicine in a holistic approach to health in the context of sustainable development.

Communication. By a 7 May letter [A/64/777], Bolivia transmitted to the Secretary-General the conclusions adopted at the first Peoples' World Conference on Climate Change and the Rights of Mother Earth (Cochabamba, Bolivia, 20–22 April).

GENERAL ASSEMBLY ACTION

On 20 December [meeting 69], the General Assembly, on the recommendation of the Second Committee [A/65/436/Add.9], adopted **resolution 65/164** without vote [agenda item 20 (i)].

Harmony with Nature

The General Assembly,

Reaffirming the Rio Declaration on Environment and Development, Agenda 21, the Programme for the Further Implementation of Agenda 21, the Johannesburg Declaration on Sustainable Development and the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),

Recalling its resolution 64/196 of 21 December 2009 on Harmony with Nature and its resolution 63/278 of 22 April 2009, by which it designated 22 April as International Mother Earth Day,

Recalling also the 1982 World Charter for Nature,

Recalling further its resolution 47/193 of 22 December 1992, by which it declared 22 March the World Day for Water, its resolution 49/114 of 19 December 1994, by which it proclaimed 16 September the International Day for the Preservation of the Ozone Layer, its resolution 55/201 of 20 December 2000, in which it proclaimed 22 May the International Day for Biological Diversity, its resolution 61/193 of 20 December 2006 on the International Year of Forests, 2011, and its resolution 64/253 of 23 February 2010, entitled “International Day of Nowruz”,

Noting the first Peoples’ World Conference on Climate Change and the Rights of Mother Earth, hosted by the Plurinational State of Bolivia in Cochabamba from 20 to 22 April 2010,

Stressing the importance of the United Nations Conference on Sustainable Development, to be held in Brazil in 2012,

Expressing its concern about the documented environmental degradation and the negative impact on nature resulting from human activity,

Recognizing that gross domestic product is not an adequate indicator for measuring environmental degradation resulting from human activity,

Recognizing also that many ancient civilizations and indigenous cultures have a rich history of understanding the symbiotic connection between human beings and nature that fosters a mutually beneficial relationship,

Recognizing further the work undertaken by civil society, academia and scientists in regard to signalling the precariousness of life on Earth, as well as their efforts to devise a more sustainable model for production and consumption,

Considering that sustainable development is a holistic concept that requires the strengthening of interdisciplinary linkages in the different branches of knowledge,

1. *Takes note* of the first report of the Secretary-General on Harmony with Nature;

2. *Requests* the Secretary-General to convene, at the sixty-fifth session of the General Assembly, an interactive dialogue, to be held at two plenary meetings to be convened during the commemoration of International Mother Earth Day on 20 April 2011, with the participation of Member States, United Nations organizations, independent experts and other stakeholders, to actively and effectively contribute to and support efforts in the preparatory process of the United Nations Conference on Sustainable Development, to be held in Brazil in 2012, on the following topics:

(a) Ways to promote a holistic approach to sustainable development in harmony with nature;

(b) Sharing national experiences on criteria and indicators for measuring sustainable development in harmony with nature;

3. *Also requests* the Secretary-General to establish a trust fund for the participation of independent experts in the interactive dialogue to be held at two plenary meetings to be convened during the commemoration of International Mother Earth Day on 20 April 2011, and invites Member States and other relevant stakeholders to consider contributing to this fund;

4. *Further requests* the Secretary-General to make use of the existing information portals on sustainable development maintained by the secretariat of the United Nations Conference on Sustainable Development and the Division

for Sustainable Development of the Department of Economic and Social Affairs of the Secretariat to gather information and contributions on ideas and activities to promote a holistic approach to sustainable development in harmony with nature being undertaken to advance the integration of scientific interdisciplinary work, including success stories on the use of traditional knowledge, and existing national legislation, with a view to making substantive contributions to the preparatory process of the United Nations Conference on Sustainable Development and beyond;

5. *Requests* the Secretary-General to submit to the General Assembly at its sixty-sixth session a report on the implementation of the present resolution.

By **decision 65/544** of 24 December, the Assembly decided that the agenda item on harmony with nature would remain for consideration during the resumed sixty-fifth (2011) session.

Cooperation with UN Scientific Committee on the Effects of Atomic Radiation

The General Assembly, in **resolution 65/96** (see p. 618), requested UNEP to continue providing support for the work of the United Nations Scientific Committee on the Effects of Atomic Radiation and for the dissemination of its findings to the Assembly, the scientific community and the public. It urged UNEP to continue to strengthen the Committee’s funding, and encouraged Member States to make voluntary contributions to the UNEP general trust fund for supporting the Committee’s work.

Human settlements

Implementation of Habitat Agenda and strengthening of UN-Habitat

In August [A/65/316], the Secretary-General, in response to General Assembly resolution 64/207 [YUN 2009, p. 1040], reported on the implementation of the Habitat Agenda [YUN 1996, p. 994], adopted by the 1996 United Nations Conference on Human Settlements (Habitat II) [ibid., p. 992] and on the strengthening of the United Nations Human Settlements programme (UN-Habitat). During the reporting period, UN-Habitat focused on improving the monitoring of sustainable urbanization conditions and trends, deepening understanding of the current challenges of urbanization, including urban inequality or the “urban divide”, and assessing how urban policies and planning practices were responding to the challenges. Advocacy work was directed at improving global awareness of sustainable urbanization issues and encouraging Habitat Agenda partners to participate in the formulation and implementation of sustainable urbanization policies. The objective was to assist Gov-

ernments in promoting the principles and practice of sustainable urbanization. Building on that advocacy work, UN-Habitat was preparing a report on convening a high-level special event of the General Assembly on sustainable urbanization to promote understanding of the challenges of rapid urbanization, including climate change, housing finance systems, urban planning and sustainable land management, as well as a second report on the question of convening, in 2016, a third United Nations conference on housing and sustainable urban development.

The Secretary-General's report identified urbanization challenges facing cities, including demographic, environmental, economic, social and spatial challenges. Issues related to intra-urban inequality, including poverty, environmental degradation, income, marginalization and social and political exclusion, were addressed in the UN-Habitat flagship reports *Global Report on Human Settlements 2009: Planning Sustainable Cities*, and the *State of the World's Cities 2010/2011: Cities for All—Bridging the Urban Divide*.

UN-Habitat supported country projects to improve policies, legislation and strategies that encouraged inclusive urban planning, management and governance, including: local area development planning and provincial development strategy formulation for Basra, Iraq; formulation of city development strategies in the Great Lakes region of Africa; preparation of provincial and city development strategies in Quang Nam Province and Ho Chi Minh City, Viet Nam; and development of a gender and security strategy for Kosovo. It also provided support to strengthen the role of local authorities in the implementation of inclusive urban planning, management and governance in a number of countries. In the Lake Victoria region, it supported eight demonstration projects on waste management, sanitation, wetlands management, livelihoods, youth and gender empowerment and infrastructure. With the World Bank and UNEP, UN-Habitat developed an open source, city-level greenhouse gas emission inventory standard, launched at the World Urban Forum, to harmonize greenhouse gas emission inventory practices, and thus contribute to better targeting and monitoring of city mitigation efforts. UN-Habitat supported activities in countries and regions both prone to and recovering from human-made and natural disasters. It also supported the implementation of initiatives to improve the efficiency and effectiveness of basic urban infrastructure service providers in the developing world, especially in water supply and sanitation. In Africa, projects were implemented in Ethiopia, Kenya, Rwanda and the United Republic of Tanzania.

The report concluded that the challenges facing cities would continue to be multifaceted, including rapid and often chaotic urbanization, climate change, globalization, increasing social fragmentation and

intra-city inequality, the geographical expansion of cities into megalopolises and the changing scale and complexity of urban governance. Cities in developing countries, where the majority of the population would live after 2025, had to learn how to mitigate greenhouse gas emissions and adapt to climate change while also meeting urban deficits in drinking water supply and sanitation. They would have to focus on strengthening their role as engines of national economic growth and pay greater attention to poverty and exclusion, whose most visible manifestation was the existence of slums. Given that the population balance was tilting towards urban areas, sustainable development was increasingly becoming synonymous with sustainable urbanization. The fundamental questions regarding the role of cities in climate change mitigation and adaptation, as well as access to adequate housing, land and basic urban services such as water and sanitation, should be incorporated into international, national and local responses if sustainable forms of urban development were to be attained in the developing world. Governments and public and private entities were encouraged to contribute to the further capitalization of the United Nations Habitat and Human Settlements Foundation to provide more financial and seed capital support for slum upgrading and prevention, as well as for pro-poor investment in urban water supply and sanitation. Governments should also reassess progress made with regard to adequate shelter for all and sustainable human settlements development.

World Urban Forum. The fifth session of the World Urban Forum (Rio de Janeiro, Brazil, 22–26 March) [HSP/GC/23/INF/2] was held under the theme “The right to the city: bridging the urban divide”. The UN-Habitat Executive Director launched the World Urban Campaign during the Forum to raise global awareness of sustainable urbanization issues towards the goal of smarter, greener and more equitable cities. The 100 Cities Initiative, a key component of the Campaign, would build on the concept of best practices, focusing on the sharing, exchange and transfer of lessons learned. The Forum held a special session on improving the rebuilding initiative in Haiti following the earthquake in January (see p. 320), where UN-Habitat served as the lead coordinator for housing, land and planning.

In December [HSP/GC/23/2/Add.2], the Executive Director submitted a report summarizing the issues discussed at the fifth session of the Forum. During the session, three new opportunities and partnerships were suggested to build communities more sustainably; restore security to housing markets; and incorporate innovative and sustainable approaches into planning for disaster and offsetting climate change. The Forum acknowledged that the notions of sustainability and inclusiveness entailed recognition and

positive harnessing of the energy of women, youth and children, key urban stakeholders who constituted the majority and deserved a stronger voice in society. The role of knowledge, education, information and capacity-building was paramount in bridging the urban divide. New tools, insights and techniques would be required to bridge that divide, and universities and professional associations were best positioned to provide them.

The Forum recommended that greater effort be directed towards putting in place legal and institutional frameworks together with the necessary investments to make the right to the city a reality, and that a thorough review and analysis of governance institutions be conducted. New approaches to planning, paradigms for service delivery and business models for urban development were needed, accompanied by policy frameworks and leadership. Bridging the urban divide required an integrated approach that articulated economic, social, political and cultural forms of inclusiveness. The MDGs provided a useful framework for implementing a multidimensional approach to bridging the urban divide and for monitoring progress thereon. The three pillars of sustainability—social, economic and environmental—needed to be strengthened with the cross-cutting dimensions of technology and governance. Better land-use planning, greener and more robust building codes and smart infrastructure and services were needed to make cities more resilient and resistant to the effects of climate change. Such measures could best be achieved by harnessing the full potential of technology to reduce the ecological footprint of cities, while making public infrastructure and services more accessible and more affordable.

Coordinated implementation of Habitat Agenda

In response to Economic and Social Council decision 2009/238 [YUN 2009, p. 1040], the Secretary-General submitted a May report [E/2010/72] on the coordinated implementation of the Habitat Agenda. The report highlighted some of the strategic actions taken by UN-Habitat to become a catalyst in the implementation of the Agenda, which entailed a shift towards enabling, empowering and entrusting partners to partake in decision-making, priority-setting and implementation. The approach was used to establish and launch the World Urban Campaign, which spearheaded UN-Habitat efforts to work with Habitat Agenda partners to elevate the importance of sustainable urbanization in public policy and in public and private investment.

The report described UN-Habitat activities at the global, regional and inter-agency levels, as well as those conducted with private-sector partners. UN-

Habitat supported activities in countries prone to and recovering from natural and human-made disasters, including projects in Colombia, the Democratic Republic of the Congo, Kosovo, Madagascar, Mexico, Mozambique, Nepal, Pakistan, the Sudan and Uganda. It also continued to support the secretariat of the International Strategy for Disaster Reduction and other partners in the global campaign “Making cities resilient”, which assisted partner cities in risk reduction and urban resilience programming. In March, UN-Habitat and the Joint United Nations Programme on HIV/AIDS signed a letter of agreement to compile a body of evidence and information to better support targeted programming on urban slum settlements and HIV. The report also highlighted UN-Habitat efforts to integrate a gender perspective into all of its work, and to empower young people and civil society.

The report concluded that the international and national debate on sustainable development had been divided into the environmental protection or “green agenda”, and the human settlements or “brown agenda”. The accelerating demographic shift to cities made sustainable urbanization synonymous with sustainable development. In a rapidly urbanizing world, social, economic and environmental issues could no longer be addressed independently of the spatial context in which they evolved. That context was the city, where irreversible changes were taking place in the ways land, energy, water and other natural resources were used. The convergence between those two agendas called for major changes in public policy, resource allocation and decision-making, as well as new approaches to development. The report recommended that a third United Nations Conference on housing and sustainable urban development (Habitat III) be convened in 2016, as proposed by the Governing Council in a 2009 resolution [YUN 2009, p. 1042] and by the General Assembly in resolution 64/207 [ibid., p. 1040]. Such a conference would provide an opportunity to define the new paradigms, policy frameworks and mechanisms for international cooperation to guide sustainable development in an urbanizing world. Member States should participate in the World Urban Campaign by organizing national habitat committees, and take advantage of the annual World Habitat Day celebrations to mobilize a wide range of stakeholders to explore policy options to meet the challenges associated with rapid urbanization. As World Habitat Day 2010 (4 October) would coincide with the high-level segment of the Shanghai World Exposition (Shanghai, China, 1 May–31 October), Member States and the UN system should use the opportunity to renew their commitments to the coordinated implementation of the Habitat Agenda.

On 21 July, the Economic and Social Council, by **decision 2010/236**, took note of the Secretary-General's report, decided to transmit it to the General Assembly for consideration at its sixty-fifth (2010) session, and requested the Secretary-General to report on the coordinated implementation of the Habitat Agenda to the Council in 2011.

In response to the Council's decision, the Secretary-General, by an August note [A/65/302], transmitted the report to the Assembly.

GENERAL ASSEMBLY ACTION

On 20 December [meeting 69], the General Assembly, on the recommendation of the Second Committee [A/65/437], adopted **resolution 65/165** without vote [agenda item 21].

Implementation of the outcome of the United Nations Conference on Human Settlements (Habitat II) and strengthening of the United Nations Human Settlements Programme (UN-Habitat)

The General Assembly,

Recalling its resolutions 3327(XXIX) of 16 December 1974, 32/162 of 19 December 1977, 34/115 of 14 December 1979, 56/205 and 56/206 of 21 December 2001, 57/275 of 20 December 2002, 58/226 and 58/227 of 23 December 2003, 59/239 of 22 December 2004, 60/203 of 22 December 2005, 61/206 of 20 December 2006, 62/198 of 19 December 2007, 63/221 of 19 December 2008 and 64/207 of 21 December 2009,

Recalling also Economic and Social Council resolutions 2002/38 of 26 July 2002 and 2003/62 of 25 July 2003 and Council decisions 2004/300 of 23 July 2004, 2005/298 of 26 July 2005, 2006/247 of 27 July 2006, 2007/249 of 26 July 2007, 2008/239 of 23 July 2008, 2009/238 of 29 July 2009 and 2010/236 of 21 July 2010,

Recalling further the goal contained in the United Nations Millennium Declaration of achieving a significant improvement in the lives of at least 100 million slum-dwellers by 2020 and the goal contained in the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation") to halve, by 2015, the proportion of people who lack access to safe drinking water and sanitation,

Recalling the Habitat Agenda, the Declaration on Cities and Other Human Settlements in the New Millennium, the Johannesburg Plan of Implementation and the Monterrey Consensus of the International Conference on Financing for Development,

Recalling also the 2005 World Summit Outcome, which calls upon the States Members of the United Nations to achieve a significant improvement in the lives of at least 100 million slum-dwellers by 2020, recognizing the urgent need for the provision of increased resources for affordable housing and housing-related infrastructure, prioritizing slum prevention and slum upgrading, and to encourage support for the United Nations Habitat and Human Settlements Foundation and its Slum Upgrading Facility,

Recalling further the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals and its outcome document,

Expressing its concern about the continuing increase in the number of slum-dwellers in the world, despite the attainment of the Millennium Development Goal target of achieving a significant improvement in the lives of at least 100 million slum-dwellers by 2020,

Recognizing the negative impacts of environmental degradation, including climate change, desertification and loss of biodiversity, on human settlements,

Cognizant of the fact that dust storms and sandstorms have, in the past few years, inflicted substantial damage on the socio-economic situation of the inhabitants of the world's dryland regions, especially in Africa and Asia, and welcoming the efforts and cooperation of Member States at the regional and international levels to control and reduce the negative effects on human settlements in vulnerable regions,

Welcoming with appreciation the important contribution of the United Nations Human Settlements Programme (UN-Habitat), within its mandate, to more cost-effective transitions between emergency relief, recovery and reconstruction and the decision to admit UN-Habitat to the Inter-Agency Standing Committee,

Recognizing the significance of the urban dimension of poverty eradication and the need to integrate water and sanitation and other issues within a comprehensive framework for sustainable development,

Recognizing also the importance of decentralization policies for achieving sustainable human settlements development in line with the Habitat Agenda and the internationally agreed development goals, including the Millennium Development Goals,

Noting the efforts of UN-Habitat, as a non-resident organization, in helping programme countries to mainstream the Habitat Agenda into their respective development frameworks, and reiterating the relevance of the existing network of Habitat Programme Managers in the increased realization of projects and cooperation activities at the national level,

Noting also the efforts of UN-Habitat in strengthening and enhancing its collaboration with international and regional development banks and domestic financial institutions to combine public and private capital with capacity-building and policy reform activities in order to improve access by the poor to water and sanitation and affordable housing finance in support of the attainment of the internationally agreed development goals, including the Millennium Development Goals,

Recognizing that the World Urban Forum is the foremost global arena for interaction among policymakers, local government leaders, non-government stakeholders and expert practitioners in the field of human settlements, expressing its appreciation to the Government of Brazil and the city of Rio de Janeiro for hosting the fifth session of the Forum from 22 to 26 March 2010 and to the Government of Bahrain for its offer to host the sixth session of the Forum in 2012, and welcoming the efforts to improve the planning, organization and effectiveness of future sessions of the Forum as set out in the review of lessons learned mandated by the Governing Council of UN-Habitat at its twenty-second session,

Reaffirming the increased importance of South-South cooperation and triangular cooperation in helping developing countries to develop capacities in order to achieve their national goals, including those related to sustainable human settlements and urban development,

Recalling its invitation to the Governing Council of UN-Habitat to keep developments in housing finance systems under review in view of the current global financial and economic crisis, recalling its decision to explore the possibility of convening a high-level event of the General Assembly on the subject, and acknowledging the efforts of the Council at its twenty-second session in this regard,

Recalling its encouragement to UN-Habitat to continue exploring the possibility of convening a high-level special event of the General Assembly on sustainable urbanization to promote understanding of the challenges of rapid urbanization, including climate change, housing finance systems, urban planning and sustainable land management,

Recalling its request to the Secretary-General to prepare a report on the question of convening in 2016 a third United Nations conference on housing and sustainable urban development (Habitat III), in collaboration with the Governing Council of UN-Habitat, for consideration by the General Assembly at its sixty-sixth session,

Reaffirming its encouragement to the Economic and Social Council to include sustainable urbanization, urban poverty reduction and slum upgrading as a cross-cutting issue in the follow-up to the outcome of relevant summits and major international conferences,

Recognizing the continuing need for adequate and predictable financial contributions to the United Nations Habitat and Human Settlements Foundation to ensure timely, effective and concrete global implementation of the Habitat Agenda, the Declaration on Cities and Other Human Settlements in the New Millennium and the relevant internationally agreed development goals, including those contained in the Millennium Declaration, the Johannesburg Declaration on Sustainable Development and the Johannesburg Plan of Implementation,

1. *Takes note* of the report of the Secretary-General on the coordinated implementation of the Habitat Agenda and the report of the Secretary-General on the implementation of the outcome of the United Nations Conference on Human Settlements (Habitat II) and strengthening of the United Nations Human Settlements Programme (UN-Habitat);

2. *Notes* the progress made in response to the request of the Governing Council of UN-Habitat in its resolution 22/5 of 3 April 2009 for a joint examination of the governance of UN-Habitat with a view to identifying and implementing ways to improve the transparency, accountability, efficiency and effectiveness of the functioning of the existing governance structure and to identify options for potential relevant changes for consideration by the Council at its twenty-third session;

3. *Welcomes* the commitment by Heads of State and Government at the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals to work towards cities without slums, beyond current targets, by reducing slum populations and improving the lives of slum-dwellers, with adequate support of the international community, by prioritizing national urban planning strate-

gies with the participation of all stakeholders, by promoting equal access for people living in slums to public services, including health, education, energy, water and sanitation and adequate shelter, and by promoting sustainable urban and rural development, and encourages UN-Habitat to continue providing the necessary technical assistance;

4. *Takes note* of the outcome document of the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals, in particular paragraph 77 (k), and in this regard invites the Governing Council of UN-Habitat to consider, at its earliest convenience, appropriate global and national strategies and frameworks for future work, in order to achieve a significant improvement in the lives of slum-dwellers beyond the current slum-related targets, in the light of the continuing increase in the number of slum-dwellers in the world;

5. *Welcomes* the progress being made by UN-Habitat in the implementation of its medium-term strategic and institutional plan for the period 2008–2013, and encourages a timely and effective presentation of the conclusions of the midterm review of the plan to be submitted to the Governing Council of UN-Habitat at its twenty-third session;

6. *Supports* the dissemination and implementation of the guidelines on decentralization and strengthening of local authorities and the guidelines on access to basic services for all, approved by the Governing Council of UN-Habitat in its resolutions 21/3 of 20 April 2007 and 22/8 of 3 April 2009, respectively;

7. *Encourages* UN-Habitat, within its mandate and in line with focus area three of the medium-term strategic and institutional plan for the period 2008–2013, to continue its existing cooperation on issues related to cities and climate change and to continue to play a complementary role in matters related to climate change within the United Nations system, in particular in addressing the vulnerability of cities to climate change, including through further normative work and expansion of its technical assistance to towns and cities on local action for the mitigation of urban-based greenhouse gas emissions and adaptation to climate change, with a focus on vulnerable urban populations, slum-dwellers, the urban poor and at-risk populations;

8. *Recalls* the importance of timely action by UN-Habitat in response to natural and human-made disasters, in particular through its work in addressing post-disaster and post-conflict housing and infrastructure needs through its normative and operational work as part of the continuum from emergency relief to recovery to urban development through effective urban planning;

9. *Reiterates its encouragement* to the Economic and Social Council to include sustainable urbanization, urban poverty reduction and slum upgrading as a cross-cutting issue in the preparations for and follow-up to the outcome of relevant summits and major international conferences, including the United Nations Conference on Sustainable Development in 2012;

10. *Invites* UN-Habitat to contribute to the preparatory process of the United Nations Conference on Sustainable Development by providing technical contributions and inputs, as appropriate, to the report of the Secretary-General on the objective and themes of the Conference and to transmit outcomes emanating from its meetings relevant to the themes of the Conference;

11. *Recognizes* the progress being made by UN-Habitat to accelerate the provision of finance for the mobilization of seed capital through domestic and other financial resources for shelter and related infrastructure, with due priority to be given to the needs of low-income households, as requested in resolutions 56/206 and 61/206, including through the development of the Experimental Reimbursable Seeding Operations Trust Fund of the United Nations Habitat and Human Settlements Foundation, established by the Governing Council of UN-Habitat in its resolution 21/10 of 20 April 2007, and expresses its interest in the recommendations of the independent evaluation to be presented to the Council at its twenty-third session;

12. *Calls for* continued financial support to UN-Habitat through increased voluntary contributions, and invites Governments in a position to do so and other stakeholders to provide predictable multi-year funding and increased non-earmarked contributions to support the implementation of the medium-term strategic and institutional plan for the period 2008–2013;

13. *Invites* the international donor community and financial institutions to contribute generously to the United Nations Habitat and Human Settlements Foundation, including the Water and Sanitation Trust Fund, the Slum Upgrading Facility and the technical cooperation trust funds, to enable UN-Habitat to assist developing countries in mobilizing public investment and private capital for slum upgrading, shelter and basic services;

14. *Emphasizes* the importance of the Nairobi headquarters location of UN-Habitat, and requests the Secretary-General to keep the resource needs of UN-Habitat and the United Nations Office at Nairobi under review so as to permit the delivery, in an effective manner, of necessary services to UN-Habitat and other United Nations organs and organizations in Nairobi;

15. *Encourages* the Secretary-General, in consultation with the Governing Council of UN-Habitat and in discussion with all the partners of the Habitat Agenda, to consider, in his report to the General Assembly at its sixty-sixth session on the question of convening in 2016 a third United Nations conference on housing and sustainable urban development (Habitat III), the possibility of integrating the two themes of “housing finance systems” and “sustainable urbanization”, previously suggested as topics for separate high-level events of the Assembly, either into the preparatory process of Habitat III or into a combined theme for a single high-level event;

16. *Requests* the Secretary-General to submit to the General Assembly at its sixty-sixth session a report on the implementation of the present resolution;

17. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled “Implementation of the outcome of the United Nations Conference on Human Settlements (Habitat II) and strengthening of the United Nations Human Settlements Programme (UN-Habitat)”.

UN Human Settlements Programme

In accordance with General Assembly resolution 56/206 [YUN 2001, p. 987], the Governing Council of UN-Habitat, which met biennially, did not meet in 2010. The twenty-third session of the Council would take place in 2011.

On 25 August, the General Assembly, by **decision 64/428**, on the proposal of the Secretary-General [A/64/897], elected Joan Clos as Executive Director of UN-Habitat for a four-year term of office beginning on 18 October 2010, and ending on 17 October 2014.

Committee of Permanent Representatives

The Committee of Permanent Representatives, the intersessional body of the UN-Habitat Governing Council, met four times in 2010, on 5 March [HSP/CPR/37/2], 14 June [HSP/CPR/38/2], 15 September [HSP/CPR/39/2] and 16 December [HSP/CPR/40/2/Rev.1]. It considered, among other matters, the UN-Habitat medium-term strategic and institutional plan, UN-Habitat country activities, the Programme’s financial status and the governance review process.

Board of Auditors report

In June [A/65/5/Add.8], the Board of Auditors transmitted to the General Assembly its report on the UN-Habitat financial statements for the biennium ended 31 December 2009. Total income amounted to \$311.6 million, an increase of \$21.6 million or 7.4 per cent over the previous period. Total expenditure reached \$296.4 million, an increase of \$46 million or 18.4 per cent compared to the previous financial period. The increase resulted in an excess of income over expenditure of \$15.2 million before adjustments. As at 31 December 2009, the level of cash held was \$209.6 million, representing a 20.4 per cent increase over the amount of \$174.1 million held in the previous period. The cash situation was the result of the increased number of donors providing their funding in advance for multi-year activities and was not an indication of delays in project execution. End-of-service and post-retirement liabilities amounted to \$12.8 million.

The Board recommended, among other measures, that UN-Habitat develop a plan for end-of-service liabilities. It should continue to implement the International Public Sector Accounting Standards and specify its needs for the migration of its software to the future enterprise resource planning system. UN-Habitat should include activities funded by the UN regular budget in its financial statements; revise its treatment of education grants; ensure that all indicators of achievement were supported by documentary evidence; and extend the inventory management system to the liaison and outposted offices.

UN-Habitat activities

In 2010, UN-Habitat continued to implement its work programme in line with Governing Council resolutions and the goals of the UN system and the international community. Under the 2008–2013

medium-term strategic plan, approved by the Council in 2007 [YUN 2007, p. 1086], UN-Habitat focused on advocacy, monitoring and partnerships; promotion of participatory planning, management and governance; promotion of pro-poor land and housing; environmentally sound basic infrastructure and services; strengthened human settlements finance systems; and excellence in management.

The Programme's operational work on affordable housing finance was implemented through the experimental reimbursable seeding operations programme and the Slum Upgrading Facility pilot programme, which integrated market-based solutions with community-led efforts and government inputs to tackle inadequate housing, water and sanitation. Through the reimbursable seeding operations programme, five loans, with a total value of \$2.75 million, were disbursed in Nepal, Nicaragua, the Occupied Palestinian Territory, Uganda and the United Republic of Tanzania. The Slum Upgrading Facility pilot programme established local finance facilities in Ghana, Indonesia, Sri Lanka and the United Republic of Tanzania. Grant agreements totalling over \$6.5 million were concluded under the programme, attracting government commitments of some \$1.4 million. Eight projects were implemented, attracting commercial lending of over \$500,000. Technical assistance focusing on strengthening business and financial capacity was provided to local finance facilities, NGO networks and local authorities. The pilot programme ended in December.

Normative work in affordable housing focused on informal settlements and finance; community-based finance approaches to affordable housing; social housing and related finance models; housing cooperative approaches; and social investment funds. UN-Habitat produced guides on preparing a housing finance strategy and on municipal finance as tools for Governments and municipalities. It strengthened efforts to promote the economic development of towns and cities, including by producing a report on housing as a tool for poverty reduction in Ghana, and launching the Global Urban Economic Dialogue series to generate debate and solutions on pressing urban economic development and housing issues. The first dialogue in the series was the Global Dialogue on Better Cities, Better Economies, held at the 2010 World Exposition (Shanghai, 1 May–31 October). UN-Habitat, in partnership with the United Nations Economic and Social Commission for Asia and the Pacific and an Indian housing finance institution, facilitated the establishment of an Asia-Pacific housing finance network. In partnership with the African Union for Housing Finance, it also launched its first training programme on affordable housing mechanisms and practices for senior bankers and finance practitioners. UN-Habitat developed a climate change strategy for the 2010–2013 period, highlighting the importance

of implementation and action across the Programme. As part of that strategy, it launched a cities and climate change initiative to promote dialogue between the national and local levels, raise awareness on the vulnerability of the urban poor to climate change and develop local government capacity to respond to climate change challenges. The initiative began in four pilot cities: Esmeraldas, Ecuador; Kampala, Uganda; Maputo, Mozambique; and Sorsogon City, the Philippines. An additional five African cities in Burkina Faso, Namibia, Rwanda and Senegal joined the initiative, as well as cities in nine Asian countries, including four small island developing States in the Pacific. UN-Habitat joined with the World Bank, UNEP and the Cities Alliance to achieve a more coordinated and focused response to climate change issues facing cities, particularly in developing countries. The collaborating entities released for public comment an international standard for determining greenhouse-gas emissions for cities at the fifth session of the World Urban Forum (see p. 1045). In partnership with the secretariat of the 1992 Convention on Biological Diversity [YUN 1992, p. 683], UN-Habitat developed and launched a guide on supporting local action for biodiversity, which contained recommendations on how national and local governments could contribute to local-level biodiversity management while tackling climate change concerns. UN-Habitat focused on strengthening the institutional management and operations of the Opportunities Fund for Urban Youth-led Development, engaging its regional offices in processing applications to the Fund. Young people's development issues were reflected in the report *State of the World's Cities 2010/2011—Cities for All: Bridging the Urban Divide*, in a supplement entitled *State of the Urban Youth 2010/2011: Leveling the Playing Field*; both documents were launched during the World Urban Forum.

Report of Executive Director. The Executive Director submitted, in December [HSP/GC/23/2/Add.5], a report on the coordinated implementation of the guidelines on access to basic services for all, approved by the Governing Council in 2009 [YUN 2009, p. 1042], and the guidelines on decentralization and strengthening of local authorities, approved in 2007 [YUN 2007, p. 1087]. It highlighted the activities carried out by UN-Habitat in consultation with stakeholders to prepare and operationalize a strategy for the implementation of the guidelines on basic access to services for all in a way that complemented the international guidelines on decentralization and the strengthening of local authorities; described tools to facilitate the implementation process and presented initial findings from assessment surveys carried out in several countries; and provided information on coordination with other international initiatives and on collaboration with United Cities and Local Governments.

Since their approval in 2009, few local, national or international initiatives had made direct reference to the implementation of the international guidelines. More needed to be done to adapt the guidelines to local, national and regional contexts, and thus transform them into a useful tool for improving legislative, regulatory and operational frameworks. In most countries, no specific national institution was in charge of coordinated monitoring. National or sub-national responsibilities for developing basic services were often fragmented and lacked an intersectoral and coordinated approach. Developing and monitoring efforts to improve access to basic services at the national level would require additional instruments for reviewing and coordinating sector policies.

Following up on efforts to formulate a road map for the implementation process, which were supported by France and other partners, UN-Habitat developed a comprehensive programme document highlighting three major components of its strategy for the integrated adaptation of the two sets of guidelines to national and local situations. The main elements of the strategy included policy development and advocacy at the regional and national levels; training and capacity development at the regional, national and local levels; and monitoring and reporting. A special meeting and a technical meeting were both held on 25 March

at the fifth session of the World Urban Forum (see p. 1045). At the technical meeting, participants made recommendations related to the establishment of a multi-stakeholder consultative mechanism and the mobilization of the capacity for collecting information on relevant initiatives and tools. At a meeting held in Paris on 27 and 28 October, the strategy and programme for supporting the implementation of the two sets of guidelines were agreed upon, including selection criteria for interested countries to be considered for the implementation programme's pilot phase. A single handbook to guide the coordinated implementation was finalized by UN-Habitat.

The Executive Director recommended, among other measures, that the Governing Council request UN-Habitat to accord special emphasis to enhancing national- and regional-level activities for the implementation of the two sets of guidelines. Within the framework of its medium-term strategic and institutional plan, UN-Habitat should strengthen the human and financial capacities of the Regional and Technical Cooperation Division to facilitate the development and testing of multisectoral and multi-stakeholder instruments for operationalizing the guidelines. It should also assist countries in undertaking the coordinated adaptation and implementation of the guidelines.

Population

In 2010, world population stood at 6.9 billion and life expectancy reached 69 years in all of the world's regions except Africa. Ninety-one per cent of reproductive rights were incorporated into the Convention on the Elimination of All Forms of Violence against Women, and over 6,000 communities in eight countries rejected the practice of female genital mutilation. The United Nations provided support to countries carrying out the 2010 round of population censuses, to countries implementing programmes aimed at preventing mother-to-child transmission of HIV/AIDS, and to areas in need of emergency obstetric and newborn care, family planning, and neonatal care.

UN-system population activities continued to be guided by the Programme of Action adopted at the 1994 International Conference on Population and Development (ICPD) and the key actions for its implementation adopted at the twenty-first special session of the General Assembly in 1999. The Commission on Population and Development—the body responsible for monitoring, reviewing and assessing implementation of the Programme of Action—extended the Programme and key actions beyond 2014, and considered the special theme “Health, morbidity, mortality and development”. The Population Division analysed and reported on world demographic trends and policies, making its findings available in publications and on the Internet.

The United Nations Population Fund (UNFPA) assisted countries in implementing the ICPD agenda and the Millennium Development Goals through their use of population data to formulate sound policies and programmes. In 2010, UNFPA provided assistance to 155 countries, areas and territories, with emphasis on increasing the availability and quality of reproductive health services, especially among young people; empowering women; eliminating gender-based violence; and formulating effective population policies.

Commission on Population and Development

Commission session

At its forty-third session (New York, 3 April 2009 and 12–16 April 2010) [E/2010/25], the Commission on Population and Development considered the spe-

cial theme “Health, morbidity, mortality and development” and discussed follow-up actions to the recommendations of the 1994 International Conference on Population and Development (ICPD) [YUN 1994, p. 955].

The Commission considered the report of the Bureau of the Commission on its three intersessional meetings (New York, 28 October and 9 December 2009, and Jerusalem, 11–13 January 2010) [E/CN.9/2010/2], and took note [E/2010/25 (dec. 2010/102)] of reports of the Secretary-General on: health, morbidity, mortality and development [E/CN.9/2010/3] (see below), the monitoring of population programmes [E/CN.9/2010/4] (see p. 1057), the flow of financial resources for assisting in the implementation of the ICPD recommendations [E/CN.9/2010/5], and programme implementation and progress of work in the field of population [E/CN.9/2010/6] [YUN 2009, p. 1054]; and a note by the Secretary-General on the proposed strategic framework for 2012–2013 [E/CN.9/2010/7]. The Commission also had before it a letter from China transmitting the outcome document “Beijing call to action”, adopted at the fifth Asia Pacific Conference on Reproductive and Sexual Health and Rights (Beijing, 17–20 October 2009) [E/CN.9/2010/8], and a statement from the International Planned Parenthood Federation, a non-governmental organization (NGO) in consultative status with the Economic and Social Council [E/CN.9/2010/NGO/1].

Reports of Secretary-General. In a report issued in January [E/CN.9/2010/3] on health, morbidity, mortality and development, the Secretary-General documented the major reductions in mortality achieved since 1950 in all countries, the shifting burden of disease from communicable to non-communicable diseases, and the interrelations between health and development. Life expectancies were at or above 69 years in all world regions, except Africa, due to effective control and treatment of the major communicable diseases. The report recommended combining an intersectoral approach to disease prevention with measures to strengthen health-care delivery, particularly by ensuring that health systems had comprehensive primary health care at their core, and stated that high-income countries should follow responsible recruitment practices to prevent shortages of health workers in low-income countries. A crucial element in the strengthening of health systems was adequate recruitment, training and variety in the health work-

force. The most cost-effective strategy to reduce the growing burden of chronic non-communicable disease was to reduce the prevalence of the risk factors associated with tobacco use, unhealthy diets, obesity, physical inactivity, and excessive use of alcohol. Intersectoral action was therefore key in national planning to reduce the burden of non-communicable disease.

In accordance with Assembly resolutions 49/128 [YUN 1994, p. 963] and 50/124 [YUN 1995, p. 1094], the Secretary-General in January submitted a report [E/CN.9/2010/5] on the flow of financial resources for assisting in the implementation of the ICPD Programme of Action [YUN 1994, p. 956]. The report examined expected levels of donor and domestic expenditures for population activities in developing countries for 2008, and provided estimates for population expenditures in 2009 and projections for 2010. It stated that donor assistance had been increasing steadily over the past few years, reaching \$8.7 billion in 2007 and an estimated \$10 billion in 2008. Given the financial crisis, however, funding levels were expected to increase only slightly, to \$10.2 billion in 2009 and \$10.6 billion in 2010. A rough estimate of resources mobilized by developing countries as a group yielded a figure of \$23.2 billion for 2008. The 2009 and 2010 figures were expected to follow the same pattern, increasing only slightly, to \$23.3 billion in 2009 and \$25.7 billion in 2010. Funding levels were far below the targets necessary to realize the goals of the Programme of Action and to achieve the Millennium Development Goals (MDGs); the decreasing proportion of funding for family planning services was a concern. Given limited financial resources, it was essential that donor countries, international agencies and recipient countries avoid duplication, identify funding gaps and ensure that resources were used as effectively and efficiently as possible.

Commission action. The Commission adopted and brought to the attention of the Economic and Social Council a resolution on health, morbidity, mortality and development [E/2010/25 (res. 2010/1)]. By the resolution, the Commission reaffirmed its commitment to the full implementation of the ICPD Programme of Action and encouraged Member States and international organizations to accelerate progress on all health-related targets of the MDGs—in particular universal access to reproductive health, immunization and key child survival interventions; HIV prevention, mitigation and treatment; prevention and treatment of neglected tropical diseases; prevention and treatment services for malaria and tuberculosis; and access to affordable, safe water and sanitation. The Commission urged Governments to strengthen health systems, to protect and promote human rights and fundamental freedoms, and to redouble efforts to reduce maternal morbidity, including during the post-natal period. It emphasized the urgency of combating the main

causes of child morbidity and mortality; underlined the need of people living with armed conflict and foreign occupation for a functioning public health system; recognized that lack of adequate funding remained a constraint to the implementation of the Programme of Action; and called on donor Governments to assist countries in strengthening national health systems.

The Commission decided that the special theme for its forty-fifth (2012) session would be “Adolescents and youth” [ibid. (dec. 2010/101)], and approved the draft provisional agenda for its forty-fourth (2011) session.

The Economic and Social Council, by **decision 2010/238** of 21 July, took note of the report of the Commission on its forty-third (2010) session and approved the provisional agenda for the forty-fourth (2011) session.

GENERAL ASSEMBLY ACTION

On 22 December [meeting 72], the General Assembly adopted **resolution 65/234** [draft: A/65/L.39/Rev.2 & Add.1] without vote [agenda item 13].

Follow-up to the International Conference on Population and Development beyond 2014

The General Assembly,

Recalling its resolutions 50/124 of 20 December 1995, 51/176 of 16 December 1996 and 53/183 of 15 December 1998 on the implementation of the Programme of Action of the International Conference on Population and Development, adopted in Cairo in September 1994, and its resolutions 49/128 of 19 December 1994 and 52/188 of 18 December 1997,

Recalling also the key actions for the further implementation of the Programme of Action, as adopted by the General Assembly at its twenty-first special session, held in New York from 30 June to 2 July 1999,

Recalling further its resolution 57/270 B of 23 June 2003 on the integrated and coordinated implementation of and follow-up to the outcomes of the major conferences and summits,

Noting that the Programme of Action is due to formally come to an end in 2014 but that its goals and objectives remain valid beyond 2014,

Acknowledging that many Governments may not meet all the goals and objectives of the Programme of Action by 2014,

Recognizing the crucial linkages between the implementation of the Programme of Action and the achievement of the internationally agreed development goals, including the Millennium Development Goals,

Noting that, in spite of the progress made towards achieving the goals and objectives of the Programme of Action and the Millennium Development Goals, considerable gaps still exist in the implementation of different areas of the Programme of Action,

Recalling that the Programme of Action requires for its implementation adequate mobilization of resources at the national and international levels, as well as new and additional resources for developing countries from all available funding mechanisms, including multilateral, bilateral and

private sources, and that Governments are not expected to meet the goals and objectives of the Programme of Action single-handedly,

Stressing the importance of protecting the achievements of the International Conference, responding to new challenges relevant to population and development and to the changing development environment, and reinforcing the integration of the population and development agenda in global processes related to development,

1. *Emphasizes* the need for Governments to recommit themselves at the highest political level to achieving the goals and objectives of the Programme of Action of the International Conference on Population and Development;

2. *Decides* to extend the Programme of Action and the key actions for its further implementation beyond 2014 and ensure its follow-up in order to fully meet its goals and objectives;

3. *Also decides* to convene a special session during the sixty-ninth session of the General Assembly in order to assess the status of implementation of the Programme of Action and to renew political support for actions required for the full achievement of its goals and objectives, and further decides that the Commission on Population and Development, which is scheduled to hold, at its forty-fourth session, a general debate on the further implementation of the Programme of Action in the light of the twentieth anniversary of the International Conference, should convene an interactive discussion during its forty-seventh session on the assessment of the status of implementation of the Programme of Action;

4. *Reaffirms* that the special session for the assessment of the status of implementation of the Programme of Action will be undertaken on the basis of and with full respect for the Programme of Action and that there will be no renegotiation of the existing agreements contained therein;

5. *Encourages* Governments to undertake reviews of the progress achieved and the constraints faced therein in the implementation of the Programme of Action at all levels, particularly at the national level and at the level of international cooperation;

6. *Calls upon* the United Nations Population Fund, in consultation with Member States and in cooperation with all relevant organizations of the United Nations system and other relevant international organizations, as well as institutions and experts, to undertake an operational review of the implementation of the Programme of Action on the basis of the highest-quality data and analysis of the state of population and development and taking into account the need for a systematic, comprehensive and integrated approach to population and development issues, and requests the Secretary-General to submit a report based on this review to the Commission on Population and Development at its forty-seventh session;

7. *Requests* the Secretary-General, with the support of the United Nations Population Fund and other relevant United Nations agencies, funds and programmes, to ensure that the relevant issues identified during the sessions of the Commission on Population and Development are compiled and forwarded to Governments at the sixty-ninth session of the General Assembly, with an index report indicating recurrent themes and key elements found therein, along with the findings of the operational review;

8. *Invites* all other relevant organizations and bodies of the United Nations system to contribute as appropriate to the special session as well as to its preparation;

9. *Stresses* the need for the effective participation and contribution of relevant actors of civil society, particularly non-governmental organizations, as appropriate, in the special session, as well as in its preparation;

10. *Requests* the Secretary-General to inform the General Assembly at its sixty-eighth session about the preparations for the special session;

11. *Decides* to include in the provisional agenda of its sixty-ninth session a sub-item entitled "Follow-up to the Programme of Action of the International Conference on Population and Development".

International migration and development

Global Forum Meeting. The fourth Global Forum on Migration and Development (Puerto Vallarta, Mexico, 8–11 November) [A/C.2/66/7] was held on the theme "Partnerships for migration and human development: shared prosperity—shared responsibility". Attended by over 450 delegates representing 131 Member States and 39 international organizations, it included a meeting of civil society (8–9 November) followed by a governmental meeting (10–11 November). Round table discussions addressed partnerships for migration and human development, human mobility and human development, and policy and institutional coherence. The meetings recommended that Governments: promote programmes to provide potential immigrants with relevant information to make well-informed decisions; promote job creation in countries of origin; create joint mechanisms for multilateral, regional and bilateral cooperation; establish one-stop shops for information on migration and return in countries of origin and destination; ratify all relevant UN conventions; and strengthen dialogue on the interconnections of climate change, migration and development.

Report of Secretary-General. Pursuant to General Assembly resolution 63/225 [YUN 2008, p. 1186], the Secretary-General in August submitted a report on international migration and development [A/65/203] that described trends in international migration, and reviewed efforts to increase its positive aspects on countries of origin and to avert or reduce negative consequences. Because of the financial and economic crises, increases in the number of international migrants had fallen from 13 million in 2000–2005 to 11 million in 2005–2010. While unemployment in host countries had risen overall, migrant workers were particularly affected because they were concentrated in the sectors that had borne the brunt of the eco-

conomic downturn. Owing to the crisis, remittances to low- and middle-income countries fell from \$336 billion in 2008 to an estimated \$316 billion in 2009. The report reviewed multilateral funding for activities and projects that promoted the beneficial aspects of international migration and development and focused on the work of the Global Forum on Migration and Development. The report recommended that the UN system maintain activities to ensure that the rights of migrants were safeguarded and that migrants in vulnerable situations were protected, in line with a rights-based approach. Governments were encouraged to act cooperatively and keep the channels of communication open.

Communications. On 8 March [A/64/715], Mexico transmitted the communiqué on cooperation on migration issues adopted at the first Latin American and Caribbean Unity Summit (Mayan Riviera, Mexico, 22–23 February).

On 21 July [A/65/499], Greece transmitted to the Secretary-General the report of the third meeting of the Global Forum on Migration and Development (Athens, Greece, 2–5 November 2009) [YUN 2009, p. 1047].

GENERAL ASSEMBLY ACTION

On 20 December [meeting 69], the General Assembly, on the recommendation of the Second (Economic and Financial) Committee [A/65/438/Add.3], adopted **resolution 65/170** without vote [agenda item 22 (d)].

International migration and development

The General Assembly,

Recalling its resolutions 58/208 of 23 December 2003, 59/241 of 22 December 2004, 60/227 of 23 December 2005, 61/208 of 20 December 2006 and 63/225 of 19 December 2008 on international migration and development, as well as its resolution 60/206 of 22 December 2005 on the facilitation and reduction of the cost of transfer of migrant remittances, its resolutions 62/156 of 18 December 2007 and 64/166 of 18 December 2009 on the protection of migrants and its resolution 62/270 of 20 June 2008 on the Global Forum on Migration and Development,

Recalling also the 2005 World Summit Outcome, its resolution 60/265 of 30 June 2006 on the follow-up to the development outcome of the 2005 World Summit, including the Millennium Development Goals and the other internationally agreed development goals, and the Doha Declaration on Financing for Development: outcome document of the Follow-up International Conference on Financing for Development to Review the Implementation of the Monterrey Consensus, adopted on 24 December 2008,

Recalling further its resolution 57/270 B of 23 June 2003 on the integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic and social fields,

Recalling the Conference on the World Financial and Economic Crisis and Its Impact on Development and its outcome document and follow-up,

Recalling also the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals and its outcome document,

Reaffirming the Universal Declaration of Human Rights, and recalling the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child,

Recalling the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and reiterating the call to Member States that have not yet done so to consider signing and ratifying or acceding to the Convention as a matter of priority and the request to the Secretary-General to continue his efforts to promote and raise awareness of the Convention, particularly in the context of the twentieth anniversary of its adoption,

Recalling also the importance of the decent work agenda of the International Labour Organization, including for migrant workers, the eight fundamental Conventions of that Organization and the Global Jobs Pact adopted by the International Labour Conference at its ninety-eighth session, as a general framework within which each country can formulate policy packages specific to its situation and national priorities in order to promote a job-intensive recovery and sustainable development,

Recalling further Commission on Population and Development resolution 2006/2 of 10 May 2006,

Bearing in mind the summary by the President of the General Assembly of the 2006 High-level Dialogue on International Migration and Development,

Acknowledging that the 2006 High-level Dialogue provided a useful opportunity to address constructively the issue of international migration and development and heightened awareness of the issue,

Taking note of the United Nations Development Programme *Human Development Report 2009: Overcoming Barriers—Human Mobility and Development*,

Acknowledging the complexity of migratory flows and that a significant proportion of international migration movements also occurs within the same geographical regions,

Reaffirming the resolve to take measures to ensure respect for and protection of the human rights of migrants, migrant workers and members of their families,

Bearing in mind the obligations of States under international law, as applicable, to exercise due diligence to prevent crimes against migrants, including those perpetrated with racist or xenophobic motivations, to investigate such crimes and to punish the perpetrators and that not doing so violates, and impairs or nullifies the enjoyment of, the human rights and fundamental freedoms of victims, and urging States to reinforce measures in this regard,

Acknowledging the important nexus between international migration and development and the need to deal with the challenges and opportunities that migration presents to countries of origin, transit and destination, recognizing that migration brings benefits and challenges to the global community, and confirming the importance of including the matter in relevant debates and discussions

held at the international level, including at the United Nations, in relation to development,

Acknowledging also the important contribution provided by migrants and migration to development, as well as the complex interrelationship between migration and development,

Recognizing the need to further consider the role that environmental factors may play in migration,

Recalling that migrant workers are among the most vulnerable in the context of the financial and economic crisis and that remittances, which are significant private financial sources for households, have been negatively affected by rising unemployment and weak earnings growth among migrant workers in some countries of destination,

Noting with concern that in many countries of destination international migrants are experiencing higher unemployment than non-migrants,

Recognizing the contributions of young migrants to countries of origin and destination, and in that regard encouraging States to consider the specific circumstances and needs of young migrants,

Noting with concern that the financial and economic crisis has increased the risk of misperceiving the economic effects of migration as negative, and noting in this regard that national public planning should take account of the positive effects that migration has in the medium to long term,

Recognizing that remittance flows constitute sources of private capital, complement domestic savings and are instrumental in improving the well-being of recipients,

Recalling its resolution 63/225, in which it decided to hold a high-level dialogue on international migration and development during its sixty-eighth session, in 2013, and to convene at its sixty-fifth session, in 2011, a one-day informal thematic debate on international migration and development,

1. *Takes note* of the report of the Secretary-General;

2. *Encourages* efforts by Member States and the international community to continue to promote a balanced, coherent and comprehensive approach to international migration and development, in particular by building partnerships and ensuring coordinated action to develop capacities, including for the management of migration;

3. *Recognizes* the importance of renewing the political will to act cooperatively and constructively in addressing international migration, including regular and irregular migration, to address the challenges and opportunities of international migration in a balanced, coherent and comprehensive manner and to promote respect for and protection of human rights in the development and implementation of policies regarding migration and development;

4. *Emphasizes* that respect for the human rights and fundamental freedoms of all migrants is essential for reaping the benefits of international migration;

5. *Expresses concern* about legislation adopted by some States that results in measures and practices that may restrict the human rights and fundamental freedoms of migrants, and reaffirms that, when exercising their sovereign right to enact and implement migratory and border security measures, States have the duty to comply with their obligations under international law, including international human rights law, in order to ensure full respect for the human rights of migrants;

6. *Stresses* that the penalties and treatment given to irregular migrants should be commensurate with their infraction;

7. *Requests* all Member States, in accordance with their relevant international obligations and commitments, to promote cooperation at all levels in addressing the challenge of undocumented or irregular migration so as to foster a secure, regular and orderly process of migration;

8. *Welcomes* the programmes that allow migrants to integrate fully into society, facilitate family reunification in accordance with the laws and specific criteria of each Member State and promote a harmonious, tolerant and respectful environment, and encourages host countries to take appropriate measures aimed at the full integration of long-term migrants staying legally in the country;

9. *Encourages* the United Nations system and other relevant organizations, including the International Organization for Migration, to continue to support efforts aimed at promoting and protecting the rights of migrants, especially those in vulnerable situations, and to provide them with access to these rights, including rights to legal processes and access to entities, such as national migrant resource centres, that provide advice and assistance;

10. *Urges* Member States and relevant international organizations to incorporate a gender perspective into all policies and programmes on international migration in order to, inter alia, reinforce the positive contributions that migrant women can make to the economic, social and human development of their countries of origin and their host countries, and to strengthen the protection of women migrants from all forms of violence, discrimination, trafficking, exploitation and abuse by promoting their rights and welfare, while recognizing in this regard the importance of joint and collaborative approaches and strategies at the bilateral, regional, interregional and international levels;

11. *Recognizes with appreciation* the important contribution made by migrants and migration to development in countries of origin and destination;

12. *Encourages* all countries, in accordance with domestic legislation, to take appropriate measures to facilitate the contribution of migrants and migrant communities to the development of their countries of origin;

13. *Recognizes* the importance of enhancing the capacities of low-skilled migrants in order to increase their access to employment opportunities in countries of destination;

14. *Also recognizes* the need for Member States to continue considering the multidimensional aspects of international migration and development in order to identify appropriate ways and means of maximizing the development benefits and minimizing the negative impacts, including by exploring ways to lower the transfer costs of remittances, garnering the active engagement of expatriates and fostering their involvement in promoting investment in countries of origin and entrepreneurship among non-migrants;

15. *Reaffirms* that there is a need to further address and promote conditions for cheaper, faster and safer transfers of remittances in both source and recipient countries and, as appropriate, to encourage opportunities for development-oriented investment in recipient countries by beneficiaries that are willing and able to take such action, bearing in mind that remittances cannot be considered a substitute for foreign direct investment, official development assistance, debt relief or other public sources of financing for development;

16. *Reiterates* the need to consider how the migration of highly skilled persons and those with advanced education affects the development efforts of developing countries

in order to address the negative impacts and optimize the potential benefits of such migration;

17. *Acknowledges* the need to analyse the impact of certain forms of temporary migration, circular migration and return migration on the development of countries of origin, transit and destination, as well as on migrants themselves;

18. *Calls upon* Member States to address the effects of the financial and economic crisis on international migrants and, in this regard, to renew their commitment to resist unfair and discriminatory treatment of migrants;

19. *Calls upon* all relevant bodies, agencies, funds and programmes of the United Nations system and other relevant intergovernmental, regional and subregional organizations, including the Global Migration Group, within their respective mandates, to continue to address the issue of international migration and development, with a view to integrating migration issues, including a gender perspective and cultural diversity, in a more coherent way, in the context of the implementation of the internationally agreed development goals, including the Millennium Development Goals, and with respect for human rights;

20. *Encourages* the United Nations system and other relevant international organizations to support developing countries in their efforts to address migration issues within their respective development strategies in the context of the implementation of the internationally agreed development goals, including the Millennium Development Goals;

21. *Calls upon* the United Nations system and other relevant international organizations and multilateral institutions to enhance their cooperation in the promotion and development of methodologies for the collection and processing of internationally comparable statistical data on international migration and the situation of migrants in countries of origin, transit and destination, and to assist Member States in their capacity-building efforts in this regard;

22. *Notes* the Global Forum on Migration and Development, which is an informal, voluntary, open, State-led initiative and which held its first meeting in Belgium in 2007, followed by its meetings in the Philippines in 2008, Greece in 2009 and Mexico in 2010, as a contribution to addressing the multidimensional nature of international migration and a step towards promoting balanced and comprehensive approaches, and also notes the generous offer of the Government of Switzerland to assume the Presidency of the Global Forum for 2011;

23. *Notes with appreciation* the announcement by the President of the General Assembly that the informal thematic debate on international migration and development will be held during the first half of 2011;

24. *Requests* the Secretary-General to report to the General Assembly at its sixty-seventh session on the organizational details of the 2013 High-level Dialogue on International Migration and Development, including possible themes;

25. *Invites* the regional commissions, in collaboration with other relevant entities of the United Nations system as well as the International Organization for Migration, to organize discussions to examine regional aspects of international migration and development and to provide inputs, in accordance with their respective mandates and within existing resources, to the report of the Secretary-General on this item and to the preparatory process of the High-level Dialogue;

26. *Invites* Member States, through appropriate regional consultative processes and, as appropriate, other major initiatives in the field of international migration, including on international migration and development, to contribute to the High-level Dialogue;

27. *Decides* to include in the provisional agenda of its sixty-seventh session, under the item entitled "Globalization and interdependence", the sub-item entitled "International migration and development";

28. *Requests* the Secretary-General to submit to the General Assembly at its sixty-seventh session a report on the implementation of the present resolution.

By **resolution 65/212** of 21 December (see p. 676), the General Assembly called on States to promote and protect the human rights and fundamental freedoms of all migrants, and to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families [YUN 1990, p. 594].

United Nations Population Fund

Activities

Report of Secretary-General. In January, the Secretary-General submitted to the Commission on Population and Development a report [E/CN.9/2010/4] on the monitoring of population programmes, which reviewed the work of the United Nations Population Fund (UNFPA) to improve maternal health and reduce morbidity and mortality. The report focused on activities related to maternal and newborn care, investing in family planning and midwifery, enhancing reproductive health commodity security, preventing and treating obstetric fistula, abandoning the practice of female genital mutilation/cutting, eliminating gender-based violence, addressing adolescent pregnancy and child marriage, preventing mother-to-child transmission of HIV, carrying out comprehensive condom distribution programmes to prevent unintended pregnancy and HIV infection, and providing reproductive health services in emergency situations. It found that reproductive ill health affected mortality and accounted for a large share of the global burden of disease, particularly among women and children. The most cost-effective interventions to reduce maternal mortality were family planning, skilled birth attendants during delivery and emergency obstetric care. Constraints in health system performance were a major contributing factor to the delays in achieving better health outcomes and the health-related MDG targets. The international health problem of obstetric fistula disproportionately affected impoverished women and girls living in rural communities in the least developed countries. The global Campaign to End Fistula, carried out by UNFPA and partners, was active in more than 45 countries. The

UNFPA–United Nations Children’s Fund (UNICEF) Joint Programme on Female Genital Mutilation and Cutting was being implemented in 17 countries. UNFPA was leading the Global Condom Initiative, which was ongoing in 55 countries. By investing in those activities, UNFPA contributed to the reduction of morbidity and mortality.

UNDP/UNFPA Executive Board. The UNFPA Executive Director reported, jointly with the Administrator of the United Nations Development Programme (UNDP), to the Economic and Social Council on the triennial comprehensive policy review of operational activities for development of the UN system [E/2011/5]. UNFPA, along with UNDP and other UN development partners, contributed to national capacity development and development effectiveness. The report focused on global and national MDG initiatives; MDG trust fund mechanisms; national strategies and policies; South-South cooperation; gender equality and women’s empowerment, including the prevention of violence against women; poverty reduction; crisis prevention and recovery; and the environment and sustainable development. UNFPA strengthened the evaluation function at the country and regional levels. Of the 122 UNFPA country offices, 54 had monitoring and evaluation officers, and each of the five regional offices had an evaluation adviser.

On 22 January [E/2010/35 (dec. 2010/8)], the Executive Board took note of the 2009 joint report of the UNDP Administrator and the UNFPA Executive Director on the triennial comprehensive policy review [YUN 2009, p. 1049] and transmitted it to the Economic and Social Council.

By **decision 2010/251** of 23 July, the Economic and Social Council took note of that report, as well as of the report of the UNDP/UNFPA Executive Board on its work in 2009 [ibid., p. 854].

On 2 September [dec. 2010/28], the Board expressed its appreciation to retiring Executive Director Thoraya Ahmed Obaid.

On 19 November, following consultations with the Executive Board, the Secretary-General announced the appointment of Babatunde Osotimehin (Nigeria) as the new UNFPA Executive Director for a four-year term.

Reports of Executive Director. A report of the UNFPA Executive Director [DP/FPA/2011/3 (Part I)] analysed progress in implementing the UNFPA strategic plan for 2008–2013, highlighted the key changes in the global context affecting the UNFPA mandate, reviewed progress in the strategic plan development results framework and in the management results framework, and identified pointers for possible strategic shifts. The report focused on population and development; reproductive health and rights; gender equality; and cross-cutting concerns. The report emphasized that UNFPA needed strong political and increased finan-

cial support, as well as increased and predictable core funding in order to enhance its assistance to countries, to fully integrate the ICPD agenda into national development strategies and frameworks, and to achieve the internationally agreed development goals.

In an addendum [DP/FPA/2011/3(Part I)/Add.1], the Executive Director provided a statistical and financial review for 2010. The report stated that UNFPA resources surpassed the \$500 million level for the seventh sequential year, including \$491.2 million in regular resource income, the highest total in the history of UNFPA. Regular resource contribution income increased by \$21.8 million, or 4.6 per cent, and total expenditures increased by \$1.4 million, or 0.2 per cent, to \$801.4 million. The balance of unexpended regular resources for staff benefits and other reserves reached \$59.7 million. UNFPA closed the year in robust financial health.

The Executive Director reported on the recommendations of the Joint Inspection Unit (JIU) [DP/FPA/2011/3 (Part II)]. The report summarized the UNFPA management’s responses to key JIU recommendations and drew attention to specific recommendations directed to the legislative organs of UN system organizations. JIU in 2010 issued seven reports relevant to UNFPA, concerning in-house environmental management policies and practices [JIU/REP/2010/1]; travel arrangements within the UN system [JIU/REP/2010/2]; ethics in the UN system [JIU/REP/2010/3]; enterprise risk management in the UN system [JIU/REP/2010/4]; the audit function in the UN system [JIU/REP/2010/5]; preparedness of UN system organizations for the International Public Sector Accounting Standards [JIU/REP/2010/6]; and policies and procedures for the administration of trust funds in UN system organizations [JIU/REP/2010/7]. The 37 recommendations relevant to UNFPA issued by JIU in 2009 had been implemented or were being pursued.

On 25 June [E/2010/35 (dec. 2010/23)], the Executive Board took note of the documents that made up the Executive Director’s report for 2009 [DP/FPA/2010/17 (Part I & Add.1, Part II)]. The Board requested the Executive Director to submit to the Board in 2011 a consolidated annual report for 2010 that included the midterm review of the extended strategic plan for 2008–2013.

State of World Population report. The Fund’s *State of World Population 2010* report [Sales No. E.10.III.H.1] was entitled “From conflict and crisis to renewal: generations of change”. It explored how conflicts and protracted humanitarian emergencies affected women and girls as well as men and boys, and showed how many women and young people had overcome seemingly insurmountable obstacles and rebuilt their lives.

General Assembly action. The General Assembly, by **resolution 65/176** of 20 December (see p. 868), renamed the Executive Board of the UNDP/UNFPA to include the United Nations

Office for Project Services. The name was changed to “Executive Board of the United Nations Development Programme/United Nations Population Fund/United Nations Office for Project Services”.

Population and development

Between 2000 and 2010, donor assistance for population activities steadily increased from an annual amount of less than \$2 billion to over \$10 billion. UNFPA advanced the understanding of population dynamics and supported its incorporation in national development strategies. Through country programmes, many countries received direct support for formulating poverty reduction strategies and national development plans.

UNFPA incorporated youth participation and young people’s rights in its policies by providing technical support to countries. UNFPA country offices reported increased inclusion of youth issues in national planning; however, one third of all countries had no emergency preparedness documents in place, which posed a major challenge in ensuring that young people’s needs were promptly addressed in the aftermath of a disaster or a conflict.

Support to the 2010 census operations remained a key priority. Of the 123 programme countries that had planned a population census in 2010, 42 per cent had completed it and 85 per cent were expected to have it completed by the end of 2012. UNFPA provided support to 76 countries for census activities, including 4 experiencing a critical humanitarian crisis (Afghanistan, Democratic Republic of the Congo, Iraq, Sudan). UNFPA would strengthen support to the 2010 census round and other data sources to monitor indicators for ICPD goals and the MDGs, and increase institutional capacities to monitor and evaluate the impact of programmes.

UNFPA contributed to the integration of urbanization into national development and population planning. Advocacy and capacity-building were carried out in Bangladesh, Burundi, China, Iraq and Uzbekistan. In Jamaica, Liberia and Zambia, urbanization was integrated in the national population policies. In Mozambique and Tunisia, urbanization and urban poverty were integrated in poverty reduction strategy papers and in the work of the UN country team. The main challenges were capacity development, reliable and timely data for policymaking, and adequate human and financial resources to effectively address growing demands.

Reproductive health and rights

In 2010, UNFPA supported 34 countries in setting up coordinated approaches for health supply management systems. The year saw a reduction in the number

of countries experiencing supply problems for family planning and reproductive health products. UNFPA partnered with the International Health Partnership to advance the health-related MDGs and with the Harmonization for Health in Africa to tackle weak health systems, and was a technical lead in the Secretary-General’s Global Strategy for Women’s and Children’s Health.

Some countries achieved significant declines in the maternal mortality ratio, including Angola, Ethiopia, Guinea, Malawi, Mali, the Niger and Rwanda; however, overall progress was too slow to meet the MDG target. UNFPA contributed to building the international consensus on strategies to reduce maternal and neonatal mortality, providing support to 30 countries in the areas of emergency obstetric and newborn care, family planning, skilled birth attendants at delivery, and obstetric fistula. The UNFPA Maternal Health Thematic Fund represented a useful tool to support countries with the highest rates of maternal mortality and morbidity and those furthest from achieving universal access to reproductive health. UNFPA contributed to the establishment of baseline measures and the scaling up of emergency obstetric and newborn care services in Afghanistan, Benin, Burkina Faso, Burundi, Cambodia, Côte d’Ivoire, Ethiopia, Ghana, Guyana, Haiti, Liberia, Madagascar, Malawi and the Niger. The Campaign to End Fistula sought to address the needs of women incapacitated by fistula: over 6,000 cases had been repaired with UNFPA support, and the Campaign had secured attention, funds and technical assistance.

To expand family planning services, UNFPA worked on a range of activities based on the needs of the countries and the specific context. Technical support was provided to 61 countries to scale up programmes to implement the prevention of mother-to-child transmission of HIV/AIDS and service integration.

UNFPA and its partners worked to reduce new HIV infections in young people through sexuality education in schools and communities and strategic communication for behaviour change, including increasing condom use, HIV counselling and testing. It supported networks of people living with HIV in nearly 80 countries, and continued to be the largest supplier of male condoms to low-income countries and the second-largest supplier of female condoms (14 million in 2009).

Gender equality

UNFPA supported national partners to ensure that legislation, development frameworks, budgets and policies were gender responsive. Over 90 per cent of countries had mechanisms in place to monitor and reduce gender-based violence and there had been progress at country level, with Nepal, Sierra Leone and Uganda being assisted to develop national action plans and to launch South-South cooperation initiatives.

UNFPA and UNICEF were implementing the world's largest programme to accelerate the abandonment of female genital mutilation (FGM), a practice that was decreasing significantly in Burkina Faso, Egypt, Eritrea, Kenya, Nigeria and Senegal. The UNFPA-UNICEF collaboration led to over 6,000 communities rejecting the practice in Egypt, Ethiopia, the Gambia, Guinea, Kenya, Senegal, Somalia and the Sudan. UNFPA and UNICEF worked closely with the World Health Organization in sub-Saharan Africa and in the Arab States to ensure that medical professionals supported the abandonment of FGM. Medical care was provided to over 41,000 women and girls for FGM-related complications.

UNFPA worked on global advocacy with civil society partners to support the constructive engagement of men and boys to help achieve gender equality. An initiative was introduced to integrate reproductive rights into the work of regional human rights systems, including the Inter-American Commission of Human Rights and the African Commission of Human and People's Rights. In Belize, Bolivia, Ecuador, Guatemala, Guyana, Mexico, Nicaragua, Panama and Peru, UNFPA promoted the implementation of culturally sensitive approaches to reproductive health policies and programmes.

UNFPA continued to support the inter-agency joint programme on eliminating violence against women and implementing the five outcomes of the Secretary-General's campaign *Unite to End Violence against Women*. Strengthening national capacity development and providing technical expertise to national counterparts had proven effective in addressing gender-based violence; however, translating policies into action and effecting change remained major challenges in most countries.

Country and intercountry programmes

UNFPA programme expenditures for country, regional and global activities in 2010 totalled \$366.2 million, compared with \$347.9 million in 2009, according to the Executive Director's statistical and financial review [DP/FPA/2011/3 (Part I)/Add.1]. The 2010 figure included \$285.7 million for country programmes (compared with \$269.3 million in 2009) and \$80.5 million for regional and global programmes (compared with \$78.6 million in 2009).

Sub-Saharan Africa. Provisional data for UNFPA expenditures for programmes totalled \$135.9 million in 2010, compared with \$136.2 million in 2009. Most of that amount was spent on reproductive health (46.2 per cent), followed by population and development (23.3 per cent), programme coordination and assistance (17.6 per cent) and gender equality and women's empowerment (12.9 per cent).

On 22 January [E/2010/35 (dec. 2010/12)], the UNDP/UNFPA Executive Board approved the UNFPA country programme document on Uganda. On 1 July [dec. 2010/27], the Board took note of the one-year programme extensions for Cape Verde, Chad, Ghana, Mauritania, Somalia and South Africa; took note of the six-month programme extension for the United Republic of Tanzania; approved the two-year programme extensions for Namibia and Sierra Leone; and took note of the draft country programme document for Swaziland. On 2 September [dec. 2010/34], the Board approved UNFPA country programmes for Swaziland, and took note of the draft country programme documents for Burkina Faso and Zambia.

Arab States. Provisional expenditures for UNFPA programmes totalled \$27.3 million in 2010, compared with \$31.0 million in 2009. Most of that amount was spent on reproductive health (48.7 per cent), followed by programme coordination and assistance (21.6 per cent), population and development (16.1 per cent) and gender equality and women's empowerment (13.6 per cent).

On 1 July [dec. 2010/27], the Executive Board took note of the draft country programme documents for Iraq and the Occupied Palestinian Territory. On 2 September [dec. 2010/34], the Board approved the country programmes for Iraq and the Occupied Palestinian Territory and took note of the draft country programme document for Somalia.

Eastern Europe and Central Asia. Provisional expenditures for UNFPA programmes totalled \$16.9 million in 2010, compared with \$14.9 million in 2009. Most of that amount was spent on reproductive health (40.2 per cent), followed by programme coordination and assistance (30.2 per cent), population and development (18.9 per cent) and gender equality and women's empowerment (10.7 per cent).

On 1 July [dec. 2010/27], the Executive Board took note of the one-year programme extensions for Albania and Ukraine and of the draft country programme documents for Azerbaijan, Belarus, Georgia and Turkey. On 2 September [dec. 2010/34], the Board approved the country programmes for Azerbaijan, Belarus, Georgia and Turkey.

Asia and the Pacific. Provisional expenditures for UNFPA programmes amounted to \$96.0 million in 2010, compared with \$87.8 million in 2009. Most of that amount was spent on reproductive health (65.6 per cent), followed by population and development (18.3 per cent), gender equality and women's empowerment (9.1 per cent) and programme coordination and assistance (7.0 per cent).

On 1 July [dec. 2010/27], the Executive Board took note of the one-year programme extensions for Bangladesh, Myanmar and Viet Nam; approved the two-year programme extensions for Nepal and Paki-

stan; approved the second one-year programme extension for Iran; and took note of the draft country programme documents for Cambodia, China and the Democratic People's Republic of Korea (DPRK). On 2 September [dec. 2010/34], the Board approved the country programmes for Cambodia, China and the DPRK and took note of the draft country programme documents for Indonesia and Maldives.

Latin America and the Caribbean. Provisional expenditures for UNFPA programmes totalled \$38.9 million in 2010, compared with \$34.1 million in 2009. Most of that amount was spent on reproductive health (42.4 per cent), followed by population and development (26.7 per cent), gender equality and women's empowerment (17.7 per cent) and programme coordination and assistance (13.1 per cent).

On 22 January [dec. 2010/12], the Executive Board approved the UNFPA country programme document on Guatemala. On 2 September [dec. 2010/34], the Board took note of the draft country programme document for Uruguay.

Global programme. Provisional expenditures for the UNFPA global programme totalled \$51.2 million in 2010, compared with \$43.9 million in 2009. Most of that amount was spent on programme coordination and assistance (49.3 per cent), followed by reproductive health (22.8 per cent), population and development (18.5 per cent) and gender equality and women's empowerment (9.4 per cent).

Financial and management questions

Financing

UNFPA income from all sources totalled \$870.0 million in 2010, compared with \$783.0 million in 2009 [DP/FPA/2011/3 (Part I)/Add.1], comprising \$491.2 million from regular resources, \$359.3 million from other resources, interest income of \$11.6 million and other income of \$7.8 million. Expenditures totalled \$801.4 million, up from \$800.0 million in 2009, comprising \$483.0 million related to regular resources and \$318.3 million related to other resources, resulting in a net excess/(deficit) of \$68.5 million.

At the January session of the UNDP/UNFPA Executive Board, the UNDP Comptroller presented a joint information note of UNDP, UNFPA and UNICEF on the road map to an integrated budget. Welcoming the note [E/2010/35 (dec. 2010/2)], the Board on 22 January urged UNDP and UNFPA to adhere to the proposed time frames and keep the Board informed of progress.

At its second regular session (30 August–3 September), UNDP, UNFPA and UNICEF submitted a road map to an integrated budget [DP/FPA/2010/1-E/ICEF/2010/AB/L.10]. The report included a proposal on harmonized cost definitions, classification of activities, and associated costs for review and approval.

Another proposal regarded results-based budgeting for the 2012–2013 biennium, also serving as an interim step towards a fully integrated budget submission for the period beginning in 2014.

The Executive Board on 2 September [dec. 2010/32] took note of the analysis contained in the road map; endorsed the proposed cost definitions and classification of activities and associated costs, for application effective in the 2012–2013 biennium; and requested UNDP and UNFPA to present their 2012–2013 budget documents using those cost definitions and classifications. The Board requested UNDP, UNFPA and UNICEF to reflect the new classifications in their financial statements and in their annual financial reviews from 2013 onwards so as to allow for a comparison between actual expenditures and budgets; to work towards the presentation of a single integrated budget for each organization, starting in 2014, and to align the budgets with the results in the strategic plans of the organizations; and to prepare an informal mock-up document to illustrate the format of the 2012–2013 budget for discussion at the first regular session 2011.

Internal audit and oversight

The Executive Director submitted to the Executive Board a report [DP/FPA/2010/15] on the UNFPA follow-up to the recommendations by the Board of Auditors for the 2006–2007 biennium [YUN 2009, p. 1053]. UNFPA reported that 46 of the 59 accepted recommendations of the Board of Auditors had been implemented, with the remaining 13 expected to be completed by March 2012.

The Executive Board took note of the report on 22 January [E/2010/35 (dec. 2010/9)].

The Executive Director reported on the internal audit and oversight activities carried out by the UNFPA Division for Oversight Services in 2009 [DP/FPA/2010/20], including audits of nine country offices—three in Africa, one in Eastern Europe and Central Asia, and five in Asia and the Pacific; the Division also carried out four audits at headquarters and completed two thematic evaluations.

Taking note of the report on 1 July [E/2010/35 (dec. 2010/22)], the Executive Board urged the Executive Director to improve the implementation of an internal control framework in line with internationally recognized best practices and to implement enterprise risk management.

The Board, on 30 June [dec. 2010/17], requested the UNFPA management to provide the necessary resources to support its Ethics Office, and requested the UNFPA Executive Director to appoint the head of the Ethics Office for a five-year term. The Ethics Office was requested to submit a report.

In November [DP/FPA/2011/1], the Executive Director provided an update on the implementation of the recommendations to the Board of Auditors for 2008–2009 [A/65/5/Add.7]. The report indicated the priority accorded to each of the audit recommendations and confirmed that UNFPA had implemented 31 out of the 93 recommendations.

Indirect cost recovery

In January [E/2010/35], the UNDP/UNFPA Executive Board considered a UNFPA review of the implementation of its policy on indirect cost recovery [DP/FPA/2010/16]. The report highlighted that the indirect variable costs recovered for the years 2007 and 2008 totalled \$30.7 million, an average recovery rate of 7.1 per cent. UNFPA intended to engage in the discussions on cost recovery in the High-Level Committee on Management, and planned to consider further improvements in the policy for the 2012–2013 biennial support budget.

Taking note of the report on 22 January [E/2010/35 (dec. 2010/10)], the Executive Board emphasized the need to explore cost recovery broadly, including fixed and variable indirect costs.

Evaluation

In April [DP/FPA/2010/19], the Executive Director presented the UNFPA biennial report on evaluation, in response to Executive Board decision 2008/12 [YUN 2008, p. 1193]. The report, guided by General Assembly resolution 62/208 [YUN 2007, p. 877], discussed the role of evaluation within the development environment in which UNFPA worked; reviewed the performance of the UNFPA evaluation function, especially in the context of UN reform; and identified areas for improvement.

Taking note of the report on 25 June [E/2010/35 (dec. 2010/26)], the Executive Board decided to discuss the thematic evaluations of UNFPA, starting with the evaluation of the UNFPA humanitarian response at its second regular session of 2010, and requested the Executive Director to submit a review of the evaluation policy in 2012.

On 2 September [dec. 2010/33], the Executive Board requested UNFPA to revise its 2006–2009 humanitarian response strategy, to be discussed by the Board at the first regular session of 2011, and to include in its revised strategy a humanitarian results framework with clearly defined indicators, including for gender equality.

Other financial and administrative issues

In a report on funding commitments to UNFPA [DP/FPA/2010/18], the Executive Director analysed

contributions by States and others and revenue projections for 2010 and future years. UNFPA found that a stable base of regular resources was necessary to enable it to support countries in implementing the ICPD Programme of Action and achieving the MDGs. As underscored in resolution 62/208 [YUN 2007, p. 877], UNFPA recognized that non-core (co-financing) resources represented an important supplement to its regular resource base.

In 2009, total UNFPA income was \$762.1 million—\$486.4 million in regular resources and \$275.7 million in co-financing. Out of the 161 donor countries, 13 belonged to the Organization for Economic Cooperation and Development/Development Assistance Committee, and 36 programme countries increased their contributions. The top five donors were the Netherlands, Sweden, Norway, the United States and Denmark.

As at 1 March 2010, the projected regular contribution from donor countries for 2010 was estimated at \$467.0 million, a decrease of \$2.4 million (0.5 per cent) from 2009. Seventy-seven pledges for 2010 had been received, 31 of which were multi-year pledges.

Taking note of the report on 25 June [E/2010/35 (dec. 2010/24)], the Executive Board encouraged countries to make contributions early in the year and to make multi-year pledges.

In December [DP/FPA/2011/2], UNFPA provided an overview of its human resources management. The report covered organizational design, recruitment and staffing, promotion of staff well-being, good governance and UN reform. UNFPA restructuring had led to the creation of regional and subregional offices and increased demands on resources to provide more individualized attention. The increased risks at the country level owing to such factors as civil unrest and natural disasters had increased the need for more focused attention and dedicated resources to support country offices in complex settings.

UN Population Award

The 2010 United Nations Population Award was presented to William Henry (Bill) Gates III and Melinda French Gates of the United States in the individual category, and to the Asian Forum of Parliamentarians on Population and Development in the institutional category.

The Award was established by General Assembly resolution 36/201 [YUN 1981, p. 792], to be presented annually to individuals and institutions for outstanding contributions to increasing awareness of population problems and to their solutions. In August, the Secretary-General transmitted to the Assembly the report of the UNFPA Executive Director on the Population Award [A/65/216].

Other population activities

UN Population Division

In a later report on programme implementation and progress of work of the Population Division of the UN Department of Economic and Social Affairs (DESA) in 2010 [E/CN.9/2011/7], the Secretary-General described the Division's activities dealing with the analysis of fertility, mortality and international migration; the preparation of world population estimates and projections; the monitoring of population policies; the analysis of the interrelations between population and development; and the monitoring and dissemination of population information.

In the area of fertility and family planning, the Division organized an Expert Panel on Fertility, Reproductive Health and Development (New York, 7 December) involving four experts from academic and research institutions who presented new evidence on the development impact of fertility decline, improvements in access to family planning and other reproductive health services, and reductions of inequities in reproductive health. To raise awareness about the benefits of fertility decline and family planning and help achieve the internationally agreed development goals, the Division produced two issues of *Population Facts*, including "Speeding progress on the Millennium Development Goals" and "Accelerating achievement of the MDGs by lowering fertility: Overcoming the challenges of high population growth in the least developed countries". The Division, in collaboration with UNFPA, was responsible for reporting on three indicators of universal access to reproductive health that were part of the revised framework for tracking progress towards the achievement of the MDGs, namely, contraceptive prevalence, the adolescent birth rate and the unmet need for family planning.

In the area of health and mortality, the Division compiled data for the estimation of mortality together with relevant metadata, including that of infant, child and under-five mortality by sex. To raise awareness about the timing of mortality and excess male mortality over the lifespan, the Division published two issues of *Population Facts*: "The age distribution of deaths" and "Sex differentials in mortality". The Division contributed to the work of the Inter-agency Group for Child Mortality Estimation, led by UNICEF, whose task was to monitor progress towards the achievement of MDG 4, namely, a reduction of infant and child mortality by two thirds between 1990 and 2015. The Division also provided input into the Thematic Papers on MDGs 4, 5 and 6, prepared under the leadership of UNICEF as background information for the General Assembly High-level Plenary Meeting in September, which reviewed progress towards reaching those goals.

The Division prepared the report of the Secretary-General to the General Assembly on international migration and development [A/65/203], which highlighted that 60 per cent of the 214 million international migrants in the world lived in developed countries. As at June, 82 Member States had ratified at least one of the three key international instruments relative to the rights of migrant workers. To highlight the impact of migration on the health-care workforce of developing countries, the Division prepared an issue of *Population Facts* entitled "Health workers, international migration and development", which documented the shortage of health workers in developing countries and its negative impact on efforts to achieve the health-related MDGs, particularly in sub-Saharan Africa. Another issue of *Population Facts* focused on "International migrants by age", highlighting that 72 per cent of the 214 million international migrants were aged 20 to 64, the main working ages. With the support of UNICEF and the UNDP Special Unit for South-South Cooperation, the Division updated the web-based United Nations Global Migration Database, which contained the most complete set of statistics on the number of international migrants in each country, classified by country of birth or citizenship, sex and age.

The Division continued to prepare the official UN population estimates and projections for all countries and areas of the world. The results were distributed as part of Internet-accessible databases, including the World Development Indicators database maintained by the World Bank; the data portal of the United Nations, UNDATA, maintained by the Statistics Division of DESA; and FAOSTAT, the statistics database maintained by the Food and Agriculture Organization of the United Nations. In 2010, the Division issued the results of the *2009 Revision of World Urbanization Prospects*, which confirmed that over half of the world population lived in urban areas. Between 2009 and 2050, the world population was expected to increase by 2.3 billion, passing from 6.8 billion to 9.1 billion. Over the same time period, the population living in urban areas was projected to gain 2.9 billion, passing from 3.4 billion in 2009 to 6.3 billion in 2050. The urban areas of the world were expected to absorb all the population growth expected over the next four decades, while at the same time drawing in some of the rural population through migration and the reclassification of rural settlements as cities.

The Division issued *World Population Policies 2009*, covering information on policies related to population growth, fertility, health and mortality, international migration and spatial distribution; and *World Population Ageing 2009*, which showed that, globally, the number of persons aged 60 or over reached 737 million in 2009 and was projected to nearly triple by 2050, reaching 2 billion. Women constituted more

than half of the older population. Older persons were increasingly concentrated in less-developed countries, which accounted for 64 per cent of the population aged 60 or over and would likely account for nearly 80 per cent in 2050.

Regarding monitoring, coordination and dissemination of population information, the Division continued to distribute MORTPAK, the Division's software package for demographic measurement. It maintained the website of the United Nations Population Information Network, a portal to the population information and data available throughout the UN system.

The Division's programme of technical cooperation focused on building and strengthening capacity in developing countries to analyse demographic information needed to guide the formulation and implementation of population policy. The Division organ-

ized two regional workshops aimed at strengthening national capacities to improve international migration data. The first workshop (Bishkek, Kyrgyzstan, 15–17 February) brought together more than 30 representatives of national statistical offices and relevant ministries from current and former member countries of the Commonwealth of Independent States. The second workshop (Istanbul, Turkey, 6–8 December) reviewed new initiatives to improve international migration data in the region and discussed ways of building synergies among the various initiatives. The Division collaborated with the French National Committee of the International Union for the Scientific Study of Population in developing and implementing Demopaedia, an interactive, web-based platform providing access to a set of demographic dictionaries available in 14 languages.

Social policy, crime prevention and human resources development

In 2010, the United Nations continued to promote social, cultural and human resources development, and strengthen its crime prevention and criminal justice programme.

The Commission for Social Development, in February, again considered as its priority theme “Social integration” and adopted, for the first time in its history, a draft resolution on that theme, which was endorsed by the Economic and Social Council. The General Assembly considered the implementation of the outcome of the 1995 World Summit for Social Development and of the further initiatives adopted at the Assembly’s twenty-fourth (2000) special session. It also adopted a resolution in December on cooperatives in social development ahead of the launch of the International Year of Cooperatives in 2012. Also in February, the Assembly proclaimed 21 March of each year the International Day of Nowruz.

The Twelfth United Nations Congress on Crime Prevention and Criminal Justice, held in Brazil in April, adopted the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World. In May, the Commission on Crime Prevention and Criminal Justice held a thematic discussion on protection against illicit trafficking in cultural property and considered, among other subjects, strengthening crime prevention and criminal justice responses to violence against women; the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders; realignment of the functions of the United Nations Office on Drugs and Crime (UNODC); and the Twelfth United Nations Congress on Crime Prevention and Criminal Justice.

In July, the Assembly adopted the United Nations Global Plan of Action to Combat Trafficking in Persons; and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders. In October, the Assembly adopted a consensus resolution proclaiming the first week of February of every year as World Interfaith Harmony Week among all faiths and beliefs. It recognized the urgent need for dialogue among different faiths and religions in enhancing mutual understanding, harmony and cooperation among people.

In 2010, the United Nations observed the International Year for the Rapprochement of Cultures. The year also marked the end of the International Decade for a Culture of Peace and Non-Violence for the Children of the World, which began in 2001. In a November resolution, the Assembly reiterated that the objective of the Programme of Action on a Culture of Peace was to strengthen the global movement for a culture of peace, and called upon all concerned to renew their attention to the objective.

In December, the General Assembly adopted resolutions on sport as a means to promote education, health, development and peace, including the Millennium Development Goals (MDGs); culture and development, emphasizing the important contribution of culture for sustainable development; and realizing the MDGs for persons with disabilities. Also in December, the Assembly requested the Secretary-General to devote due attention to the resource requirements for meeting the mandates entrusted to UNODC; urged Member States to develop strategies, in cooperation with the United Nations crime prevention and criminal justice programme, to address transnational organized crime; and urged Member States, non-governmental organizations and the international community to continue adopting concrete practical measures to support the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders. In the same month, the Assembly called upon Member States, their development partners, the international donor community, the private sector and civil society to consider the post-2012 strategy for addressing youth and adult literacy challenges.

Social policy and cultural matters

Social development

Follow-up to 1995 World Summit and General Assembly special session

In response to General Assembly resolution 64/135 [YUN 2009, p. 1058], the Secretary-General submitted a July report [A/65/168] on the implementation of the Copenhagen Declaration on Social Development and the Programme of Action, adopted at the 1995 World Summit for Social Development [YUN 1995, p. 1113],

and of the further initiatives for social development, adopted by the Assembly's twenty-fourth (2000) special session [YUN 2000, p. 1012]. The report provided an overview of the discussions held during the forty-eighth session of the Commission for Social Development on the priority theme of social integration (see p. 1072). It also highlighted the Commission's deliberations with regard to the fifteenth anniversary of the World Summit for Social Development and the social consequences of the financial and economic crises and policy responses. The report recommended that at the national level, Governments should increase the participation of citizens and communities, in particular the marginalized or excluded, in the formulation, implementation and evaluation of all national development strategies and policies, which should continue to ensure the protection of core social spending on health and education as the fallout from the financial and economic crises lingered on. Governments that had not yet done so should carve out the fiscal space necessary to develop or extend systems of social protection. At the international level, Member States and the UN system should give priority to the establishment of a social protection floor, an initiative that aimed to ensure access to basic social services and the empowerment and protection of the poor and vulnerable, as an effective tool for social integration, and exchange good policies and practices. Donors and international financial institutions should provide debt relief, concessionary aid and grants to support national efforts to enhance fiscal space, in particular that of the poorer and the least developed countries; and not impose conditions that restricted the policy space of national Governments, in particular in the area of social expenditure and programmes.

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third (Social, Humanitarian and Cultural) Committee [A/65/448], adopted **resolution 65/185** without vote [agenda item 27 (a)].

Implementation of the outcome of the World Summit for Social Development and of the twenty-fourth special session of the General Assembly

The General Assembly,

Recalling the World Summit for Social Development, held at Copenhagen from 6 to 12 March 1995, and the twenty-fourth special session of the General Assembly entitled "World Summit for Social Development and beyond: achieving social development for all in a globalizing world", held at Geneva from 26 June to 1 July 2000,

Reaffirming that the Copenhagen Declaration on Social Development and the Programme of Action and the further initiatives for social development adopted by the General Assembly at its twenty-fourth special session, as well as a continued global dialogue on social development issues,

constitute the basic framework for the promotion of social development for all at the national and international levels,

Recalling the United Nations Millennium Declaration and the development goals contained therein, as well as the commitments made at major United Nations summits, conferences and special sessions, including the commitments made at the 2005 World Summit and at the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals,

Recalling also its resolution 57/270 B of 23 June 2003 on the integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic and social fields,

Recalling further its resolution 60/209 of 22 December 2005 on the implementation of the first United Nations Decade for the Eradication of Poverty (1997–2006),

Recalling its resolution 63/303 of 9 July 2009 on the Outcome of the Conference on the World Financial and Economic Crisis and Its Impact on Development,

Reaffirming Economic and Social Council resolution 2008/18 of 24 July 2008 on promoting full employment and decent work for all and Council resolution 2010/12 of 22 July 2010 on promoting social integration, and welcoming the decision of the Commission for Social Development to have "Poverty eradication" as the priority theme for the 2011–2012 review and policy cycle,

Noting with appreciation the ministerial declaration adopted at the high-level segment of the substantive session of 2006 of the Economic and Social Council, entitled "Creating an environment at the national and international levels conducive to generating full and productive employment and decent work for all, and its impact on sustainable development",

Noting that the decent work agenda of the International Labour Organization, with its four strategic objectives, has an important role to play, as reaffirmed in the International Labour Organization Declaration on Social Justice for a Fair Globalization and in the Global Jobs Pact, in achieving the objective of full and productive employment and decent work for all, including its objective of social protection,

Emphasizing the need to enhance the role of the Commission for Social Development in the follow-up to and review of the World Summit for Social Development and the outcome of the twenty-fourth special session of the General Assembly,

Recognizing that a people-centred approach must be at the centre of economic and social development,

Expressing deep concern that attainment of the social development objectives may be hindered by the global financial and economic crisis, as well as challenges brought about by the food and energy crises,

Recognizing the complex character of the current global food crisis and ongoing food insecurity as a combination of several major factors, both structural and conjunctural, which is also negatively affected by, inter alia, environmental degradation, drought and desertification, global climate change, natural disasters and the lack of the necessary technology, and recognizing also that a strong commitment from national Governments and the international community as a whole is required to confront the major threats to food security and to ensure that policies in the area of agriculture do not distort trade and worsen the food crisis,

Affirming its strong support for fair globalization and the need to translate growth into eradication of poverty and commitment to strategies and policies that aim to promote full, freely chosen and productive employment and decent work for all and that these should constitute a fundamental component of relevant national and international policies as well as national development strategies, including poverty reduction strategies, and reaffirming that employment creation and decent work should be incorporated into macroeconomic policies, taking fully into account the impact and social dimension of globalization, the benefits and costs of which are often unevenly shared and distributed,

Recognizing that social inclusion is a means for achieving social integration and is crucial for fostering stable, safe, harmonious, peaceful and just societies and for improving social cohesion so as to create an environment for development and progress,

1. *Takes note* of the report of the Secretary-General;
2. *Welcomes* the reaffirmation by Governments of their will and commitment to continue implementing the Copenhagen Declaration on Social Development and the Programme of Action, in particular to eradicate poverty, promote full and productive employment and foster social integration to achieve stable, safe and just societies for all;

3. *Recognizes* that the implementation of the Copenhagen commitments and the attainment of the internationally agreed development goals, including the Millennium Development Goals, are mutually reinforcing and that the Copenhagen commitments are crucial to a coherent people-centred approach to development;

4. *Reaffirms* that the Commission for Social Development continues to have the primary responsibility for the follow-up to and review of the World Summit for Social Development and the outcome of the twenty-fourth special session of the General Assembly and that it serves as the main United Nations forum for an intensified global dialogue on social development issues, and calls upon Member States, the relevant specialized agencies, funds and programmes of the United Nations system and civil society to enhance their support for its work;

5. *Expresses deep concern* that the world financial and economic crisis, the world food and energy crises, continuing food insecurity and climate change, as well as the lack of results so far in the multilateral trade negotiations and a loss of confidence in the international economic system, have negative implications for social development, in particular for the achievement of poverty eradication, full and productive employment and decent work for all and social integration;

6. *Stresses* the importance of the policy space of national Governments, in particular in the areas of social expenditure and social protection programmes, and calls upon international financial institutions and donors to support developing countries in achieving their social development, in line with their national priorities and strategies by, among other things, providing debt relief;

7. *Recognizes* that poverty eradication, full and productive employment and decent work for all and social integration are interrelated and mutually reinforcing, and that an enabling environment therefore needs to be created so that all three objectives can be pursued simultaneously;

8. *Also recognizes* that the broad concept of social development affirmed by the World Summit for Social Development and the twenty-fourth special session of the General Assembly has been weakened in national and international policymaking and that, while poverty eradication is a central part of development policy and discourse, further attention should be given to the other commitments agreed to at the Summit, in particular those concerning employment and social integration, which have also suffered from a general disconnect between economic and social policymaking;

9. *Acknowledges* that the first United Nations Decade for the Eradication of Poverty (1997–2006), launched after the World Summit for Social Development, has provided the long-term vision for sustained and concerted efforts at the national and international levels to eradicate poverty;

10. *Recognizes* that the implementation of the commitments made by Governments during the first Decade has fallen short of expectations, and welcomes the proclamation of the Second United Nations Decade for the Eradication of Poverty (2008–2017) by the General Assembly in its resolution 62/205 of 19 December 2007 in order to support, in an efficient and coordinated manner, the internationally agreed development goals related to poverty eradication, including the Millennium Development Goals;

11. *Emphasizes* that the major United Nations conferences and summits, including the Millennium Summit, the 2005 World Summit, the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals and the International Conference on Financing for Development, in its Monterrey Consensus, have reinforced the priority and urgency of poverty eradication within the United Nations development agenda;

12. *Also emphasizes* that poverty eradication policies should attack poverty by addressing its root and structural causes and manifestations, and that equity and the reduction of inequalities need to be incorporated in those policies;

13. *Stresses* that an enabling environment is a critical precondition for achieving equity and social development and that, while economic growth is essential, entrenched inequality and marginalization are an obstacle to the broad-based and sustained growth required for sustainable, inclusive and people-centred development, and recognizes the need to balance and ensure complementarity between measures to achieve growth and measures to achieve economic and social equity in order for there to be an impact on overall poverty levels;

14. *Also stresses* that stability in global financial systems and corporate social responsibility and accountability, as well as national economic policies that have an impact on other stakeholders, are essential in creating an enabling international environment to promote economic growth and social development;

15. *Recognizes* the need to promote respect for all human rights and fundamental freedoms in order to address the most pressing social needs of people living in poverty, including through the design and development of appropriate mechanisms to strengthen and consolidate democratic institutions and governance;

16. *Reaffirms* the commitment to the empowerment of women and gender equality, as well as to the mainstream-

ing of a gender perspective into all development efforts, recognizing that these are critical for achieving sustainable development and for efforts to combat hunger, poverty and disease and to strengthen policies and programmes that improve, ensure and broaden the full participation of women in all spheres of political, economic, social and cultural life, as equal partners, and to improve their access to all resources needed for the full exercise of all their human rights and fundamental freedoms by removing persistent barriers, including ensuring equal access to full and productive employment and decent work, as well as strengthening their economic independence;

17. *Stresses*, further, that effective participation of people in civic, social, economic and political activities is essential in order to achieve the eradication of poverty and the promotion of social inclusion; in this regard, Governments should increase participation of citizens and communities in the planning and implementation of social integration policies and strategies aimed at achieving poverty eradication, social integration and full employment and decent work for all;

18. *Reaffirms* the commitment to promote opportunities for full, freely chosen and productive employment, including for the most disadvantaged, as well as decent work for all, in order to deliver social justice combined with economic efficiency, with full respect for fundamental principles and rights at work under conditions of equity, equality, security and dignity, and further reaffirms that macroeconomic policies should, inter alia, support employment creation, taking fully into account the social impact and dimension of globalization;

19. *Notes with interest* the adoption by the International Labour Conference on 10 June 2008 of the International Labour Organization Declaration on Social Justice for a Fair Globalization, which acknowledges the particular role of the Organization in promoting a fair globalization and its responsibility to assist its members in their efforts, and the adoption by the International Labour Conference on 19 June 2009 of the Global Jobs Pact;

20. *Reaffirms* that there is an urgent need to create an environment at the national and international levels that is conducive to the attainment of full and productive employment and decent work for all as a foundation for sustainable development and that an environment that supports investment, growth and entrepreneurship is essential to the creation of new job opportunities, and also reaffirms that opportunities for men and women to obtain productive work in conditions of freedom, equity, security and human dignity are essential to ensuring the eradication of hunger and poverty, the improvement of economic and social well-being for all, the achievement of sustained economic growth and sustainable development of all nations and a fully inclusive and equitable globalization;

21. *Stresses* the importance of removing obstacles to the realization of the right of peoples to self-determination, in particular of peoples living under colonial or other forms of alien domination or foreign occupation, which adversely affect their social and economic development, including their exclusion from labour markets;

22. *Reaffirms* the need to address all forms of violence in its many manifestations, including domestic violence, particularly against women, children, older persons and

persons with disabilities, and discrimination, including xenophobia, recognizing that violence increases challenges to States and societies in the achievement of poverty eradication, full and productive employment and decent work for all and social integration, and further recognizes that terrorism, trafficking in arms, organized crime, trafficking in persons, money-laundering, ethnic and religious conflict, civil war, politically motivated killing and genocide present fundamental threats to societies and pose increasing challenges to States and societies in the attainment of conditions conducive to social development, and that they further present urgent and compelling reasons for action by Governments individually and, as appropriate, jointly to foster social cohesion while recognizing, protecting and valuing diversity;

23. *Calls upon* the organizations of the United Nations system to commit to mainstreaming the goal of full and productive employment and decent work for all in their policies, programmes and activities;

24. *Requests* the United Nations funds, programmes and agencies, and invites financial institutions, to support efforts to mainstream the goals of full and productive employment and decent work for all in their policies, programmes and activities;

25. *Recognizes* that promoting full employment and decent work also requires investing in education, training and skills development for women and men, and girls and boys, strengthening social protection and health systems and applying international labour standards;

26. *Also recognizes* that full and productive employment and decent work for all, which encompass social protection, fundamental principles and rights at work, tripartism and social dialogue, are key elements of sustainable development for all countries and are therefore a priority objective of international cooperation;

27. *Stresses* that policies and strategies to achieve full employment and decent work for all should include specific measures to promote gender equality and foster social integration for social groups such as young people, persons with disabilities and older persons, as well as migrants and indigenous peoples, on an equal basis with others;

28. *Also stresses* the need to allocate adequate resources for the elimination of all forms of discrimination against women in the workplace, including unequal access to labour market participation and wage inequalities, as well as reconciliation of work and private life for both women and men;

29. *Reaffirms* its resolution 64/134 of 18 December 2009 proclaiming the year commencing on 12 August 2010 the International Year of Youth: Dialogue and Mutual Understanding, and calls upon all Member States and other relevant stakeholders, including civil society, the private sector and international cooperation agencies, to support activities at the national, regional and international levels aimed at promoting the ideals of peace, freedom, progress and solidarity among young people in order to ensure social cohesion and youth development;

30. *Encourages* States to design and implement strategies and policies for the creation of full and productive employment that is appropriately and adequately remunerated, and for the reduction of unemployment, and further encourages States to promote youth employment by, inter

alia, developing and implementing policies and strategies in collaboration with relevant stakeholders;

31. *Also encourages* States to pursue efforts to promote the concerns of older persons and persons with disabilities and their organizations in the planning, implementation and evaluation of all development programmes and policies;

32. *Stresses* that policies and programmes designed to achieve poverty eradication, full employment and decent work for all should include specific measures to foster social integration, including by providing marginalized socio-economic sectors and groups with equal access to opportunities and social protection;

33. *Acknowledges* the important nexus between international migration and social development, and stresses the importance of enforcing labour law effectively with regard to migrant workers' labour relations and working conditions, inter alia, those related to their remuneration and conditions of health, safety at work and the right to freedom of association;

34. *Recognizes* that, since the convening of the World Summit for Social Development in Copenhagen in 1995, advances have been made in addressing and promoting social integration, including through the adoption of the Madrid International Plan of Action on Ageing, 2002, the World Programme of Action for Youth, the Convention on the Rights of Persons with Disabilities, the United Nations Declaration on the Rights of Indigenous Peoples and the Beijing Declaration and Platform for Action;

35. *Stresses* that the benefits of economic growth should be distributed more equitably and that, in order to close the gap of inequality and avoid any further deepening of inequality, comprehensive social policies and programmes, including appropriate social transfer and job creation programmes and social protection systems, are needed;

36. *Recognizes* the importance of providing social protection schemes for the formal and informal economy as instruments to achieve equity, inclusion and stability and cohesion of societies, and emphasizes the importance of supporting national efforts aimed at bringing informal workers into the formal economy;

37. *Stresses* that poverty eradication policies should, inter alia, ensure that people living in poverty have access to education, health, water and sanitation and other public and social services, as well as access to productive resources, including credit, land, training, technology, knowledge and information, and ensure that citizens and local communities participate in decision-making on social development policies and programmes in this regard;

38. *Recognizes* that the social integration of people living in poverty should encompass addressing and meeting their basic human needs, including nutrition, health, water, sanitation, housing and access to education and employment, through integrated development strategies;

39. *Reaffirms* that social integration policies should seek to reduce inequalities, promote access to basic social services, education for all and health care, eliminate discrimination, increase the participation and integration of social groups, particularly young people, older persons and persons with disabilities, and address the challenges posed by globalization and market-driven reforms to social development in order for all people in all countries to benefit from globalization;

40. *Urges* Governments, with the cooperation of relevant entities, to develop systems of social protection and to extend or broaden, as appropriate, their effectiveness and coverage, including for workers in the informal economy, recognizing the need for social protection systems to provide social security and support labour-market participation, invites the International Labour Organization to strengthen its social protection strategies and policies on extending social security coverage, and also urges Governments, while taking account of national circumstances, to focus on the needs of those living in, or vulnerable to, poverty and to give particular consideration to universal access to basic social security systems;

41. *Requests* the United Nations system to support national efforts of Member States to achieve inclusive social development, in particular by fostering the eradication of poverty, full and productive employment and decent work for all and social integration, in a coherent and coordinated manner, and to promote exchanges of good practices in this regard;

42. *Reaffirms* the commitment to promote the rights of indigenous peoples in the areas of education, employment, housing, sanitation, health and social security, and notes the attention paid to those areas in the United Nations Declaration on the Rights of Indigenous Peoples;

43. *Recognizes* the need to formulate social development policies in an integral, articulated and participative manner, recognizing poverty as a multidimensional phenomenon, calls for interlinked public policies on this matter, and underlines the need for public policies to be included in a comprehensive development and well-being strategy;

44. *Acknowledges* the important role that the public sector can play as an employer and in developing an environment that enables the effective generation of full and productive employment and decent work for all;

45. *Also acknowledges* the vital role that the private sector can play in generating new investments, employment and financing for development and in advancing efforts towards full employment and decent work;

46. *Recognizes* that priority should be given to agricultural and non-farm sectors and that steps should be taken to anticipate and offset the negative social and economic consequences of globalization and to maximize its benefits for poor people living and working in rural areas, while paying special attention to the development of microenterprises and small and medium-sized enterprises, particularly in rural areas, as well as subsistence economies, to secure their safe interaction with larger economies;

47. *Also recognizes* the need to give priority to investing in and further contributing to sustainable agricultural development and microenterprises, small and medium-sized enterprises and entrepreneurship cooperatives and other forms of social enterprises and the participation and entrepreneurship of women as means to promote full and productive employment and decent work for all;

48. *Further recognizes* the need to pay necessary attention to the social development of people in urban areas, especially the urban poor;

49. *Reaffirms* the commitments made in respect of meeting the special needs of Africa at the 2005 World Summit, underlines the call of the Economic and Social

Council for enhanced coordination within the United Nations system and the ongoing efforts to harmonize the current initiatives on Africa, and requests the Commission for Social Development to continue to give due prominence in its work to the social dimensions of the New Partnership for Africa's Development;

50. *Also reaffirms* that each country has the primary responsibility for its own economic and social development and that the role of national policies and development strategies cannot be overemphasized, and underlines the importance of adopting effective measures, including new financial mechanisms, as appropriate, to support the efforts of developing countries to achieve sustained economic growth, sustainable development, poverty eradication and the strengthening of their democratic systems;

51. *Further reaffirms*, in this context, that international cooperation has an essential role in assisting developing countries, including the least developed countries, in strengthening their human, institutional and technological capacity;

52. *Stresses* that the international community shall enhance its efforts to create an enabling environment for social development and poverty eradication through increasing market access for developing countries, technology transfer on mutually agreed terms, financial aid and a comprehensive solution to the external debt problem;

53. *Also stresses* that international trade and stable financial systems can be effective tools to create favourable conditions for the development of all countries and that trade barriers and some trading practices continue to have negative effects on employment growth, particularly in developing countries;

54. *Acknowledges* that good governance and the rule of law at the national and international levels are essential for sustained economic growth, sustainable development and the eradication of poverty and hunger;

55. *Urges* developed countries that have not yet done so in accordance with their commitments to make concrete efforts towards meeting the targets of 0.7 per cent of their gross national product for official development assistance to developing countries and 0.15 to 0.2 per cent of their gross national product to least developed countries, and encourages developing countries to build on the progress achieved in ensuring that official development assistance is used effectively to help to meet development goals and targets;

56. *Urges* Member States and the international community to fulfil all their commitments to meet the demands for social development, including social services and assistance, that have arisen from the global financial and economic crisis, which particularly affects the poorest and most vulnerable;

57. *Welcomes* the contribution to the mobilization of resources for social development by the initiatives taken on a voluntary basis by groups of Member States based on innovative financing mechanisms, including those that aim to provide further drug access at affordable prices to developing countries on a sustainable and predictable basis, such as the International Drug Purchase Facility, UNITAID, as well as other initiatives, such as the International Finance Facility for Immunization and the Advance Market Commitments for Vaccines, and notes the New York Declaration of 20 September 2004, which launched the Action against Hunger and Poverty initiative and called for further

attention to raise funds urgently needed to help meet the Millennium Development Goals and to complement and ensure the long-term stability and predictability of foreign aid;

58. *Reaffirms* that social development requires the active involvement of all actors in the development process, including civil society organizations, corporations and small businesses, and that partnerships among all relevant actors are increasingly becoming part of national and international cooperation for social development, and also reaffirms that, within countries, partnerships among the Government, civil society and the private sector can contribute effectively to the achievement of social development goals;

59. *Underlines* the responsibility of the private sector, at both the national and the international levels, including small and large companies and transnational corporations, regarding not only the economic and financial implications but also the development, social, gender and environmental implications of their activities, their obligations towards their workers and their contributions to achieving sustainable development, including social development, and emphasizes the need to take concrete actions on corporate responsibility and accountability, including through the participation of all relevant stakeholders, inter alia, for the prevention or prosecution of corruption;

60. *Stresses* the importance of promoting corporate social responsibility and accountability, encourages responsible business practices, such as those promoted by the Global Compact, invites the private sector to take into account not only the economic and financial implications but also the development, social, human rights, gender and environmental implications of its undertakings, and underlines the importance of the International Labour Organization Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy;

61. *Invites* the Secretary-General, the Economic and Social Council, the regional commissions, the relevant specialized agencies, funds and programmes of the United Nations system and other intergovernmental forums, within their respective mandates, to continue to integrate into their work programmes and give priority attention to the Copenhagen commitments and the Declaration on the tenth anniversary of the World Summit for Social Development, to continue to be actively involved in their follow-up and to monitor the achievement of those commitments and undertakings;

62. *Invites* the Secretary-General to submit to the General Assembly at its sixty-sixth session a comprehensive study on the impact of the converging world crises on social development, in particular for the achievement of poverty eradication, mindful of the discussion that will be held during the forty-ninth session of the Commission for Social Development;

63. *Invites* the Commission for Social Development to emphasize in its review of the implementation of the Copenhagen Declaration on Social Development and the Programme of Action the increased exchange of national, regional and international experiences, the focused and interactive dialogues among experts and practitioners and the sharing of best practices and lessons learned, and to address, inter alia, the impact of the world financial and economic crisis and the world food and energy crises on social development goals;

64. *Decides* to include in the provisional agenda of its sixty-sixth session the sub-item entitled “Implementation of the outcome of the World Summit for Social Development and of the twenty-fourth special session of the General Assembly”, and requests the Secretary-General to submit a report on the question to the Assembly at that session.

Impact of the world crises on social development

In response to General Assembly resolution 64/135 [YUN 2009, p. 1058], the Secretary-General submitted a July report entitled “Comprehensive study on the impact of the converging world crises on social development” [A/65/174], which analysed the impact of the converging food and energy crises and the global financial and economic crisis on social development. It recommended policy measures that focused on people, social protection and sustainable growth with resilience.

On 21 December, the General Assembly took note of the study (**decision 65/532**).

Recovering from the economic and financial crisis: a Global Jobs Pact

In response to Economic and Social Council resolution 2009/5 [YUN 2009, p. 1062], the Secretary-General submitted a May report [E/2010/64] prepared by the International Labour Organization on recovering from the global economic and financial crisis, which reviewed national and international support to the implementation of the Global Jobs Pact [YUN 2009, p. 1062]. The report underlined how key elements of the policies that countries adopted in response to the economic and financial crisis reflected the approach of the Pact; and highlighted the efforts of the multilateral system to reorient its technical and financial assistance to address the employment and social protection needs of the most vulnerable countries and populations. The report called for stronger national employment and social protection policies and greater international policy coordination to accelerate and sustain recovery, with special attention to middle- and lower-income countries with limited fiscal space. Despite a major policy effort in many countries to counteract the downturn and prompt fast and strong recovery, job creation was lagging and new and old social vulnerabilities had increased. The main challenges were to construct a policy mix appropriate to each country and mobilize national and international support. There was a growing consensus within the development community that providing a set of programmes for minimum economic security, in the form of cash transfers and targeted employment schemes, was a vital component of strategies to reduce structural poverty. The systemic nature of

the crisis was also bringing to the fore long-standing unresolved issues with the pattern of globalization. New steps were being taken to address issues of global macroeconomic coordination, regulation of financial markets, the relaunch of trade negotiations and climate change. Examining those issues in the context of employment could contribute to more coherent policymaking.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 23 July [meeting 46], the Economic and Social Council adopted **resolution 2010/25** [draft: E/2010/L.9/Rev.1] without vote [agenda item 6 (a)].

Recovering from the world financial and economic crisis: a Global Jobs Pact

The Economic and Social Council,

Concerned about the ongoing negative impacts of the world financial and economic crisis affecting all countries, which has caused employment losses and human hardship, and its impact on global poverty rates, particularly in developing countries,

Recalling the outcomes of the World Summit for Social Development, the twenty-fourth special session of the General Assembly and the 2005 World Summit,

Recalling also the ministerial declaration of the high-level segment of its substantive session of 2006 and its resolutions 2007/2 of 17 July 2007 and 2008/18 of 24 July 2008,

Recalling further General Assembly resolutions 57/270 B of 23 June 2003, 59/57 of 2 December 2004, 60/265 of 30 June 2006, 61/16 of 20 November 2006, 62/208 of 19 December 2007, 63/199 of 19 December 2008 and 63/239 of 24 December 2008,

Recalling the Outcome of the Conference on the World Financial and Economic Crisis and Its Impact on Development, and welcoming the presentation of the Global Jobs Pact by the International Labour Organization to the Economic and Social Council at its substantive session of 2009,

Recalling also that the Global Jobs Pact was adopted by the International Labour Conference on 19 June 2009 and that it is intended to promote a job-intensive recovery from the crisis and to promote sustainable growth,

Recalling further the resolution entitled “Recovering from the crisis: a Global Jobs Pact”, adopted by the Council in 2009,

1. *Takes note* of the report of the Secretary-General entitled “Recovering from the crisis: a Global Jobs Pact”;

2. *Welcomes* the Global Jobs Pact as a general framework within which each country can formulate policy packages specific to its situation and priorities, and encourages Member States to continue to promote and make full use of the Pact and to implement policy options contained therein;

3. *Underlines* the fact that countries can harness the Global Jobs Pact to accelerate recovery and place the goals of full and productive employment and decent work for all in national and international policy frameworks, and in this regard recognizes the importance of policy coherence at all levels;

4. *Welcomes* efforts to integrate the policy contents of the Global Jobs Pact into the activities of international financial institutions and other relevant organizations, and in that regard notes with appreciation the initiatives undertaken by the United Nations development system to promote the Pact;

5. *Requests* the United Nations funds and programmes and the specialized agencies to take further into account the Global Jobs Pact in their policies and programmes through their appropriate decision-making processes;

6. *Reiterates* that giving effect to the recommendations and policy options contained in the Global Jobs Pact requires consideration of financing and capacity-building, and that least developed and developing countries and countries with economies in transition that lack the fiscal space to adopt appropriate response and recovery policies require particular support, and invites donor countries, multilateral organizations and other development partners to consider providing funding, including existing crisis resources, for the implementation of those recommendations and policy options;

7. *Requests* the Secretary-General to report to the Economic and Social Council at its substantive session of 2011 on progress made in implementing the present resolution.

Commission for Social Development

The Commission for Social Development, at its forty-eighth session (New York, 13 February 2009 and 3–12 and 19 February 2010) [E/2010/26], continued its biennial consideration of the priority theme “Social integration”. It adopted, for the first time in its history, a draft resolution entitled “Promoting social integration”, which it recommended to the Economic and Social Council for adoption (see p. 1073). The Commission also made recommendations for action by the Economic and Social Council on mainstreaming disability in the development agenda (see p. 1079); future implementation of the Madrid International Plan of Action on Ageing, 2012 (see p. 1196); and social dimensions of the New Partnership for Africa’s Development (NEPAD) (see p. 913).

The Commission held high-level panel discussions on the fifteenth anniversary of the 1995 World Summit for Social Development [YUN 1995, p. 1113] and on the priority theme “Social integration”. It also discussed policy responses on employment and the social consequences of the financial and economic crisis, including its gender dimension. In accordance with General Assembly resolution 63/153 [YUN 2008, p. 987] on the follow-up to the implementation of the International Year of Volunteers (2001), the Commission heard a presentation by the Executive Coordinator of the United Nations Volunteers on volunteerism and social inclusion. The Commission also heard a presentation by the newly appointed Special Rapporteur on disability, in connection with its review of relevant United Nations plans and programmes of action pertaining to the situation of social groups.

The Commission decided that the priority theme for the 2011–2012 review and policy cycle would be “Poverty eradication”, taking into account its relationship with social integration and full employment and decent work for all. In addition, it recommended that the officers elected to the Bureau of the Commission serve for a term of office of two years, in parallel with the review and policy cycle.

For its consideration of its priority theme, the Commission had before it a November 2009 report of the Secretary-General [E/CN.5/2010/2] on promoting social integration, prepared in response to Council resolution 2008/19 [YUN 2008, p. 1208]. The report stated that, following the World Summit for Social Development, Governments pursued a variety of approaches to fight exclusion and promote social integration. Policies focused on either promoting social and civic participation or improving economic inclusion through better access to labour markets. Such policies often targeted specific groups in an effort to implement commitments enshrined in existing international instruments. Despite those efforts, by and large national comprehensive strategies had yet to be developed and implemented. Regional and national social integration strategies were developed to tackle the most urgent priorities. For most of the developing world, the provision of basic services, including education and health care, was central to advancing social integration. In some countries, priority was given to policies designed to overcome entrenched discrimination; in others, Governments focused on improving the situation of specific, vulnerable groups. Attempts had been made to create evaluation frameworks to monitor policies that aimed to promote inclusion. The report concluded that since the World Summit, several mandates had been established to address the situation of marginalized groups. Normative frameworks, however, would not diminish discrimination, stereotyping, cultural biases, abuse and violence if they were not complemented by explicit policy measures and the strict enforcement of anti-discriminatory laws to remove barriers to social integration. The gap between the establishment of normative instruments and actual implementation had to be closed. The report recommended that, at the national level, social integration policies should be embedded in a human rights framework; emphasis should be given to expanding access to quality secondary education, particularly for girls and young women, since basic education was insufficient for integration into the globalized economy; and Governments should establish basic social protection schemes for both the formal and informal sectors so as to promote equity, inclusion, cohesion and stability in society. At the international level, the UN system should

continue to facilitate an exchange of experiences and good practices on social integration; and Member States and the United Nations should continue to support the Social Protection Floor Initiative as an effective tool for social integration.

Under the agenda item entitled “Emerging issues”, the Commission discussed a Secretariat note on policy responses on employment and the social consequences of the financial and economic crisis, including its gender dimension [E/CN.5/2010/8]. The note addressed the impact of the global crisis on employment and social development, reviewed the policy responses to the crisis and initiatives taken at the national and international levels, and concluded with a set of policy recommendations.

On 22 July, the Council took note of the Commission’s report on its forty-eighth session and approved the provisional agenda and documentation for its forty-ninth (2011) session (**decision 2010/242**).

Other Commission reports. Other documents issued in 2010, to be considered during the Commission’s forty-ninth (2011) session, included reports of the Secretary-General on implementation of the World Programme of Action for Youth: United Nations system coordination and collaboration related to youth [A/66/61-E/2011/3]; follow-up to the tenth anniversary of the International Year of the Family and beyond [A/66/62-E/2011/4]; the provisional annotated agenda and proposed organization of work of the Commission [E/CN.5/2011/1]; implementation of the resolution on promoting social integration [E/CN.5/2011/2]; poverty eradication [E/CN.5/2011/3]; social dimensions of NEPAD [E/CN.5/2011/4]; modalities of the second review and appraisal of the Madrid International Plan of Action on Ageing, 2002 [E/CN.5/2011/7]; emerging issues: social protection [E/CN.5/2011/8]; monitoring of the implementation of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities [E/CN.5/2011/9]; a note on nomination of members of the Board of the United Nations Research Institute for Social Development [E/CN.5/2011/11]; and statements submitted by non-governmental organizations (NGOs) in consultative status with the Economic and Social Council [E/CN.5/2011/NGO/1-24].

On 22 July, the Council adopted **resolution 2010/14** on future implementation of the Madrid International Plan of Action on Ageing, 2002 (see p. 1196).

ECONOMIC AND SOCIAL COUNCIL ACTION

On 22 July [meeting 45], the Economic and Social Council, on the recommendation of the Commission for Social Development [E/2010/26], adopted **resolution 2010/12** without vote [agenda item 14 (b)].

Promoting social integration

The Economic and Social Council,

Recalling the outcome of the World Summit for Social Development and of the twenty-fourth special session of the General Assembly,

Reaffirming that the Copenhagen Declaration on Social Development and Programme of Action adopted at the World Summit and the further initiatives for social development adopted by the General Assembly at its twenty-fourth special session, as well as a continued global dialogue on social issues, constitute a basic framework for the promotion of social development for all at the national and international levels,

Recalling all resolutions pertaining to social development, including General Assembly resolution 64/135 of 18 December 2009,

Reaffirming the central importance of poverty eradication and full and productive employment and decent work for all to social integration,

Recognizing that a people-centred approach must be at the centre of sustainable development in order to promote social integration and foster social harmony and social cohesion,

Recognizing also that poverty, which should be tackled in a holistic manner, as well as unemployment, and the lack of decent work opportunities, are key obstacles to social integration,

Recognizing further that social inclusion is a means for achieving social integration and is crucial for fostering stable, safe, harmonious, peaceful and just societies and for improving social cohesion so as to create an environment for development and progress,

Recognizing that, in times of economic and financial crisis, social exclusion can be exacerbated and that, therefore, policies and programmes aiming at enhancing social integration, in particular for those most severely affected, are critical,

Recognizing also that social protection is also an investment in people and in long-term social and economic development and that in this regard appropriate social protection systems make a critical contribution to meeting the development goals directed towards poverty eradication and to exerting a positive impact on economic growth, social cohesion and social development,

Recognizing further that the promotion of social and economic development remains the sovereign right and responsibility of each Member State, in a manner consistent with national laws and development priorities, with full respect for the various religious and ethnic values and cultural backgrounds of its people and in conformity with all human rights and fundamental freedoms,

1. *Takes note with appreciation* of the report of the Secretary-General;

2. *Welcomes* the reaffirmation by Governments of their will and commitment to continue implementing the Copenhagen Declaration on Social Development and the Programme of Action, in particular to eradicate poverty, promote full and productive employment and foster social integration in order to achieve stable, safe, peaceful, harmonious and just societies for all;

3. *Recognizes* that poverty eradication, full and productive employment and decent work for all, and social integration are interrelated and mutually reinforcing, that an enabling environment therefore needs to be created so that all three objectives can be pursued simultaneously and that policies to pursue these objectives must promote social justice, social cohesion and economic recovery and growth and must be economically and environmentally sustainable;

4. *Reaffirms* the importance of promoting social integration with the aim of achieving an inclusive society for all that is stable, safe, peaceful, harmonious and just and that is based on the promotion and protection of all human rights, as well as non-discrimination, tolerance, respect for diversity, equality of opportunity, solidarity, security and participation of all people;

5. *Stresses* that the benefits of economic growth should be distributed more equitably and that, in order to close the gap of inequality and to avoid any further deepening of inequality, comprehensive social policies and programmes, including appropriate social transfer programmes, job creation and social protection systems, are needed;

6. *Recognizes* that empowerment of the poor is essential for the effective eradication of poverty and hunger;

7. *Also recognizes* that the broad concept of social development affirmed by the World Summit for Social Development and the twenty-fourth special session of the General Assembly has not been implemented adequately at the national and international levels and that, while poverty eradication is a central part of development policy and discourse, further attention should be given to the other commitments agreed to at the Summit, in particular those concerning employment and social integration, which have also suffered from a general disconnect between economic and social policymaking;

8. *Underlines* the importance of adopting a coherent approach to economic and social policy in order to ensure impact, accountability and transparency and of enhancing coordination to promote the mainstreaming of social integration;

9. *Recognizes* that normative frameworks should be complemented by policy measures and effective enforcement, including through relevant national legislation, in order to eliminate discrimination, stereotyping, cultural biases, abuse and violence so as to remove barriers to social integration;

10. *Expresses deep concern* that the world financial and economic crisis, the world food crisis and continuing food insecurity, the energy crisis and climate change, as well as the lack of results thus far in the multilateral trade negotiations and a loss of confidence in the international economic system, have negative implications for social development, in particular for the achievement of poverty eradication, full and productive employment and decent work for all, and social integration;

11. *Stresses* that, since the convening of the World Summit for Social Development in Copenhagen in 1995, advances have been made in addressing and promoting social integration, including through the adoption of the Madrid International Plan of Action on Ageing, 2002, the World Programme of Action for Youth to the Year 2000 and Beyond and the Supplement thereto, the Convention

on the Rights of Persons with Disabilities, the United Nations Declaration on the Rights of Indigenous Peoples and the Beijing Declaration and Platform for Action, and encourages Governments to ensure the full implementation of their obligations and commitments;

12. *Notes with interest* the adoption by the International Labour Conference on 10 June 2008 of the International Labour Organization Declaration on Social Justice for a Fair Globalization, which acknowledges the particular role of the Organization in promoting a fair globalization and its responsibility to assist its members in their efforts, and the adoption by the International Labour Conference of the Global Jobs Pact on 19 June 2009, and in this regard recognizes that the decent work agenda of the International Labour Organization, with its four strategic objectives, has an important role to play in achieving the objective of full and productive employment and decent work for all;

13. *Recognizes* that sustainable social integration requires creating short- and long-term policies that are comprehensive, consistent, coordinated and complementary, especially when addressing the needs of social groups;

14. *Also recognizes* the need to implement comprehensive and coherent policies to create social inclusion programmes, bearing in mind that poverty is a form of exclusion that should be tackled in a holistic manner and in this regard special attention should be devoted to addressing its multiple dimensions, including the feminization of poverty, leading to further social exclusion, and the intergenerational transmission of poverty and exclusion;

15. *Further recognizes* that a people-centred framework for social development is critical to helping to build a culture of cooperation and partnership, and to responding to the global challenges and threats that hinder social integration, social harmony and social cohesion, in order to promote social development throughout the world;

16. *Recognizes* that social integration policies should be based on respect for human dignity and all human rights and fundamental freedoms, and encourages Governments to implement their social integration policies at the national and local levels, in accordance with their international human rights obligations;

17. *Reaffirms* the importance of the effective participation of people in civic, social, economic and political activities as an essential part of promoting social integration, and in this regard encourages Governments to increase the participation of citizens and communities in the planning and implementation of social integration policies and strategies aimed at achieving poverty eradication, social integration and full employment and decent work;

18. *Recognizes* that there is an urgent need to eliminate physical and social barriers with the aim of creating a society accessible for all, with special emphasis on measures to meet the needs and interests of those who face obstacles in participating fully in society;

19. *Stresses* that policies and strategies designed to achieve poverty eradication, full employment and decent work for all should include specific measures to promote gender equality, empowerment of women and equal access to opportunities and social protection and foster social integration for social groups such as youth, persons with disabilities and older persons, as well as migrants and indigenous peoples;

20. *Reaffirms* the commitment to the empowerment of women and gender equality, as well as mainstreaming of gender perspectives in all relevant policies and strategies, recognizing that these are critical for achieving sustainable development and for efforts to combat hunger, poverty and disease and to strengthen policies and programmes that improve, ensure and broaden the full participation of women in all spheres of political, economic, social and cultural life, as equal partners, and to improve their access to all resources needed for the full exercise of all their human rights and fundamental freedoms by removing persistent barriers, including ensuring equal access to full and productive employment and decent work, as well as strengthening their economic independence;

21. *Recognizes* that the social integration of people living in poverty should encompass addressing and meeting their basic human needs, including nutrition, health, water, sanitation, housing and access to education and employment, through integrated development strategies, and reaffirms that the provision of basic social services in these areas should be seen as a means of fighting poverty and exclusion and promoting social integration;

22. *Recognizes also* that the new information technologies and new approaches to access to and use of technologies by people living in poverty can help in fulfilling social development goals, and therefore recognizes the need to facilitate access to such technologies;

23. *Reaffirms* that social integration policies should seek to reduce inequalities, promote access to education for all, employment, basic social services and health care, including nutrition, water, sanitation and housing, and address the challenges posed by globalization and market-driven reforms to social development in order for all people in all countries to benefit from globalization;

24. *Stresses* the importance of eradicating illiteracy and promoting for all equal access to and opportunities for quality education, skills development and quality training as essential means for participation and integration in society;

25. *Recognizes* the importance of providing effective social protection to achieve equity, equality, inclusion in society and in the labour market, social justice, including solidarity among generations, stability and cohesion of societies;

26. *Notes* the joint crisis initiatives launched by the United Nations System Chief Executives Board for Coordination in 2009 related to the promotion of employment and social protection which aim at advocating for and advising Member States on the provision of social protection floors, boosting full employment and decent work, and public spending in ways that will support the efforts of Member States to promote more inclusive and sustainable social and economic development;

27. *Urges* Governments, with the cooperation of relevant entities, to develop systems of social protection and to extend or broaden, as appropriate, their effectiveness and coverage, including for workers in the informal economy, recognizing the need for social protection systems to provide social security and support labour-market participation, invites the International Labour Organization to strengthen its social protection strategies, including assistance to countries in building social protection floors and policies on extending social security coverage, and also

urges Governments, while taking account of national circumstances, to focus on the needs of those living in, or vulnerable to, poverty and to give particular consideration to universal access to basic social security systems;

28. *Encourages* Governments to continue developing socially inclusive policies and incorporating them into national development strategies, including poverty reduction strategies, and to give due consideration to developing national evaluation frameworks for social development, including possible benchmarks and indicators to measure the social integration and well-being of the population;

29. *Reaffirms* that social development requires the active involvement of all actors in the development process, such as civil society organizations, including workers' and employers' organizations, as well as corporations and small and medium-sized businesses, and that partnerships among all relevant actors are increasingly becoming part of national and international cooperation for social development, also reaffirms that, within countries, partnerships among the Government, civil society and the private sector can contribute effectively to the achievement of social development goals, and in this regard stresses the importance of strong political leadership, adequate financing and technical support;

30. *Encourages* Governments to enable civil society institutions to participate, on a consultative basis, in the formulation, implementation and evaluation of policies related to the social development of all social groups, in order to take into account their needs;

31. *Stresses* the importance of a conducive international environment, in particular enhanced international cooperation, to support national efforts towards promoting social integration, including the fulfilment of all commitments on official development assistance, debt relief, market access, financial and technical support and capacity-building;

32. *Invites* Governments, relevant organizations of the United Nations system, regional organizations and development partners to exchange views and share information on good policies and practices for mainstreaming social inclusion into social and economic policies at the national, regional and international levels aimed at achieving equity, equality, social inclusion, protection and cohesion, and recognizes existing efforts in this regard;

33. *Encourages* Governments to participate fully in the discussions on social protection at the one hundredth session of the International Labour Conference in 2011 and at its preparatory meetings;

34. *Requests* the United Nations system to support national efforts to achieve social development, in particular, by fostering social integration at the local, national, sub-regional, regional and international levels in a coherent, coordinated and results-based manner;

35. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the Commission for Social Development at its forty-ninth session and to the General Assembly at its sixty-fifth session as part of the report under the agenda item entitled "Implementation of the outcome of the World Summit for Social Development and of the twenty-fourth special session of the General Assembly", and looks forward to the report of the Secretary-General that the Assembly, in its resolution 64/135, requested be submitted to it at its sixty-fifth

session, which should include information related to challenges to and prospects for full implementation by Member States of the outcome of the World Summit and the twenty-fourth special session of the Assembly.

Future organization and methods of work of the Commission for Social Development

ECONOMIC AND SOCIAL COUNCIL ACTION

On 22 July [meeting 45], the Economic and Social Council, on the recommendation of the Commission for Social Development [E/2010/26], adopted **resolution 2010/10** without vote [agenda item 14 (b)].

Future organization and methods of work of the Commission for Social Development

The Economic and Social Council,

Recalling its resolutions 2005/11 of 21 July 2005 and 2006/18 of 26 July 2006 on the future organization and methods of work of the Commission for Social Development,

Recalling also its resolution 2008/19 of 24 July 2008, in which it noted the usefulness of identifying the theme for the 2011–2012 review and policy cycle during the forty-eighth session of the Commission,

1. *Recalls* its decision in resolution 2008/19 to maintain the two-year review and policy cycle until the fiftieth session of the Commission for Social Development;

2. *Decides* that the priority theme for the 2011–2012 review and policy cycle should be poverty eradication, taking into account its relationship with social integration and full employment and decent work for all;

3. *Stresses* the importance of identifying relevant sub-themes within the priority theme to focus interventions and discussions and of taking into account cross-cutting issues during each session of the Commission;

4. *Notes* the usefulness of identifying the theme for the 2013–2014 review and policy cycle during the fiftieth session of the Commission;

5. *Recommends* that, in order to enhance the effectiveness of the work of the Commission, the officers elected to the Bureau of the Commission serve for a term of office of two years, in parallel with the review and policy cycle;

6. *Invites* all relevant stakeholders to continue to participate in the work of the Commission at an appropriately high level;

7. *Decides* that the Commission should keep its methods of work under review.

UN Research Institute for Social Development

During 2010, the United Nations Research Institute for Social Development (UNRISD) continued to conduct research into social and economic development, promoting a multidisciplinary approach that emphasized the social effects of development policies and the factors and contexts that shaped decision-making.

A December report by the UNRISD Board [E/CN.5/2011/10] described the Institute's activities in 2009 and 2010. The report discussed the financial situation of the Institute, which deteriorated owing largely to the financial environment. One core donor withdrew and others reduced their contributions. Efforts were made to increase and diversify funding sources, and the Institute hosted a meeting of donors in March. Reductions in staff and activities were made in response to the reduced funding. Nevertheless, activities completed under the 2005–2009 research programme led to a large number of publications and dissemination activities in the areas of social policy; gender and development; civil society and social movements; and markets, business and regulation. In response to the multiple crises confronting the global economy, the Institute convened, in November 2009, an international conference on the theme "Social and political dimensions of the global crisis: implications for developing countries". It also concluded a wide-ranging inquiry into the dynamics of poverty reduction, which culminated in the publication of its flagship report, *Combating Poverty and Inequality: Structural Change, Social Policy and Politics*. The Institute held extensive consultations with its constituencies in developing a new research agenda and institutional strategy for 2010–2014, which was approved by the Board in June 2010. Research planned for the coming years reflected the changed context and greater uncertainty for social development following the multiple crises in the global economy. In addition, the institutional strategy involved a strengthening of the Institute's communications activities, aimed at enhancing the relevance and impact of its research, and of its strategic resource mobilization activities, aimed at securing the Institute's financial stability through efforts to diversify and increase core and project funding. Fifty-one publications were issued by the Institute in the 2009–2010 period.

Cooperatives in social development

By resolution 64/136 [YUN 2009, p. 1065], the General Assembly proclaimed the year 2012 the International Year of Cooperatives and encouraged Member States, the United Nations and all other stakeholders to take advantage of the Year as a way to promote cooperatives and raise awareness of their contributions to social and economic development.

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third Committee [A/65/448], adopted **resolution 65/184** without vote [agenda item 27 (b)].

Cooperatives in social development

The General Assembly,

Recalling its resolution 64/136 of 18 December 2009, by which it proclaimed the year 2012 the International Year of Cooperatives and encouraged all Member States, as well as the United Nations and all other relevant stakeholders, to take advantage of the Year as a way of promoting cooperatives and raising awareness of their contribution to social and economic development,

1. *Decides* to convene, at its sixty-sixth session, one plenary meeting of the General Assembly devoted to the launch of the International Year of Cooperatives 2012, within existing resources;

2. *Also decides* to hold, prior to the plenary meeting, an informal, interactive round-table discussion among Member States, observers, organizations of the United Nations system, cooperatives and non-governmental organizations in consultative status with the Economic and Social Council;

3. *Further decides* that the President of the General Assembly, in consultation with Member States, should decide on the theme of the informal round-table discussion as well as which Member State should chair the discussion;

4. *Decides* that one representative of cooperatives, nominated by the President of the General Assembly in consultation with Member States and relevant representatives of cooperatives, shall orally present a summary of the informal round-table discussion to the General Assembly at the beginning of the plenary meeting;

5. *Invites* Member States to consider including representatives of cooperatives in their delegations or, as appropriate, being represented by representatives of cooperatives at the plenary meeting of the General Assembly on this occasion, as well as at the informal round-table discussion, bearing in mind the principle of gender balance;

6. *Invites* all Member States to consider taking action towards establishing national mechanisms, such as national committees, to prepare for, observe and follow up on the International Year of Cooperatives, in particular for the purpose of planning, stimulating and harmonizing the activities of the governmental and non-governmental agencies and organizations concerned with the preparations for and observance of the Year.

Persons with disabilities

World Programme of Action

In response to General Assembly resolutions 63/150 [YUN 2008, p. 1209] and 64/131 [YUN 2009, p. 1068], the Secretary-General submitted a July report [A/65/173] on realizing the Millennium Development Goals (MDGs) for persons with disabilities, through the implementation of the World Programme of Action concerning Disabled Persons, adopted by the Assembly in resolution 37/52 [YUN 1982, p. 981]; and the Convention on the Rights of Persons with Disabilities, which was adopted by the Assembly in resolution 61/106 [YUN 2006, p. 785] and entered into force in 2008 [YUN 2008, p. 749].

The report stated that the multiple global crises in recent years had rolled back gains and had the potential to create obstacles to achieving development goals, including the MDGs, with serious implications for persons with disabilities. Governments had responded in various ways, taking specific policy measures and pursuing new initiatives. The challenge was to fully take into account the situations of persons with disabilities and to incorporate their needs and concerns into crisis-related adjustments, thus making responses available to everyone.

The Secretary-General stated that the commitment of the United Nations to the rights of persons with disabilities did not automatically result in their inclusion in either general or targeted MDG efforts. In that context, there was a need to ensure that all MDG targets and indicators would identify, monitor and evaluate the impact of related policies and programming on the situation of persons with disabilities. The primary tools and mechanisms for tracking MDGs must ensure that disability was “visible” in the overall framework used for allocating further funding and resources at the local, national, regional and global levels. He warned that the absence of explicit targets for disability in the MDGs represented a missed opportunity to achieve the Goals for all.

As a global monitoring mechanism, the United Nations supported efforts by Governments and civil society in four areas: monitoring; analysis; awareness-raising campaigning and mobilization; and operational activities. The Inter-Agency and Expert Group on MDG Indicators undertook analysis to monitor progress towards realization of the MDGs at the global and regional levels. The Secretary-General, however, underscored that the existing data gaps on disability within the context of MDG evaluation and monitoring continued to be a major challenge.

In addition, the report outlined progress and initiatives in mainstreaming disability into the MDGs and other development strategies by Member States, the UN system and civil society. It also discussed issues relating to the updates of the World Programme of Action, requested by resolution 63/150 [YUN 2008, p. 1209] in order to strengthen the international normative framework in line with the Convention on the Rights of Persons with Disabilities and other internationally agreed development goals for persons with disabilities. Options for updates were detailed in annex I to the report.

The Secretary-General concluded that 2010 marked a critical juncture for ensuring that disability was included in MDG processes in the five years remaining before the 2015 target date for achieving the Goals. He made specific recommendations on improving data and statistics on disability; ensuring

accessibility; and equal participation and empowerment of persons with disabilities in all aspects of MDG processes.

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third Committee [A/65/448], adopted **resolution 65/186** without vote [agenda item 27 (b)].

Realizing the Millennium Development Goals for persons with disabilities towards 2015 and beyond

The General Assembly,

Recalling the World Programme of Action concerning Disabled Persons, the Standard Rules on the Equalization of Opportunities for Persons with Disabilities and the Convention on the Rights of Persons with Disabilities, in which persons with disabilities are recognized as both development agents and beneficiaries in all aspects of development,

Recalling also its previous resolutions on the internationally agreed development goals, including the Millennium Development Goals, in which it recognized the collective responsibility of Governments to uphold the principles of human dignity, equality and equity at the global level, and stressing the duty of Member States to achieve greater justice and equality for all, in particular persons with disabilities,

Reaffirming its previous resolutions, in particular resolution 64/131 of 18 December 2009 on realizing the Millennium Development Goals for persons with disabilities and resolution 63/150 of 18 December 2008 on realizing the Millennium Development Goals for persons with disabilities through the implementation of the World Programme of Action concerning Disabled Persons and the Convention on the Rights of Persons with Disabilities,

Encouraged by the outcome document of the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals, which calls for enhanced and concrete efforts to realize the Goals for all, including persons with disabilities,

Gravely concerned that persons with disabilities are often subject to multiple or aggravated forms of discrimination and are still largely invisible in the implementation, monitoring and evaluation of the Millennium Development Goals,

Affirming that a role of the Convention on the Rights of Persons with Disabilities, which is both a human rights treaty and a development tool, is to provide an opportunity to strengthen the policies related to the implementation of the Millennium Development Goals, thereby contributing to the realization of a "society for all" in the twenty-first century,

Affirming also that the World Programme of Action and the Standard Rules enhance the policies related to the realization of the Millennium Development Goals,

Noting that persons with disabilities make up an estimated 10 per cent of the world's population, of whom 80 per cent live in developing countries, and recognizing

the importance of international cooperation and its promotion in support of national efforts, in particular for developing countries,

Concerned that the lack of data and information on disability and the situation of persons with disabilities at the national level contributes to the invisibility of persons with disabilities in official statistics, presenting an obstacle to achieving development planning and implementation that is inclusive of persons with disabilities,

1. *Takes note with appreciation* of the report of the Secretary-General entitled "Keeping the promise: realizing the Millennium Development Goals for persons with disabilities towards 2015 and beyond", and of the recommendations contained therein, and notes that the report contains options to update the World Programme of Action concerning Disabled Persons;

2. *Notes* that the Convention on the Rights of Persons with Disabilities emphasizes the importance of international cooperation for improving the living conditions of persons with disabilities in every country, particularly in developing countries;

3. *Also notes* that the Convention on the Rights of Persons with Disabilities provides comprehensive coverage of the civil, political, economic, social and cultural rights of persons with disabilities;

4. *Welcomes* the outcome document of the High-level Plenary Meeting of the General Assembly, entitled "Keeping the promise: united to achieve the Millennium Development Goals", particularly the recognition that policies and actions must also focus on persons with disabilities so that they benefit from progress towards achieving the Millennium Development Goals;

5. *Urges* Member States, and invites international organizations and regional organizations, regional integration organizations, financial institutions, the private sector and civil society, in particular organizations representing persons with disabilities, as appropriate, to promote the realization of the Millennium Development Goals for persons with disabilities by, inter alia, explicitly including and mainstreaming disability issues and persons with disabilities in national plans and tools designed to contribute to the full realization of the Goals;

6. *Urges* the United Nations system to make a concerted effort to integrate disability issues into its work, and in this regard encourages the Inter-Agency Support Group on the Convention on the Rights of Persons with Disabilities to continue working to ensure that development programmes, including Millennium Development Goals policies, processes and mechanisms, are inclusive of and accessible to persons with disabilities;

7. *Encourages* Member States to ensure that their international cooperation, including through international development programmes, is inclusive of and accessible to persons with disabilities;

8. *Calls upon* Governments and United Nations bodies and agencies to include disability issues and persons with disabilities in reviewing progress towards achieving the Millennium Development Goals and to step up efforts to include in their assessment the extent to which persons with disabilities are able to benefit from efforts to achieve the Goals;

9. *Calls upon* Governments to enable persons with disabilities to participate as agents and beneficiaries of development, in particular in all efforts aimed at achieving the Millennium Development Goals, by ensuring that programmes and policies, namely on eradicating extreme poverty and hunger, achieving universal primary education, promoting gender equality and the empowerment of women, reducing child mortality, improving maternal health, combating HIV/AIDS, malaria and other diseases, ensuring environmental sustainability and developing a global partnership for development, are inclusive of and accessible to persons with disabilities;

10. *Emphasizes* the importance of the full participation and inclusion of persons with disabilities, including through information in accessible formats at all levels of policymaking and development, which is critical to informing policymakers on the situation of persons with disabilities, the barriers they may face and ways to overcome obstacles to the full and equal enjoyment of their rights, to the achievement of the Millennium Development Goals for all, including persons with disabilities, and to their socio-economic advancement;

11. *Encourages* international cooperation in the implementation of the Millennium Development Goals, including through global partnerships for development, which are crucial for the realization of the Goals for all, in particular for persons with disabilities;

12. *Encourages* Governments to develop and accelerate the exchange of information, guidelines, standards, best practices, legislative measures and government policies regarding the situation of persons with disabilities and disability issues, in particular as they relate to inclusion and accessibility;

13. *Calls upon* Governments to strengthen the collection and compilation of national data and information about the situation of persons with disabilities following existing guidelines on disability statistics that are disaggregated by sex and age, which could be used by Governments to enable their development policy planning, monitoring, evaluation and implementation to be disability-sensitive, in particular in the realization of the Millennium Development Goals for persons with disabilities, and invites Governments to provide, where available, relevant data and statistics to the appropriate mechanisms within the United Nations system, including the Statistical Commission;

14. *Requests* the United Nations system to facilitate technical assistance, within existing resources, including the provision of assistance for capacity-building and for the collection and compilation of national and regional data and statistics on disability, in particular to developing countries, and in this regard requests the Secretary-General, in accordance with existing guidelines on disability statistics, to analyse, publish and disseminate disability data and statistics in future periodic reports, as appropriate, on the realization of the Millennium Development Goals for persons with disabilities;

15. *Requests* the Secretary-General:

(a) To submit information on the implementation of the present resolution to the General Assembly at its sixty-sixth session, with a view to convening, within existing resources, a high-level meeting at the sixty-seventh session of the General Assembly on strengthening efforts to ensure

accessibility for and inclusion of persons with disabilities in all aspects of development efforts;

(b) To provide information on best practices at the international, regional, subregional and national levels for including persons with disabilities in all aspects of development efforts;

(c) To submit during the sixty-seventh session of the General Assembly information on the progress made towards the implementation of programmes and policies related to persons with disabilities within the framework of existing Millennium Development Goals, as well as on their impact;

(d) To continue to improve accessibility and full inclusion of persons with disabilities, within existing resources, through, inter alia:

(i) Accessibility of built environments, especially the premises at United Nations Headquarters;

(ii) Accessibility of information and services, including greater accessibility of official United Nations documentation and conferences, through the use of alternative formats, such as sign language interpretation, captioning, Braille and easy-to-use texts;

(iii) Employment of persons with disabilities within the United Nations system, agencies, funds and programmes as well as regional offices;

(e) To facilitate international cooperation in research and access to scientific and technical knowledge and, as appropriate, to facilitate access to and sharing of accessible and assistive technologies, inter alia, through the transfer of technologies.

Mainstreaming disability in the development agenda

In response to Economic and Social Council resolution 2008/21 [YUN 2008, p. 1213], the Secretary-General submitted to the Commission for Social Development a November 2009 report [E/CN.5/2010/6] on mainstreaming disability in the development agenda. The report reviewed the status of disability-inclusive development cooperation within the framework of multilateral, regional and bilateral initiatives. The report stated that while disability-specific development cooperation had been established for several decades, mainstreaming disability in overall development cooperation was relatively new and ongoing, with many agencies starting such work only after the year 2000. Despite the time, energy and resources that many development agencies had invested to develop policies and guidance notes, there was still limited information on, and experience in, the implementation of disability mainstreaming. The achievement of mainstreaming at all levels remained a major challenge; further efforts were required to give meaning to the concept of mainstreaming and its realization in practice.

In order to mainstream disability in the international development agenda, specifically in the area of

international development cooperation, the Secretary-General recommended that disability-inclusive policies be adopted at all levels of development cooperation in line with the international normative and operational frameworks for development cooperation, the Convention on the Rights of Persons with Disabilities and other relevant international instruments on disability and development. He also recommended that Member States and development agencies be encouraged to continue efforts to mainstream disability in overall development agendas, to further policy development for disability-inclusive development and to operationalize disability mainstreaming in development programming; and to conduct periodic reviews and assessments, analysing the extent to which disability was effectively mainstreamed in development activities, with a view to identifying best practices and eliminating gaps between stated policy goals and the results of implementation efforts.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 22 July [meeting 45], the Economic and Social Council, on the recommendation of the Commission for Social Development [E/2010/26], adopted **resolution 2010/13** without vote [agenda item 14 (b)].

Mainstreaming disability in the development agenda

The Economic and Social Council,

Reaffirming that the Copenhagen Declaration on Social Development and Programme of Action of the World Summit for Social Development and the further initiatives for social development adopted by the General Assembly at its twenty-fourth special session, as well as a continued global dialogue on social development issues, constitute the basic framework for the promotion of social development for all at the national and international levels,

Noting that the entry into force of the Convention on the Rights of Persons with Disabilities, which is both a human rights treaty and a development tool, provides an opportunity to strengthen the policies related to and the implementation of the Millennium Development Goals, thereby contributing to the realization of a “society for all” in the twenty-first century,

Recalling the World Programme of Action concerning Disabled Persons, the Standard Rules on the Equalization of Opportunities for Persons with Disabilities and the Convention on the Rights of Persons with Disabilities, in which persons with disabilities are recognized as both development agents and beneficiaries in all aspects of development,

Recalling also its previous resolutions concerning persons with disabilities and the relevant resolutions adopted by the General Assembly,

Acknowledging the fact that the majority of the 690 million persons with disabilities in the world live in conditions of poverty, and in this regard recognizing the critical need to address the negative impact of poverty on persons with disabilities,

Noting that persons with disabilities make up an estimated 10 per cent of the world’s population, of whom

80 per cent live in developing countries, and recognizing the importance of international cooperation and its promotion in support of national efforts, in particular for developing countries,

Convinced that addressing the profound social, cultural and economic disadvantage experienced by many persons with disabilities, and that promoting the use of universal design, as appropriate, and the progressive removal of barriers to their full and effective participation in all aspects of development, as well as promoting their economic, social and cultural rights, will further the equalization of opportunities and contribute to the realization of a “society for all” in the twenty-first century,

Bearing in mind that the Convention provides a comprehensive normative framework, as well as specific guidance, for mainstreaming disability,

Underlining the importance of mobilizing resources at all levels for the successful implementation of the World Programme of Action and the Convention, and recognizing the importance of international cooperation and its promotion in support of national efforts, in particular in developing countries,

Recognizing that achieving the mainstreaming of disability at all levels remains a major challenge and that, therefore, further efforts are required to give practical meaning to the concept of mainstreaming and its realization in United Nations activities in the development agenda,

Welcoming the fact that, since the opening for signature on 30 March 2007 of the Convention and the Optional Protocol thereto, one hundred and forty-seven States have signed and ninety-two States have ratified the Convention and eighty-nine States have signed and fifty-four States have ratified the Optional Protocol, and one regional integration organization has signed the Convention,

Noting that, in the report of the Secretary-General, it is stated that information on and experience in the implementation of disability mainstreaming in the development agenda is limited, acknowledging that international, regional, subregional and national efforts to mainstream disability in the development agenda are relatively new and ongoing, and urging further progress in this regard,

Noting also the progress made by the Inter-Agency Support Group on the Convention on the Rights of Persons with Disabilities and the United Nations Development Group Task Team on Disability in mainstreaming disability in the development agenda, including in the work of the United Nations agencies, funds and programmes, and urging further progress towards mainstreaming disability in their development agendas,

Recognizing that the forthcoming high-level plenary meeting to review the implementation of the Millennium Development Goals in 2010 is an important opportunity to enhance efforts to realize the Goals for all, including persons with disabilities,

Recognizing also that the annual ministerial review, which is to focus on implementing the internationally agreed goals and commitments in regard to gender equality and the empowerment of women, provides an opportunity to highlight the situation of women and girls with disabilities,

1. *Takes note* of the report of the Secretary-General;

2. *Calls upon* those States that have not yet done so to consider signing and ratifying the Convention on the

Rights of Persons with Disabilities and the Optional Protocol thereto as a matter of priority;

3. *Calls upon* Member States to enable persons with disabilities to participate as agents and beneficiaries of development, in particular in all efforts aimed at achieving the Millennium Development Goals, by ensuring that programmes and policies, namely those aimed at eradicating extreme poverty and hunger, achieving universal primary education, promoting gender equality and the empowerment of women, reducing child mortality, improving maternal health, combating HIV/AIDS, malaria and other diseases, ensuring environmental sustainability and developing a global partnership for development, are inclusive of and accessible to persons with disabilities;

4. *Encourages* international cooperation in the implementation of the Millennium Development Goals, including through global partnerships for development, which are crucial for the realization of the Goals for all, including persons with disabilities;

5. *Recognizes* the need to promote participation, consultation, inclusion and integration of persons with disabilities and their representative organizations in mainstreaming disability in the development agenda;

6. *Recognizes also* the need to promote accessibility to the physical, social, economic and cultural environment, to health and education and to information and communication, for the inclusion of persons with disabilities in all aspects of development, and to take measures to make, inter alia, the environment and transport accessible to all persons with disabilities, and to provide accessible information and communications technologies;

7. *Urges* Member States:

(a) To mainstream disability, including the perspective of persons with disabilities, into the design, implementation and monitoring of national development policies, programmes and strategies, and in this regard calls upon the United Nations system to support, upon request, as appropriate, national and regional efforts and plans to develop methodologies and tools and to promote capacity-building and evaluation;

(b) To conduct reviews and assessments, analysing the extent to which disability is mainstreamed effectively in the development agenda, with a view to identifying best practices and eliminating gaps between policy and implementation;

(c) To conduct disability awareness-raising campaigns and education and training activities for all those involved in the development agenda, in order to promote the inclusion of persons with disabilities;

8. *Encourages* the United Nations system, including relevant agencies, funds and programmes, in accordance with their respective mandates:

(a) To share their best practices, information, tools and methodologies on the mainstreaming of disability in their activities, through appropriate means, and to review them periodically, in order to take a coherent and coordinated approach to disability issues within the United Nations operational framework;

(b) To conduct disability education and awareness-raising campaigns and to step up efforts to recruit persons with disabilities at all levels, including in field positions;

(c) To enhance their accountability, including at the highest levels of decision-making, in the work of mainstreaming disability in the development agenda, including in the assessment of the impact of development efforts on the situation of persons with disabilities;

9. *Encourages* all Member States, concerned intergovernmental organizations and international and regional organizations, civil society, in particular organizations of persons with disabilities, and the private sector to engage in cooperative arrangements that aim at providing the necessary technical and expert assistance to enhance capacities in mainstreaming disability, including the perspective of persons with disabilities, in the development agenda, and in this regard encourages the Secretariat and other relevant bodies to find improved ways to enhance international technical cooperation;

10. *Urges* Member States and relevant entities of the United Nations system, including its agencies, funds and programmes, and invites international and regional organizations, including regional integration organizations, as appropriate, and financial institutions to take concrete measures to mainstream disability, including the perspective of persons with disabilities and accessibility requirements, into development cooperation and development finance activities;

11. *Stresses* the need to enhance accountability in the work of mainstreaming disability in the development agenda, including in the assessment of the impact of development efforts on the situation of persons with disabilities;

12. *Welcomes* the appointment of a new Special Rapporteur on disability of the Commission for Social Development for the period 2009–2011;

13. *Requests* the Secretary-General to prepare a report on the implementation of the present resolution, including on the coordination of the United Nations on mainstreaming disability into all policies and activities, for submission to the Commission for Social Development at its fiftieth session.

(For information on the status and implementation of the Convention on the Rights of Persons with Disabilities and the Optional Protocol, see p. 653.)

Follow-up to International Year of the Family

In response to General Assembly resolution 64/133 [YUN 2009, p. 1066], the Secretary-General submitted a November report [A/66/62-E/2011/4] on the follow-up to the tenth anniversary of the International Year of the Family [YUN 1994, p. 1144] and beyond, observed on 6 December 2004. The report focused on four areas: confronting family poverty; promoting intergenerational solidarity; reconciling work and family life; and collecting national and regional data on family well-being. Three major themes proposed to guide the preparations for the observance of the twentieth anniversary of the International Year of the Family in 2014 included confronting family poverty and social exclusion; ensuring work-family balance; and advancing social

integration and intergenerational solidarity within families and communities. The report also reviewed family-related provisions from major human rights instruments and outcomes of UN conferences and summits, and put forward a draft framework for the preparations for the observance of the twentieth anniversary of the Year.

The report recommended that the Commission for Social Development consider supporting the themes of poverty eradication, full employment and decent work and social integration to guide the preparations for the twentieth anniversary of the International Year of the Family; and requesting Governments to report on their national activities in support of the event. Governments, the United Nations, civil society and academic institutions should share good practices and data regarding family-oriented policy development, implementation and monitoring, and family well-being; and, along with the private sector, play a supportive role in promoting the objectives of the twentieth anniversary.

Cultural development

Culture of peace

Implementation of Declaration and Programme of Action on a Culture of Peace

In response to General Assembly resolution 64/80 [YUN 2009, p. 1070], the Secretary-General transmitted an August report [A/65/299] by the Director-General of the United Nations Educational, Scientific and Cultural Organization (UNESCO) on the International Decade for a Culture of Peace and Non-Violence for the Children of the World, 2001–2010, proclaimed in Assembly resolution 53/25 [YUN 1998, p. 639]. The report summarized the activities carried out during the International Decade by UNESCO and other UN entities, Member States and civil society, including NGOs, to promote and implement the Programme of Action on a Culture of Peace [YUN 1999, p. 594]. In addition, it provided an assessment of the progress achieved in implementing the objectives of the Decade, as well as recommendations for future action.

The report outlined UNESCO activities in implementing the Programme of Action during the Decade in the eight action areas: education; sustainable development; human rights; equality between men and women; democratic participation; understanding, tolerance and solidarity; communication and information; and international peace and security. Other areas of action included science and natural resources management; youth; sport; and country programming. The report also reviewed the activities of the Food and Agriculture Organization of

the United Nations, the United Nations Children's Fund (UNICEF), the United Nations Relief and Works Agency for Palestine Refugees in the Near East, and the Peacebuilding Support Office of the United Nations Secretariat. At the national level, eighteen Member States, representing all regions, provided contributions to the report covering the eight action areas. Ten international NGOs in operational relations with UNESCO provided contributions in the areas of sharing information and best practices on a culture of peace, particularly education on peace and non-violence; promoting sustainable economic development; and promoting respect for human rights.

The Director-General stated that the International Decade for a Culture of Peace and Non-Violence for the Children of the World, 2001–2010 was successful in bringing the concept of a "culture of peace" to all levels and segments of society and in stimulating concrete action, as demonstrated by the numerous activities that contributed to the implementation of the Programme of Action over the course of the Decade. More than 75 million people worldwide signed the "Manifesto 2000 for a Culture of Peace and Non-Violence", pledging to promote those principles in their everyday lives. A website was also created by UNESCO to serve as a rallying point for Decade activities and as a resource centre. Furthermore, UNESCO coordinated and implemented activities to promote the objectives of the Decade at the national, regional and global levels. Apart from the relatively low level of response by Member States about their action in pursuit of a culture of peace, one of the main challenges encountered was measuring the progress of the various stakeholders in implementing action over the course of the Decade. To address that issue, the Director-General recommended that future multilateral action focus on developing specific goals, targets and measurable expected results, and on determining key implementing partners and beneficiaries; and more attention be paid to harmonizing the various international years and decades so as to reduce overlap and streamline efforts. UN country teams should also be more proactive and involved in the pursuit of the objectives of the Decade, as they were well placed to translate internationally agreed commitments into country-level action. As a result of the evolution and scope of the processes of globalization, the challenges and opportunities for peacebuilding had also changed greatly since the Programme of Action was endorsed by the General Assembly in 1998. A better understanding of those processes and their implications for peacebuilding was needed in order to develop a more effective multilateral approach to peacebuilding.

GENERAL ASSEMBLY ACTION

On 23 November [meeting 52], the General Assembly adopted **resolution 65/11** [draft: A/65/L.8 & Add.1] without vote [agenda item 15].

**Implementation of the Declaration and
Programme of Action on a Culture of Peace**

The General Assembly,

Bearing in mind the Charter of the United Nations, including the purposes and principles contained therein, and especially the dedication to saving succeeding generations from the scourge of war,

Recalling the Constitution of the United Nations Educational, Scientific and Cultural Organization, which states that, “since wars begin in the minds of men, it is in the minds of men that the defences of peace must be constructed”,

Recalling also its previous resolutions on a culture of peace, in particular resolution 52/15 of 20 November 1997 proclaiming 2000 the International Year for the Culture of Peace, resolution 53/25 of 10 November 1998 proclaiming the period 2001–2010 the International Decade for a Culture of Peace and Non-Violence for the Children of the World, and resolutions 56/5 of 5 November 2001, 57/6 of 4 November 2002, 58/11 of 10 November 2003, 59/143 of 15 December 2004, 60/3 of 20 October 2005, 61/45 of 4 December 2006, 62/89 of 17 December 2007, 63/113 of 5 December 2008 and 64/80 of 7 December 2009, adopted under its agenda item entitled “Culture of peace”,

Reaffirming the Declaration and Programme of Action on a Culture of Peace, recognizing that they serve as the universal mandate for the international community, particularly the United Nations system, for the promotion of a culture of peace and non-violence that benefits humanity, in particular future generations,

Reaffirming also the United Nations Millennium Declaration which calls for the active promotion of a culture of peace,

Taking note of the 2005 World Summit Outcome adopted at the high-level plenary meeting of the General Assembly,

Welcoming the observance of 2 October as the International Day of Non-Violence, as proclaimed by the United Nations,

Recognizing that all efforts made by the United Nations system in general and the international community at large for peacekeeping, peacebuilding, the prevention of conflicts, disarmament, sustainable development, the promotion of human dignity and human rights, democracy, the rule of law, good governance and gender equality at the national and international levels contribute greatly to the culture of peace,

Noting that its resolution 57/337 of 3 July 2003 on the prevention of armed conflict could contribute to the further promotion of a culture of peace,

Taking into account the “Manifesto 2000” initiative of the United Nations Educational, Scientific and Cultural Organization promoting a culture of peace, which has received over seventy-five million signatures of endorsement throughout the world,

Recognizing the importance of respect and understanding for religious and cultural diversity throughout the world, of choosing negotiations over confrontation and of working together and not against each other,

Welcoming the report of the Director-General of the United Nations Educational, Scientific and Cultural Organization on the implementation of resolution 64/80, as transmitted by the Secretary-General,

Recalling the proclamation by the United Nations Educational, Scientific and Cultural Organization of 21 February as the International Mother Language Day, which aims at protecting, promoting and preserving linguistic and cultural diversity, and multilingualism, in order to foster and enrich a culture of peace, social harmony, cross-cultural dialogue and mutual understanding,

Welcoming the summary report of the meeting of the United Nations Educational, Scientific and Cultural Organization High Panel on Peace and Dialogue among Cultures convened by the Director-General of the Organization on 18 February 2010,

Appreciating the increased ongoing efforts of the United Nations Alliance of Civilizations in promoting a culture of peace through a number of practical projects in the areas of youth, education, media and migrations, in collaboration with Governments, international organizations, foundations and civil society groups, as well as media and corporate leaders,

Appreciating also the increased ongoing efforts of the Tripartite Forum on Interfaith Cooperation for Peace in promoting a culture of peace,

Encouraging the continued and increasing efforts and activities on the part of civil society organizations throughout the world in advancing the culture of peace as envisaged in the Programme of Action,

1. *Reiterates* that the objective of the effective implementation of the Programme of Action on a Culture of Peace is to strengthen further the global movement for a culture of peace following the observance of the International Decade for a Culture of Peace and Non-violence for the Children of the World, 2001–2010, and calls upon all concerned to renew their attention to this objective;

2. *Invites* Member States to continue to place greater emphasis on and expand their activities promoting a culture of peace at the national, regional and international levels and to ensure that peace and non-violence are fostered at all levels;

3. *Encourages* the United Nations Educational, Scientific and Cultural Organization, for which the promotion of a culture of peace is the expression of its fundamental mandate, to strengthen further the activities it has undertaken for promoting a culture of peace, including the promotion of peace education and the dissemination of the Declaration on a Culture of Peace and the Programme of Action and related materials in various languages across the world;

4. *Invites* the United Nations Educational, Scientific and Cultural Organization to consider the feasibility of creating a special fund under the Organization to cater to the country-specific projects for the effective promotion of a culture of peace;

5. *Commends* the relevant United Nations bodies, in particular the United Nations Children’s Fund, the United

Nations Development Fund for Women and the University for Peace, for their activities in further promoting a culture of peace and non-violence, including the promotion of peace education and activities related to specific areas identified in the Programme of Action, and encourages them to continue and further strengthen and expand their efforts;

6. *Encourages* the Peacebuilding Commission to continue to promote peacebuilding activities and advance a culture of peace and non-violence in post-conflict peacebuilding efforts at the country level;

7. *Urges* the appropriate authorities to provide age-appropriate education, in children's schools, that includes lessons in mutual understanding, tolerance, active citizenship, human rights and the promotion of a culture of peace;

8. *Encourages* the involvement of media, especially the mass media, in promoting a culture of peace and non-violence, with particular regard to children and young people;

9. *Commends* civil society, non-governmental organizations and young people for their activities in further promoting a culture of peace and non-violence, including through their campaign to raise awareness on a culture of peace, and takes note that one thousand and fifty-four organizations from the civil societies of more than one hundred countries have observed the International Decade, as called for in paragraph 13 of resolution 64/80;

10. *Encourages* civil society and non-governmental organizations to further strengthen their efforts to promote a culture of peace, inter alia, by adopting their own programme of activities to complement the initiatives of Member States, the organizations of the United Nations system and other international and regional organizations, in line with the Declaration and Programme of Action;

11. *Welcomes* the efforts made by the United Nations Educational, Scientific and Cultural Organization to continue to enhance communication and outreach, including through the culture of peace website, along with its efforts to coordinate and implement its activities to promote the objectives of the International Decade at the regional and global levels;

12. *Invites* Member States, all parts of the United Nations system and civil society organizations, including the International Day of Peace Non-Governmental-Organization Committee at the United Nations, to accord increasing attention to their observance of the International Day of Peace on 21 September each year as a day of global ceasefire and non-violence, in accordance with resolution 55/282 of 7 September 2001;

13. *Requests* the Secretary-General to explore enhancing mechanisms for the implementation of the Declaration and Programme of Action;

14. *Invites* relevant United Nations bodies to continue their efforts in increasing awareness of the Programme of Action and its eight areas of action aimed at their implementation;

15. *Requests* the Secretary-General to submit to the General Assembly at its sixty-sixth session a report on actions undertaken to implement the present resolution and on heightened activities by the United Nations and its affiliated agencies to implement the Programme of Action and to promote a culture of peace and non-violence;

16. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "Culture of peace".

On 24 December, the Assembly decided that the agenda item on a culture of peace would remain for consideration at its resumed sixty-fifth (2011) session (**decision 65/544**).

Interreligious and intercultural understanding

In response to General Assembly resolutions 60/4 [YUN 2005, p. 1202] and 64/81 [YUN 2009, p. 1072], the Secretary-General submitted an August report [A/65/269] on intercultural, interreligious and intercivilizational dialogue, in which he highlighted the activities carried out by the main UN entities to promote dialogue among civilizations, cultures and religions. The report complemented the annual progress report of the UNESCO Director-General on the International Decade for a Culture of Peace and Non-Violence for the Children of the World, 2001–2010 (see p. 1082).

In 2010, the United Nations observed the International Year for the Rapprochement of Cultures as proclaimed by the General Assembly in 2007 in resolution 62/90 [YUN 2007, p. 1122]. UNESCO, the lead agency designated by the General Assembly, launched the Year at its Paris headquarters on 18 February. On that occasion, the Director-General of UNESCO convened a High Panel on Peace and Dialogue among Cultures, comprised of prominent political, intellectual and religious personalities from all regions of the world. The UN system carried out various activities to support the dialogue among cultures, religions and civilizations. Renewed interest in the Year was shown by Member States, who sponsored most of the activities. A special event was organized on 21 April at UN Headquarters, attended by the President of the General Assembly and the Secretary-General.

The Third Forum of the Alliance of Civilizations (Rio de Janeiro, Brazil, 27–29 May) brought together a network of several thousand political and corporate leaders, mayors, civil society activists, young people, journalists, foundations, international organizations and religious leaders. Apart from holding several plenary meetings, thematic sessions and workshops, the Forum explored cutting-edge initiatives that used imagination and creativity to build cooperation among cultures through a "Marketplace of ideas" competition, which was won by nine grass-roots projects that would be scaled up and replicated. The Rio Forum also featured a strong youth component, with 140 young participants from over 60 countries, and several significant outcomes and announcements, including the inauguration of the first two Dialogue Cafés in Lisbon and Rio de Janeiro and the negotiation, conclusion or renewal of agreements with international bodies. The Forum further established the Alliance of

Civilizations as the premier global platform, anchored in the United Nations, for addressing the good governance of cultural diversity. The Rio Forum was also an opportunity for broadening cooperation between UNESCO and the Alliance through the renewal of the cooperation agreement between the two entities.

The report also summarized a wide range of educational and communication activities that continued to be undertaken by UNESCO and the UN Department of Public Information, aimed at promoting dialogue among cultures and civilizations. Another contribution of the UN system to promoting interreligious dialogue was engaging with faith-based organizations and involving them in its policy and advocacy work.

The United Nations Population Fund continued to support interreligious capacity-building and to undertake knowledge management and advocacy through its unique Global Interfaith Network on Population and Development. In March, the Joint United Nations Programme on HIV/AIDS, in partnership with the Ecumenical Advocacy Alliance, Cordaid and the International Network of Religious Leaders Living with and Affected by HIV, hosted a Summit of High-level Religious Leaders on the Response to HIV in the Netherlands. UNICEF and Religions for Peace, a global multi-religious coalition promoting common action among the world's religious communities for peace, embarked on a multi-year project to strengthen the capacity of religious communities, particularly interreligious mechanisms, to protect children affected by conflict. Projects were identified for implementation at the country level in Kenya, Liberia and the Philippines. The report also discussed the rights-based approach to the issue and the promotion of United Nations objectives through outreach and collaboration with faith-based organizations, as well as communication, awareness-raising and educational activities in that field.

Communications. On 19 May [S/2010/248], Lebanon transmitted a concept paper for the Security Council meeting [S/PV.6322] on the theme "Intercultural Dialogue for Peace and Security", to be held on 26 May in connection with the item entitled "Maintenance of international peace and security" (see p. 48).

On 21 December [A/65/664], Qatar transmitted the outcome Declaration of the Eighth Doha Conference on Interfaith Dialogue (Doha, Qatar, 19–21 October).

GENERAL ASSEMBLY ACTION

On 16 December [meeting 68], the General Assembly adopted **resolution 65/138** [draft: A/65/L.44/Rev.1 & Add.1, as orally revised] without vote [agenda item 15].

Promotion of interreligious and intercultural dialogue, understanding and cooperation for peace

The General Assembly,

Reaffirming the purposes and principles enshrined in the Charter of the United Nations and the Universal Declaration of Human Rights, in particular the right to freedom of thought, conscience and religion,

Recalling its resolutions 36/55 of 25 November 1981, by which it proclaimed the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, 56/6 of 9 November 2001, on the Global Agenda for Dialogue among Civilizations, 57/6 of 4 November 2002, on the International Decade for a Culture of Peace and Non-Violence for the Children of the World, 2001–2010, 57/337 of 3 July 2003, on the prevention of armed conflict, 58/128 of 19 December 2003, on the promotion of religious and cultural understanding, harmony and cooperation, 59/23 of 11 November 2004, on the promotion of interreligious dialogue, 61/17 of 20 November 2006, on the International Year of Reconciliation, 2009, 62/155 of 18 December 2007, on human rights and cultural diversity, 63/113 of 5 December 2008, on the International Decade for a Culture of Peace and Non-Violence for the Children of the World, 2001–2010, 63/181 of 18 December 2008, on the elimination of all forms of intolerance and of discrimination based on religion or belief, 64/81 of 7 December 2009, on the promotion of interreligious and intercultural dialogue, understanding and cooperation for peace, and 65/5 of 20 October 2010, on World Interfaith Harmony Week,

Recalling also its resolution 63/22 of 13 November 2008, on the promotion of interreligious and intercultural dialogue, understanding and cooperation for peace, and the leading role played by the United Nations Educational, Scientific and Cultural Organization in the celebration of the International Year for the Rapprochement of Cultures in 2010,

Recalling further its resolution 64/14 of 10 November 2009, on the Alliance of Civilizations, in which it welcomed efforts to promote greater understanding and respect among people from different civilizations, cultures and religions,

Bearing in mind the valuable contribution that dialogue among civilizations can make to an improved awareness and understanding of the common values shared by all humankind,

Noting that interreligious and intercultural dialogue has made significant contributions to mutual understanding, the promotion of a culture of peace and tolerance and an improvement of overall relations among people from different cultural and religious backgrounds and among nations,

Recognizing that cultural diversity and the pursuit of cultural development by all peoples and nations are sources of mutual enrichment for the cultural life of humankind,

Emphasizing the importance of culture for development in achieving the Millennium Development Goals, as stated in the outcome document of the high-level plenary meeting of the sixty-fifth session of the General Assembly,

Noting the various initiatives at the national, regional and international levels for enhancing dialogue, understanding and cooperation among religions, cultures and

civilizations, which are mutually reinforcing and interrelated,

Noting also the commemoration of the International Year for the Rapprochement of Cultures in 2010,

Encouraging activities aimed at promoting interreligious and intercultural dialogue in order to enhance social stability, respect for diversity and mutual respect in diverse communities and to create, at the global level, and also at the regional, national and local levels, an environment conducive to peace and mutual understanding,

Affirming the importance of sustaining the process of engaging all stakeholders, including, in particular women and youth, in the interreligious and intercultural dialogue within the appropriate initiatives at the various levels,

Recognizing the commitment of all religions to peace,

1. *Affirms* that mutual understanding and interreligious and intercultural dialogue constitute important dimensions of the dialogue among civilizations and of the culture of peace;

2. *Takes note* of the report of the Secretary-General on intercultural, interreligious and intercivilizational dialogue;

3. *Notes* the continuing work of the United Nations Educational, Scientific and Cultural Organization on interreligious dialogue in the context of its efforts to promote dialogue among civilizations, cultures and peoples, as well as activities related to a culture of peace, and welcomes its focus on concrete action at the global, regional and sub-regional levels;

4. *Reaffirms* the solemn commitment of all States to fulfil their obligations to promote universal respect for, and observance and protection of, all human rights and fundamental freedoms for all in accordance with the Charter of the United Nations, the Universal Declaration of Human Rights and other instruments relating to human rights and international law, the universal nature of these rights and freedoms being beyond question;

5. *Welcomes* the efforts made by the media to promote interreligious and intercultural dialogue, encourages the further promotion of dialogue among the media from all cultures and civilizations and emphasizes that everyone has the right to freedom of expression, and reaffirms that the exercise of this right carries with it special duties and responsibilities and may therefore be subject to certain restrictions, but these shall be only such as are provided by law and necessary for respect of the rights or reputations of others, protection of national security or of public order, or of public health or morals;

6. *Encourages* Member States to consider, as and where appropriate, initiatives that identify areas for practical action in all sectors and levels of society for the promotion of interreligious and intercultural dialogue, tolerance, understanding and cooperation, inter alia, the ideas suggested during the High-level Dialogue on Interreligious and Intercultural Understanding and Cooperation for Peace, held in New York on 4 and 5 October 2007, including the idea of an enhanced process of dialogue among world religions;

7. *Acknowledges* the holding of the Special Non-Aligned Movement Ministerial Meeting on Interfaith Dialogue and Cooperation for Peace and Development in Manila, from 16 to 18 March 2010, and notes, inter alia, the Manila Declaration and Program of Action on Interfaith Dialogue and Cooperation for Peace and Development,

which highlights the importance of enhancing efforts to promote respect for the diversity of religions, beliefs, cultures and societies;

8. *Calls upon* Member States to consider, as appropriate and where applicable, interreligious and intercultural dialogue as an important tool in efforts aimed at achieving peace and the full realization of the Millennium Development Goals;

9. *Welcomes* the celebration of the International Year for the Rapprochement of Cultures marked by, inter alia, a special event held on 21 April 2010 at United Nations Headquarters, with the participation of the President of the General Assembly and the Secretary-General;

10. *Takes note with appreciation* of the efforts of the United Nations Educational, Scientific and Cultural Organization, as the lead agency for the International Year for the Rapprochement of Cultures, to promote the action plan for the celebration of the Year, and of the support of Member States and all organizations and institutions, including civil society organizations, demonstrating their firm commitment to intercultural dialogue, including interreligious dialogue, in the celebration of the Year;

11. *Invites* Member States, following the celebration of the International Year for the Rapprochement of Cultures in 2010, to further promote reconciliation to help to ensure durable peace and sustained development, including through reconciliatory measures and acts of service and by encouraging forgiveness and compassion among individuals;

12. *Recognizes* that the Office for Economic and Social Council Support and Coordination in the Department of Economic and Social Affairs of the Secretariat plays a valuable role as focal point within the Secretariat on the issue, and encourages it to continue to interact and coordinate with the relevant entities of the United Nations system and coordinate their contribution to the intergovernmental process;

13. *Requests* the Secretary-General to report to the General Assembly at its sixty-sixth session on the implementation of the present resolution and, in coordination with the United Nations Educational, Scientific and Cultural Organization, to further solicit views of Member States on the possibility of proclaiming a United Nations decade for interreligious and intercultural dialogue and co-operation for peace, building on the information contained in the reports of the Secretary-General submitted under the agenda item entitled "Culture of peace" at the sixty-fourth and sixty-fifth sessions and the relevant initiatives taken in the course of 2011.

On 21 December, by **resolution 65/224** on combating defamation of religions (see p. 684), the General Assembly, among other things, urged States to take all possible measures to promote tolerance and respect for all religions and beliefs and the understanding of their value systems; and called upon the international community to foster a global dialogue to promote a culture of tolerance and peace at all levels, based on respect for human rights and diversity of religion and belief.

International Day of Nowruz

On 23 February [A/64/PV.71], the General Assembly took action on a draft resolution entitled “International Day of Nowruz”. Azerbaijan, which introduced the draft to the Assembly, stated that for over 3,000 years Nowruz had been celebrated on 21 March as the beginning of the new year by more than 300 million people around the world.

GENERAL ASSEMBLY ACTION

On 23 February [meeting 71], the General Assembly adopted **resolution 64/253** [draft: A/64/L.30/Rev.2 & Add.1] without vote [agenda item 49].

International Day of Nowruz

The General Assembly,

Reaffirming the purposes and principles of the Charter of the United Nations, in particular the achievement of international cooperation in the economic, social and cultural fields,

Recalling its resolution 56/6 of 9 November 2001 on the Global Agenda for Dialogue among Civilizations,

Recalling also the Declaration of the Principles of International Cultural Cooperation, adopted on 4 November 1966 by the General Conference of the United Nations Educational, Scientific and Cultural Organization,

Affirming the Universal Declaration on Cultural Diversity, adopted on 2 November 2001 by the General Conference of the United Nations Educational, Scientific and Cultural Organization, including its appeal for greater solidarity on the basis of recognition of cultural diversity, of awareness of the unity of humankind and of the development of intercultural exchanges,

Taking into consideration the Convention for the Safeguarding of the Intangible Cultural Heritage, adopted on 17 October 2003 by the General Conference of the United Nations Educational, Scientific and Cultural Organization, and recognizing the importance of safeguarding the intangible cultural heritage, inter alia, social practices, rituals and festive events, at both the national and international levels,

Considering the interdependence between the intangible cultural heritage and the tangible cultural and natural heritage,

Welcoming the inclusion of Nowruz in the Representative List of the Intangible Cultural Heritage of Humanity by the United Nations Educational, Scientific and Cultural Organization on 30 September 2009,

Recalling the 2005 World Summit Outcome, adopted at the high-level plenary meeting of the General Assembly on 16 September 2005, which recognizes, inter alia, that all cultures and civilizations contribute to the enrichment of humankind,

Stressing the importance of raising public awareness through education, media and cultural activities in order to foster knowledge of national cultures, world cultural heritage and cultural diversity, which are essential for strengthening global peace and implementing international cooperation,

Reaffirming that civilizational achievements constitute the collective heritage of mankind, providing a source of inspiration and progress for humanity at large,

Emphasizing the need to achieve an objective understanding of all civilizations and to enhance constructive interaction and cooperative engagement among civilizations,

Noting that Nowruz, the day of vernal equinox, is celebrated as the beginning of the new year by more than 300 million people all around the world and has been celebrated for over 3,000 years in the Balkans, the Black Sea Basin, the Caucasus, Central Asia, the Middle East and other regions,

Stressing the importance of processes of mutual cultural enrichment and the necessity of promoting civilizational exchanges, which facilitate the development of international cooperation,

Mindful of the ever-increasing significance and relevance of a culture of living in harmony with nature, which is inherent in all civilizations in today's world,

Mindful also that Nowruz, as the embodiment of the unity of cultural heritage and centuries-long traditions, plays a significant role in strengthening the ties among peoples based on mutual respect and the ideals of peace and good-neighbourliness,

Bearing in mind that the foundations of the traditions and rituals of Nowruz reflect features of the cultural and ancient customs of the civilizations of East and West, which influenced those civilizations through the interchange of human values,

Noting the orientation of Nowruz towards the affirmation of life in harmony with nature, the awareness of the inseparable link between constructive labour and natural cycles of renewal and the solicitous and respectful attitude towards natural sources of life,

1. *Recognizes* 21 March as the International Day of Nowruz;

2. *Welcomes* the efforts of Member States where Nowruz is celebrated to preserve and develop the culture and traditions related to Nowruz;

3. *Encourages* Member States to make efforts to raise awareness about Nowruz and to organize annual events in commemoration of this festivity, as appropriate;

4. *Calls upon* Member States where Nowruz is celebrated to study the origins and traditions of this festivity with a view to disseminating knowledge about the Nowruz heritage among the international community;

5. *Invites* interested Member States, the United Nations, in particular its relevant specialized agencies, funds and programmes, mainly the United Nations Educational, Scientific and Cultural Organization, and interested international and regional organizations, as well as non-governmental organizations, to participate in events organized by States where Nowruz is celebrated.

World Interfaith Harmony Week

On 20 October [A/65/PV.34], Jordan introduced to the Assembly on behalf of itself and 27 other sponsors a draft resolution [A/65/L.5] entitled “World Interfaith Harmony Week”. It was asserted that the draft resolution sought to turn the tide against the rise of religious tensions by coordinating and uniting the efforts of all the interfaith groups doing positive work through establishing one focused annual theme.

GENERAL ASSEMBLY ACTION

On 20 October [meeting 34], the General Assembly adopted **resolution 65/5** [draft: A/65/L.5 & Add.1] without vote [agenda item 15].

World Interfaith Harmony Week

The General Assembly,

Recalling its resolutions 53/243 A and B of 13 September 1999 on the Declaration and Programme of Action on a Culture of Peace, 57/6 of 4 November 2002 concerning the promotion of a culture of peace and non-violence, 58/128 of 19 December 2003 on the promotion of religious and cultural understanding, harmony and cooperation, 60/4 of 20 October 2005 on the Global Agenda for Dialogue among Civilizations, 64/14 of 10 November 2009 on the Alliance of Civilizations, 64/81 of 7 December 2009 on the promotion of interreligious and intercultural dialogue, understanding and cooperation for peace, and 64/164 of 18 December 2009 on the elimination of all forms of intolerance and discrimination based on religion or belief,

Recognizing the imperative need for dialogue among different faiths and religions to enhance mutual understanding, harmony and cooperation among people,

Recalling with appreciation various global, regional and subregional initiatives on mutual understanding and interfaith harmony, including the Tripartite Forum on Interfaith Cooperation for Peace, and the initiative “A Common Word”,

Recognizing that the moral imperatives of all religions, convictions and beliefs call for peace, tolerance and mutual understanding,

1. *Reaffirms* that mutual understanding and interreligious dialogue constitute important dimensions of a culture of peace;

2. *Proclaims* the first week of February every year the World Interfaith Harmony Week between all religions, faiths and beliefs;

3. *Encourages* all States to support, on a voluntary basis, the spread of the message of interfaith harmony and goodwill in the world’s churches, mosques, synagogues, temples and other places of worship during that week, based on love of God and love of one’s neighbour or on love of the good and love of one’s neighbour, each according to their own religious traditions or convictions;

4. *Requests* the Secretary-General to keep the General Assembly informed of the implementation of the present resolution.

Sport for development and peace

In response to General Assembly resolution 63/135 [YUN 2008, p. 1219], the Secretary-General submitted an August report [A/65/270] on sport for development and peace: strengthening the partnerships. The report reviewed the programmes and initiatives implemented by Member States and the UN system during the final year of the three-year United Nations Action Plan on Sport for Development and Peace [YUN 2006, p. 1283], in particular those implemented within

the framework of the 2010 Fédération Internationale de Football Association (FIFA) World Cup in South Africa. The report presented a revised Action Plan and updates on the Sport for Development and Peace International Working Group and on the functioning of the United Nations Office of Sport for Development and Peace (UNOSDP) and its Trust Fund.

The 2010 FIFA World Cup was held from 11 June to 11 July in South Africa, marking the first time in history that the major global sport event took place on African soil and was hosted by a developing country. Recognizing a monumental moment for the sport for development and peace movement, the Secretary-General, joined by his Special Adviser on Sport for Development and Peace, represented the United Nations at the opening match, festivities and meetings of the tournament. Furthermore, the Special Adviser returned to South Africa towards the end of the tournament to continue important dialogue and key field visits.

Echoing the call by the General Assembly in its resolution 64/4 [YUN 2009, p. 1075] for the observance of the Olympic Truce during the XXI Winter Olympic Games (Vancouver, Canada, 12–28 February) and the X Paralympic Winter Games (Vancouver, Canada, 12–21 March), the President of the General Assembly on 8 February [A/64/646] appealed to Member States “to demonstrate their commitment to the Olympic Truce for the 2010 Vancouver Olympic and Paralympic Winter Games, and to undertake concrete actions at the local, national, regional and world levels to promote and strengthen a culture of peace and harmony based on the spirit of the Truce”. The Secretary-General promoted the observance of the Olympic Truce through various means, including his 8 February message [SG/SM/12737].

The inaugural plenary session of the Sport for Development and Peace International Working Group, which included the Sport and Child and Youth Development Thematic Working Group meeting, was held in Geneva on 5 May, where the Strategic Plan on Sport and Child and Youth Development was presented.

The report reviewed programmes and initiatives implemented by Member States along the four main lines of action from the Action Plan on Sport for Development and Peace: a global framework for sport for development and peace; policy development; resource mobilization; and evidence of impact. The report also outlined the activities of the UN system, including regarding the 2010 FIFA World Cup and UNOSDP. Of particular note was the first joint forum, “The Importance of Partnership”, between the United Nations and the International Olympic Committee (IOC), held in May in Lausanne, Switzerland. The report concluded with a proposed revised action plan

building on the previous one, lessons learned, and challenges and opportunities identified, with the goal of understanding the ways in which sport could contribute to the achievement of the MDGs and peace-building objectives.

On 8 February, the Assembly took note of the solemn appeal made by the General Assembly President in connection with the observance of the Olympic Truce (**decision 64/550**).

GENERAL ASSEMBLY ACTION

On 18 October [meeting 32], the General Assembly adopted **resolution 65/4** [draft: A/65/L.4 & Add.1] without vote [agenda item 11].

Sport as a means to promote education, health, development and peace

The General Assembly,

Recalling its resolutions 58/5 of 3 November 2003, 59/10 of 27 October 2004, its decision to proclaim 2005 the International Year for Sport and Physical Education, to strengthen sport as a means to promote education, health, development and peace, and its resolutions 60/1 of 16 September 2005, 60/9 of 3 November 2005, 61/10 of 3 November 2006, 62/271 of 23 July 2008 and 63/135 of 11 December 2008,

Taking note with appreciation of the report of the Secretary-General entitled “Sport for development and peace: strengthening the partnerships”, which reviews the programmes and initiatives implemented by States Members of the United Nations, United Nations funds, programmes and specialized agencies and other partners, using sport as a tool for development and peace,

Acknowledging the major role of Member States and the United Nations system in promoting human development through sport and physical education, through its country programmes,

Recognizing the potential of sport to contribute to the achievement of the Millennium Development Goals, noting that sport has the potential, as declared in the 2005 World Summit Outcome, to foster peace and development and to contribute to an atmosphere of tolerance and understanding, and reaffirming that sport is a tool for education that can promote cooperation, solidarity, social inclusion and health at the local, national and international levels, as declared in the outcome document of the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals,

Recognizing also the need to strengthen and further coordinate efforts, including multi-stakeholder partnerships, at all levels to maximize the potential of sport for contributing to the achievement of internationally agreed development goals and national peacebuilding priorities,

Recalling its resolution 64/3 of 19 October 2009, in which the International Olympic Committee was invited to participate in the sessions and work of the General Assembly in the capacity of observer,

Acknowledging the opportunities provided by the XXI Olympic Winter Games and the X Paralympic Winter

Games, held in Vancouver, Canada, for education, understanding, peace, harmony and tolerance among and between peoples and civilizations, and the opportunities provided by the inaugural 2010 Youth Olympic Games, held in Singapore, to inspire the youth of the world to embrace, embody and express the Olympic values, as reflected in resolution 64/4 of 19 October 2009 relating to the Olympic Truce,

Acknowledging also the opportunities for development and social cohesion provided by the 2010 International Federation of Association Football World Cup in South Africa, as reflected in resolution 64/5 of 19 October 2009,

Recalling article 31 of the Convention on the Rights of the Child, outlining a child’s right to play and leisure, and the outcome document of the twenty-seventh special session of the General Assembly on children, entitled “A world fit for children”, stressing the promotion of physical, mental and emotional health through play and sports,

Recalling also article 30 of the Convention on the Rights of Persons with Disabilities, outlining the right of persons with disabilities to take part on an equal basis with others in cultural life, recreation, leisure and sport,

Recognizing the important role played by the International Convention against Doping in Sport in harmonizing the actions taken by Governments in the fight against doping in sport, which are complementary to those undertaken by the sporting movement under the World Anti-Doping Code,

Acknowledging the recommendations contained in the final report of the Sport for Development and Peace International Working Group entitled “Harnessing the power of sport for development and peace: recommendations to Governments”, and encouraging Member States to implement the recommendations,

Recognizing the need for indicators and benchmarks based on commonly agreed standards to assist Governments to enable the consolidation of sport in cross-cutting development strategies and the incorporation of sport and physical education in international, regional and national development policies and programmes, as laid out in the final report of the Sport for Development and Peace International Working Group,

Welcoming resolution 64/289 of 2 July 2010, by which the General Assembly established the United Nations Entity for Gender Equality and the Empowerment of Women, to be known as UN-Women, and the opportunities it provides for the realization of gender equality and the empowerment of women, including in and through sport,

1. *Appreciates* the leadership of the Special Adviser to the Secretary-General on Sport for Development and Peace, supported by the United Nations Office on Sport for Development and Peace, on issues relating to sport for development and peace within the United Nations system and beyond;

2. *Welcomes* the ongoing efforts undertaken by the newly mandated Sport for Development and Peace International Working Group, which gathered for its inaugural plenary session on 5 May 2010 and the commencement of the substantive work of the first thematic working group on sport and child and youth development;

3. *Invites* Member States, the organizations of the United Nations system, including its peacekeeping missions and integrated peacebuilding missions, sport-related organizations, federations and associations, athletes, the

media, civil society and the private sector to collaborate with the United Nations Office on Sport for Development and Peace to promote greater awareness and action to foster peace and accelerate the attainment of the Millennium Development Goals through sport-based initiatives and promote the integration of sport for development and peace in the development agenda, by working along the following principles, adapted from the United Nations Action Plan on Sport for Development and Peace, contained in the report of the Secretary-General to the General Assembly at its sixty-first session, and reaffirmed in the report of the Secretary-General to the Assembly at its sixty-fifth session:

(a) Global framework for sport for development and peace: further develop a framework to strengthen a common vision, define priorities and further raise awareness to promote and mainstream policies on sport for development and peace that are easily replicable;

(b) Policy development: promote and support the integration and mainstreaming of sport for development and peace in development programmes and policies;

(c) Resource mobilization: promote innovative funding mechanisms and multi-stakeholder arrangements at all levels, including the engagement of sport organizations, civil society, athletes and the private sector;

(d) Evidence of impact: promote and facilitate common evaluation and monitoring tools, indicators and benchmarks based on commonly agreed standards;

4. *Encourages* Member States that have not yet done so to designate a focal point for sport for development and peace within their governments;

5. *Encourages* Member States to provide institutional structures, appropriate quality standards, policies and competencies and promote academic research and expertise in the field to enable ongoing training, capacity-building and education of physical education teachers, coaches and community leaders in sport for development and peace programmes;

6. *Emphasizes and encourages* the use of sport as a vehicle to foster development and strengthen education for children and young persons; prevent disease and promote health, including the prevention of drug abuse; empower girls and women; foster the inclusion and well-being of persons with disabilities; and facilitate social inclusion, conflict prevention and peacebuilding;

7. *Encourages* the stakeholders referred to in paragraph 3 above, and in particular the organizers of mass sport events, to use and leverage such events to promote and support sport for development and peace initiatives and to strengthen existing and build new partnerships, coordinate common strategies, policies and programmes and increase coherence and synergies, while raising awareness at the local, national, regional and global levels;

8. *Invites* Member States and international sport organizations to assist developing countries, in particular the least developed countries, in their capacity-building efforts in sport and physical education, by providing national experiences and best practices, as well as financial, technical and logistic resources for the development of sport programmes;

9. *Urges* Member States that have not yet done so to consider signing, ratifying and acceding to the Convention on the Rights of the Child, the Convention on the Rights of Persons with Disabilities and the International Convention against Doping in Sport;

10. *Invites* the international community to provide voluntary contributions to and to enter into innovative partnerships with the United Nations Office on Sport for Development and Peace and the Sport for Development and Peace International Working Group;

11. *Invites* Member States to join and support the Sport for Development and Peace International Working Group, so as to enable it to continue its work on all envisaged themes, including sport and gender, sport and persons with disabilities, sport and health, and sport and peace;

12. *Requests* the Secretary-General to report to the General Assembly at its sixty-seventh session on the implementation of the present resolution, including progress made by Member States towards implementation of the Sport for Development and Peace International Working Group policy recommendations and on the functioning of the United Nations Office on Sport for Development and Peace and the Trust Fund for Sport for Development and Peace, and to present an updated action plan on sport for development and peace.

Culture and development

On 20 December [A/65/PV.69], the General Assembly considered and took action on a draft resolution on the issue of culture and development.

GENERAL ASSEMBLY ACTION

On 20 December [meeting 69], the General Assembly, on the recommendation of the Second (Economic and Financial) Committee, adopted **resolution 65/166** [A/65/438] without vote [agenda item 22].

Culture and development

The General Assembly,

Recalling its resolutions 41/187 of 8 December 1986, 46/158 of 19 December 1991, 51/179 of 16 December 1996, 52/197 of 18 December 1997, 53/184 of 15 December 1998, 55/192 of 20 December 2000 and 57/249 of 20 December 2002 concerning culture and development,

Recalling also the adoption by the General Conference of the United Nations Educational, Scientific and Cultural Organization of the Universal Declaration on Cultural Diversity and the Action Plan for its implementation, on 2 November 2001, and the Convention on the Protection and Promotion of the Diversity of Cultural Expressions, as well as other international conventions of that Organization that acknowledge the important role of cultural diversity for social and economic development,

Recognizing that culture is an essential component of human development, represents a source of identity, innovation and creativity for the individual and the community and is an important factor in the fight against poverty, providing for economic growth and ownership of development processes,

Acknowledging that culture is a source of enrichment and an important contributor to the sustainable development of local communities, peoples and nations, empowering them to play an active and unique role in development initiatives,

Acknowledging also the diversity of the world, recognizing that all cultures and civilizations contribute to the

enrichment of humankind, and emphasizing the importance of culture for development and its contribution to the achievement of the Millennium Development Goals,

Recognizing the linkages between cultural and biological diversity and the positive contribution of local and indigenous traditional knowledge in addressing environmental challenges in a sustainable manner,

Noting with satisfaction that, in its resolution 65/1 of 22 September 2010, entitled “Keeping the promise: united to achieve the Millennium Development Goals”, the General Assembly emphasized the importance of culture for development and its contribution to the achievement of the Millennium Development Goals and, in that respect, encouraged international cooperation in the cultural field aimed at achieving development objectives,

1. *Emphasizes* the important contribution of culture for sustainable development and the achievement of national development objectives and internationally agreed development goals, including the Millennium Development Goals;

2. *Invites* all Member States, intergovernmental bodies, organizations of the United Nations system and relevant non-governmental organizations:

(a) To raise public awareness of the importance of cultural diversity for sustainable development, promoting its positive value through education and media tools;

(b) To ensure a more visible and effective integration and mainstreaming of culture into development policies and strategies at all levels;

(c) To promote capacity-building, where appropriate, at all levels for the development of a dynamic cultural and creative sector, in particular by encouraging creativity, innovation and entrepreneurship, supporting the development of sustainable cultural institutions and cultural industries, providing technical and vocational training for culture professionals and increasing employment opportunities in the cultural and creative sector for sustained, inclusive and equitable economic growth and development;

(d) To actively support the emergence of local markets for cultural goods and services and to facilitate the effective and licit access of such goods and services to international markets, taking into account the expanding range of cultural consumption and, for States parties to it, the provisions of the Convention on the Protection and Promotion of the Diversity of Cultural Expressions;

(e) To preserve and maintain local and indigenous traditional knowledge and community practices of environmental management, which are valuable examples of culture as a vehicle for environmental sustainability and sustainable development, and to foster synergies between modern science and local and indigenous knowledge;

(f) To support national legal frameworks and policies for the protection and preservation of cultural heritage and cultural property, the fight against illicit trafficking in cultural property and the return of cultural property, in accordance with national legislation and applicable international legal frameworks, including by promoting international cooperation to prevent the misappropriation of cultural heritage and products, recognizing the importance of intellectual property rights in sustaining those involved in cultural creativity;

3. *Encourages* all Member States, intergovernmental bodies, organizations of the United Nations system, relevant non-governmental organizations and all relevant stakeholders to enhance international cooperation in supporting the efforts of developing countries for the development and consolidation of cultural industries, cultural tourism and culture-related microenterprises and to assist those countries in developing the necessary infrastructure and skills, as well as in mastering information and communications technologies and gaining access to new technologies on mutually agreed terms;

4. *Invites* the organizations of the United Nations system, in particular the United Nations Educational, Scientific and Cultural Organization, to assist Member States, upon their request, in developing their national capacities to assess how best to optimize the contribution of culture to development, including through information-sharing, exchange of best practices, data collection, research and study, and the use of appropriate evaluation indicators, in accordance with their national priorities and taking into account relevant General Assembly resolutions;

5. *Encourages* the United Nations Educational, Scientific and Cultural Organization, in conjunction, as appropriate, with other relevant United Nations bodies and multilateral development institutions, to continue to provide support and to facilitate financing, as appropriate, upon request, to developing countries, in particular with regard to national capacity-building for the implementation of applicable international cultural conventions, taking into account the relevant General Assembly resolutions and the Millennium Development Goals;

6. *Requests* the Secretary-General to ensure that United Nations country teams further integrate and mainstream culture into their programming exercises, in particular United Nations Development Assistance Frameworks, in consultation with relevant national authorities, when assisting countries in the pursuit of their development objectives;

7. *Also requests* the Secretary-General, in consultation with the Director-General of the United Nations Educational, Scientific and Cultural Organization and relevant United Nations bodies and multilateral development institutions, to submit to the General Assembly at its sixty-sixth session a progress report on the implementation of the present resolution and to include therein an assessment of the value and desirability of organizing a United Nations conference on culture and development, including its aim, level, format and timing, as well as budgetary implications.

Cultural property

Trafficking in cultural property

Pursuant to Economic and Social Council resolution 2008/23 [YUN 2008, p. 1221], the Commission on Crime Prevention and Criminal Justice had before it a February report by the Secretary-General on protection against trafficking in cultural property [E/CN.15/2010/4]. The report analysed replies received from 16 Member States on their efforts to implement that resolution; reviewed information provided by Austria, Bolivia and Egypt on national measures

taken to prevent trafficking in cultural property, in the context of the meeting of the expert group on protection against trafficking in cultural property (Vienna, 24–26 November 2009) (see below); and reviewed UNODC technical assistance and data collection activities. Member States provided information on activities undertaken with regard to legislation and procedures to protect cultural property and prevent its trafficking; measures to facilitate the identification of cultural property, prevent the transfer of illicitly acquired or illegally obtained cultural property; national coordination; and international cooperation and instruments.

The Secretary-General concluded that, since only 16 Member States had responded to his request for information, it was not possible to determine the level of implementation of Council resolution 2008/23. Several measures were necessary to increase the protection of cultural property and the prevention of its trafficking, and the Commission invited States to consider establishing inventories, lists of cultural property, databases and/or passports to develop a sound basis for the identification of cultural property and claims for restitution and return; imposing licensing requirements for cultural property intended for export; convening joint training seminars involving police officers, border police officers, museum staff, members of the media and other relevant actors to promote greater understanding and cooperation; increasing security and monitoring of vulnerable sites; promoting cooperation between States at the bilateral, regional and international levels; strengthening international mechanisms for return and restitution, and the conclusion of bilateral and regional agreements on exchange of information and return and restitution of cultural property; and promoting data exchange and information-sharing to increase the information available with respect to trafficking in cultural property at the global level.

Expert group meeting. The Commission on Crime Prevention and Criminal Justice had before it a December 2009 Secretariat note [E/CN.15/2010/5], which outlined the recommendations of the meeting of the expert group on protection against trafficking in cultural property (Vienna, 24–26 November 2009) with regard to international instruments; prevention; criminalization; cooperation; awareness-raising, capacity-building and technical assistance; and the use of new technologies.

Commission action. At its May session [E/2010/30], the Commission on Crime Prevention and Criminal Justice recommended a draft resolution for adoption by the Economic and Social Council on crime prevention and criminal justice responses to protect cultural property, especially with regard to its trafficking (see below).

ECONOMIC AND SOCIAL COUNCIL ACTION

On 22 July [meeting 45], the Economic and Social Council, on the recommendation of the Commission on Crime Prevention and Criminal Justice [E/2010/30], adopted **resolution 2010/19** without vote [agenda item 14 (d)].

Crime prevention and criminal justice responses to protect cultural property, especially with regard to its trafficking

The Economic and Social Council,

Reaffirming its resolution 2003/29 of 22 July 2003 entitled “Prevention of crimes that infringe on the cultural heritage of peoples in the form of movable property” and its resolutions 2004/34 of 21 July 2004 and 2008/23 of 24 July 2008 entitled “Protection against trafficking in cultural property”,

Recalling General Assembly resolutions 58/17 of 3 December 2003, 61/52 of 4 December 2006 and 64/78 of 7 December 2009 on the return or restitution of cultural property to the countries of origin, as well as other relevant United Nations resolutions,

Recalling also the role of the Commission on Crime Prevention and Criminal Justice in crime prevention and criminal justice responses to trafficking in cultural property, as well as the role of the United Nations Educational, Scientific and Cultural Organization in the field of cultural property,

Recalling further the need for continued technical cooperation between the United Nations Office on Drugs and Crime and the United Nations Educational, Scientific and Cultural Organization within their respective mandates,

Recalling the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization on 14 November 1970, the Convention on Stolen or Illegally Exported Cultural Objects, adopted by the International Institute for the Unification of Private Law on 24 June 1995, and the Convention for the Protection of Cultural Property in the Event of Armed Conflict, adopted on 14 May 1954, and the two Protocols thereto, adopted on 14 May 1954 and 26 March 1999, as well as regional instruments such as the Convention on the Protection of the Archeological, Historical, and Artistic Heritage of the American Nations, adopted by the General Assembly of the Organization of American States on 16 June 1976, and the revised European Convention on the Protection of the Archaeological Heritage, signed on 16 January 1992, where applicable, and emphasizing the importance for States of protecting and preserving their cultural heritage in accordance with such relevant international instruments,

Reiterating the significance of cultural property as part of the common heritage of humankind and as unique and important testimony of the culture and identity of peoples and the necessity of protecting it, and reaffirming in that regard the need to strengthen international cooperation in preventing, prosecuting and punishing all aspects of trafficking in cultural property,

Expressing concern that, notwithstanding its significance as part of the cultural heritage of humankind, cultural property is too often considered as mere merchandise, which not only deprives it of its cultural, historical and symbolic essence but also encourages activities that lead to its loss, destruction, removal, theft and trafficking,

Observing that cultural property is increasingly being sold through markets, including in auctions, in particular over the Internet, which gives rise to the need for effective measures, including, where appropriate, regulations in accordance with national and applicable international laws, to prevent the transfer of ownership of cultural property acquired illicitly,

Conscious of the importance of promoting public-private partnerships to address trafficking in cultural property, while bearing in mind the role of technical assistance,

Recalling the deliberations of the Twelfth United Nations Congress on Crime Prevention and Criminal Justice, held in Salvador, Brazil, from 12 to 19 April 2010, and the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World, in which the Congress welcomed the decision of the Commission on Crime Prevention and Criminal Justice to engage in a thematic debate on protection against trafficking in cultural property, as well as the recommendations made by the open-ended intergovernmental expert group on protection against trafficking in cultural property at its meeting, held in Vienna from 24 to 26 November 2009, and invited the Commission to conduct appropriate follow-up, including exploring the need for guidelines for crime prevention with respect to trafficking in cultural property,

Recalling also that in the Salvador Declaration the Twelfth Congress urged States that had not yet done so to develop effective legislation to prevent, prosecute and punish trafficking in cultural property in any of its forms and to strengthen international cooperation and technical assistance in this area, including the recovery and return of cultural property, bearing in mind the existing relevant international instruments, including the United Nations Convention against Transnational Organized Crime, where appropriate,

Taking note with appreciation of the report of the Secretary-General on protection against trafficking in cultural property,

Alarmed at the growing involvement of organized criminal groups in all aspects of trafficking in cultural property, and underscoring in that regard the potential utility of the United Nations Convention against Transnational Organized Crime in reinforcing international cooperation in the fight against trafficking in cultural property, including its illicit removal from the countries of origin, through, inter alia, mutual legal assistance, extradition and the recovery of the proceeds of crime,

Desiring to raise awareness among all States concerning the frequent difficulty of demonstrating the circumstances, place, time and manner of the theft and pillage of cultural property, and recognizing the importance of providing the most extensive international cooperation consistent with applicable international instruments and mechanisms,

Recognizing the need to strengthen and fully implement mechanisms for the recovery and return of cultural property that has been stolen or trafficked, as well as those for its protection and preservation, where appropriate,

1. *Welcomes* the report of the meeting of the expert group on protection against trafficking in cultural property, held in Vienna from 24 to 26 November 2009 in accordance with resolution 2008/23, and invites Member States to provide adequate follow-up to the recommendations of the expert group on prevention, criminalization, cooperation and awareness-raising, capacity-building and technical assistance, as well as the use of new technologies;

2. *Requests* the United Nations Office on Drugs and Crime, in accordance with its mandate, as a complement to existing work and in close cooperation with the United Nations Educational, Scientific and Cultural Organization and other competent international organizations, to provide appropriate follow-up to the recommendations of the expert group and to convene at least one additional open-ended intergovernmental expert group meeting to submit to the Commission on Crime Prevention and Criminal Justice, at its twenty-second session, practical proposals for implementing, where appropriate, those recommendations, giving due attention to aspects of criminalization, international cooperation and mutual legal assistance;

3. *Invites* Member States to take appropriate measures to prevent cultural property from being trafficked, and notes in that regard the need for adequate technical assistance;

4. *Urges* Member States and relevant institutions, as appropriate, to reinforce and fully implement mechanisms to strengthen international cooperation, including mutual legal assistance, in order to combat all forms and aspects of trafficking in cultural property, as well as to facilitate the recovery and return of such property;

5. *Urges* Member States to take effective measures to prevent illicitly acquired cultural property from being transferred, especially through auctions, including over the Internet, and to effect its recovery and return to its rightful owners;

6. *Also urges* Member States to protect cultural property and prevent trafficking in such property by introducing appropriate legislation, including, in particular, procedures for its seizure, recovery and return, as well as by promoting education, launching awareness-raising campaigns, locating and inventorying such property, adopting adequate security measures, developing the capacities and human resources of monitoring institutions such as the police, customs services and the tourism sector, involving the media and disseminating information on the theft and pillaging of cultural property;

7. *Takes note* of the model treaty for the prevention of crimes that infringe on the cultural heritage of peoples in the form of movable property, adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders and welcomed by the General Assembly in its resolution 45/121 of 14 December 1990, and invites Member States to continue to submit in writing their views on the model treaty, including on its potential utility and whether any improvements to it should be considered;

8. *Invites* Member States to consider reviewing their legal frameworks, as appropriate, with a view to providing the most extensive international cooperation possible to fully address the situation of cultural property being trafficked through clandestine activities;

9. *Encourages* Member States to take all appropriate measures aimed at maximizing transparency in the activities of traders in cultural property;

10. *Urges* Member States to continue to strengthen cooperation and mutual legal assistance for the prevention, prosecution and punishment of crimes against cultural property that is part of the cultural heritage of peoples, and in that regard invites them to consider ratifying and implementing the relevant international instruments, including, as appropriate, the United Nations Convention against Transnational Organized Crime;

11. *Urges* all States that have not yet ratified or acceded to the Convention for the Protection of Cultural Property in the Event of Armed Conflict to consider doing so, and urges States parties to the Convention to fully implement its provisions, in particular articles 4 and 5, whereby States parties undertake to respect cultural property situated within their own territory or within the territory of other parties, including territories occupied in whole or in part by them;

12. *Considers* that the United Nations Convention against Transnational Organized Crime and the United Nations Convention against Corruption should be fully used for the purpose of strengthening the fight against trafficking in cultural property, including by exploring other possible normative developments, when appropriate;

13. *Requests* the United Nations Office on Drugs and Crime to join the United Nations Educational, Scientific and Cultural Organization and other relevant international organizations in promoting and organizing meetings, seminars and similar events to which the Office can contribute as regards the crime prevention and criminal justice aspects of protection against trafficking in cultural property;

14. *Invites* Member States to hold regional and sub-regional meetings in all regions on the subject of protection against trafficking in cultural property;

15. *Also invites* Member States to consider trafficking in cultural property a serious crime;

16. *Requests* the United Nations Office on Drugs and Crime, in accordance with its mandate and in close cooperation with the United Nations Educational, Scientific and Cultural Organization and other competent international organizations, to further explore the development of specific guidelines for crime prevention with respect to trafficking in cultural property;

17. *Encourages* the United Nations Office on Drugs and Crime to continue to contribute to the cooperative network established among the United Nations Educational, Scientific and Cultural Organization, the International Council of Museums, the International Criminal Police Organization (INTERPOL), the International Institute for the Unification of Private Law and the World Customs Organization in the areas of trafficking in cultural property and its recovery and return;

18. *Requests* the United Nations Office on Drugs and Crime, in consultation with Member States and in accordance with its mandate and in close cooperation with the United Nations Educational, Scientific and Cultural Organization and other competent international organizations, to explore possibilities for the collection, analysis and dissemination of relevant data, specifically addressing the relevant aspects of trafficking in cultural property;

19. *Invites* Member States and other donors to provide extrabudgetary resources, where necessary and in accordance with the rules and procedures of the United Nations, for the implementation of the relevant paragraphs of the present resolution;

20. *Requests* the Secretary-General to report to the Commission on Crime Prevention and Criminal Justice at its twenty-first session on the implementation of the present resolution.

Crime prevention and criminal justice

Twelfth United Nations Crime Congress

The Twelfth United Nations Congress on Crime Prevention and Criminal Justice (Salvador, Brazil, 12–19 April) [A/CONF.213/18] adopted the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and their Development in a Changing World. The Declaration expressed concern over the rise of new and emerging forms of transnational crime; the negative impact of organized crime on human rights, the rule of law, security and development; and the sophistication, diversity and transnational aspects of organized crime and its links with other criminal and, in some cases, terrorist activities. It called for the need to strengthen international, regional and subregional cooperation to effectively prevent, prosecute and punish crime, in particular by enhancing the national capacity of States through the provision of technical assistance.

The Congress—attended by 189 participants, including representatives of Member States, observers, intergovernmental organizations and NGOs, as well as over 190 experts—was oriented on the theme “Comprehensive strategies for global challenges: crime prevention and criminal justice systems and their development in a changing world”. It considered ten major topics, with corresponding working papers prepared by the secretariat on children, youth and crime [A/CONF.213/4]; provision of technical assistance to facilitate the ratification and implementation of the international instruments related to the prevention and suppression of terrorism [A/CONF.213/5]; making the United Nations guidelines on crime prevention work [A/CONF.213/6]; criminal justice responses to the smuggling of migrants and trafficking in persons, and links to transnational organized crime [A/CONF.213/7]; international cooperation to address money-laundering based on relevant United Nations and other instruments [A/CONF.213/8]; recent developments in the use of science and technology by offenders and by competent authorities in fighting crime, including cybercrime [A/CONF.213/9]; practical approaches to strengthen-

ing international cooperation in fighting crime-related problems [A/CONF.213/10]; and crime prevention and criminal justice responses to violence against migrants, migrant workers and their families [A/CONF.213/11]. During the Congress, five workshops were convened on international criminal justice education for the rule of law [A/CONF.213/12]; the survey of United Nations and other best practices in the treatment of prisoners in the criminal justice system [A/CONF.213/13]; practical approaches to preventing urban crime [A/CONF.213/14]; links between drug trafficking and other forms of organized crime [A/CONF.213/15]; and strategies and best practices against overcrowding in correctional facilities [A/CONF.213/16]. The Congress also had before it a report on the state of crime and criminal justice worldwide [A/CONF.213/3], prepared by the Secretary-General in response to resolution 64/180 [YUN 2009, p. 1080]. The report described crime trends and developments since the Eleventh United Nations Congress on Crime Prevention and Criminal Justice [YUN 2005, p. 1208].

The Twelfth Congress elected Luiz Paulo Teles Ferreira Barreto (Brazil) as its President. The high-level segment was held in plenary from 17 to 19 April, with statements made by 58 high-level officials. The Secretary-General, in a statement read by the Executive Secretary of the Twelfth Congress, appealed to States to be innovative and stay one step ahead of criminals, particularly with regard to action against emerging crimes such as cybercrime, environmental crime and counterfeiting. He also stressed the need to bring crime prevention into the mainstream of the work of the United Nations, particularly in conflict prevention, peacekeeping and peacebuilding, and underlined the importance of placing human rights at the forefront of efforts to prevent and punish crime.

Follow-up to the Twelfth Congress

In May, the Commission on Crime Prevention and Criminal Justice considered a note by the Secretariat on the Twelfth United Nations Congress on Crime Prevention and Criminal Justice [E/CN.15/2010/11] and recommended a draft resolution on the subject for the Economic and Social Council to recommend to the General Assembly for adoption.

The Secretary-General submitted to the Assembly, in June, the report on the Twelfth Congress [A/65/92], highlighting the high-level segment, discussions on the substantive items on its agenda and the outcome of the workshops held within the framework of the Congress.

On 21 December, the Assembly took note of the Secretary-General's report on the Twelfth Congress (**decision 65/538**).

ECONOMIC AND SOCIAL COUNCIL ACTION

On 22 July [meeting 45], the Economic and Social Council, on the recommendation of the Commission on Crime Prevention and Criminal Justice [E/2010/30], adopted **resolution 2010/18** without vote [agenda item 14 (e)].

Twelfth United Nations Congress on Crime Prevention and Criminal Justice

The Economic and Social Council

Recommends to the General Assembly the adoption of the following draft resolution:

[For text, see General Assembly resolution 65/230 below.]

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third (Social, Humanitarian and Cultural) Committee [A/65/457], adopted **resolution 65/230** without vote [agenda item 105].

Twelfth United Nations Congress on Crime Prevention and Criminal Justice

The General Assembly,

Emphasizing the responsibility assumed by the United Nations in the field of crime prevention and criminal justice in pursuance of Economic and Social Council resolution 155 C(VII) of 13 August 1948 and General Assembly resolution 415(V) of 1 December 1950,

Acknowledging that the United Nations congresses on crime prevention and criminal justice, as major intergovernmental forums, have influenced national policies and practices and promoted international cooperation in this field by facilitating the exchange of views and experience, mobilizing public opinion and recommending policy options at the national, regional and international levels,

Recalling its resolution 46/152 of 18 December 1991, in the annex to which Member States affirmed that the United Nations congresses on crime prevention and criminal justice should be held every five years and should provide a forum for, inter alia, the exchange of views between States, intergovernmental and non-governmental organizations and individual experts representing various professions and disciplines, the exchange of experiences in research, law and policy development, and the identification of emerging trends and issues in crime prevention and criminal justice,

Recalling also its resolution 57/270 B of 23 June 2003 on the integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic and social fields, in which it stressed that all countries should promote policies consistent and coherent with the commitments of the major United Nations conferences and summits, emphasized that the United Nations system had an important responsibility to assist Governments to stay fully engaged in the follow-up to and implementation of agreements and commitments reached at the major United Nations conferences and summits and invited its intergovernmental bodies to further promote the implementation of the outcomes of the major United Nations conferences and summits,

Recalling further its resolution 64/180 of 18 December 2009, in which it called upon the Twelfth United Nations Congress on Crime Prevention and Criminal Justice to formulate concrete proposals for further follow-up and action, paying particular attention to practical arrangements relating to the effective implementation of the international legal instruments pertaining to transnational organized crime, terrorism and corruption and technical assistance activities relating thereto, and requested the Commission on Crime Prevention and Criminal Justice at its nineteenth session to give high priority to considering the conclusions and recommendations of the Twelfth Congress, with a view to recommending, through the Economic and Social Council, appropriate follow-up by the General Assembly at its sixty-fifth session,

Bearing in mind the United Nations Millennium Declaration, adopted by the Heads of State and Government at the Millennium Summit of the United Nations on 8 September 2000, in which Heads of State and Government resolved, *inter alia*, to strengthen respect for the rule of law in international as well as in national affairs, to take concerted action against international terrorism and accede as soon as possible to all the relevant international conventions, to redouble their efforts to implement their commitment to counter the world drug problem, and to intensify their efforts to fight transnational crime in all its dimensions, including trafficking as well as smuggling in human beings and money-laundering,

Having considered the report of the Twelfth Congress and the related recommendations made by the Commission at its nineteenth session,

1. *Expresses its satisfaction* with the results achieved by the Twelfth United Nations Congress on Crime Prevention and Criminal Justice, held in Salvador, Brazil, from 12 to 19 April 2010, including the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World, adopted at the high-level segment of the Twelfth Congress;

2. *Expresses its appreciation* to the United Nations Office on Drugs and Crime for the work done in the preparations for and follow-up to the Twelfth Congress, and thanks the institutes of the United Nations crime prevention and criminal justice programme network for their contribution to the Congress, in particular with regard to the workshops held within the framework of the Congress;

3. *Takes note with appreciation* of the report of the Twelfth Congress, which contains the results of the Congress, including the conclusions and recommendations made at the workshops and at the high-level segment held during the Congress;

4. *Endorses* the Salvador Declaration adopted by the Twelfth Congress, as approved by the Commission on Crime Prevention and Criminal Justice and annexed to the present resolution;

5. *Invites* Governments to take into consideration the Salvador Declaration and the recommendations adopted by the Twelfth Congress when formulating legislation and policy directives and to make all efforts, where appropriate, to implement the principles contained therein, taking into account the economic, social, legal and cultural specificities of their respective States;

6. *Invites* Member States to identify areas covered in the Salvador Declaration where further tools and training manuals based on international standards and best practices are needed, and to submit that information to the Commission on Crime Prevention and Criminal Justice so that it may take that information into account when considering potential areas of future activity of the United Nations Office on Drugs and Crime;

7. *Welcomes* the decision of the Government of Brazil to contribute a percentage of the value of confiscated assets to the United Nations Office on Drugs and Crime, pursuant to article 30 of the United Nations Convention against Transnational Organized Crime and article 62 of the United Nations Convention against Corruption, as well as paragraph 9 of General Assembly resolution 55/25 of 15 November 2000 and paragraph 4 of Assembly resolution 58/4 of 31 October 2003, and looks forward to expeditious implementation of that decision;

8. *Also welcomes* the prompt consideration and action by the Commission on Crime Prevention and Criminal Justice on a number of issues addressed in the Salvador Declaration, including those addressed in separate resolutions approved by the Commission at its nineteenth session, such as violence against migrants, migrant workers and their families, emerging forms of crime that have a significant impact on the environment and international cooperation in criminal matters;

9. *Requests* the Commission on Crime Prevention and Criminal Justice to establish, in line with paragraph 42 of the Salvador Declaration, an open-ended intergovernmental expert group, to be convened prior to the twentieth session of the Commission, to conduct a comprehensive study of the problem of cybercrime and responses to it by Member States, the international community and the private sector, including the exchange of information on national legislation, best practices, technical assistance and international cooperation, with a view to examining options to strengthen existing and to propose new national and international legal or other responses to cybercrime;

10. *Also requests* the Commission on Crime Prevention and Criminal Justice to establish, in line with paragraph 49 of the Salvador Declaration, an open-ended intergovernmental expert group, to be convened between the twentieth and twenty-first sessions of the Commission, to exchange information on best practices, as well as national legislation and existing international law, and on the revision of existing United Nations standard minimum rules for the treatment of prisoners so that they reflect recent advances in correctional science and best practices, with a view to making recommendations to the Commission on possible next steps;

11. *Requests* the open-ended intergovernmental expert groups established pursuant to paragraphs 9 and 10 above to report to the Commission on Crime Prevention and Criminal Justice on progress in their work;

12. *Requests* the United Nations Office on Drugs and Crime, in the development and implementation of its technical assistance programmes, to aim for sustainable and long-lasting results in the prevention, prosecution and punishment of crime, in particular by building, modernizing and strengthening criminal justice systems, as well as promoting the rule of law, and to design such programmes

to achieve those aims for all components of the criminal justice system, in an integrated way and with a long-term perspective, increasing the capacity of requesting States to prevent and suppress the various types of crime affecting societies, including organized crime and cybercrime;

13. *Also requests* the United Nations Office on Drugs and Crime to continue to provide technical assistance to facilitate the ratification and implementation of the United Nations Convention against Corruption, the United Nations Convention against Transnational Organized Crime and the international instruments related to the prevention and suppression of terrorism;

14. *Requests* the Commission on Crime Prevention and Criminal Justice to consider at its twentieth session options to improve the efficiency of the process involved in the United Nations congresses on crime prevention and criminal justice, taking into account the recommendations made by the Intergovernmental Group of Experts on Lessons Learned from United Nations Congresses on Crime Prevention and Criminal Justice at its meeting, held in Bangkok from 15 to 18 August 2006;

15. *Requests* the Secretary-General to distribute the report of the Twelfth Congress, including the Salvador Declaration, to Member States, intergovernmental organizations and non-governmental organizations, so as to ensure that the recommendations of the Congress are disseminated as widely as possible, and to seek proposals by Member States for ways and means of ensuring appropriate follow-up to the Salvador Declaration for consideration and action by the Commission on Crime Prevention and Criminal Justice at its twentieth session;

16. *Welcomes with appreciation* the offer of the Government of Qatar to act as host to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, in 2015;

17. *Expresses its profound gratitude* to the people and Government of Brazil for the warm and generous hospitality extended to the participants in the Twelfth Congress and for the excellent facilities provided for the Congress;

18. *Requests* the Secretary-General to submit to the General Assembly at its sixty-sixth session a report on the implementation of the present resolution.

ANNEX

Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World

We, the States Members of the United Nations,

Having assembled at the Twelfth United Nations Congress on Crime Prevention and Criminal Justice in Salvador, Brazil, from 12 to 19 April 2010, to take more effective concerted action, in a spirit of cooperation, to prevent, prosecute and punish crime and seek justice,

Recalling the work of the eleven previous United Nations congresses on crime prevention and criminal justice, the conclusions and recommendations of the regional preparatory meetings for the Twelfth Congress and the documents prepared by the relevant working groups established by the Commission on Crime Prevention and Criminal Justice,

Reaffirming the necessity of respecting and protecting human rights and fundamental freedoms in the prevention of crime and the administration of, and access to, justice, including criminal justice,

Recognizing the centrality of crime prevention and the criminal justice system to the rule of law and that long-term sustainable economic and social development and the establishment of a functioning, efficient, effective and humane criminal justice system have a positive influence on each other,

Noting with concern the rise of new and emerging forms of transnational crime,

Greatly concerned by the negative impact of organized crime on human rights, the rule of law, security and development, as well as by the sophistication, diversity and transnational aspects of organized crime and its links with other criminal and, in some cases, terrorist activities,

Stressing the need to strengthen international, regional and subregional cooperation to effectively prevent, prosecute and punish crime, in particular by enhancing the national capacity of States through the provision of technical assistance,

Greatly concerned by criminal acts against migrants, migrant workers and their families and other groups in vulnerable situations, particularly those acts motivated by discrimination and other forms of intolerance,

Declare as follows:

1. We recognize that an effective, fair and humane criminal justice system is based on the commitment to uphold the protection of human rights in the administration of justice and the prevention and control of crime.

2. We also recognize that it is the responsibility of each Member State to update, where appropriate, and maintain an effective, fair, accountable and humane crime prevention and criminal justice system.

3. We acknowledge the value and impact of the United Nations standards and norms in crime prevention and criminal justice and endeavour to use those standards and norms as guiding principles in designing and implementing our national crime prevention and criminal justice policies, laws, procedures and programmes.

4. Bearing in mind the universal character of the United Nations standards and norms in crime prevention and criminal justice, we invite the Commission on Crime Prevention and Criminal Justice to consider reviewing and, if necessary, updating and supplementing them. In order to render them effective, we recommend that appropriate efforts be made to promote the widest application of those standards and norms and to raise awareness of them among authorities and entities responsible for their application at the national level.

5. We acknowledge the need for Member States to ensure effective gender equality in crime prevention, access to justice and the protection offered by the criminal justice system.

6. We express deep concern about the pervasiveness of violence against women in all its different forms and manifestations worldwide, and urge States to enhance efforts to prevent, prosecute and punish violence against women. In this regard, we note with appreciation the draft updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice, as finalized by

the intergovernmental expert group at its meeting held in Bangkok from 23 to 25 March 2009, and look forward to their consideration by the Commission on Crime Prevention and Criminal Justice.

7. We recognize the importance of adopting appropriate legislation and policies to prevent victimization, including revictimization, and to provide protection and assistance to victims.

8. We consider that international cooperation and technical assistance can play an important role in achieving sustainable and long-lasting results in the prevention, prosecution and punishment of crime, in particular by building, modernizing and strengthening our criminal justice systems and promoting the rule of law. Specific technical assistance programmes should thus be designed to achieve these aims, for all the components of the criminal justice system, in an integrated way and with a long-term perspective, enabling the capacity of requesting States to prevent and suppress the various types of crime affecting their societies, including organized crime. In that regard, the experience and expertise accumulated over the years by the United Nations Office on Drugs and Crime constitute a valuable asset.

9. We strongly recommend the allocation of sufficient human and financial resources to develop and implement effective policies, programmes and training dealing with crime prevention, criminal justice and the prevention of terrorism. In this regard, we stress the serious need to provide the United Nations Office on Drugs and Crime with a level of resources commensurate with its mandate. We call upon Member States and other international donors to support, and coordinate with, the United Nations Office on Drugs and Crime, including its regional and country offices, the institutes of the United Nations crime prevention and criminal justice programme network and requesting States in the provision of technical assistance to strengthen their capacity to prevent crime.

10. We acknowledge the leading role of the United Nations Office on Drugs and Crime in providing technical assistance to facilitate the ratification and implementation of the international instruments related to the prevention and suppression of terrorism.

11. We invite the Commission on Crime Prevention and Criminal Justice to consider strengthening the capacity of the United Nations Office on Drugs and Crime to collect, analyse and disseminate accurate, reliable and comparable data on world crime and victimization trends and patterns, and we call upon Member States to support the gathering and analysis of information and to consider designating focal points and provide information when requested to do so by the Commission.

12. We welcome the decision of the Commission on Crime Prevention and Criminal Justice to engage in a thematic debate on protection against trafficking in cultural property and the recommendations made by the open-ended intergovernmental expert group on protection against trafficking in cultural property at its meeting, held in Vienna from 24 to 26 November 2009, and invite the Commission to conduct appropriate follow-up, including exploring the need for guidelines for crime prevention with respect to trafficking in cultural property. Furthermore, we urge States that have not yet done so to develop effective legislation to prevent, prosecute and punish this crime in

any of its forms and to strengthen international cooperation and technical assistance in this area, including the recovery and return of cultural property, bearing in mind the existing relevant international instruments, including the United Nations Convention against Transnational Organized Crime, where appropriate.

13. We recognize the increasing risk of the convergence of transnational organized crime and illicit networks, many of which are new or evolving. We call upon Member States to cooperate, including through information-sharing, in an effort to address these evolving transnational criminal threats.

14. We acknowledge the challenge posed by emerging forms of crime that have a significant impact on the environment. We encourage Member States to strengthen their national crime prevention and criminal justice legislation, policies and practices in this area. We invite Member States to enhance international cooperation, technical assistance and the sharing of best practices in this area. We invite the Commission on Crime Prevention and Criminal Justice, in coordination with the relevant United Nations bodies, to study the nature of the challenge and ways to deal with it effectively.

15. We express our serious concerns about the challenge posed by economic fraud and identity-related crime and their links to other criminal and, in some cases, terrorist activities. We therefore invite Member States to take appropriate legal measures to prevent, prosecute and punish economic fraud and identity-related crime and to continue to support the work of the United Nations Office on Drugs and Crime in this area. Furthermore, Member States are encouraged to enhance international cooperation in this area, including through the exchange of relevant information and best practices, as well as through technical and legal assistance.

16. We recognize that international cooperation in criminal matters in accordance with international obligations and national laws is a cornerstone of the efforts of States to prevent, prosecute and punish crime, in particular in its transnational forms, and we encourage the continuation and reinforcement of such activities at all levels.

17. We call upon those States that have not yet done so to consider ratifying or acceding to the United Nations Convention against Corruption, welcome the establishment of its mechanism for the review of implementation, look forward to its effective implementation and acknowledge the work of the intergovernmental working groups on asset recovery and technical assistance.

18. We also call upon those States that have not yet done so to consider ratifying or acceding to the United Nations Convention against Transnational Organized Crime and the Protocols thereto, and note with appreciation the decision of the General Assembly, in its resolution 64/179 of 18 December 2009, to hold in 2010 high-level meetings and a special treaty event. We also take note of ongoing initiatives aimed at exploring options regarding an appropriate and effective mechanism to assist the Conference of the Parties to the United Nations Convention against Transnational Organized Crime in the review of the implementation of the Convention.

19. We call upon Member States that have not yet done so to consider ratifying or acceding to the international instruments against terrorism, including its financing.

We also call upon all States parties to use those instruments and the relevant United Nations resolutions to enhance international cooperation in countering terrorism in all its forms and manifestations and its financing, including evolving features of the latter.

20. We call upon Member States, consistent with their international obligations, to establish or strengthen, as appropriate, central authorities fully empowered and equipped to deal with requests for international cooperation in criminal matters. In this perspective, regional legal cooperation networks could be supported.

21. Aware that gaps may exist in relation to international cooperation in criminal matters, we invite the Commission on Crime Prevention and Criminal Justice to consider reviewing this issue and explore the need for various means of addressing gaps that are identified.

22. We emphasize the need for the adoption of effective measures to implement the provisions on preventing, prosecuting and punishing money-laundering contained in the United Nations Convention against Transnational Organized Crime and the United Nations Convention against Corruption. We encourage Member States to develop strategies to combat money-laundering based on the provisions of these two Conventions.

23. We encourage Member States to consider developing strategies or policies to combat illicit capital flows and to curb the harmful effects of jurisdictions and territories uncooperative in tax matters.

24. We recognize the need to deny criminals and criminal organizations the proceeds of their crimes. We call upon all Member States, within their national legal systems, to adopt effective mechanisms for the seizure, restraint and confiscation of proceeds of crime and to strengthen international cooperation to ensure effective and prompt asset recovery. We also call upon States to preserve the value of seized and confiscated assets, including through disposal, where appropriate and possible, where there is a risk of their value diminishing.

25. Bearing in mind the need to reinforce criminal justice systems of developing countries and countries with economies in transition, we urge States parties to the United Nations Convention against Transnational Organized Crime and the United Nations Convention against Corruption to fully implement the technical assistance provisions of each Convention, including by giving special consideration to contributing, in accordance with their national law and the provisions of those Conventions, a percentage of the proceeds of crime confiscated under each Convention to fund technical assistance through the United Nations Office on Drugs and Crime.

26. We are convinced of the importance of preventing youth crime, supporting the rehabilitation of young offenders and their reintegration into society, protecting child victims and witnesses, including efforts to prevent their revictimization, and addressing the needs of children of prisoners. We stress that such responses should take into account the human rights and best interests of children and youth, as called for in the Convention on the Rights of the Child and the Optional Protocols thereto, where applicable, and in other relevant United Nations standards and norms in juvenile justice, where appropriate.

27. We support the principle that the deprivation of liberty of children should be used only as a measure of last resort and for the shortest appropriate period of time. We recommend the broader application, as appropriate, of alternatives to imprisonment, restorative justice and other relevant measures that foster the diversion of young offenders from the criminal justice system.

28. We call upon States to develop and strengthen, where appropriate, legislation, policies and practices to punish all forms of crime that target children and youth, as well as for the protection of child victims and witnesses.

29. We encourage States to provide tailored training in an interdisciplinary approach to those involved in the administration of juvenile justice.

30. We invite the Commission on Crime Prevention and Criminal Justice to consider requesting the United Nations Office on Drugs and Crime to design and provide to States specific technical assistance programmes to achieve these aims.

31. We call upon civil society, including the media, to support the efforts to protect children and youth from exposure to content that may exacerbate violence and crime, particularly content depicting and glorifying acts of violence against women and children.

32. We are convinced of the need to accelerate efforts to fully implement the United Nations guidelines on crime prevention and the prevention components of existing conventions and other relevant international standards and norms.

33. We recognize that the development and adoption of crime prevention policies and their monitoring and evaluation are the responsibility of States. We believe that such efforts should be based on a participatory, collaborative and integrated approach that includes all relevant stakeholders, including those from civil society.

34. We recognize the importance of strengthening public-private partnerships in preventing and countering crime in all its forms and manifestations. We are convinced that, through the mutual and effective sharing of information, knowledge and experience and through joint and coordinated actions, Governments and businesses can develop, improve and implement measures to prevent, prosecute and punish crime, including emerging and changing challenges.

35. We stress the need for all States to have national and local action plans for crime prevention that take into account, *inter alia*, factors that place certain populations and places at higher risk of victimization and/or offending in a comprehensive, integrated and participatory manner, and for such plans to be based on the best available evidence and good practices. We stress that crime prevention should be considered an integral element of strategies to foster social and economic development in all States.

36. We urge Member States to consider adopting legislation, strategies and policies for the prevention of trafficking in persons, the prosecution of offenders and the protection of victims of trafficking, consistent with the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. We call upon Member States, where applicable, in cooperation with civil society and non-governmental

organizations, to follow a victim-centred approach with full respect for the human rights of the victims of trafficking, and to make better use of the tools developed by the United Nations Office on Drugs and Crime.

37. We urge Member States to consider adopting and implementing effective measures to prevent, prosecute and punish the smuggling of migrants and to ensure the rights of smuggled migrants, consistent with the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime. In this context, we recommend that Member States, *inter alia*, undertake awareness-raising campaigns, in cooperation with civil society and non-governmental organizations.

38. We affirm our determination to eliminate violence against migrants, migrant workers and their families, and we call upon Member States to adopt measures for preventing and addressing effectively cases of such violence and to ensure that those individuals receive humane and respectful treatment from States, regardless of their status. We also invite Member States to take immediate steps to incorporate into international crime prevention strategies and norms measures to prevent, prosecute and punish crimes involving violence against migrants, as well as violence associated with racism, xenophobia and related forms of intolerance. We invite the Commission on Crime Prevention and Criminal Justice to consider this issue further in a comprehensive manner.

39. We note that the development of information and communications technologies and the increasing use of the Internet create new opportunities for offenders and facilitate the growth of crime.

40. We realize the vulnerability of children, and we call upon the private sector to promote and support efforts to prevent child sexual abuse and exploitation through the Internet.

41. We recommend that the United Nations Office on Drugs and Crime, upon request, provide, in cooperation with Member States, relevant international organizations and the private sector, technical assistance and training to States to improve national legislation and build the capacity of national authorities in order to deal with cybercrime, including the prevention, detection, investigation and prosecution of such crime in all its forms, and to enhance the security of computer networks.

42. We invite the Commission on Crime Prevention and Criminal Justice to consider convening an open-ended intergovernmental expert group to conduct a comprehensive study of the problem of cybercrime and responses to it by Member States, the international community and the private sector, including the exchange of information on national legislation, best practices, technical assistance and international cooperation, with a view to examining options to strengthen existing and to propose new national and international legal or other responses to cybercrime.

43. We endeavour to take measures to promote wider education and awareness of the United Nations standards and norms in crime prevention and criminal justice to ensure a culture of respect for the rule of law. In this regard, we recognize the role of civil society and the media in cooperating with States in these efforts. We invite the United Nations Office on Drugs and Crime to continue to

play a key role in the development and implementation of measures to promote and develop such a culture, in close coordination with other relevant United Nations entities.

44. We undertake to promote appropriate training of officials entrusted with upholding the rule of law, including correctional facility officers, law enforcement officials and the judiciary, as well as prosecutors and defence lawyers, in the use and application of those standards and norms.

45. We are concerned by urban crime and its impact on specific populations and places. We therefore recommend stronger coordination between security and social policies, with a view to addressing some of the root causes of urban violence.

46. We recognize that specific groups are particularly vulnerable to situations of urban crime, and we therefore recommend the adoption and implementation of civic intercultural programmes, where appropriate, aimed at combating racism and xenophobia, reducing the exclusion of minorities and migrants and thus promoting community cohesion.

47. We acknowledge the increasing links between transnational organized crime and drug trafficking in the context of the world drug problem. In this regard, we stress the urgent need for all States to enhance bilateral, regional and international cooperation to effectively counter the challenges posed by these links.

48. We recognize that the penitentiary system is one of the key components of the criminal justice system. We endeavour to use the United Nations standards and norms for the treatment of prisoners as a source of guidance in the development or updating of our national codes of penitentiary administration.

49. We invite the Commission on Crime Prevention and Criminal Justice to consider convening an open-ended intergovernmental expert group to exchange information on best practices, as well as national legislation and existing international law, and on the revision of existing United Nations standard minimum rules for the treatment of prisoners so that they reflect recent advances in correctional science and best practices, with a view to making recommendations to the Commission on possible next steps.

50. We welcome the draft United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders. Taking note of the outcome and the recommendations of the meeting of the expert group to develop supplementary rules specific to the treatment of women in detention and in custodial and non-custodial settings, we recommend that the Commission on Crime Prevention and Criminal Justice consider them as a matter of priority for appropriate action.

51. We stress the need to reinforce alternatives to imprisonment, which may include community service, restorative justice and electronic monitoring, and support rehabilitation and reintegration programmes, including those to correct offending behaviour, and educational and vocational programmes for prisoners.

52. We recommend that Member States endeavour to reduce pretrial detention, where appropriate, and promote increased access to justice and legal defence mechanisms.

53. We support effective and efficient follow-up of the outcomes of the United Nations congresses on crime prevention and criminal justice. We welcome the inclusion of a standing item on the agenda of the Commission on Crime

Prevention and Criminal Justice at its annual sessions on this matter and on preparations for future congresses on crime prevention and criminal justice.

54. We welcome with appreciation the offer of the Government of Qatar to act as host to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, in 2015.

55. We express our profound gratitude to the people and Government of Brazil for their warm and generous hospitality and for the excellent facilities provided for the Twelfth Congress.

Commission on Crime Prevention and Criminal Justice

The Commission on Crime Prevention and Criminal Justice held its nineteenth session in Vienna (4 December 2009, 17–21 May and 3 December) [E/2010/30 & Add.1]. In May 2010, it recommended to the Economic and Social Council four draft resolutions for adoption by the General Assembly related to strengthening crime prevention and criminal justice responses to violence against women (see p. 1150); United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (see p. 1120); realignment of the functions of the United Nations Office on Drugs and Crime (UNODC) (see p. 1243); and the Twelfth United Nations Congress on Crime Prevention and Criminal Justice (see p. 1095). It also recommended for adoption by the Council two draft resolutions, one on the protection of cultural property (see p. 1092) and the other on programme development at UNODC (see p. 1242), and one draft decision on the report of the Commission's 2010 session and the agenda of its 2011 session. It adopted seven resolutions and one decision, which it brought to the attention of the Council, related to public-private partnerships; crime-related data; the Fourth World Summit of Attorneys General, Prosecutors General and Chief Prosecutors; trafficking in persons; international cooperation in the forensic field; maritime piracy; regional networks for international cooperation; and counterfeiting and piracy. In addition to a thematic discussion on protection against illicit trafficking in cultural property, the Commission also considered management, budgetary and administrative questions (see p. 1242) and the provisional agenda for its 2011 session. In December, the Commission recommended one draft decision for adoption by the Council on the Commission's reconvened nineteenth session.

On 22 July (**decision 2010/243**), the Economic and Social Council took note of the Commission's report on its nineteenth session and decided that the prominent themes for the Commission's twentieth, twenty-first, twenty-second and twenty-third (2011–2014) sessions, respectively, would be: "Protecting

children in a digital age: the misuse of technology in the abuse and exploitation of children"; "Violence against migrants, migrant workers and their families"; "The challenge posed by emerging forms of crime that have a significant impact on the environment and ways to deal with it effectively"; and "International cooperation in criminal matters". The Council called on Member States wishing to identify new or emerging crime issues to provide information to UNODC in a timely manner, so that such information could be considered in the preparation of the report of the Secretary-General on the agenda item relating to world crime trends and emerging issues and responses in the field of crime prevention and criminal justice. The Council decided that the Commission, at its next intersessional meeting, should consider ways of improving its working methods, including with regard to the submission and consideration of draft resolutions and decisions. The Council also approved the provisional agenda and documentation for the Commission's twentieth session (2011).

On 23 July, by **decision 2010/258**, the Economic and Social Council took note of the report of the Commission on Crime Prevention and Criminal Justice on its reconvened eighteenth session, held in 2009 [YUN 2009, p. 1081].

Administrative and budgetary questions

In response to Commission on Narcotic Drugs resolution 52/14 [YUN 2009, p. 1253] and Commission on Crime Prevention and Criminal Justice resolution 18/6 [ibid., p. 1083], the Executive Director of UNODC submitted a January report [E/CN.7/2010/13-E/CN.15/2010/13] on the implications for UNODC of the adoption of a thematic and regional programme approach and on the implementation of the measures requested with regard to the re-establishment of an independent evaluation unit and the sustainability of the Strategic Planning Unit.

On 21 May [E/2010/30], the Commission on Crime Prevention and Criminal Justice approved a draft resolution to be recommended for approval by the Economic and Social Council for adoption by the General Assembly on the realignment of the functions of UNODC and changes to the strategic framework (see below); and a draft resolution for adoption by the Council on support for the development and implementation of an integrated approach to programme development at UNODC (see p. 1242).

At its reconvened nineteenth session (Vienna, 3 December) [E/2010/30/Add.1-E/CN.15/2010/20/Add.1], the Commission took note of the statement made by the co-chairs of the standing open-ended intergovernmental working group on improving the governance and financial situation of UNODC, which was annexed to the report.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 22 July [meeting 45] the Economic and Social Council, on the recommendation of the Commission on Crime Prevention and Criminal Justice [E/2010/30], adopted **resolution 2010/17** without vote [agenda item 14 (c)].

Realignment of the functions of the United Nations Office on Drugs and Crime and changes to the strategic framework

The Economic and Social Council

Recommends to the General Assembly the adoption of the following draft resolution:

“The General Assembly,

“Recalling section XI, paragraph 1, of its resolution 61/252 of 22 December 2006, in which it entrusted certain administrative and financial functions to the Commission on Crime Prevention and Criminal Justice,

“Recalling also Commission on Crime Prevention and Criminal Justice resolution 18/6 of 3 December 2009,

“Recalling further the report of the Advisory Committee on Administrative and Budgetary Questions on the consolidated budget for the biennium 2010–2011 for the United Nations Office on Drugs and Crime,

“Bearing in mind the report of the Executive Director of the United Nations Office on Drugs and Crime on the changes required to the strategic framework and their implications for the Office and for the allocation of resources to the subprogrammes of the programme of work, and on the establishment of an independent evaluation unit and the sustainability of the Strategic Planning Unit of the Office,

“Recalling its resolution 64/243 of 24 December 2009 entitled ‘Questions relating to the proposed programme budget for the biennium 2010–2011’, in paragraph 85 of which it expressed concern regarding the overall financial situation of the United Nations Office on Drugs and Crime and requested the Secretary-General to submit proposals in his proposed programme budget for the biennium 2012–2013 to ensure that the Office has sufficient resources to carry out its mandate,

“1. Takes note of the report of the Executive Director of the United Nations Office on Drugs and Crime on the changes required to the strategic framework and their implications for the Office and for the allocation of resources to the subprogrammes of the programme of work, and on the establishment of an independent evaluation unit and the sustainability of the Strategic Planning Unit of the Office, and welcomes the measures taken to develop a thematic and regional programme approach to the programme of work of the Office;

“2. Notes the efficiency gains anticipated as a result of the proposed realignment, which responds, in particular, to recommendations made by the Office of Internal Oversight Services of the Secretariat, and looks forward to seeing those efficiency gains reflected in the budget for the biennium 2012–2013 for the United Nations Office on Drugs and Crime;

“3. Also notes that the realignment will not require any change to the strategic framework for the period 2010–2011 and that the thematic and regional programme approach will be reflected in the proposed strategic framework for the period 2012–2013;

“4. Further notes that the proposed realignment will contribute to the improvement of the technical assistance programmes and activities of the United Nations Office on Drugs and Crime;

“5. Notes that the proposed realignment will not diminish the current status of any of the activities promoted by the United Nations Office on Drugs and Crime;

“6. Recalls that, in Commission on Crime Prevention and Criminal Justice resolution 18/6, the Commission decided that the consolidated budget for the biennium 2010–2011 for the United Nations Office on Drugs and Crime should contain adequate provisions for the establishment of a sustainable, effective and operationally independent evaluation unit, and urges the Secretariat to swiftly implement that decision and commence with the re-establishment of the independent evaluation unit without further delay;

“7. Requests the Executive Director of the United Nations Office on Drugs and Crime to ensure the sustainability of the Strategic Planning Unit, consistent with the importance of its functions;

“8. Notes that the reinstatement of the post of Chief of the Policy Analysis and Research Branch at the United Nations Office on Drugs and Crime, at the D-1 level, should be considered only after sufficient funding has been made available for the independent evaluation unit and the Strategic Planning Unit;

“9. Also notes, in the preceding context, the realignment of the Division for Treaty Affairs and the Division for Operations of the United Nations Office on Drugs and Crime, and welcomes it as an important step in the process of continuous improvement of the Office;

“10. Highlights the importance of providing legal assistance for drug control and crime prevention and the need to link the provision of such assistance to the work of the Integrated Programme and Oversight Branch of the United Nations Office on Drugs and Crime;

“11. Notes with concern the financial situation of the United Nations Office on Drugs and Crime;

“12. Urges the Executive Director of the United Nations Office on Drugs and Crime to ensure that the Office submits to the Secretary-General a proposed programme budget for the biennium 2012–2013 that appropriately reflects the financial needs of the Office;

“13. Requests the Secretary-General, in his proposed programme budget for the biennium 2012–2013, to devote due attention to the resource requirements for meeting the mandates entrusted to the United Nations Office on Drugs and Crime, taking into account the relevant crime prevention and criminal justice mandates and the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem, with particular focus on under-resourced areas;

“14. Requests the Executive Director of the United Nations Office on Drugs and Crime to report to the Commission on Crime Prevention and Criminal Justice at its twentieth session on the implementation of the realignment of the Division for Treaty Affairs and the Division for Operations.”

On 22 July, the Economic and Social Council adopted **resolution 2010/21** (see p. 1243) on the realignment of UNODC functions and changes to its

strategic framework. On 21 December, the General Assembly adopted **resolution 65/227** on realignment of UNODC functions and changes to its strategic framework (see p. 1244).

Crime prevention programme

At its nineteenth session, the Commission on Crime Prevention and Criminal Justice considered the UNODC Executive Director's report on the Office's 2009 activities in the areas of drug control, criminal justice, crime prevention, corruption, organized crime, terrorism prevention and the rule of law [E/CN.7/2010/3-E/CN.15/2010/3]. The report stated that UNODC supported Member States in their efforts to achieve a world safe from crime, drugs and terrorism through research to expand the evidence base for policy and operational decisions; normative work to assist States in the ratification and implementation of international treaties, the development of domestic legislation on drugs, crime and terrorism and the provision of substantive and secretariat services for treaty bodies and governing bodies; and field-based technical cooperation and the development and implementation of regional and thematic programmes.

With respect to supply reduction of illicit drugs, the illicit crop surveys carried out by UNODC had set a high standard for information on illicit crops, and UNODC provided advice and support for crop eradication while fostering growth and security through alternative livelihoods. UNODC had been working closely with Member States and regional organizations to develop and implement regional programmes to promote the rule of law and human security in Africa, Asia, the Americas and Europe, in line with Economic and Social Council resolution 2009/23 [YUN 2009, p. 1251]. In addition, UNODC had assisted States in improving their legal regimes and establishing modern judicial systems, as well as developing policies to deal with the links between drugs, crime and terrorism. While UNODC had the capacity to assess the threat posed by drugs and crime and had deepened its capacity to tackle the complex and interlinked challenges involved, a significant mismatch between mandates and low funding had made it difficult to implement multi-year programmes.

The report also provided information on the implementation of Commission on Narcotic Drugs resolution 51/12 [YUN 2008, p. 1353] on strengthening cooperation between UNODC and other UN entities for the promotion of human rights in the implementation of the international drug control treaties.

The report recommended that the Commission on Narcotic Drugs, the Commission on Crime Prevention and Criminal Justice, and Member States consider continuing to strengthen drug and crime

data collection activities and reporting to the United Nations through periodic questionnaires and individual seizure reports, as well as support for the dissemination of drug and crime statistics to Member States and the international community through the Internet and reports, including the publishing of the *World Drug Report*; encouraging Member States to commit resources to help developing countries design and improve systems for the generation, management, analysis, reporting and use of information on illicit drugs that was necessary for policy and programme development; encouraging the participation of forensic laboratories in proficiency testing schemes as a commitment to quality and continuous improvement, and providing the necessary support, including import authorizations for controlled substances used in those testing schemes; providing further guidance and support to strengthen the work of UNODC in the area of counter-terrorism, in particular, capacity-building technical assistance for domestic criminal justice practitioners involved in the investigation, prosecution and adjudication of terrorism cases; inviting Member States and relevant subregional, regional and international organizations to work closely with UNODC in combating terrorism and encouraging Member States to increase the level of resources provided to enable UNODC to respond to requests for technical assistance in terrorism prevention; and emphasizing the importance of providing regular and adequate core resources to enable UNODC to fully implement its mandates and providing support in accordance with the increasing demand for technical assistance by Member States.

Strengthening technical cooperation

In response to General Assembly resolution 64/179 [YUN 2009, p. 1084], the Secretary-General submitted a July report [A/65/116] on implementation of the United Nations crime prevention and criminal justice programme mandate, with particular reference to UNODC technical cooperation activities. The report summarized UNODC work in supporting Member States to counter transnational organized crime, corruption and terrorism, and in preventing crime and reinforcing criminal justice systems. Information was provided on efforts to strengthen the UN crime prevention and criminal justice programme, emerging policy issues and responses thereto, and recommendations aimed at further enhancing the Programme's activities on transnational organized crime; data collection, research and trend analysis; corruption; terrorism; crime prevention and criminal justice reform in developing, transitional and post-conflict societies; and follow-up to the Twelfth UN Congress on Crime Prevention and Criminal Justice.

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third Committee [A/65/457], adopted **resolution 65/232** without vote [agenda item 105].

Strengthening the United Nations crime prevention and criminal justice programme, in particular its technical cooperation capacity

The General Assembly,

Reaffirming its resolutions 46/152 of 18 December 1991, 60/1 of 16 September 2005, 60/177 of 16 December 2005, 61/252 of 22 December 2006, 64/178 and 64/179 of 18 December 2009 and 64/237 of 24 December 2009,

Noting with appreciation the adoption by the Economic and Social Council of the strategy for the period 2008–2011 for the United Nations Office on Drugs and Crime, which aims, inter alia, to enhance its effectiveness and flexibility in providing technical assistance and policy services,

Reaffirming its resolutions relating to the urgent need to strengthen international cooperation and technical assistance in promoting and facilitating the ratification and implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto, the United Nations Convention against Corruption and all the international conventions and protocols against terrorism, including those that recently entered into force,

Reaffirming also the commitments undertaken by Member States in the United Nations Global Counter-Terrorism Strategy adopted on 8 September 2006 and its successive reviews of 4 and 5 September 2008 and of 8 September 2010,

Emphasizing that its resolution 64/137 of 18 December 2009 on the intensification of efforts to eliminate all forms of violence against women has considerable implications for the United Nations crime prevention and criminal justice programme and its activities,

Taking into consideration all relevant Economic and Social Council resolutions, in particular resolutions 2008/23, 2008/24 and 2008/25 of 24 July 2008, and all those relating to the strengthening of international cooperation as well as the technical assistance and advisory services of the United Nations crime prevention and criminal justice programme of the United Nations Office on Drugs and Crime in the fields of crime prevention and criminal justice, promotion and reinforcement of the rule of law and reform of criminal justice institutions, including with regard to the implementation of technical assistance,

Recalling its resolutions 55/25 of 15 November 2000, 58/17 of 3 December 2003, 61/52 of 4 December 2006 and 64/78 of 7 December 2009 on transnational organized crime and on the return or restitution of cultural property to the countries of origin, and taking note with appreciation of the report of the Secretary-General on protection against trafficking in cultural property, the outcome of the thematic discussion on protection against illicit trafficking in cultural property held by the Commission on Crime Prevention and Criminal Justice at its nineteenth session and the work of the expert group on protection against trafficking in cultural property at its meeting convened pursuant to Economic and Social Council resolution 2008/23, and its recommendations,

Recalling also the high-level meeting of the General Assembly on transnational organized crime and the special treaty event convened on the tenth anniversary of the adoption of the United Nations Convention against Transnational Organized Crime pursuant to resolution 64/179, which reaffirm the political commitment of the international community to tackle transnational organized crime and promote the Convention,

Welcoming the adoption of the United Nations Global Plan of Action to Combat Trafficking in Persons, stressing the need for its full and effective implementation, and expressing its view that it will, inter alia, enhance cooperation and a better coordination of efforts in fighting trafficking in persons and promote increased ratification and full implementation of the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,

Welcoming also the outcome of the fifth session of the Conference of the Parties to the Convention against Transnational Organized Crime, held in Vienna from 18 to 22 October 2010,

Taking note of the report of the United Nations Office on Drugs and Crime entitled *The Globalization of Crime: A Transnational Organized Crime Threat Assessment*, which provides an overview of different forms of emerging crimes and their negative impact on the sustainable development of societies,

Expressing its grave concern at the negative effects of transnational organized crime, including smuggling of and trafficking in human beings, narcotic drugs and small arms and light weapons, on development, peace and security and human rights, and at the increasing vulnerability of States to such crime,

Convinced of the importance of preventing youth crime, supporting the rehabilitation of young offenders and their reintegration into society, protecting child victims and witnesses, including efforts to prevent their revictimization, and addressing the needs of children of prisoners, and stressing that such responses should take into account the human rights and best interests of children and young people, as called for in the Convention on the Rights of the Child and the Optional Protocols thereto, where applicable, and in other relevant United Nations standards and norms in juvenile justice, where appropriate,

Concerned by the serious challenges and threats posed by the illicit trafficking in firearms, their parts and components and ammunition, and concerned about its links with other forms of transnational organized crime, including drug trafficking and other criminal activities, including terrorism,

Deeply concerned about the connections, in some cases, between some forms of transnational organized crime and terrorism, and emphasizing the need to enhance cooperation at the national, subregional, regional and international levels in order to strengthen responses to this evolving challenge,

Concerned about the growing degree of penetration of criminal organizations and their proceeds into the economy,

Recognizing that actions against transnational organized crime and terrorism are a common and shared responsibility, and stressing the need to work collectively to prevent and combat transnational organized crime, corruption and terrorism in all its forms and manifestations,

Emphasizing that transnational organized crime must be addressed in full respect for the principle of the sovereignty of States and in accordance with the rule of law as part of a comprehensive response to promote durable solutions through the promotion of human rights and more equitable socio-economic conditions,

Recognizing the need to maintain a balance in the technical cooperation capacity of the United Nations Office on Drugs and Crime between all relevant priorities identified by the General Assembly and the Economic and Social Council,

Recognizing also that, thanks to its broad membership and wide scope of application, the United Nations Convention against Transnational Organized Crime offers an important basis for international cooperation, inter alia for extradition, mutual legal assistance and confiscation and represents in this regard a useful tool that should be further utilized,

Mindful of the need to ensure universal adherence to and full implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto, and urging States parties to make full and effective use of these instruments,

Welcoming the adoption by the United Nations Office on Drugs and Crime of a regional approach to programming, based on continuing consultations and partnerships at the national and regional levels, particularly on its implementation, and focused on ensuring that the Office responds in a sustainable and coherent manner to the priorities of Member States,

Recognizing the general progress made by the United Nations Office on Drugs and Crime in the delivery of advisory services and assistance to requesting Member States in the areas of corruption, organized crime, money-laundering, terrorism, kidnapping and trafficking in persons, including the support and protection, as appropriate, of victims, their families and witnesses, as well as drug trafficking and international cooperation, with special emphasis on extradition and mutual legal assistance,

Expressing concern regarding the overall financial situation of the United Nations Office on Drugs and Crime, and reaffirming the request to the Secretary-General to submit proposals in his proposed programme budget for the biennium 2012–2013 to ensure that the Office has sufficient resources to carry out its mandate,

1. *Takes note with appreciation* of the report of the Secretary-General prepared pursuant to resolution 64/179;

2. *Welcomes* the high-level meeting of the General Assembly on transnational organized crime, held in New York on 17 and 21 June 2010, and notes the presentation of the presidential summary of the meeting;

3. *Also welcomes* the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World, adopted at the Twelfth United Nations Congress on Crime Prevention and Criminal Justice, held in Salvador, Brazil, from 12 to 19 April 2010;

4. *Notes with appreciation* the convening of an open-ended intergovernmental expert group to conduct a comprehensive study of the problem of cybercrime and responses to it by Member States, the international community and the private sector, including the exchange of information on national legislation, best practices, technical assistance and international cooperation, with a view to examining options to strengthen existing and to propose

new national and international, legal or other responses to cybercrime;

5. *Welcomes with appreciation* the offer of the Government of Qatar to act as host to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, in 2015;

6. *Reaffirms* the importance of the United Nations Convention against Transnational Organized Crime and the Protocols thereto as the main tools of the international community to fight transnational organized crime;

7. *Notes* the progress report on the voluntary pilot programme to review the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto;

8. *Takes note with appreciation* of the decision of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime at its fifth session to establish an open-ended intergovernmental working group consider and explore options with regard to, and propose the establishment of, a mechanism or mechanisms to assist the Conference in reviewing implementation of the Convention and the Protocols thereto, and to prepare the terms of reference for such a review mechanism or mechanisms, guidelines for governmental experts and a blueprint for country review reports for consideration and possible adoption at the sixth session of the Conference;

9. *Reaffirms* the importance of the United Nations crime prevention and criminal justice programme in promoting effective action to strengthen international cooperation in crime prevention and criminal justice, as well as of the work of the United Nations Office on Drugs and Crime in the fulfilment of its mandate in crime prevention and criminal justice, including providing to Member States, upon request and as a matter of high priority, technical cooperation, advisory services and other forms of assistance, and coordinating with and complementing the work of all relevant and competent United Nations bodies and offices;

10. *Encourages* all States to have national and local action plans for crime prevention in order to take into account, in a comprehensive, integrated and participatory manner, inter alia, factors that place certain populations and places at higher risk of victimization and/or of offending and to ensure that such plans are based on the best available evidence and good practices, and stresses that crime prevention should be considered an integral element of strategies to foster social and economic development in all States;

11. *Calls upon* Member States to strengthen their efforts to cooperate, as appropriate, at the bilateral, subregional, regional and international levels to counter effectively transnational organized crime;

12. *Requests* the United Nations Office on Drugs and Crime to enhance its efforts, within existing resources and within its mandate, in providing technical assistance and advisory services for the implementation of its regional and subregional programmes in a coordinated manner with relevant Member States and regional and subregional organizations;

13. *Also requests* the United Nations Office on Drugs and Crime to continue to provide, within its mandate, technical assistance to Member States, upon their request, in the areas of crime prevention and criminal justice, with a view to strengthening the capacity of national criminal justice systems to investigate and prosecute all forms of crime;

14. *Urges* the United Nations Office on Drugs and Crime to continue to provide technical assistance to Member States to combat money-laundering and the financing of terrorism through the Global Programme against Money-Laundering, in accordance with United Nations-related instruments and internationally accepted standards, including, where applicable, recommendations of relevant intergovernmental bodies, inter alia, the Financial Action Task Force on Money Laundering, and relevant initiatives of regional, interregional and multilateral organizations against money-laundering;

15. *Recognizes* the efforts made by the United Nations Office on Drugs and Crime to assist Member States in developing abilities and strengthening their capacity to prevent and combat kidnapping, and requests the Office to continue to provide technical assistance with a view to fostering international cooperation, in particular mutual legal assistance, aimed at countering effectively this growing serious crime;

16. *Urges* the United Nations Office on Drugs and Crime to increase collaboration with intergovernmental, international and regional organizations that have transnational organized crime mandates, as appropriate, in order to share best practices and to take advantage of their unique and comparative advantage;

17. *Draws attention* to the emerging policy issues identified in the report of the Secretary-General on the implementation of the mandates of the United Nations crime prevention and criminal justice programme, with particular reference to the technical cooperation activities of the United Nations Office on Drugs and Crime, namely, piracy, cybercrime, sexual exploitation of children and urban crime, and invites the Office to explore, within its mandate, ways and means of addressing those issues, bearing in mind Economic and Social Council resolutions 2007/12 of 25 July 2007 and 2007/19 of 26 July 2007 on the strategy for the period 2008–2011 for the Office;

18. *Requests* the United Nations Office on Drugs and Crime, within its existing mandate, to strengthen the collection, analysis and dissemination of accurate, reliable and comparable data and information to enhance knowledge on crime trends and support Member States in designing appropriate responses in specific areas of crime, in particular in their transnational dimension, taking into account the need to make the best possible use of existing resources;

19. *Urges* Member States and relevant international organizations to develop national and regional strategies, as appropriate, and other necessary measures, in cooperation with the United Nations crime prevention and criminal justice programme, to address effectively transnational organized crime, including trafficking in persons, the smuggling of migrants and illicit manufacturing of and trafficking in firearms, as well as corruption and terrorism;

20. *Urges* States parties to use the United Nations Convention against Transnational Organized Crime for broad cooperation in preventing and combating criminal offences against cultural property, especially in returning such proceeds of crime or property to their legitimate owners, in accordance with article 14, paragraph 2, of the Convention, and invites States parties to exchange information on all aspects of criminal offences against cultural property, in accordance with their national laws, and to coordinate

administrative and other measures taken, as appropriate, for the prevention, early detection and punishment of such offences;

21. *Urges* the United Nations Office on Drugs and Crime to continue to assist Member States, upon request, in combating the illicit trafficking in firearms, their parts and components and ammunition, and to support them in their efforts to address its links with other forms of transnational organized crime, through, inter alia, technical assistance;

22. *Reaffirms* the importance of the United Nations Office on Drugs and Crime and its regional offices in building capacity at the local level in the fight against transnational organized crime and drug trafficking, and urges the Office to consider regional vulnerabilities, projects and impact in the fight against transnational organized crime, in particular in developing countries, when deciding to close and allocate offices, with a view to maintaining an effective level of support to national and regional efforts in those areas;

23. *Encourages* Member States to support the United Nations Office on Drugs and Crime in continuing to provide targeted technical assistance, within its existing mandate, to enhance the capacity of affected States, upon their request, to combat piracy by sea, including by assisting Member States in creating an effective law enforcement response and strengthening their judicial capacity;

24. *Notes with appreciation* that the number of States parties to the United Nations Convention against Transnational Organized Crime has reached one hundred and fifty-eight, which is a good indication of the commitment shown by the international community to combat this phenomenon;

25. *Urges* Member States that have not yet done so to consider ratifying or acceding to the United Nations Convention against Transnational Organized Crime and the Protocols thereto, the United Nations Convention against Corruption and the international conventions and protocols related to terrorism;

26. *Encourages* States parties to continue to provide full support to the Conference of the Parties to the United Nations Convention against Transnational Organized Crime and the Conference of the States Parties to the United Nations Convention against Corruption, including providing information to the conferences regarding compliance with the treaties;

27. *Requests* the Secretary-General to continue to provide the United Nations Office on Drugs and Crime with adequate resources to promote, in an effective manner, the implementation of the United Nations Convention against Transnational Organized Crime and the United Nations Convention against Corruption and to discharge its functions as the secretariat of the conferences of the parties to the conventions, in accordance with its mandate;

28. *Welcomes* the progress achieved by the Conference of the Parties to the United Nations Convention against Transnational Organized Crime and the Conference of the States Parties to the United Nations Convention against Corruption in the implementation of their respective mandates;

29. *Notes with appreciation* the recent establishment of a mechanism to review the implementation of the United Nations Convention against Corruption and the adoption of its terms of reference;

30. *Reiterates its request* to the United Nations Office on Drugs and Crime to enhance its technical assistance to Member States, upon request, to strengthen international cooperation in preventing and combating terrorism through the facilitation of the ratification and implementation of the universal conventions and protocols related to terrorism, in close consultation with the Counter-Terrorism Committee and its Executive Directorate, as well as to continue to contribute to the work of the Counter-Terrorism Implementation Task Force, and invites Member States to provide the Office with appropriate resources for its mandate;

31. *Requests* that the United Nations Office on Drugs and Crime continue to provide technical assistance to Member States, upon request, to strengthen the rule of law, taking also into account the work undertaken by the Rule of Law Coordination and Resource Group of the Secretariat and other relevant United Nations bodies;

32. *Takes note* of the report of the intergovernmental expert group to review and update the Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice on its meeting convened in Bangkok from 23 to 25 March 2009, in accordance with Commission on Crime Prevention and Criminal Justice decision 17/1 of 18 April 2008 on strengthening crime prevention and criminal justice responses to violence against women and girls;

33. *Takes note with appreciation* of the work of the expert group to develop supplementary rules specific to the treatment of women in detention and in custodial and non-custodial settings at its meeting held in Bangkok from 23 to 26 November 2009, and of the outcome of the meeting, as mandated by the Commission on Crime Prevention and Criminal Justice in its resolution 18/1 of 24 April 2009 on supplementary rules specific to the treatment of women in detention and in custodial and non-custodial settings;

34. *Encourages* Member States to take relevant measures, as appropriate to their national contexts, to ensure the diffusion, use and application of the United Nations standards and norms in crime prevention and criminal justice, including the consideration and, where they deem it necessary, dissemination of existing manuals and handbooks developed and published by the United Nations Office on Drugs and Crime;

35. *Reiterates* the importance of providing the United Nations crime prevention and criminal justice programme with sufficient, stable and predictable funding for the full implementation of its mandates, in conformity with the high priority accorded to it and in accordance with the increasing demand for its services, in particular with regard to the provision of increased assistance to developing countries, countries with economies in transition and countries emerging from conflict, in the area of crime prevention and criminal justice reform;

36. *Requests* the Secretary-General to submit a report to the General Assembly at its sixty-sixth session on the implementation of the mandates of the United Nations crime prevention and criminal justice programme, reflecting also emerging policy issues and possible responses;

37. *Also requests* the Secretary-General to include in the report referred to in paragraph 36 above information on the status of ratifications or accessions to the United Nations Convention against Transnational Organized Crime and the Protocols thereto.

Crime Prevention and Criminal Justice Programme network

In a March report [E/CN.15/2010/10] to the Commission on Crime Prevention and Criminal Justice, the Secretary-General summarized the 2009 and early 2010 activities carried out by the institutes making up the United Nations crime prevention and criminal justice programme network, which included the United Nations Interregional Crime and Justice Research Institute (UNICRI); 14 regional and affiliated institutes; and the International Scientific and Professional Advisory Council of the United Nations crime prevention and criminal justice programme.

United Nations Interregional Crime and Justice Research Institute

In an April report [E/CN.15/2010/15], the UNICRI Board of Trustees described its 2009 activities relating to the applied research programme, external relations and management services.

United Nations African crime prevention institute

In a June report [A/65/114], submitted in response to General Assembly resolution 64/181 [YUN 2009, p. 1088], the Secretary-General highlighted the responses of African countries to calls for collective and coordinated initiatives aimed at enhancing their crime prevention and criminal justice systems through the use of existing national and regional legal frameworks; statutory and international instruments, such as conventions and resolutions; and geopolitical mechanisms such as regional political blocks. The report on the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders (UNAFRI) assessed the value of integrating relevant aspects of local and traditional criminal justice systems—which tended to rely on restorative justice and on conciliatory and community-based alternatives and were widely practiced in rural Africa—into the penal and criminal justice reform required at the international level. It also outlined the Institute's programme activities designed to provide African countries with technical assistance for effective crime prevention and criminal justice systems, and discussed measures for making UNAFRI a suitable and sustainable tool for meeting Africa's needs in the area of crime prevention and criminal justice mobilizing funds, improving the visibility, management and governance of UNAFRI and increasing collaborative partnerships. UNAFRI income in 2009 totalled \$585,130, a slight increase over the \$578,424 received in 2008. That increase was attributed to the increased collections from member States in 2009 (\$383,271) over those in 2008 (\$189,249). For the period January–May 2010, resources stood at \$332,647.

The report concluded that transnational organized crime throughout Africa was becoming more sophisticated and, to the detriment of Africa, more entrenched. An effective crime prevention and criminal justice reform agenda required a pragmatic assessment of the existing challenges and the formulation of a set of evidence-based policies and activities that were tailored to priority issues. The nations of Africa had to have the capacity to protect their populations and sustain development and progress. UNAFRI was a major player in accomplishing this task through action-oriented research and innovative approaches based on data, expertise and the realities of African crime and criminal justice. UNAFRI would continue to grow into its role as coordinator of those efforts, and be a focal point for all professional efforts aimed at promoting the active cooperation and collaboration of Governments, academics, institutions, scientific and professional organizations, and relevant experts.

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third Committee [A/65/457], adopted **resolution 65/231** without vote [agenda item 105].

United Nations African Institute for the Prevention of Crime and the Treatment of Offenders

The General Assembly,

Recalling its resolution 64/181 of 18 December 2009 and all other relevant resolutions,

Taking note of the report of the Secretary-General,

Bearing in mind that weaknesses in crime prevention lead to subsequent difficulties at the level of crime control mechanisms, and bearing in mind also the urgent need to establish effective crime prevention strategies for Africa, as well as the importance of law enforcement agencies and the judiciary at the regional and subregional levels,

Aware of the devastating impact of new and more dynamic crime trends on the national economies of African States and of the fact that crime is a major obstacle to harmonious and sustainable development in Africa,

Noting with concern that in most African countries the existing criminal justice system does not have sufficiently skilled personnel and adequate infrastructure and is therefore ill-equipped to manage the emergence of new crime trends, and acknowledging that weak laws and existing justice systems undermine efforts to facilitate the prosecution of these new crime trends,

Bearing in mind the Revised African Union Plan of Action on Drug Control and Crime Prevention (2007–2012), aimed at encouraging Member States to participate in and own the regional initiatives for effective crime prevention and good governance and strengthened justice administration,

Emphasizing the need to create necessary coalitions with all partners in the process of achieving effective crime prevention policies,

Recognizing that the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders is a focal point for all professional efforts aimed

at promoting the active cooperation and collaboration of Governments, academics, institutions and scientific and professional organizations and experts in crime prevention and criminal justice,

Noting that the financial situation of the Institute has greatly affected its capacity to deliver its services to African Member States in an effective and comprehensive manner,

1. *Commends* the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders for its efforts to promote and coordinate regional technical cooperation activities related to crime prevention and criminal justice systems in Africa;

2. *Also commends* the initiative of the United Nations Office on Drugs and Crime in strengthening its working relationship with the Institute by supporting and involving the Institute in the implementation of a number of activities, including those contained in the Revised African Union Plan of Action on Drug Control and Crime Prevention (2007–2012), on strengthening the rule of law and criminal justice systems in Africa;

3. *Reiterates* the need to strengthen further the capacity of the Institute to support national mechanisms for crime prevention and criminal justice in African countries;

4. *Notes* the efforts of the Institute to establish contacts with organizations in those countries which are promoting crime prevention programmes and its maintenance of close links with regional and subregional political entities, such as the African Union Commission, the East African Community, the Commission of the Economic Community of West African States, the Intergovernmental Authority on Development and the Southern African Development Community;

5. *Urges* the States members of the Institute to continue to make every possible effort to meet their obligations to the Institute;

6. *Welcomes* the decision of the Governing Board of the Institute, at its fourth extraordinary session, held in Nairobi on 2 March 2009, to convene a conference of African ministers in November 2009 to discuss measures for improving the flow of resources to the Institute;

7. *Also welcomes* the introduction by the Institute of a cost-sharing initiative in its execution of various programmes with Member States, partners and United Nations entities;

8. *Urges* all Member States and non-governmental organizations and the international community to continue adopting concrete practical measures to support the Institute in the development of the requisite capacity and in the implementation of its programmes and activities aimed at strengthening crime prevention and criminal justice systems in Africa;

9. *Urges* all States that have not already done so to consider ratifying or acceding to the United Nations Convention against Transnational Organized Crime and the Protocols thereto, as well as the United Nations Convention against Corruption;

10. *Requests* the Secretary-General to intensify efforts to mobilize all relevant entities of the United Nations system to provide the necessary financial and technical support to the Institute to enable it to fulfil its mandate;

11. *Also requests* the Secretary-General to continue his efforts to mobilize the financial resources necessary to maintain the Institute with the core professional staff required to enable it to function effectively in the fulfilment of its mandated obligations;

12. *Encourages* the Institute to consider focusing on specific and general vulnerabilities of each programme country and to maximize the use of available initiatives to address crime problems with existing funds, as well as available capacity, by creating useful coalitions with regional and local institutions;

13. *Calls upon* the United Nations Office on Drugs and Crime to continue to work closely with the Institute;

14. *Requests* the Secretary-General to enhance the promotion of regional cooperation, coordination and collaboration in the fight against crime, especially in its transnational dimension, which cannot be dealt with adequately by national action alone;

15. *Also requests* the Secretary-General to continue making concrete proposals, including for the provision of additional core professional staff, to strengthen the programmes and activities of the Institute and to report to the General Assembly at its sixty-sixth session on the implementation of the present resolution.

Crime data collection

In response to Economic and Social Council resolution 2009/25 [YUN 2009, p. 1090], the Executive Director of UNODC reported in March [E/CN.15/2010/14] on the activities of the expert group on improving the collection, reporting and analysis of crime data. At its meeting (Buenos Aires, Argentina, 8–10 February), the expert group recommended, among other things, that UNODC, in consultation with Member States and relevant regional bodies, develop a protocol for the identification of agencies responsible for responding to the questionnaire for the Eleventh United Nations Survey of Crime Trends and Operations of Criminal Justice Systems; results from the Survey be disseminated regularly in an electronic format conducive to data analysis; and UNODC continue to strengthen links with relevant international and regional organizations, institutes of the United Nations Crime Prevention and Criminal Justice Programme network and individual Member States with regard to Survey follow-up and data verification. The expert group further called on Member States to provide the necessary extrabudgetary resources to create a sustainable approach to data collection.

Integration and coordination

Transnational organized crime

UN Convention against Transnational Organized Crime

In response to Economic and Social Council resolutions 2005/17 [YUN 2005, p. 1224] and 2006/24 [YUN 2006, p. 1301] and General Assembly resolution 64/179 [YUN 2009, p. 1084], the UNODC Executive Director submitted to the Commission on Crime Prevention and Criminal Justice a March report [E/CN.15/2010/8] on international cooperation in combating transna-

tional organized crime and corruption (see p. 1117). The report provided an overview of UNODC activities and complemented the report of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime at its fourth session [YUN 2008, p. 1234], and also reviewed implementation of Council resolution 2009/24 [YUN 2009, p. 1095] on international protection to prevent, combat and eliminate kidnapping and to provide assistance to victims of kidnapping.

The United Nations Convention against Transnational Organized Crime, adopted by Assembly resolution 55/25 [YUN 2000, p. 1048], and its three supplementary Protocols (the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children [ibid., p. 1063]; the Protocol against the Smuggling of Migrants by Land, Sea and Air [ibid., p. 1067]; the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, adopted by the Assembly in resolution 55/255 [YUN 2001, p. 1036]) continued to attract adherence. As at 31 December, 158 States were parties to the Convention, 142 were parties to the trafficking in persons Protocol, 126 were parties to the migrants Protocol and 83 were parties to the firearms Protocol.

The UNODC Executive Director recommended that the Commission continue to support the work of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime, in particular by reiterating its call upon States to make financial contributions in support of the Conference and related technical assistance activities; explore ways to maintain and strengthen the political momentum necessary for the Conference and working groups to perform their mandated functions; and urge Member States to ratify or accede to the Convention and its Protocols and to take every step to ensure their effective implementation.

High-level meeting on transnational organized crime. On the occasion of the tenth anniversary of the Convention against Transnational Organized Crime and pursuant to General Assembly resolution 64/179 [YUN 2009, p. 1084], a special high-level meeting was held in New York (17 and 21 June) to foster universal adherence to the Convention and its Protocols and to strengthen international cooperation. A Secretariat note of 9 September [CTOC/COP/2010/14] informed the Conference of Parties to the Convention against Transnational Organized Crime, at its fifth session (see p. 1110), of the high-level meeting.

Security Council action. On 24 February, the President of the Security Council, in his statement **S/PRST/2010/4** (see p. 1251), noted with concern the serious threats posed in some cases by drug trafficking and transnational organized crime to international security.

Conference of Parties to the Convention

The Conference of the Parties to the United Nations Convention against Transnational Organized Crime, at its fifth session (Vienna, 18–22 October) [CTOC/COP/2010/17], adopted eight resolutions on ensuring effective implementation of the Convention and the Protocols thereto; implementation of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the Convention; implementation of the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the Convention; illicit manufacturing of and trafficking in firearms, their parts and components and ammunition; review of the implementation of the Convention and the Protocols thereto; implementation of the provisions on technical assistance of the Convention; combating transnational organized crime against cultural property; and implementation of the provisions on international cooperation of the Convention. The Conference also adopted two decisions on the provisional agenda for the sixth session of the Conference and the establishment of a committee of the whole. The high-level segment of the Conference, held pursuant to General Assembly resolution 64/179 [YUN 2009, p. 1084], discussed new and emerging forms of crime, as well as ways and means of enhancing implementation of the Convention and the Protocols thereto.

The Open-ended Interim Working Group of Government Experts on Technical Assistance, established by the second (2005) session of the Conference of the Parties to the Convention [YUN 2005, p. 1224], held its fifth session (Vienna, 19–20 October) [CTOC/COP/WG.2/2010/1], submitting recommendations for adoption during the fifth session of the Conference.

The Working Group on International Cooperation, established by the third (2006) session of the Conference of the Parties to the Convention [YUN 2007, p. 1134] to hold substantive discussions on practical issues pertaining to extradition, mutual legal assistance and international cooperation for the purpose of confiscation, held its third session (Vienna, 20–21 October) [CTOC/COP/WG.3/2010/1] during the fifth session of the Conference. The Chair of the Working Group presented to the Conference a meeting summary and the Group's recommendations aimed at strengthening international cooperation.

Trafficking in persons

In response to General Assembly resolution 64/178 [YUN 2009, p. 1093], the Secretary-General submitted a July report [A/65/113] summarizing UNODC work in implementing that resolution and containing proposals on strengthening UNODC coordination capacities

against trafficking in persons. The report reviewed the work and recommendations of the Inter-Agency Coordination Group against Trafficking in Persons, established pursuant to Assembly resolution 61/180 [YUN 2006, p. 1299]; negotiations for a global plan of action on preventing trafficking in persons, prosecuting traffickers and protecting and assisting victims of trafficking (see below) [YUN 2009, p. 1092]; and input from regional organizations on challenges experienced and best practices in coordinating efforts to prevent and combat trafficking in persons. UNODC expressed its gratitude to donors for the voluntary contributions made available for strengthening its coordinating capacities, and invited Member States to strongly consider increasing the level of regular budget resources to allow the Office to implement its mandates on combating trafficking in persons.

A July report by the Secretariat [CTOC/COP/2010/11] to the fifth (2010) session of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime summarized the activities of the Global Initiative to Fight Human Trafficking (UN.GIFT), launched in 2007 [YUN 2007, p. 1141]. The report reviewed global and collective advocacy efforts to raise awareness of human trafficking; evidence-based knowledge on human trafficking to contribute to global, regional and national policy development; coordination and cooperation among international organizations and innovative public-private partnerships; capacity-building of stakeholders through the delivery of technical assistance; and an independent evaluation of UN.GIFT, to be conducted in 2010 and 2011. The report concluded that UN.GIFT represented an innovative concept in the work of the United Nations on preventing and combating human trafficking. The initiative had carried out consultations with Member States in order to ensure ownership in the implementation of its activities, and was directly supporting Member States through multi-agency joint programmes and targeted technical assistance activities. It was working closely with international and regional organizations that had complementary mandates relating to trafficking in persons, and had involved and partnered with civil society organizations and engaged the private sector in various prevention activities. The report noted that the UN.GIFT work programme had been extended until the end of 2010 so that foreseen activities could be completed. The project's strategy for that year had been revised in order to streamline UN.GIFT activities and better respond to the capacity-building needs of stakeholders with the core areas of that strategy, including awareness-raising, multi-stakeholder coordination and cooperation, civil society and private sector partnerships, multi-agency research and a UN.GIFT virtual knowledge hub.

The Working Group on Trafficking in Persons, established by the fourth (2008) session of the Conference of Parties to the United Nations Convention against Transnational Organized Crime [YUN 2008, p. 1234] held its second meeting (Vienna, 27–29 January). An August report by the Chair of the Working Group [CTOC/COP/2010/6] provided an overview of the Group's activities, particularly the recommendations adopted at its 2009 and 2010 meetings.

Communications. In a 24 February letter [A/64/691] to the Secretary-General and the President of the General Assembly, Bahrain, Bangladesh, Belarus, Bolivia, Ecuador, Egypt, India, Kazakhstan, Kyrgyzstan, Nicaragua, Nigeria, the Philippines, Qatar, the Russian Federation, Tajikistan, Turkmenistan, the United Arab Emirates, Uzbekistan and Venezuela drew attention to the establishment of the Group of Friends United against Human Trafficking, and submitted a non-paper by the Group containing arguments in favour of the elaboration of a global plan of action against trafficking in persons and possible substantive elements of the future document. In a further letter of 1 October [A/65/497], Belarus, on behalf of the Group of Friends, transmitted to the President of the General Assembly the Declaration on the Global Efforts to Combat Trafficking in Persons, adopted at the Group's ministerial meeting on 22 September. By a 10 June letter [A/64/817], Qatar transmitted to the Secretary-General the outcome of the Arab Initiative for Building National Capacities to Combat Human Trafficking: Doha Founding Forum (Doha, Qatar, 22–23 March).

GENERAL ASSEMBLY ACTION

On 30 July [meeting 109], the General Assembly adopted **resolution 64/293** [draft: A/64/L.64] without vote [agenda item 104].

United Nations Global Plan of Action to Combat Trafficking in Persons

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations, and reaffirming its role under the Charter, including on issues related to development, peace and security and human rights,

Reiterating its strong condemnation of trafficking in persons, especially women and children, which constitutes a serious threat to human dignity, human rights and development,

Recognizing that poverty, unemployment, lack of socioeconomic opportunities, gender-based violence, discrimination and marginalization are some of the contributing factors that make persons vulnerable to trafficking in persons,

Recalling the United Nations Millennium Declaration adopted on 8 September 2000, in which Member States resolved to intensify efforts to fight transnational crime in all its dimensions, including trafficking in human beings,

Recalling also the 2005 World Summit Outcome adopted by the General Assembly on 16 September 2005, noting that trafficking in persons continues to pose a serious challenge to humanity and requires a concerted international response, and urging all States to devise, enforce and strengthen effective measures to combat and eliminate all forms of trafficking in persons in order to counter the demand for trafficked victims and to protect them,

Reaffirming its resolution 55/25 of 15 November 2000, by which it adopted the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and recalling other related conventions and instruments, such as the Forced Labour Convention, 1930 (No. 29) and the Worst Forms of Child Labour Convention, 1999 (No. 182) of the International Labour Organization, the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, the Convention on the Rights of the Child and the Optional Protocols thereto on the sale of children, child prostitution and child pornography and on the involvement of children in armed conflict, and the Convention on the Elimination of All Forms of Discrimination against Women,

Recognizing the crucial importance of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, which entered into force on 25 December 2003 and provided for the first time an internationally agreed definition of the crime of trafficking in persons, aimed at the prevention of trafficking in persons, protection of its victims and prosecution of its perpetrators,

Recalling all General Assembly resolutions on measures to eliminate trafficking in persons, including resolutions 61/180 of 20 December 2006, 63/194 of 18 December 2008 and 64/178 of 18 December 2009 on improving the coordination of efforts against trafficking in persons, resolution 61/144 of 19 December 2006 on trafficking in women and girls, and resolution 58/137 of 22 December 2003 on strengthening international cooperation in preventing and combating trafficking in persons and protecting victims of such trafficking,

Reaffirming Commission on Human Rights decision 2004/110 of 19 April 2004, by which the Commission appointed the Special Rapporteur on trafficking in persons, especially women and children, to highlight the importance of a victim-centred, rights-based approach to combating trafficking in persons, especially women and children, Human Rights Council resolution 6/14 of 28 September 2007, by which the Council appointed the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, Commission on Human Rights resolution 1990/68 of 7 March 1990, by which the Commission appointed the Special Rapporteur on the sale of children, child prostitution and child pornography, and General Assembly resolution 62/141 of 18 December 2007, in which the Assembly requested the Secretary-General to appoint a Special Representative on violence against children, and noting the appointment of the Special Representative of the Secretary-General on sexual violence in conflict,

Recalling that, pursuant to the request of the Economic and Social Council in resolution 2006/27 of 27 July 2006

on strengthening international cooperation in preventing and combating trafficking in persons and protecting victims of such trafficking, reinforced by the General Assembly in resolution 61/180, on improving the coordination of efforts against trafficking in persons, the Inter-Agency Coordination Group against Trafficking in Persons was established to foster coordination and cooperation among relevant United Nations agencies and other international organizations involved in combating human trafficking,

Recognizing that the launching in March 2007 of the United Nations Global Initiative to Fight Human Trafficking by the United Nations Office on Drugs and Crime, in partnership with the International Labour Organization, the Office of the United Nations High Commissioner for Human Rights, the United Nations Children's Fund, the Organization for Security and Cooperation in Europe and the International Organization for Migration, and the Vienna Forum to Fight Human Trafficking, held from 13 to 15 February 2008, provided all anti-trafficking actors, including the United Nations, Governments and civil society organizations, with a global forum to share their respective experiences and further highlighted the need collectively to address human trafficking in a multifaceted and holistic manner,

Recalling the thematic debate on human trafficking held by the General Assembly on 3 June 2008, which gave Member States a forum for discussion concentrating on the three Ps, prevention, protection and prosecution, and the interactive thematic dialogue on the theme "Taking collective action to end human trafficking", held by the Assembly on 13 May 2009, which underlined the importance of strengthening collective action by Member States and other stakeholders, including regional and international organizations, non-governmental organizations, the private sector and the media,

Recognizing the importance of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime, which was established to improve the capacity of States parties to combat transnational organized crime and to promote and review the implementation of the Convention and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children,

Recognizing also decisions 1/5 of 7 July 2004, 2/3 of 20 October 2005, 3/3 of 18 October 2006 and 4/4 of 17 October 2008 concerning the implementation of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, adopted by the Conference of the Parties to the Convention,

Recalling relevant subregional, regional and cross-regional mechanisms and initiatives, such as the Arab Initiative for Building National Capacities to Combat Human Trafficking; the Doha Founding Forum; the Asia-Europe Meeting Action Plan to Combat Trafficking in Persons, Especially Women and Children; the Association of South-east Asian Nations Declaration against Trafficking in Persons, Particularly Women and Children; the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime; the Black Sea Economic Cooperation Organization Action Plan on Cooperation in Combating Crime, in particular in Its Organized Forms; the Council of the Baltic Sea States Task Force against Trafficking in Human Beings; the Commonwealth of Independent

States Agreement on Cooperation in Combating Trafficking in Persons, Human Organs and Tissues; the Central American Coalition against Trafficking in Persons; the Co-ordinated Mekong Ministerial Initiative against Trafficking; the Council of Europe Convention on Action against Trafficking in Human Beings; the Declaration on the Fight against Trafficking in Persons of the Economic Community of West African States; the Joint Plan of Action to Combat Trafficking in Persons, Especially Women and Children, of the Economic Community of West African States and the Economic Community of Central African States; the Manama International Conference on Human Trafficking at the Crossroads: the Private-Public Partnership to Fight Human Trafficking; the Southern Common Market (MERCOSUR) Plan of Action to Combat Trafficking in Persons; the Organization of American States Work Plan to Combat Trafficking in Persons in the Western Hemisphere; the Ouagadougou Action Plan to Combat Trafficking in Human Beings, Especially Women and Children; the Organization for Security and Cooperation in Europe Action Plan to Combat Trafficking in Human Beings; the Plan of Action of the Regional Conference on Migration; the South Asian Association for Regional Cooperation Convention on Preventing and Combating Trafficking in Women and Children for Prostitution; the Stability Pact for South-Eastern Europe Task Force on Trafficking in Human Beings, of the Organization for Security and Cooperation in Europe; and the Stockholm Programme for 2010–2014 of the European Union and its Action Plan setting up priorities in the field of justice and home affairs and establishing an anti-trafficking coordinator,

Recognizing the need to develop a global plan of action against trafficking in persons that will:

(a) Promote universal ratification of the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, as well as other relevant international instruments that address trafficking in persons, and reinforce the implementation of existing instruments against trafficking in persons,

(b) Help Member States to reinforce their political commitments and legal obligations to prevent and combat trafficking in persons,

(c) Promote comprehensive, coordinated and consistent responses, at the national, regional and international levels, to counter trafficking in persons,

(d) Promote a human rights-based, gender- and age-sensitive approach in addressing all factors that make people vulnerable to trafficking in persons and strengthening the criminal justice response, which are necessary to prevent trafficking in persons, protect its victims and prosecute its perpetrators,

(e) Raise awareness within the United Nations system and also among States and other stakeholders, such as the private sector, civil society and the international and national mass media, and the public at large,

(f) Foster cooperation and coordination among all relevant stakeholders, including Member States, international organizations, civil society organizations and the private sector, and within various entities of the United Nations system, taking into account existing best practices and lessons learned,

1. *Adopts* the present resolution and its annex as the United Nations Global Plan of Action to Combat Trafficking in Persons;

2. *Decides* to formally launch the Plan of Action at a one-day, high-level meeting of the General Assembly, and urges Member States, the United Nations and other international, regional and subregional organizations as well as civil society, including non-governmental organizations, the private sector and the media, to fully and effectively implement the relevant provisions of the Plan of Action and the activities outlined therein;

3. *Urges* Member States that have not yet done so to consider ratifying or acceding to, as a matter of priority, the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, taking into consideration the central role of those instruments in the fight against trafficking in persons, and also urges States parties to those instruments to implement them fully and effectively;

4. *Decides* to establish, in accordance with paragraph 38 of the annex to the present resolution, the United Nations Voluntary Trust Fund for Victims of Trafficking in Persons, Especially Women and Children, and requests the Secretary-General to take all necessary measures for its effective operation, and acknowledges previous and ongoing contributions to other funding sources that support efforts to combat trafficking in persons;

5. *Requests* the Secretary-General to include a section on the implementation by the United Nations system of the Plan of Action, within already existing reporting obligations to the General Assembly under the item on crime prevention and criminal justice;

6. *Decides* to appraise in 2013 the progress achieved in the implementation of the Plan of Action, and requests the Secretary-General to take all necessary measures in that regard;

7. *Requests* the Secretary-General to present proposals to finance the staffing and programmatic requirements of the Secretariat necessary to strengthen the capacity of the United Nations Office on Drugs and Crime as described in the Plan of Action through a reallocation of resources in the context of the proposed programme budget for the biennium 2012–2013.

ANNEX

United Nations Global Plan of Action to Combat Trafficking in Persons

We, the States Members of the United Nations, reaffirm our commitments to end the heinous crime of trafficking in persons, especially women and children, express our determination to prevent and combat trafficking in persons, protect and assist victims of trafficking in persons, prosecute crimes of trafficking in persons and promote partnerships to strengthen coordination and cooperation, and resolve to translate our political will into concrete actions by adopting an action plan to:

1. Consistently and strongly condemn trafficking in persons, which constitutes a criminal activity violating human dignity and has negative effects on development, peace and security and human rights;

2. Recognize that “trafficking in persons” shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation, which includes, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs, as set forth in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (hereinafter referred to as “the Trafficking Protocol”);

3. Ensure that the promotion and protection of the human rights of victims of trafficking in persons, the prevention of trafficking in persons by addressing the social, economic, cultural, political and other contributing factors and the strengthening of the criminal justice response are at the centre of all efforts to prevent and combat trafficking in persons and to protect, assist and provide redress to victims;

4. Take urgent action to prevent trafficking in persons, protect its victims and prosecute its perpetrators and strengthen partnerships to these ends by promoting and considering, as a priority, ratifying or acceding to the United Nations Convention against Transnational Organized Crime and the Trafficking Protocol, as well as other relevant international instruments, including the Forced Labour Convention, 1930 (No. 29) and the Worst Forms of Child Labour Convention, 1999 (No. 182) of the International Labour Organization, the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, the Convention on the Rights of the Child and the Optional Protocols thereto on the sale of children, child prostitution and child pornography and on the involvement of children in armed conflict, and the Convention on the Elimination of All Forms of Discrimination against Women;

5. Recognize that, in accordance with article 32 of the United Nations Convention against Transnational Organized Crime, the Conference of the Parties to the Convention is established to improve the capacity of States parties to promote and review the implementation of the Convention, including the Trafficking Protocol, and take note of ongoing initiatives aimed at exploring options regarding an appropriate and effective mechanism to assist the Conference of the Parties in the review of the implementation of the Convention;

6. Take into account the activities and recommendations of the open-ended interim Working Group on Trafficking in Persons established by the Conference of the Parties to the Convention;

7. Support the Human Rights Council and contribute to its work on the question of the promotion and protection of human rights for all in the fight against trafficking in persons;

8. Support the role and mandates of the Special Rapporteurs on trafficking in persons, especially women and children, on contemporary forms of slavery, including its causes and consequences, on violence against women, its

causes and consequences, and on the sale of children, child prostitution and child pornography, the Special Representatives of the Secretary-General on violence against children and on sexual violence in conflict, and other relevant special rapporteurs and representatives. The mandate holders should assist States by offering concrete advice, liaising with the United Nations and regional organizations and reporting on these issues;

9. Reaffirm the central role of the work of the United Nations Office on Drugs and Crime in the global fight against trafficking in persons, particularly in providing technical assistance to implement the Convention and the Trafficking Protocol, by making use of existing capacity-building tools, lessons learned and expertise available in international organizations, including the International Framework for Action to Implement the Trafficking in Persons Protocol;

10. Reaffirm the important work of the Office of the United Nations High Commissioner for Human Rights, the United Nations Children's Fund, the International Labour Organization and the International Organization for Migration in the global fight against trafficking in persons;

11. Strongly urge all responsible United Nations entities to coordinate their efforts to fight trafficking in persons effectively and to protect the human rights of its victims, including by means of the Inter-Agency Coordination Group against Trafficking in Persons and the United Nations Global Initiative to Fight Human Trafficking;

I. Prevention of trafficking in persons

12. Address the social, economic, cultural, political and other factors that make people vulnerable to trafficking in persons, such as poverty, unemployment, inequality, humanitarian emergencies, including armed conflicts and natural disasters, sexual violence, gender discrimination, social exclusion and marginalization, as well as a culture of tolerance towards violence against women, youth and children;

13. Make a commitment to address all forms of trafficking in persons wherever they occur;

14. Mainstream the issue of trafficking in persons into the broader policies and programmes of the United Nations aimed at addressing economic and social development, human rights, the rule of law, good governance, education and natural disaster and post-conflict reconstruction;

15. Adopt and implement comprehensive policies and programmes at the national level and, as appropriate, at the subregional and regional levels to prevent all forms of trafficking in persons that are in line with relevant policies and programmes on migration, education, employment, gender equality, empowerment of women and crime prevention, in accordance with relevant international human rights instruments;

16. Conduct research and collect suitably disaggregated data that would enable proper analysis of the nature and extent of trafficking in persons;

17. Develop or strengthen processes for the identification of victims, such as those developed, inter alia, by the United Nations Office on Drugs and Crime and other organizations, including appropriate and non-discriminatory measures that help to identify victims of trafficking in persons among vulnerable populations;

18. Promote awareness-raising campaigns aimed at persons at risk of being trafficked and at the general public through education and the effective involvement of the mass media, non-governmental organizations, the private sector and community leaders with a view to discouraging the demand that fosters the exploitation of persons, especially women and children, and that leads to trafficking, and collect and disseminate best practices on the implementation of those campaigns;

19. Stress the role of education in raising awareness about the prevention of trafficking in persons, and promote education, in particular human rights education, and human rights learning as a sustainable way of preventing trafficking in persons;

20. Reinforce efforts regarding the provision of identity documents, such as the registration of births, in order to lower the risk of being trafficked and to help to identify victims of trafficking in persons;

21. Increase and support prevention efforts in countries of origin, transit and destination by focusing on the demand that fosters all forms of trafficking and the goods and services produced as a result of trafficking in persons;

22. Adopt and implement specific measures at the national level to combat trafficking for labour exploitation and strive to educate consumers on those measures;

23. Strengthen or continue to strengthen the capacity of law enforcement, immigration, education, social welfare, labour and other relevant officials in the prevention of trafficking in persons, taking into account the need to respect human rights and child- and gender-sensitive issues, and encourage cooperation, where appropriate, with civil society, non-governmental organizations and other relevant organizations;

24. Encourage the United Nations to intensify its work with Member States and relevant international, regional and subregional organizations to identify and share best practices to prevent trafficking in persons;

II. Protection of and assistance to victims of trafficking in persons

25. Reaffirm that the promotion and protection of human rights for all and effective measures to respond to trafficking in persons are complementary and mutually reinforcing;

26. Stress the need to promote and protect the rights of victims of trafficking in persons and to reintegrate victims into the community by taking into account the Recommended Principles and Guidelines on Human Rights and Human Trafficking developed by the Office of the United Nations High Commissioner for Human Rights and the Guidelines on the Protection of Child Victims of Trafficking developed by the United Nations Children's Fund;

27. Ensure that victims of trafficking in persons are treated as victims of crime and that national legislation effectively criminalizes all forms of trafficking;

28. Review existing national services available to victims of trafficking in persons, consistent with the Convention and the Trafficking Protocol, strengthen those services where needed, and support the establishment or strengthening of appropriate referral mechanisms;

29. Strengthen or continue to strengthen the capacity of relevant officials likely to encounter and identify pos-

sible victims of trafficking in persons, such as law enforcement personnel, border control officers, labour inspectors, consular or embassy officials, judges and prosecutors and peacekeepers, and ensure the availability of needed resources to the relevant sectors and institutions, including those of civil society;

30. Urge Governments to take all appropriate measures to ensure that identified victims of trafficking in persons are not penalized for having been trafficked and that they do not suffer from victimization as a result of actions taken by Government authorities;

31. Protect the privacy and identity and ensure the safety of victims of trafficking in persons before, during and after criminal proceedings and protect immediate family members and witnesses, as appropriate, from retaliation by traffickers by ensuring their safety in accordance with articles 24 and 25 of the Convention;

32. Provide assistance and services for the physical, psychological and social recovery and rehabilitation of trafficked persons, in cooperation with non-governmental organizations and other relevant organizations and sectors of civil society;

33. Urge States parties to consider adopting legislative or other appropriate measures that permit victims of trafficking in persons to remain in their territory, temporarily or permanently, in appropriate cases, consistent with the Convention and the Trafficking Protocol;

34. Ensure that countries of origin accept back their nationals who are victims of trafficking in persons and guarantee that such return is conducted with due regard for safety and shall preferably be voluntary, consistent with the Convention and the Trafficking Protocol;

35. Adopt labour laws in countries of origin, transit and destination which provide legal rights and protections for workers that would limit their risk of being trafficked;

36. Provide specialized services to identified victims of trafficking in persons, consistent with the Convention and the Trafficking Protocol and other relevant instruments, including access to health services, such as access to prevention, treatment, care and support services for HIV and AIDS and other blood-borne and communicable diseases for those victims of trafficking in persons that have been sexually exploited, taking into account the fact that human trafficking for the purposes of sexual exploitation has serious, immediate and long-term implications for health, including sexual and reproductive health;

37. Provide appropriate assistance and protection in the best interest of the child to child victims of trafficking in persons or to those at risk of being trafficked, including through appropriate services and measures for the physical and psychological well-being of child victims of trafficking in persons and for their education, rehabilitation and reintegration, in coordination with existing child protection systems;

38. Establish the United Nations Voluntary Trust Fund for Victims of Trafficking in Persons, Especially Women and Children, to provide humanitarian, legal and financial aid to victims of trafficking in persons through established channels of assistance, such as governmental, intergovernmental and non-governmental organizations, which shall operate as a subsidiary fund of the United Nations Crime Prevention and Criminal Justice Fund man-

aged by the United Nations Office on Drugs and Crime, and shall be administered in accordance with the Financial Regulations and Rules of the United Nations and other relevant provisions, with the advice of a board of trustees composed of five persons with relevant experience in the field of trafficking in persons who shall be appointed with due regard to equitable geographical distribution by the Secretary-General in consultation with Member States and with the Executive Director of the United Nations Office on Drugs and Crime;

39. Adopt measures to ensure that victims of trafficking in persons can seek compensation for the damage suffered, consistent with the Convention and the Trafficking Protocol;

40. Acknowledge the important role of civil society organizations in providing assistance and empowerment to victims of trafficking in persons, helping them to seek redress and facilitating the care of and provision of appropriate services to victims, including close cooperation and coordination with law enforcement officials;

41. Ensure that domestic legal or administrative systems include measures to provide information to victims of trafficking in persons, in a language they understand, regarding their legal rights and the relevant court and administrative proceedings and facilitate their access to assistance in order to enable their views and concerns to be presented and considered at appropriate stages of such proceedings against offenders in a manner not prejudicial to the rights of the defence, consistent with the Convention and the Trafficking Protocol;

42. Provide victims of trafficking in persons with an adequate period of time to recover and the opportunity to consult with appropriate advisers to assist in decision-making regarding cooperation with law enforcement and their participation in judicial proceedings;

III. Prosecution of crimes of trafficking in persons

43. Implement all relevant legal instruments that criminalize trafficking in persons, including by:

(a) Prosecuting crimes of trafficking in persons that encompass all forms of exploitation and enacting, enforcing and strengthening legislation that criminalizes all trafficking in persons, especially women and children;

(b) Adopting legislation and other measures, as necessary, to establish as criminal offences attempting to commit an offence, participating as an accomplice in an offence and organizing or directing other persons to commit an offence, as set out in the Trafficking Protocol, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and the Optional Protocols thereto and other relevant instruments, as applicable;

(c) Combating and prosecuting organized criminal groups engaged in trafficking in persons;

44. Ensure the liability of all categories of perpetrators of trafficking in persons, including the liability of legal persons and entities, as appropriate, in line with relevant international instruments;

45. Enhance efforts to investigate alleged cases of trafficking, strengthen means to combat trafficking, prosecute perpetrators, including through more systematic use of freezing assets for the purpose of eventual confiscation, in

accordance with the provisions of article 12 of the United Nations Convention against Transnational Organized Crime, and ensure that penalties are proportionate to the gravity of the crime;

46. Make use of the available technical assistance provided to strengthen the criminal justice response to trafficking in persons, including by the United Nations Office on Drugs and Crime;

47. Investigate, prosecute and punish corrupt public officials who engage in or facilitate trafficking in persons and promote a zero-tolerance policy against those corrupt officials, consistent with the United Nations Convention against Corruption and the United Nations Convention against Transnational Organized Crime;

48. Strengthen or continue to strengthen coordination and cooperation among States in combating crimes that might be connected with trafficking in persons, including money-laundering, corruption, smuggling of migrants and all forms of organized crime;

49. Encourage the law enforcement, immigration, border patrol or other relevant authorities of concerned States to cooperate with one another by exchanging information with full respect for domestic laws, such as data protection laws, and continue to promote cooperation among countries of origin, transit and destination in order to enhance investigations, prosecutions and detection of trafficking networks;

IV. Strengthening of partnerships against trafficking in persons

50. Recognize that capacity-building is a very important component in combating trafficking in persons and encourage and enhance coordination and coherence within the United Nations system;

51. Encourage effective cooperation and coordination of efforts at the national, bilateral, subregional, regional and international levels, especially among countries of origin, transit and destination, and take advantage of the networks provided by relevant organizations to share best practices in capacity-building for responding to and combating trafficking in persons, while stressing the importance of mutual legal assistance efforts and the exchange of information with full respect for domestic laws, such as data protection laws, including operational information, programmes and best practices in supplementing the Convention and the work done by the Conference of the Parties to the Convention;

52. Conclude and implement mutual legal assistance and extradition agreements, where appropriate, to apprehend and prosecute perpetrators of trafficking in persons, in accordance with the relevant provisions of national and international law, including the Convention;

53. Promote cooperation and coordination among governmental institutions, civil society and the private sector, including the media, as well as workers' and employers' organizations, to strengthen prevention and protection policies and programmes;

54. Strengthen cooperation among law enforcement agencies, regionally and internationally;

55. Intensify international, regional and subregional cooperation to combat trafficking in persons, as well as technical assistance for countries of origin, transit and destination aimed at strengthening their ability to prevent all forms of trafficking in persons;

56. Strengthen and support the Inter-Agency Coordination Group against Trafficking in Persons in order to improve coordination and cooperation among relevant United Nations bodies, including the human rights treaty bodies and mechanisms, and other international organizations;

57. Encourage the United Nations Office on Drugs and Crime, other agencies, funds and programmes of the United Nations system and international and regional organizations to continue to assist Member States, upon request, to strengthen policymaking, legislative arrangements, border control and law enforcement cooperation, public awareness campaigns and capacity-building and to exchange and build upon best practices in assisting victims of trafficking in persons;

58. Further encourage agencies, funds and programmes of the United Nations system to continue to improve the coherence and efficiency of technical assistance delivery in the field of trafficking in persons, in accordance with the recommendations of the Open-ended Intergovernmental Working Group of Governmental Experts on Technical Assistance established by the Conference of the Parties to the Convention;

59. Urge the Secretary-General to expedite the strengthening of the Inter-Agency Coordination Group against Trafficking in Persons under the coordination of the United Nations Office on Drugs and Crime in order to ensure overall organization and coherence in the efforts of the United Nations system to respond to trafficking in persons;

60. Request the Secretary-General, as a matter of priority, to strengthen the capacity of the United Nations Office on Drugs and Crime to collect information and report biennially, starting in 2012, on patterns and flows of trafficking in persons at the national, regional and international levels in a balanced, reliable and comprehensive manner, in close cooperation and collaboration with Member States, and share best practices and lessons learned from various initiatives and mechanisms;

61. Encourage Member States to consider making voluntary contributions to the work of the United Nations in combating human trafficking, and to explore additional sources of funding in this regard, including reaching out to the private sector for contributions.

On 13 December, by **resolution 65/130** on cooperation between the United Nations and the Council of Europe, the General Assembly encouraged the Council to continue cooperation with the United Nations in the fight against trafficking in persons and welcomed the adoption of the UN Global Plan of Action to Combat Trafficking in Persons.

On 31 December, the Assembly adopted **resolution 65/190** on trafficking in women and girls, in which it urged Member States to consider ratifying or acceding to the Convention against Transnational Organized Crime and its supplementary Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children; and urged Member States, the United Nations, and international, regional and subregional organizations and civil society to implement the relevant provisions of the UN Global Plan of Action to Combat Trafficking in Persons and the activities outlined therein.

Corruption

United Nations Convention against Corruption

In response to Economic and Social Council resolutions 2005/17 [YUN 2005, p. 1224] and 2006/24 [YUN 2006, p. 1301], and General Assembly resolution 64/179 [YUN 2009, p. 1084], the UNODC Executive Director submitted to the Commission on Crime Prevention and Criminal Justice a March report [E/CN.15/2010/8] on international cooperation in combating transnational organized crime and corruption, which provided an overview of UNODC activities and complemented the report of the Conference of the States Parties to the United Nations Convention against Corruption at its third session [YUN 2009, p. 1096]. The report reviewed the work of the Conference, particularly the outcome of its third session [YUN 2009, p. 1096] and implementation of Conference resolutions, and UNODC activities in promoting the Convention's ratification and implementation.

The UNODC Executive Director recommended that the Commission continue to support the work of the Conference; reiterate its call upon States to make financial contributions in support of the Conference, related technical assistance activities and the newly established review mechanism of the Convention against Corruption; explore ways to maintain and strengthen the political momentum necessary for the Conference and working groups to perform their mandated functions; and urge Member States to ratify or accede to the Convention against Corruption and to take every step to ensure its effective implementation.

As at 31 December, 148 States were parties to the Convention.

Conference of States Parties to the Convention

The Conference of States Parties to the United Nations Convention against Corruption, at its third (2009) session [YUN 2009, p. 1096], established the Mechanism for the Review and Implementation of the Convention, designed as an intergovernmental process to assist States in implementing the Convention. The Implementation Review Group, established pursuant to the terms of reference of the Review Mechanism to oversee the review process, held its first session (28 June–2 July) [CAC/COSP/IRG/2010/7] and the resumed first session (29 November–1 December) [CAC/COSP/IRG/2010/7 & Add.1], as well as an intersessional meeting (23 August) [CAC/COSP/IRG/2010/10], all in Vienna.

The Working Group on Asset Recovery, established by the first (2006) session of the Conference of the States Parties [YUN 2006, p. 1303], held its fourth intersessional meeting (16–17 December) in Vienna [CAC/COSP/WG.2/2010/4].

The Open-ended Intergovernmental Working Group on the Prevention of Corruption, established by the third (2009) session of the Conference of the States Parties [YUN 2009, p. 1092], held its first intersessional meeting (13–15 December), also in Vienna [CAC/COSP/WG.4/2010/7].

Assets of illicit origin

In response to General Assembly resolution 64/237 [YUN 2009, p. 1097], the Secretary-General submitted a June report [A/65/90] on preventing and combating corrupt practices and transfer of assets of illicit origin and returning such assets, in particular to the countries of origin, consistent with the United Nations Convention against Corruption. The report contained information on the outcome of the third session of the Conference of the States Parties to the United Nations Convention against Corruption [YUN 2009, p. 1096], particularly the establishment of the Mechanism for the Review of Implementation of the Convention (see above); initiatives to accumulate knowledge on the measures taken by States to prevent and combat corruption; anti-corruption and asset recovery initiatives, namely the joint UNODC/World Bank Stolen Asset Recovery Initiative, the International Anti-Corruption Academy, cooperation with the private sector and technical assistance for the implementation of the Convention; and matters related to resources.

The Secretary-General concluded that the continuing increase in the number of parties to the Convention was evidence that it was becoming a truly global, fully operational instrument, and that every effort should be made to increase the number of ratifications and to implement the provisions of the Convention. He noted that the establishment of the Mechanism for the Review of Implementation of the Convention was a historic step towards the full implementation of the Convention and the adoption of a transparent, knowledge-based approach to technical assistance. Its success depended on the full commitment and constructive engagement of all States parties. The Secretary-General recommended that the General Assembly encourage Member States to support the work of the Review Mechanism and encourage donors to provide voluntary contributions where relevant; make use of the comprehensive self-assessment tool approved by the Conference of States Parties at its third session, which was developed by UNODC as the main tool for gathering information on measures taken to implement the Convention and on technical assistance needs and ongoing activities; invest time, energy and resources in implementing the asset recovery provisions of the Convention; and designate central authorities for mutual legal assistance in order to facilitate asset recovery and asset recovery focal points with a view to establishing a global asset

recovery focal point network, and authorities to assist other States parties in developing and implementing specific measures for the prevention of corruption.

GENERAL ASSEMBLY ACTION

On 20 December [meeting 69], the General Assembly, on the recommendation of the Second Committee [A/65/438/Add.2], adopted **resolution 65/169** without vote [agenda item 22 (b)].

Preventing and combating corrupt practices and transfer of assets of illicit origin and returning such assets, in particular to the countries of origin, consistent with the United Nations Convention against Corruption

The General Assembly,

Recalling its resolutions 54/205 of 22 December 1999, 55/61 of 4 December 2000, 55/188 of 20 December 2000, 56/186 of 21 December 2001 and 57/244 of 20 December 2002, and recalling also its resolutions 58/205 of 23 December 2003, 59/242 of 22 December 2004, 60/207 of 22 December 2005, 61/209 of 20 December 2006, 62/202 of 19 December 2007, 63/226 of 19 December 2008 and 64/237 of 24 December 2009,

1. *Takes note* of the report of the Secretary-General;
2. *Requests* the Secretary-General to submit to the General Assembly at its sixty-seventh session, under the item entitled "Crime prevention and criminal justice", a report on preventing and combating corrupt practices and recovering and returning assets of illicit origin, in particular to the countries of origin, consistent with the United Nations Convention against Corruption, and also to transmit to the Assembly a report on the fourth session of the Conference of the States Parties to the Convention;
3. *Decides* to continue the consideration of this issue at its sixty-seventh session under the item entitled "Crime prevention and criminal justice".

Terrorism

In a March report [E/CN.15/2010/9] to the Commission on Crime Prevention and Criminal Justice and a June report [A/65/91] prepared pursuant to General Assembly resolution 64/177 [YUN 2009, p. 1100], the Secretary-General reviewed UNODC activities from January 2009 to April 2010, particularly those of its Terrorism Prevention Branch in delivering assistance to Member States on legal and related capacity-building in the area of counter-terrorism. The report identified the challenges of adequately responding to Member States' evolving needs with respect to the criminal justice aspects of countering terrorism, and emphasized the need for enhanced governmental support to meet those challenges. Since 2003, the Terrorism Prevention Branch had supported 168 countries in ratifying and implementing the international legal instruments against terrorism and in strengthening the capacity of their criminal justice systems to implement the provisions of those instruments in conformity with the rule of law. The Branch pursued a multi-pronged

approach for strengthening the international legal regime against terrorism, based on tailored national-level assistance; regional and subregional activities to support and complement national activities; and the development of technical assistance tools and specialized substantive publications. During the period under review, assistance was provided to 81 countries; delegations from Afghanistan, Algeria, Azerbaijan, Costa Rica, Pakistan and Yemen were brought to Vienna for working sessions with the Branch and other UNODC entities; and 25 thematically focused regional and subregional workshops were held. In cooperation with other partners, the Branch organized and participated in specialized activities addressing international cooperation in criminal matters related to counter-terrorism; maritime security; suppressing the financing of terrorism; preventing nuclear, chemical, biological and radiological terrorism; and enhancing procedural aspects of countering terrorism related to the rule of law. The delivery of technical assistance was fostered through partnerships and coordination with other entities and organizations, including cooperation with the Counter-Terrorism Committee of the Security Council and its Executive Directorate; participation by UNODC in the Counter-Terrorism Implementation Task Force; numerous international partnerships; and cooperation with recipient and donor countries.

With regard to evaluating delivery and assessing impact, the Branch had taken action to implement the recommendations made by the comprehensive 2007 evaluation of the Global Project on Strengthening the Legal Regime against Terrorism, including by developing a comprehensive strategy that laid out its vision, focus and approach regarding capacity development. Since 2003, the Branch had assisted Member States in completing some 529 ratifications of the international legal instruments, and at least 69 States assisted by the Branch had taken steps to incorporate the provisions of the international legal instruments into national legislation.

The Secretary-General noted that much work remained to be done to achieve universal adherence and full implementation of the international instruments. Challenges included enhancing the delivery of assistance for the ratification and legislative implementation of the international instruments in line with the evolving needs of Member States and mobilizing increased financial support from them. It was imperative to sustain support for efforts to strengthen the legal regime against terrorism and the delivery of assistance for enhancing related national capacities. Establishing a criminal justice response to terrorism based on the rule of law was key to global counter-terrorism efforts and the backbone and prerequisite for other initiatives. There was a need for more sustained capacity-building, particularly assistance for criminal justice practitioners involved in the investigation and adjudication of concrete cases. The Branch should also provide capac-

ity-building assistance with regard to criminal justice aspects of providing support for victims of terrorism and make increased use of online and computer-based courses to implement its global mandate. The Secretary-General recommended that the General Assembly invite the bodies of the Security Council dealing with counter-terrorism, the office of the Counter-Terrorism Implementation Task Force and relevant international, regional and subregional organizations to enhance their cooperation with UNODC on counter-terrorism issues, as well as provide guidance on how UNODC and other UN entities working on such issues could maximize the complementarity of their mandated work. Member States should provide sufficient resources to ensure the sustainability of the Branch's counter-terrorism technical assistance work.

On 6 December, the General Assembly adopted **resolution 65/34** on measures to eliminate international terrorism (see p. 1331).

UN standards and norms

The Commission on Crime Prevention and Criminal Justice had before it a February report [E/CN.15/2010/12] by the Secretary-General on the use and application of UN standards and norms in crime prevention and criminal justice, which included an overview of the main activities carried out by UNODC over the previous year to assist countries in using and applying relevant standards and norms and to facilitate the negotiation and adoption of new ones. UNODC activities were based on the three pillars of normative work, operational work, and research and analytical work. The Office's normative work focused on the development and negotiation of new standards regarding the prevention of violence against women; the treatment of women prisoners and non-custodial measures for women offenders; and access to legal aid in the criminal justice system. Operationally, UNODC assisted developing countries, countries emerging from conflict and countries with economies in transition to prevent crime and reform their criminal justice systems through a project portfolio of 45 ongoing local and global projects in 39 countries. Regarding research and analytical work, the Office focused on expanding the quality and extent of information available to Member States on global crime trends and on strengthening the capacity of States to conduct diagnostic surveys related to crime, and was finalizing the thematic programme for trends monitoring and analysis covering the period 2010–2011. The Office also produced or was developing various tools, handbooks and guidance notes relating to prison reform and prisoners with special needs; crime prevention assessment and knowledge; criminal justice standards for UN police; effective police responses to violence against women; the assessment of gender in the criminal

justice system; and justice involving child victims and witnesses of crime.

The report noted that despite the central role played by UN standards and norms, they were developed at different times and in different contexts. The world continued to change at an unprecedented pace, and the emergence of new and sophisticated forms of crime required more effective criminal justice responses. A constantly evolving social, cultural and economic environment created novel challenges for criminal justice and law enforcement authorities, and the spread of modern information and communication technologies, as well as the growing transnationality of related criminal activities, created new opportunities for the commission of crime. A new approach was therefore needed to the role of the criminal justice system as a crucial pillar of a successful effort to curb crime. The Commission on Crime Prevention and Criminal Justice should consider relevant recommendations emanating from the Twelfth United Nations Congress on Crime Prevention and Criminal Justice (see p. 1094) on ensuring that the standards and norms responded adequately to the contemporary needs of all Member States and to new and emerging criminal threats. It should also consider inviting Governments to include in their national development plans crime prevention and criminal justice as an integral part of the development process; requesting donor States and relevant intergovernmental and non-governmental institutions to support criminal justice reforms, in accordance with UN standards and norms, in countries requesting assistance; recommending to Member States that they publish and disseminate, in their local languages, the UN standards and norms in crime prevention and criminal justice; requesting UNODC to continue to assist countries, upon request, to develop and implement crime prevention and criminal justice reform strategies, policies and plans based on existing standards and norms, and to conduct its assistance work in an integrated and multidisciplinary manner; assisting countries in the development of new standards and norms or in updating and supplementing existing ones; and developing and producing handbooks, manuals, modules and tools to be used in training on UN standards and norms in crime prevention and criminal justice. The Commission was encouraged to invite Member States to take into account the measures contained in the Updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice, as well as the draft UN rules for the treatment of women prisoners and non-custodial measures for women offenders, and to consider their respective endorsement.

The Commission on Crime Prevention and Criminal Justice [E/2010/30] also had before it other documents for its consideration of the use and application of United Nations standards and norms, includ-

ing those related to capital punishment [E/2010/10] (see p. 699); measures to eliminate violence against women [E/CN.15/2010/2]; the treatment of women in detention and in custodial and non-custodial settings [E/CN.15/2010/18] (see below); and trafficking in cultural property [E/CN.15/2010/4 & E/CN.15/2010/17] (see p. 1091).

Women in detention and in custodial and non-custodial settings

In a February note to the Commission on Crime Prevention and Criminal Justice [E/CN.15/2010/18], the Secretary-General transmitted the outcome of the meeting of the expert group (Bangkok, Thailand, 23–26 November 2009) [A/CONF.213/17] to develop supplementary rules specific to the treatment of women in detention and in custodial and non-custodial settings, held pursuant to Commission resolution 18/1 [YUN 2009, p. 1106]. Experts from 25 Member States attended the meeting, which reviewed, amended and made additions to the draft rules produced by the expert round-table meeting on the development of rules for the treatment of women prisoners and non-custodial measures for women offenders [YUN 2009, p. 1106].

In May, the Commission adopted a draft resolution to be recommended by the Economic and Social Council for adoption by the General Assembly (see below), which took note of the work of the expert group and the outcome of its meeting; adopted the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders; and approved the recommendation of the Twelfth United Nations Congress on Crime Prevention and Criminal Justice (see p. 1094) that the Rules should be known as “the Bangkok Rules”. It requested UNODC to provide technical assistance and advisory services to Member States, upon request, in order to develop or strengthen legislation, procedures, policies and practices for women in prison and on alternatives to imprisonment for women offenders; ensure broad dissemination of the Rules; and increase its cooperation with other relevant UN entities, inter-governmental and regional organizations and NGOs in the provision of relevant assistance to countries and to identify needs and capacities of countries in order to increase country-to-country and South-South cooperation.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 22 July [meeting 45], the Economic and Social Council, on the recommendation of the Commission on Crime Prevention and Criminal Justice [E/CN.15/2010/30], adopted **resolution 2010/16** without vote [agenda item 14 (c)].

United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules)

The Economic and Social Council

Recommends to the General Assembly the adoption of the following draft resolution:

[For text, see General Assembly resolution 65/229 below.]

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third Committee [A/65/457], adopted **resolution 65/229** without vote [agenda item 105].

United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules)

The General Assembly,

Recalling the United Nations standards and norms in crime prevention and criminal justice primarily related to the treatment of prisoners, in particular the Standard Minimum Rules for the Treatment of Prisoners, the procedures for the effective implementation of the Standard Minimum Rules for the Treatment of Prisoners, the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment and the Basic Principles for the Treatment of Prisoners,

Recalling also the United Nations standards and norms in crime prevention and criminal justice primarily related to alternatives to imprisonment, in particular the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules) and the basic principles on the use of restorative justice programmes in criminal matters,

Recalling further its resolution 58/183 of 22 December 2003, in which it invited Governments, relevant international and regional bodies, national human rights institutions and non-governmental organizations to devote increased attention to the issue of women in prison, including the children of women in prison, with a view to identifying the key problems and the ways in which they can be addressed,

Considering the alternatives to imprisonment as provided for in the Tokyo Rules, and taking into consideration the gender specificities of, and the consequent need to give priority to applying non-custodial measures to, women who have come into contact with the criminal justice system,

Mindful of its resolution 61/143 of 19 December 2006, in which it urged States to, inter alia, take positive measures to address structural causes of violence against women and to strengthen prevention efforts that address discriminatory practices and social norms, including with regard to women who need special attention in the development of policies to address violence, such as women in institutions or in detention,

Mindful also of its resolution 63/241 of 24 December 2008, in which it called upon all States to give attention to the impact of parental detention and imprisonment on

children and, in particular, to identify and promote good practices in relation to the needs and physical, emotional, social and psychological development of babies and children affected by parental detention and imprisonment,

Taking into consideration the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century, in which Member States committed themselves, inter alia, to the development of action-oriented policy recommendations based on the special needs of women as prisoners and offenders, and the plans of action for the implementation of the Declaration,

Calling attention to the Bangkok Declaration on Synergies and Responses: Strategic Alliances in Crime Prevention and Criminal Justice, as it relates specifically to women in detention and in custodial and non-custodial settings,

Recalling that, in the Bangkok Declaration, Member States recommended to the Commission on Crime Prevention and Criminal Justice that it give consideration to reviewing the adequacy of standards and norms in relation to prison management and prisoners,

Having taken note of the initiative of the United Nations High Commissioner for Human Rights to designate the week from 6 to 12 October 2008 as Dignity and Justice for Detainees Week, which placed particular emphasis on the human rights of women and girls,

Considering that women prisoners are one of the vulnerable groups that have specific needs and requirements,

Aware of the fact that many existing prison facilities worldwide were designed primarily for male prisoners, whereas the number of female prisoners has significantly increased over the years,

Recognizing that a number of female offenders do not pose a risk to society and, as with all offenders, their imprisonment may render their social reintegration more difficult,

Welcoming the development by the United Nations Office on Drugs and Crime of the *Handbook for Prison Managers and Policymakers on Women and Imprisonment*,

Welcoming also the invitation, contained in Human Rights Council resolution 10/2 of 25 March 2009, to Governments, relevant international and regional bodies, national human rights institutions and non-governmental organizations to devote greater attention to the issue of women and girls in prison, including issues relating to the children of women in prison, with a view to identifying and addressing the gender-specific aspects and challenges related to this problem,

Welcoming further the collaboration between the World Health Organization Regional Office for Europe and the United Nations Office on Drugs and Crime, and taking note of the Kyiv Declaration on Women's Health in Prison,

Taking note of the Guidelines for the Alternative Care of Children,

Recalling Commission on Crime Prevention and Criminal Justice resolution 18/1 of 24 April 2009, in which the Commission requested the Executive Director of the United Nations Office on Drugs and Crime to convene in 2009 an open-ended intergovernmental expert group meeting to develop, consistent with the Standard Minimum Rules for the Treatment of Prisoners and the Tokyo Rules, supplementary rules specific to the treatment of women in detention and in custodial and non-custodial settings, welcomed the offer by the Government of Thailand to act as

host to the expert group meeting, and requested the expert group meeting to submit the outcome of its work to the Twelfth United Nations Congress on Crime Prevention and Criminal Justice, subsequently held in Salvador, Brazil, from 12 to 19 April 2010,

Recalling also that the four regional preparatory meetings for the Twelfth Congress welcomed the development of a set of supplementary rules specific to the treatment of women in detention and in custodial and non-custodial settings,

Recalling further the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World, in which Member States recommended that the Commission on Crime Prevention and Criminal Justice consider the draft United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders as a matter of priority for appropriate action,

1. *Takes note with appreciation* of the work of the expert group to develop supplementary rules specific to the treatment of women in detention and in custodial and non-custodial settings at its meeting, held in Bangkok from 23 to 26 November 2009, and of the outcome of the meeting;

2. *Expresses its gratitude* to the Government of Thailand for having acted as host to the meeting of the expert group and for the financial support provided for the organization of the meeting;

3. *Adopts* the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders, annexed to the present resolution, and approves the recommendation of the Twelfth United Nations Congress on Crime Prevention and Criminal Justice that the rules should be known as "the Bangkok Rules";

4. *Recognizes* that, in view of the great variety of legal, social, economic and geographical conditions in the world, not all of the rules can be applied equally in all places and at all times; and that they should, however, serve to stimulate a constant endeavour to overcome practical difficulties in their application, in the knowledge that they represent, as a whole, global aspirations amenable to the common goal of improving outcomes for women prisoners, their children and their communities;

5. *Encourages* Member States to adopt legislation to establish alternatives to imprisonment and to give priority to the financing of such systems, as well as to the development of the mechanisms needed for their implementation;

6. *Encourages* Member States having developed legislation, procedures, policies or practices for women in prison or on alternatives to imprisonment for women offenders to make information available to other States and relevant international, regional and intergovernmental organizations, as well as non-governmental organizations, and to assist them in developing and implementing training or other activities in relation to such legislation, procedures, policies or practices;

7. *Invites* Member States to take into consideration the specific needs and realities of women as prisoners when developing relevant legislation, procedures, policies and action plans and to draw, as appropriate, on the Bangkok Rules;

8. *Also invites* Member States to collect, maintain, analyse and publish, as appropriate, specific data on women in prison and women offenders;

9. *Emphasizes* that, when sentencing or deciding on pre-trial measures for a pregnant woman or a child's sole or primary caretaker, non-custodial measures should be preferred where possible and appropriate, with custodial sentences being considered when the offence is serious or violent;

10. *Requests* the United Nations Office on Drugs and Crime to provide technical assistance and advisory services to Member States, upon request, in order to develop or strengthen, as appropriate, legislation, procedures, policies and practices for women in prison and on alternatives to imprisonment for women offenders;

11. *Also requests* the United Nations Office on Drugs and Crime to take steps, as appropriate, to ensure broad dissemination of the Bangkok Rules, as a supplement to the Standard Minimum Rules for the Treatment of Prisoners and the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules), and to ensure the intensification of information activities in this area;

12. *Further requests* the United Nations Office on Drugs and Crime to increase its cooperation with other relevant United Nations entities, intergovernmental and regional organizations and non-governmental organizations in the provision of relevant assistance to countries and to identify needs and capacities of countries in order to increase country-to-country and South-South cooperation;

13. *Invites* specialized agencies of the United Nations system and relevant regional and international intergovernmental and non-governmental organizations to engage in the implementation of the Bangkok Rules;

14. *Invites* Member States and other donors to provide extrabudgetary contributions for such purposes, in accordance with the rules and procedures of the United Nations.

ANNEX

United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules)

Preliminary observations

1. The Standard Minimum Rules for the Treatment of Prisoners apply to all prisoners without discrimination; therefore, the specific needs and realities of all prisoners, including of women prisoners, should be taken into account in their application. The Rules, adopted more than 50 years ago, did not, however, draw sufficient attention to women's particular needs. With the increase in the number of women prisoners worldwide, the need to bring more clarity to considerations that should apply to the treatment of women prisoners has acquired importance and urgency.

2. Recognizing the need to provide global standards with regard to the distinct considerations that should apply to women prisoners and offenders and taking into account a number of relevant resolutions adopted by different United Nations bodies, in which Member States were called upon to respond appropriately to the needs of women offenders and prisoners, the present rules have been developed to complement and supplement, as appropriate, the Standard Minimum Rules for the Treatment of Prisoners and the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules) in connection with the treatment of women prisoners and alternatives to imprisonment for women offenders.

3. The present rules do not in any way replace the Standard Minimum Rules for the Treatment of Prisoners or the Tokyo Rules and, therefore, all relevant provisions contained in those two sets of rules continue to apply to all prisoners and offenders without discrimination. While some of the present rules bring further clarity to existing provisions in the Standard Minimum Rules for the Treatment of Prisoners and in the Tokyo Rules in their application to women prisoners and offenders, others cover new areas.

4. These rules are inspired by principles contained in various United Nations conventions and declarations and are therefore consistent with the provisions of existing international law. They are addressed to prison authorities and criminal justice agencies (including policymakers, legislators, the prosecution service, the judiciary and the probation service) involved in the administration of non-custodial sanctions and community-based measures.

5. The specific requirements for addressing the situation of women offenders have been emphasized at the United Nations in various contexts. For example, in 1980, the Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders adopted a resolution on the specific needs of women prisoners, in which it recommended that, in the implementation of the resolutions adopted by the Sixth Congress directly or indirectly relevant to the treatment of offenders, recognition should be given to the specific problems of women prisoners and the need to provide the means for their solution; that, in countries where it was not yet done, programmes and services used as alternatives to imprisonment should be made available to women offenders on an equal basis with male offenders; and that the United Nations, the governmental and non-governmental organizations in consultative status with it and all other international organizations should make continuing efforts to ensure that the woman offender was treated fairly and equally during arrest, trial, sentence and imprisonment, particular attention being paid to the special problems which women offenders encounter, such as pregnancy and child care.

6. The Seventh Congress, the Eighth Congress and the Ninth Congress also made specific recommendations concerning women prisoners.

7. In the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century, adopted by the Tenth Congress, Member States committed themselves to taking into account and addressing, within the United Nations crime prevention and criminal justice programme, as well as within national crime prevention and criminal justice strategies, any disparate impact of programmes and policies on women and men (para. 11); and to the development of action-oriented policy recommendations based on the special needs of women as prisoners and offenders (para. 12). The plans of action for the implementation of the Vienna Declaration contain a separate section (sect. XIII) devoted to specific recommended measures to follow up on the commitments undertaken in paragraphs 11 and 12 of the Declaration, including that of States reviewing, evaluating and, if necessary, modifying their legislation, policies, procedures and practices relating to criminal matters, in a manner consistent with their legal systems, in order to ensure that women are treated fairly by the criminal justice system.

8. The General Assembly, in its resolution 58/183 of 22 December 2003 entitled “Human rights in the administration of justice”, called for increased attention to be devoted to the issue of women in prison, including the children of women in prison, with a view to identifying the key problems and ways in which they could be addressed.

9. In its resolution 61/143 of 19 December 2006 entitled “Intensification of efforts to eliminate all forms of violence against women”, the General Assembly stressed that “violence against women” meant any act of gender-based violence resulting in, or likely to result in, physical, sexual or psychological harm or suffering to women, including arbitrary deprivation of liberty, whether occurring in public or in private life, and urged States to review and, where appropriate, revise, amend or abolish all laws, regulations, policies, practices and customs discriminating against women or having a discriminatory impact on women, and ensure that provisions of multiple legal systems, where they existed, complied with international human rights obligations, commitments and principles, including the principle of non-discrimination; to take positive measures to address structural causes of violence against women and to strengthen prevention efforts addressing discriminatory practices and social norms, including with regard to women in need of special attention, such as women in institutions or in detention; and to provide training and capacity-building on gender equality and women’s rights for law enforcement personnel and the judiciary. The resolution is an acknowledgement of the fact that violence against women has specific implications for women’s contact with the criminal justice system, as well as their right to be free of victimization while imprisoned. Physical and psychological safety is critical to ensuring human rights and improving outcomes for women offenders, of which the present rules take account.

10. Finally, in the Bangkok Declaration on Synergies and Responses: Strategic Alliances in Crime Prevention and Criminal Justice, adopted by the Eleventh United Nations Congress on Crime Prevention and Criminal Justice on 25 April 2005, Member States declared that they were committed to the development and maintenance of fair and efficient criminal justice institutions, including the humane treatment of all those in pretrial and correctional facilities, in accordance with applicable international standards (para. 8); and they recommended that the Commission on Crime Prevention and Criminal Justice should give consideration to reviewing the adequacy of standards and norms in relation to prison management and prisoners (para. 30).

11. As with the Standard Minimum Rules for the Treatment of Prisoners, in view of the great variety of legal, social, economic and geographical conditions worldwide, it is evident that not all of the following rules can be equally applied in all places and at all times. They should, however, serve to stimulate a constant endeavour to overcome practical difficulties in how they are applied, in the knowledge that they represent, as a whole, the global aspirations considered by the United Nations as leading to the common goal of improving outcomes for women prisoners, their children and their communities.

12. Some of these rules address issues applicable to both men and women prisoners, including those relating to parental responsibilities, some medical services, searching procedures and the like, although the rules are mainly concerned with the needs of women and their children.

However, as the focus includes the children of imprisoned mothers, there is a need to recognize the central role of both parents in the lives of children. Accordingly, some of these rules would apply equally to male prisoners and offenders who are fathers.

Introduction

13. The following rules do not in any way replace the Standard Minimum Rules for the Treatment of Prisoners and the Tokyo Rules. Therefore, all provisions contained in those two sets of rules continue to apply to all prisoners and offenders without discrimination.

14. Section I of the present rules, covering the general management of institutions, is applicable to all categories of women deprived of their liberty, including criminal or civil, untried or convicted women prisoners, as well as women subject to “security measures” or corrective measures ordered by a judge.

15. Section II contains rules applicable only to the special categories dealt with in each subsection. Nevertheless, the rules under subsection A, applicable to prisoners under sentence, shall be equally applicable to the category of prisoners dealt with in subsection B, provided they do not conflict with the rules governing that category of women and are for their benefit.

16. Subsections A and B both provide additional rules for the treatment of juvenile female prisoners. It is important to note, however, that separate strategies and policies in accordance with international standards, in particular the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines), the United Nations Rules for the Protection of Juveniles Deprived of Their Liberty and the Guidelines for Action on Children in the Criminal Justice System, need to be designed for the treatment and rehabilitation of this category of prisoners, while institutionalization shall be avoided to the maximum possible extent.

17. Section III contains rules covering the application of non-custodial sanctions and measures for women and juvenile female offenders, including on arrest and at the pretrial, sentencing and post-sentencing stages of the criminal justice process.

18. Section IV contains rules on research, planning, evaluation, public awareness-raising and sharing of information, and is applicable to all categories of female offenders covered in these rules.

I. RULES OF GENERAL APPLICATION

1. Basic principle

[Supplements rule 6 of the Standard Minimum Rules for the Treatment of Prisoners]

Rule 1

In order for the principle of non-discrimination embodied in rule 6 of the Standard Minimum Rules for the Treatment of Prisoners to be put into practice, account shall be taken of the distinctive needs of women prisoners in the application of the Rules. Providing for such needs in order to accomplish substantial gender equality shall not be regarded as discriminatory.

2. Admission

Rule 2

1. Adequate attention shall be paid to the admission procedures for women and children, due to their particular vulnerability at this time. Newly arrived women prisoners shall be provided with facilities to contact their relatives; access to legal advice; information about prison rules and regulations, the prison regime and where to seek help when in need in a language that they understand; and, in the case of foreign nationals, access to consular representatives as well.

2. Prior to or on admission, women with caretaking responsibilities for children shall be permitted to make arrangements for those children, including the possibility of a reasonable suspension of detention, taking into account the best interests of the children.

3. Register

[Supplements rule 7 of the Standard Minimum Rules for the Treatment of Prisoners]

Rule 3

1. The number and personal details of the children of a woman being admitted to prison shall be recorded at the time of admission. The records shall include, without prejudicing the rights of the mother, at least the names of the children, their ages and, if not accompanying the mother, their location and custody or guardianship status.

2. All information relating to the children's identity shall be kept confidential, and the use of such information shall always comply with the requirement to take into account the best interests of the children.

4. Allocation

Rule 4

Women prisoners shall be allocated, to the extent possible, to prisons close to their home or place of social rehabilitation, taking account of their caretaking responsibilities, as well as the individual woman's preference and the availability of appropriate programmes and services.

5. Personal hygiene

[Supplements rules 15 and 16 of the Standard Minimum Rules for the Treatment of Prisoners]

Rule 5

The accommodation of women prisoners shall have facilities and materials required to meet women's specific hygiene needs, including sanitary towels provided free of charge and a regular supply of water to be made available for the personal care of children and women, in particular women involved in cooking and those who are pregnant, breastfeeding or menstruating.

6. Health-care services

[Supplements rules 22 to 26 of the Standard Minimum Rules for the Treatment of Prisoners]

(a) Medical screening on entry

[Supplements rule 24 of the Standard Minimum Rules for the Treatment of Prisoners]

Rule 6

The health screening of women prisoners shall include comprehensive screening to determine primary health-care needs, and also shall determine:

(a) The presence of sexually transmitted diseases or blood-borne diseases; and, depending on risk factors, women prisoners may also be offered testing for HIV, with pre- and post-test counselling;

(b) Mental health-care needs, including post-traumatic stress disorder and risk of suicide and self-harm;

(c) The reproductive health history of the woman prisoner, including current or recent pregnancies, childbirth and any related reproductive health issues;

(d) The existence of drug dependency;

(e) Sexual abuse and other forms of violence that may have been suffered prior to admission.

Rule 7

1. If the existence of sexual abuse or other forms of violence before or during detention is diagnosed, the woman prisoner shall be informed of her right to seek recourse from judicial authorities. The woman prisoner should be fully informed of the procedures and steps involved. If the woman prisoner agrees to take legal action, appropriate staff shall be informed and immediately refer the case to the competent authority for investigation. Prison authorities shall help such women to access legal assistance.

2. Whether or not the woman chooses to take legal action, prison authorities shall endeavour to ensure that she has immediate access to specialized psychological support or counselling.

3. Specific measures shall be developed to avoid any form of retaliation against those making such reports or taking legal action.

Rule 8

The right of women prisoners to medical confidentiality, including specifically the right not to share information and not to undergo screening in relation to their reproductive health history, shall be respected at all times.

Rule 9

If the woman prisoner is accompanied by a child, that child shall also undergo health screening, preferably by a child health specialist, to determine any treatment and medical needs. Suitable health care, at least equivalent to that in the community, shall be provided.

(b) Gender-specific health care

Rule 10

1. Gender-specific health-care services at least equivalent to those available in the community shall be provided to women prisoners.

2. If a woman prisoner requests that she be examined or treated by a woman physician or nurse, a woman physician or nurse shall be made available, to the extent possible, except for situations requiring urgent medical intervention. If a male medical practitioner undertakes the examination contrary to the wishes of the woman prisoner, a woman staff member shall be present during the examination.

Rule 11

1. Only medical staff shall be present during medical examinations unless the doctor is of the view that exceptional circumstances exist or the doctor requests a member of the prison staff to be present for security reasons or the woman prisoner specifically requests the presence of a member of staff as indicated in rule 10, paragraph 2, above.

2. If it is necessary for non-medical prison staff to be present during medical examinations, such staff should be women and examinations shall be carried out in a manner that safeguards privacy, dignity and confidentiality.

(c) Mental health and care**Rule 12**

Individualized, gender-sensitive, trauma-informed and comprehensive mental health care and rehabilitation programmes shall be made available for women prisoners with mental health-care needs in prison or in non-custodial settings.

Rule 13

Prison staff shall be made aware of times when women may feel particular distress, so as to be sensitive to their situation and ensure that the women are provided appropriate support.

(d) HIV prevention, treatment, care and support**Rule 14**

In developing responses to HIV/AIDS in penal institutions, programmes and services shall be responsive to the specific needs of women, including prevention of mother-to-child transmission. In this context, prison authorities shall encourage and support the development of initiatives on HIV prevention, treatment and care, such as peer-based education.

(e) Substance abuse treatment programmes**Rule 15**

Prison health services shall provide or facilitate specialized treatment programmes designed for women substance abusers, taking into account prior victimization, the special needs of pregnant women and women with children, as well as their diverse cultural backgrounds.

(f) Suicide and self-harm prevention**Rule 16**

Developing and implementing strategies, in consultation with mental health-care and social welfare services, to prevent suicide and self-harm among women prisoners and providing appropriate, gender-specific and specialized support to those at risk shall be part of a comprehensive policy of mental health care in women's prisons.

(g) Preventive health-care services**Rule 17**

Women prisoners shall receive education and information about preventive health-care measures, including on HIV, sexually transmitted diseases and other blood-borne diseases, as well as gender-specific health conditions.

Rule 18

Preventive health-care measures of particular relevance to women, such as Papanicolaou tests and screening for breast and gynaecological cancer, shall be offered to women prisoners on an equal basis with women of the same age in the community.

7. Safety and security

[Supplements rules 27 to 36 of the Standard Minimum Rules for the Treatment of Prisoners]

(a) Searches**Rule 19**

Effective measures shall be taken to ensure that women prisoners' dignity and respect are protected during personal searches, which shall only be carried out by women staff who have been properly trained in appropriate searching methods and in accordance with established procedures.

Rule 20

Alternative screening methods, such as scans, shall be developed to replace strip searches and invasive body searches, in order to avoid the harmful psychological and possible physical impact of invasive body searches.

Rule 21

Prison staff shall demonstrate competence, professionalism and sensitivity and shall preserve respect and dignity when searching both children in prison with their mother and children visiting prisoners.

(b) Discipline and punishment

[Supplements rules 27 to 32 of the Standard Minimum Rules for the Treatment of Prisoners]

Rule 22

Punishment by close confinement or disciplinary segregation shall not be applied to pregnant women, women with infants and breastfeeding mothers in prison.

Rule 23

Disciplinary sanctions for women prisoners shall not include a prohibition of family contact, especially with children.

(c) Instruments of restraint

[Supplements rules 33 and 34 of the Standard Minimum Rules for the Treatment of Prisoners]

Rule 24

Instruments of restraint shall never be used on women during labour, during birth and immediately after birth.

(d) Information to and complaints by prisoners; inspections

[Supplements rules 35 and 36 and, with regard to inspection, rule 55 of the Standard Minimum Rules for the Treatment of Prisoners]

Rule 25

1. Women prisoners who report abuse shall be provided immediate protection, support and counselling, and their claims shall be investigated by competent and independent authorities, with full respect for the principle of confidentiality. Protection measures shall take into account specifically the risks of retaliation.

2. Women prisoners who have been subjected to sexual abuse, and especially those who have become pregnant as a result, shall receive appropriate medical advice and counseling and shall be provided with the requisite physical and mental health care, support and legal aid.

3. In order to monitor the conditions of detention and treatment of women prisoners, inspectorates, visiting or monitoring boards or supervisory bodies shall include women members.

8. Contact with the outside world

[Supplements rules 37 to 39 of the Standard Minimum Rules for the Treatment of Prisoners]

Rule 26

Women prisoners' contact with their families, including their children, and their children's guardians and legal representatives shall be encouraged and facilitated by all reasonable means. Where possible, measures shall be taken to counterbalance disadvantages faced by women detained in institutions located far from their homes.

Rule 27

Where conjugal visits are allowed, women prisoners shall be able to exercise this right on an equal basis with men.

Rule 28

Visits involving children shall take place in an environment that is conducive to a positive visiting experience, including with regard to staff attitudes, and shall allow open contact between mother and child. Visits involving extended contact with children should be encouraged, where possible.

9. Institutional personnel and training

[Supplements rules 46 to 55 of the Standard Minimum Rules for the Treatment of Prisoners]

Rule 29

Capacity-building for staff employed in women's prisons shall enable them to address the special social reintegration requirements of women prisoners and manage safe and rehabilitative facilities. Capacity-building measures for women staff shall also include access to senior positions with key responsibility for the development of policies and strategies relating to the treatment and care of women prisoners.

Rule 30

There shall be a clear and sustained commitment at the managerial level in prison administrations to prevent and address gender-based discrimination against women staff.

Rule 31

Clear policies and regulations on the conduct of prison staff aimed at providing maximum protection for women prisoners from any gender-based physical or verbal violence, abuse and sexual harassment shall be developed and implemented.

Rule 32

Women prison staff shall receive equal access to training as male staff, and all staff involved in the management of women's prisons shall receive training on gender sensitivity and prohibition of discrimination and sexual harassment.

Rule 33

1. All staff assigned to work with women prisoners shall receive training relating to the gender-specific needs and human rights of women prisoners.

2. Basic training shall be provided for prison staff working in women's prisons on the main issues relating to women's health, in addition to first aid and basic medicine.

3. Where children are allowed to stay with their mothers in prison, awareness-raising on child development and basic training on the health care of children shall also be provided to prison staff, in order for them to respond appropriately in times of need and emergencies.

Rule 34

Capacity-building programmes on HIV shall be included as part of the regular training curricula of prison staff. In addition to HIV/AIDS prevention, treatment, care and support, issues such as gender and human rights, with a particular focus on their link to HIV, stigma and discrimination, shall also be part of the curriculum.

Rule 35

Prison staff shall be trained to detect mental health-care needs and risk of self-harm and suicide among women prisoners and to offer assistance by providing support and referring such cases to specialists.

10. Juvenile female prisoners

Rule 36

Prison authorities shall put in place measures to meet the protection needs of juvenile female prisoners.

Rule 37

Juvenile female prisoners shall have equal access to education and vocational training that are available to juvenile male prisoners.

Rule 38

Juvenile female prisoners shall have access to age- and gender-specific programmes and services, such as counseling for sexual abuse or violence. They shall receive education on women's health care and have regular access to gynaecologists, similar to adult female prisoners.

Rule 39

Pregnant juvenile female prisoners shall receive support and medical care equivalent to that provided for adult female prisoners. Their health shall be monitored by a medical specialist, taking account of the fact that they may be at greater risk of health complications during pregnancy due to their age.

II. RULES APPLICABLE TO SPECIAL CATEGORIES

A. Prisoners under sentence

1. Classification and individualization

[Supplements rules 67 to 69 of the Standard Minimum Rules for the Treatment of Prisoners]

Rule 40

Prison administrators shall develop and implement classification methods addressing the gender-specific needs

and circumstances of women prisoners to ensure appropriate and individualized planning and implementation towards those prisoners' early rehabilitation, treatment and reintegration into society.

Rule 41

The gender-sensitive risk assessment and classification of prisoners shall:

(a) Take into account the generally lower risk posed by women prisoners to others, as well as the particularly harmful effects that high-security measures and increased levels of isolation can have on women prisoners;

(b) Enable essential information about women's backgrounds, such as violence they may have experienced, history of mental disability and substance abuse, as well as parental and other caretaking responsibilities, to be taken into account in the allocation and sentence planning process;

(c) Ensure that women's sentence plans include rehabilitative programmes and services that match their gender-specific needs;

(d) Ensure that those with mental health-care needs are housed in accommodation which is not restrictive, and at the lowest possible security level, and receive appropriate treatment, rather than being placed in higher security level facilities solely due to their mental health problems.

2. Prison regime

[Supplements rules 65, 66 and 70 to 81 of the *Standard Minimum Rules for the Treatment of Prisoners*]

Rule 42

1. Women prisoners shall have access to a balanced and comprehensive programme of activities which take account of gender-appropriate needs.

2. The regime of the prison shall be flexible enough to respond to the needs of pregnant women, nursing mothers and women with children. Childcare facilities or arrangements shall be provided in prisons in order to enable women prisoners to participate in prison activities.

3. Particular efforts shall be made to provide appropriate programmes for pregnant women, nursing mothers and women with children in prison.

4. Particular efforts shall be made to provide appropriate services for women prisoners who have psychosocial support needs, especially those who have been subjected to physical, mental or sexual abuse.

Social relations and aftercare

[Supplements rules 79 to 81 of the *Standard Minimum Rules for the Treatment of Prisoners*]

Rule 43

Prison authorities shall encourage and, where possible, also facilitate visits to women prisoners as an important prerequisite to ensuring their mental well-being and social reintegration.

Rule 44

In view of women prisoners' disproportionate experience of domestic violence, they shall be properly consulted as to who, including which family members, is allowed to visit them.

Rule 45

Prison authorities shall utilize options such as home leave, open prisons, halfway houses and community-based programmes and services to the maximum possible extent for women prisoners, to ease their transition from prison to liberty, to reduce stigma and to re-establish their contact with their families at the earliest possible stage.

Rule 46

Prison authorities, in cooperation with probation and/or social welfare services, local community groups and non-governmental organizations, shall design and implement comprehensive pre- and post-release reintegration programmes which take into account the gender-specific needs of women.

Rule 47

Additional support following release shall be provided to released women prisoners who need psychological, medical, legal and practical help to ensure their successful social reintegration, in cooperation with services in the community.

3. Pregnant women, breastfeeding mothers and mothers with children in prison

[Supplements rule 23 of the *Standard Minimum Rules for the Treatment of Prisoners*]

Rule 48

1. Pregnant or breastfeeding women prisoners shall receive advice on their health and diet under a programme to be drawn up and monitored by a qualified health practitioner. Adequate and timely food, a healthy environment and regular exercise opportunities shall be provided free of charge for pregnant women, babies, children and breastfeeding mothers.

2. Women prisoners shall not be discouraged from breastfeeding their children, unless there are specific health reasons to do so.

3. The medical and nutritional needs of women prisoners who have recently given birth, but whose babies are not with them in prison, shall be included in treatment programmes.

Rule 49

Decisions to allow children to stay with their mothers in prison shall be based on the best interests of the children. Children in prison with their mothers shall never be treated as prisoners.

Rule 50

Women prisoners whose children are in prison with them shall be provided with the maximum possible opportunities to spend time with their children.

Rule 51

1. Children living with their mothers in prison shall be provided with ongoing health-care services and their development shall be monitored by specialists, in collaboration with community health services.

2. The environment provided for such children's upbringing shall be as close as possible to that of a child outside prison.

Rule 52

1. Decisions as to when a child is to be separated from its mother shall be based on individual assessments and the best interests of the child within the scope of relevant national laws.

2. The removal of the child from prison shall be undertaken with sensitivity, only when alternative care arrangements for the child have been identified and, in the case of foreign-national prisoners, in consultation with consular officials.

3. After children are separated from their mothers and placed with family or relatives or in other alternative care, women prisoners shall be given the maximum possible opportunity and facilities to meet with their children, when it is in the best interests of the children and when public safety is not compromised.

4. Foreign nationals

[Supplements rule 38 of the Standard Minimum Rules for the Treatment of Prisoners]

Rule 53

1. Where relevant bilateral or multilateral agreements are in place, the transfer of non-resident foreign-national women prisoners to their home country, especially if they have children in their home country, shall be considered as early as possible during their imprisonment, following the application or informed consent of the woman concerned.

2. Where a child living with a non-resident foreign-national woman prisoner is to be removed from prison, consideration should be given to relocation of the child to its home country, taking into account the best interests of the child and in consultation with the mother.

5. Minorities and indigenous peoples**Rule 54**

Prison authorities shall recognize that women prisoners from different religious and cultural backgrounds have distinctive needs and may face multiple forms of discrimination in their access to gender- and culture-relevant programmes and services. Accordingly, prison authorities shall provide comprehensive programmes and services that address these needs, in consultation with women prisoners themselves and the relevant groups.

Rule 55

Pre- and post-release services shall be reviewed to ensure that they are appropriate and accessible to indigenous women prisoners and to women prisoners from ethnic and racial groups, in consultation with the relevant groups.

B. Prisoners under arrest or awaiting trial

[Supplements rules 84 to 93 of the Standard Minimum Rules for the Treatment of Prisoners]

Rule 56

The particular risk of abuse that women face in pretrial detention shall be recognized by relevant authorities, which shall adopt appropriate measures in policies and practice to guarantee such women's safety at this time. (See also rule 58 below, with regard to alternatives to pretrial detention.)

III. NON-CUSTODIAL MEASURES**Rule 57**

The provisions of the Tokyo Rules shall guide the development and implementation of appropriate responses to women offenders. Gender-specific options for diversionary measures and pretrial and sentencing alternatives shall be developed within Member States' legal systems, taking account of the history of victimization of many women offenders and their caretaking responsibilities.

Rule 58

Taking into account the provisions of rule 2.3 of the Tokyo Rules, women offenders shall not be separated from their families and communities without due consideration being given to their backgrounds and family ties. Alternative ways of managing women who commit offences, such as diversionary measures and pretrial and sentencing alternatives, shall be implemented wherever appropriate and possible.

Rule 59

Generally, non-custodial means of protection, for example in shelters managed by independent bodies, non-governmental organizations or other community services, shall be used to protect women who need such protection. Temporary measures involving custody to protect a woman shall only be applied when necessary and expressly requested by the woman concerned and shall in all cases be supervised by judicial or other competent authorities. Such protective measures shall not be continued against the will of the woman concerned.

Rule 60

Appropriate resources shall be made available to devise suitable alternatives for women offenders in order to combine non-custodial measures with interventions to address the most common problems leading to women's contact with the criminal justice system. These may include therapeutic courses and counselling for victims of domestic violence and sexual abuse; suitable treatment for those with mental disability; and educational and training programmes to improve employment prospects. Such programmes shall take account of the need to provide care for children and women-only services.

Rule 61

When sentencing women offenders, courts shall have the power to consider mitigating factors such as lack of criminal history and relative non-severity and nature of the criminal conduct, in the light of women's caretaking responsibilities and typical backgrounds.

Rule 62

The provision of gender-sensitive, trauma-informed, women-only substance abuse treatment programmes in the community and women's access to such treatment shall be improved, for crime prevention as well as for diversion and alternative sentencing purposes.

1. Post-sentencing dispositions**Rule 63**

Decisions regarding early conditional release (parole) shall favourably take into account women prisoners' caretaking responsibilities, as well as their specific social reintegration needs.

2. Pregnant women and women with dependent children

Rule 64

Non-custodial sentences for pregnant women and women with dependent children shall be preferred where possible and appropriate, with custodial sentences being considered when the offence is serious or violent or the woman represents a continuing danger, and after taking into account the best interests of the child or children, while ensuring that appropriate provision has been made for the care of such children.

3. Juvenile female offenders

Rule 65

Institutionalization of children in conflict with the law shall be avoided to the maximum extent possible. The gender-based vulnerability of juvenile female offenders shall be taken into account in decision-making.

4. Foreign nationals

Rule 66

Maximum effort shall be made to ratify the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime to fully implement their provisions so as to provide maximum protection to victims of trafficking in order to avoid secondary victimization of many foreign-national women.

IV. RESEARCH, PLANNING, EVALUATION AND PUBLIC AWARENESS-RAISING

1. Research, planning and evaluation

Rule 67

Efforts shall be made to organize and promote comprehensive, result-oriented research on the offences committed by women, the reasons that trigger women's confrontation with the criminal justice system, the impact of secondary criminalization and imprisonment on women, the characteristics of women offenders, as well as programmes designed to reduce reoffending by women, as a basis for effective planning, programme development and policy formulation to respond to the social reintegration needs of women offenders.

Rule 68

Efforts shall be made to organize and promote research on the number of children affected by their mothers' confrontation with the criminal justice system, and imprisonment in particular, and the impact of this on the children, in order to contribute to policy formulation and programme development, taking into account the best interests of the children.

Rule 69

Efforts shall be made to review, evaluate and make public periodically the trends, problems and factors associated with offending behaviour in women and the effectiveness in responding to the social reintegration needs of women offenders, as well as their children, in order to reduce the stigmatization and negative impact of those women's confrontation with the criminal justice system on them.

2. Raising public awareness, sharing information and training

Rule 70

1. The media and the public shall be informed about the reasons that lead to women's entrapment in the criminal justice system and the most effective ways to respond to it, in order to enable women's social reintegration, taking into account the best interests of their children.

2. Publication and dissemination of research and good practice examples shall form comprehensive elements of policies that aim to improve the outcomes and the fairness to women and their children of criminal justice responses to women offenders.

3. The media, the public and those with professional responsibility in matters concerning women prisoners and offenders shall be provided regularly with factual information about the matters covered in these rules and about their implementation.

4. Training programmes on the present rules and the results of research shall be developed and implemented for relevant criminal justice officials to raise their awareness and sensitize them to their provisions contained therein.

Violence against women

At its May session [E/2010/30], the Commission on Crime Prevention and Criminal Justice recommended to the Economic and Social Council a draft resolution for adoption by the General Assembly on strengthening crime prevention and criminal justice responses to violence against women. On 21 December, the Assembly adopted, on the recommendation of the Council in **resolution 2010/15** (see p. 1150), **resolution 65/228** (ibid.) on that topic. In its resolution, the Assembly requested UNODC to intensify its efforts to ensure the widest possible use and dissemination of the updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice, annexed to the resolution.

Human resources development

UN research and training institutes

UNITAR financing

On 29 March, by **resolution 64/260** (see p. 1437), the General Assembly took note of the report of the Secretary-General on the financing of the core diplomatic training activities of the United Nations Institute for Training and Research (UNITAR) [YUN 2008, p. 1246] and the related report of the Advisory Committee on Administrative and Budgetary Questions [YUN 2009, p. 1109]. It welcomed the Institute's 2010–2012 strategic plan, the priority assigned to mobilizing self-generated income through the implemen-

tation of the Institute's new business model, and its initiative to create a fellowship fund with the purpose of ensuring that core diplomatic training remained a service for all Member States by defraying the costs of such training to diplomats from developing countries and least developed countries. The Assembly also appealed to Member States, private institutions and other entities to give financial support to the fellowship fund.

Education for All

UN Literacy Decade

In response to General Assembly resolution 63/154 [YUN 2008, p. 1247], the Secretary-General transmitted to the Assembly a July report [A/65/172] by the UNESCO Director-General on the implementation of the International Plan of Action for the United Nations Literacy Decade (2003–2012), proclaimed by the Assembly in resolution 56/116 [YUN 2001, p. 1052]. The report analysed global and regional literacy trends and presented an assessment of progress in the three priority areas identified through the mid-Decade review of 2008 [YUN 2008, p. 1247]: mobilizing stronger commitment to literacy; reinforcing effective literacy programme delivery; and harnessing new resources for literacy. The report also presented the situations and perspectives of Member States with regard to the implementation of the Decade's objectives and documented the impact of the Decade on generating stronger political will, policies and partnerships in favour of literacy, before outlining strategic priorities for the next phase of the Decade and beyond.

The key achievements of the Decade during the period 2008–2010 related to the goal of generating stronger political will and greater collective action to promote literacy, particularly through activities such as the Literacy Initiative for Empowerment, co-ordinated by UNESCO; the Education for All Global Action Week in 2009 on the theme of literacy; the Sixth International Conference on Adult Education (Belém, Brazil, December 2009); and the Eighth E-9 Ministerial Review Meeting on Education for All (Abuja, Nigeria, 21–24 June) on the theme "Literacy for Development", attended by the nine high-population countries of the global South. The report noted that the global literacy rate of 84 per cent was estimated to be almost unchanged since the last report to the General Assembly [YUN 2008, p. 1247], which recorded a rate of 83.6 per cent, indicating that literacy efforts were hardly keeping pace with population growth. There was progress in closing the gender gap; in terms of the proportion of the total number of non-literate adults worldwide, however, there was no progress, with women accounting for 64 per cent for the period 2000–2007 (compared to 63 per cent in

1985–1994). Nevertheless, some countries had shown growth in female literacy rates, such as Nepal, where the rate increased from 17 per cent (1985–1994) to 44 per cent (2000–2007). Based on projections in the 2010 *Education for All Global Monitoring Report*, the global adult literacy rate would reach about 87 per cent in 2015, corresponding to only a small increase from the 2000–2007 rate. The report noted that, given that the UN Literacy Decade had just over two years left to run, it was urgent to further scale up efforts and to consider the post-2012 strategy for addressing youth and adult literacy challenges. To guide current work and inform future priorities, it was essential that sustained political commitment, a focus on literacy for development, strong international partnerships, a scaling-up of funding, and a focus on literacy for achieving the Millennium Development Goals (MDGs) be ensured.

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third Committee [A/65/448], adopted **resolution 65/183** without vote [agenda item 27 (d)].

United Nations Literacy Decade: education for all

The General Assembly,

Recalling its resolution 56/116 of 19 December 2001, by which it proclaimed the ten-year period beginning on 1 January 2003 the United Nations Literacy Decade, its resolution 57/166 of 18 December 2002, in which it welcomed the International Plan of Action for the United Nations Literacy Decade, and its resolutions 59/149 of 20 December 2004, 61/140 of 19 December 2006 and 63/154 of 18 December 2008,

Recalling also the United Nations Millennium Declaration, in which Member States resolved to ensure that, by 2015, children everywhere, boys and girls alike, will be able to complete a full course of primary schooling and that girls and boys will have equal access to all levels of education, which requires a renewed commitment to promote literacy for all,

Reaffirming the Education for All goals, in particular goal 3, on ensuring that the learning needs of all young people and adults are met through equitable access to appropriate learning and life-skills programmes, and goal 4, on achieving a 50 per cent improvement in levels of adult literacy by 2015, especially for women, and equitable access to basic and continuing education for all adults,

Reaffirming also the emphasis placed by the 2005 World Summit on the critical role of both formal and non-formal education in the achievement of poverty eradication and other development goals as envisaged in the Millennium Declaration, in particular basic education and training for achieving universal literacy, and the need to strive for expanded secondary and higher education as well as vocational education and technical training, especially for girls and women, the creation of human resources and infrastructure capabilities and the empowerment of those living in poverty,

Reaffirming further that quality basic education is crucial to nation-building, that literacy for all is at the heart of basic education for all and that creating literate environments and societies is essential for achieving the goals of eradicating poverty, reducing child mortality, addressing population growth, achieving gender equality and the empowerment of women, ensuring sustainable development, peace and democracy, and promoting and protecting human rights and fundamental freedoms,

Convinced that literacy is crucial to the acquisition by every child, young person and adult of the essential life skills that will enable them to address the challenges that they may face in life and represents an essential condition of lifelong learning, which is an indispensable means for effective participation in the knowledge societies and economies of the twenty-first century,

Affirming that the realization of the right to education, especially for girls, contributes to the promotion of human rights, gender equality and the eradication of poverty,

Recognizing the necessity of improving all aspects of the quality of education so that recognized and measurable learning outcomes are achieved by all, especially in the areas of literacy, numeracy, essential life skills and human rights education, thereby enabling all persons to excel,

Welcoming the considerable efforts that have been made so far by Member States and the international community to address the objectives of the Decade and to implement the International Plan of Action, in particular in the three priority areas for the remaining years of the Decade identified through the mid-Decade review, namely, mobilizing stronger commitment to literacy, reinforcing effective literacy programme delivery and harnessing new resources for literacy,

Recognizing the importance of removing barriers, outside and within education systems, so as to provide equitable educational and learning opportunities for all children,

Reaffirming the right of indigenous peoples to have non-discriminatory access to all levels and forms of education provided by States, and recognizing the importance of effective measures to promote access for indigenous individuals, in particular children, to education in their own language, when possible, as addressed in the United Nations Declaration on the Rights of Indigenous Peoples,

Noting with deep concern that, according to the United Nations Educational, Scientific and Cultural Organization, 796 million adults do not have basic literacy skills and 69 million children of primary school age remain out of school, that millions more young people leave school without a level of literacy adequate for productive and active participation in their societies, that the issue of literacy may not be sufficiently high on national agendas to generate the kind of political and economic support required to address global literacy challenges and that the world is unlikely to meet those challenges if the present trends continue,

Deeply concerned about the persistence of the gender gap in education, which is reflected by the fact that, according to the United Nations Educational, Scientific and Cultural Organization, nearly two thirds of the world's non-literate adults are women,

Concerned about the challenges that the financial and economic crisis poses to education budgets and international funding for education, with a possible negative effect on spending for literacy programmes,

Recalling its resolution 64/290 of 9 July 2010 on the right to education in emergency situations,

Concerned that, according to United Nations Educational, Scientific and Cultural Organization estimates, one third of the children not attending school are children with disabilities and that the literacy rate among adults with disabilities is as low as 3 per cent in some countries,

1. *Takes note with appreciation* of the report of the Director-General of the United Nations Educational, Scientific and Cultural Organization on the implementation of the International Plan of Action for the United Nations Literacy Decade, including the strategic priorities outlined therein for the next phase of the Decade and beyond;

2. *Takes note* of the 2008 publication *The Global Literacy Challenge: A profile of youth and adult literacy at the mid-point of the United Nations Literacy Decade 2003–2012*, the Education for All *Global Monitoring Report 2010: Reaching the marginalized*, the first *Global Report on Adult Learning and Education*, prepared for the Sixth International Conference on Adult Education, held in Belém, Brazil, from 1 to 4 December 2009, the 2009 review of the Literacy Initiative for Empowerment, the synthesis report of the Eighth E-9 Ministerial Review Meeting on Education for All, held in Abuja from 21 to 24 June 2010, and United Nations Educational, Scientific and Cultural Organization programme reports;

3. *Also takes note* of the outcome documents of the five regional preparatory conferences, held in 2008 and 2009 in preparation for the 2009 Sixth International Conference on Adult Education, as well as the summary outcomes of the Regional Conferences in Support of Global Literacy, held in Azerbaijan, China, India, Mali, Mexico and Qatar in 2007 and 2008, which indicate that in the second half of the Decade appropriate networks should be developed for greater regional collaboration;

4. *Recognizes* that a renewed collective commitment and stronger international partnerships in support of literacy efforts at the national level will be needed if the objectives of the Decade are to be met;

5. *Calls upon* Member States, their development partners, the international donor community, the private sector and civil society, in accordance with national law, to further scale up quality literacy efforts and consider the post-2012 strategy for addressing youth and adult literacy challenges, bearing in mind that just over two years remain of the Decade and that the target date of 2015 for the achievement of the Education for All goals and the Millennium Development Goals is approaching;

6. *Recognizes* the importance of continuing to implement national programmes and measures to eliminate illiteracy worldwide as part of the commitments made in the Dakar Framework for Action on Education for All, adopted on 28 April 2000 at the World Education Forum, and in the Millennium Development Goals, and in this regard also recognizes the important contribution of South-South and triangular cooperation through, inter alia, innovative pedagogical methods in literacy;

7. *Calls upon* Member States to further reinforce political will, giving literacy higher priority within their educational planning and budgeting;

8. *Appeals* to all Governments to develop reliable literacy data and information and more inclusive poli-

cy-making environments and to devise innovative strategies for reaching the groups disproportionately affected by illiteracy, in particular the poor and those living in the most vulnerable situations, including persons with disabilities, and for seeking alternative formal and non-formal approaches to learning with a view to achieving the goals of the Decade;

9. *Appeals* to Governments to take full account of the use of languages in different contexts by promoting multi-lingual approaches to literacy, through which learners may acquire initial literacy in the language they know best and in additional languages as needed;

10. *Urges* all Governments to take the lead in coordinating the activities of the Decade at the national level, bringing all relevant national actors together in a sustained dialogue and collaborative action on policy formulation, implementation and evaluation of literacy efforts;

11. *Appeals* to all Governments to strengthen national and subnational professional institutions in their countries and to foster greater collaboration among all literacy partners with a view to developing greater capacity to design and deliver high-quality literacy programmes for youth and adults;

12. *Appeals* to all Governments and to economic and financial organizations and institutions, both national and international, to lend greater financial and material support to the efforts to increase literacy and achieve the goals of Education for All and those of the Decade;

13. *Requests* the United Nations Educational, Scientific and Cultural Organization to reinforce its coordinating and catalysing role in the fight against illiteracy;

14. *Invites* Member States, the specialized agencies and other organizations of the United Nations system, as well as relevant intergovernmental and non-governmental organizations, to support the implementation of the above priorities within the framework of the internationally agreed development goals, including those contained in the United Nations Millennium Declaration;

15. *Calls upon* Member States, in the implementation of the International Plan of Action in the final phase of the Decade, to give adequate attention to the cultural diversity of minorities and indigenous peoples;

16. *Requests* all relevant entities of the United Nations system, in particular the United Nations Educational, Scientific and Cultural Organization, in cooperation with na-

tional Governments, to take immediate, concrete steps to address the needs of countries with high illiteracy rates and/or with large populations of illiterate adults, with particular regard to women and persons with disabilities, including through programmes that promote low-cost and effective literacy provisions;

17. *Notes* the contribution made by the Sixth International Conference on Adult Education to the implementation of the Decade, and welcomes the Belém Framework for Action adopted at the Conference;

18. *Requests* the Secretary-General, in cooperation with the Director-General of the United Nations Educational, Scientific and Cultural Organization, to seek the views of Member States on the progress achieved in implementing their national programmes and plans of action for the Decade, undertake a final evaluation of the implementation of the Decade by Member States and other stakeholders and submit to the General Assembly in 2013 a final report on the implementation of the International Plan of Action with specific recommendations for the post-Decade period;

19. *Decides* to include in the provisional agenda of its sixty-eighth session, under the item entitled "Social development", the sub-item entitled "United Nations Literacy Decade: education for all".

By **resolution 65/1** of 22 September (see p. 815), the Assembly adopted the outcome document of the High-level Plenary Meeting of the General Assembly on the MDGs (New York, 20–22 September) entitled "Keeping the promise: united to achieve the MDGs". With regard to MDG 2 to achieve universal primary education, Heads of State and Government committed to accelerating progress towards achieving that goal.

Economic and Social Council action. On 10 November, by **decision 2010/262**, the Economic and Social Council decided that the theme for the discussion of the high-level segment of the substantive session of 2011 would be "Current global and national trends and challenges and their impact on education".

Women

The year 2010 marked the fifteenth anniversary of the Fourth (1995) World Conference on Women, and the United Nations observed the milestone with a number of activities that served to gauge its efforts to advance the status of women worldwide. The Commission on the Status of Women carried out a global review of progress in the implementation of the Beijing Declaration and Platform for Action, adopted at the Fourth World Conference, and the outcomes of the General Assembly's twenty-third (2000) special session (Beijing+5). The Commission held a series of high-level round table and panel discussions, the summaries of which were submitted to the Economic and Social Council as input for its 2010 annual ministerial review on implementing the internationally agreed goals and commitments in regard to gender equality and the empowerment of women. It also adopted a declaration on the occasion of the fifteenth anniversary and transmitted it, through the Council, to the Assembly, which endorsed it in December.

In July, the Assembly established the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), to be operational by 1 January 2011. Combining the mandates and assets of the four existing entities dealing with women's issues—the Office of the Special Adviser on Gender Issues and Advancement of Women, the Division for the Advancement of Women, the United Nations Development Fund for Women, and the International Research and Training Institute for the Advancement of Women—UN-Women would be the centre of the UN system gender architecture. In October, the Council decided on procedures for the election of the UN-Women Executive Board and the Assembly made key financing decisions, including by approving the use of a grant modality to administer UN-Women regular budget resources, and determining the amount and sources of funding to be transferred to UN-Women in the 2010–2011 UN regular budget.

The Commission on the Status of Women, in March, brought to the Council's attention resolutions on: women, the girl child and HIV and AIDS; the release of women and children taken hostage, including those subsequently imprisoned, in armed conflicts; women's economic empowerment; ending female genital mutilation; and eliminating maternal mortality. It also recommended to the Council the adoption of a draft resolution on the situation of and assistance to Palestinian women, on which the Council took ac-

tion in July, along with a resolution on mainstreaming a gender perspective into all policies and programmes in the UN system.

Issues central to women's lives on which the Assembly adopted resolutions included: eliminating violence against women; supporting efforts to end obstetric fistula; the establishment of International Widows' Day; trafficking in women and girls; strengthening criminal justice responses to violence against women; follow-up to the Fourth World Conference on Women and full implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session; and strengthening crime prevention and criminal justice responses to violence against women. The last resolution contained the updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice.

Two Security Council presidential statements in April and October on women and armed conflict welcomed the appointment of Margot Wallström as the Secretary-General's Special Representative on Sexual Violence in Conflict and supported the development of a set of proposed indicators for use at the global level to track implementation of resolution 1325(2000) on women's full participation in the prevention and resolution of conflicts. In a December resolution, the Council requested the Secretary-General to list in his annual reports on the implementation of resolutions 1820(2008) and 1888(2009) on sexual violence and armed conflict the parties suspected of committing rape and other sexual violence in conflict situations on the Council's agenda.

Follow-up to the Fourth World Conference on Women and Beijing+5

During 2010, the Commission on the Status of Women, the Economic and Social Council and the General Assembly considered follow-up to the 1995 Fourth World Conference on Women, particularly the implementation of the Beijing Declaration and Platform for Action [YUN 1995, p. 1170] and the political declaration and further actions and initiatives to implement both instruments adopted at the twenty-third (2000) special session of the Assembly (Beijing+5) by resolution S/23-2 [YUN 2000, p. 1084].

The Declaration had reaffirmed the commitment of Governments to the goals and objectives of the Fourth World Conference and to the implementation of the 12 critical areas of concern outlined in the Platform for Action: women and poverty; education and training of women; women and health; violence against women; women and armed conflict; women and the economy; women in power and decision-making; institutional mechanisms for the advancement of women; the human rights of women; women and the media; women and the environment; and the girl child. The issue of mainstreaming a gender perspective into UN policies and programmes continued to be addressed (see p. 1168).

Report of Secretary-General. In response to General Assembly resolution 64/141 [YUN 2009, p. 1116], the Secretary-General, in an August report [A/65/204], reviewed the follow-up to and implementation of the Beijing Declaration and Platform for Action and the outcomes of Assembly's twenty-third special session. He described steps taken by intergovernmental bodies to incorporate gender equality perspectives into their work, including advances made during the sixty-fourth (2009) session of the Assembly and the 2009 substantive session of the Economic and Social Council and in the work of their subsidiary bodies, notably at the fifty-third (2009) and fifty-fourth (2010) sessions of the Commission on the Status of Women. Since 2010 marked the fifteenth anniversary of the Fourth World Conference, the report outlined some of the activities taking place to observe the milestone. Notably, the Commission on the Status of Women carried out a global review of progress in the implementation of the Beijing Declaration and Platform for Action and the outcomes of the Assembly's twenty-third special session (see below), while the Assembly held a commemorative event on 2 March (see p. 1135).

The Assembly and the Council considered gender equality and the empowerment of women within and across a variety of agenda items, including women's human rights, violence against women, women in development and the need for improved data collection and analysis. Although gender equality and women's empowerment were addressed at a number of high-level events and discussions and in the work of the Assembly's subsidiary bodies, such as the Peacebuilding Commission and the Human Rights Council (see p. 633), gender equality considerations appeared in only a limited number of resolutions of intergovernmental bodies and in only about half of the reports of the Secretary-General. Gender mainstreaming was disproportionately concentrated in development-related agendas and not uniformly addressed in the work of the Assembly and Council. There was, therefore, a need to improve its inclusion into all the documentation and work of intergovern-

mental bodies and to accelerate the implementation of commitments on gender equality, women's human rights and women's empowerment. The report noted that lack of adequate data impeded progress towards gender equality and women's empowerment and limited the ability of Member States to improve institutional mechanisms, design better policies and tailor relevant and more effective strategies to address the needs and vulnerabilities of their populations. Increased investment in data collection and analysis at the global, regional and national levels was required.

The Secretary-General suggested that the Assembly might consider: strengthening its efforts to enhance accountability with respect to the implementation of gender-equality commitments, including by improved monitoring and reporting on progress in relation to policies, strategies, resource allocations and programmes; encourage Member States, UN entities, international and regional organizations and other actors to prioritize the strengthening of data collection and monitoring capacities; request that reports submitted to the Assembly, the Council and their subsidiary bodies facilitate gender-sensitive policy development through qualitative gender analysis, sex-disaggregated data and concrete recommendations for action; ensure that gender perspectives were mainstreamed in the preparation, implementation and follow-up of all UN conferences, summits and high-level meetings; and encourage the committees of the Assembly and commissions of the Council to hold periodic thematic discussions on progress made in mainstreaming gender perspectives into their work.

Review of Fourth World Conference and Beijing+5 (2010)

In response to Economic and Social Council resolutions 2006/9 [YUN 2006, p. 1356] and 2009/15 [YUN 2009, p. 1155], the Secretary-General, in a February report [E/2010/4-E/CN.6/2010/2], reviewed progress in the implementation of the Beijing Declaration and Platform for Action and the outcomes of the twenty-third special session of the Assembly, and the contribution of the implementation to shaping a gender perspective towards the realization of the Millennium Development Goals (MDGs). The report was based on information provided in response to a questionnaire distributed by the UN regional commissions to Member States and observer States at the end of 2008. By November 2009, 139 Member States and one observer State had responded.

For each of the 12 critical areas of concern in the Platform for Action, the report reviewed major global policy developments, trends in national-level implementation, and remaining gaps and challenges. Cross-cutting issues included: the need to combat gender stereotypes; violence against women; the im-

portance of increasing the participation of women in decision-making; the critical role of men and boys in achieving gender equality and the empowerment of women and girls; and the unequal distribution of unpaid work between women and men. Legal frameworks that provided specific legislation on gender equality and ensured attention to gender equality perspectives in all other legislation were recognized as a critical foundation for implementation, as was the adoption of national policies and action plans on gender equality. The improvement of statistics, disaggregated by sex and age, was considered crucial for ensuring the development of strategies and actions, monitoring trends and progress, assessing the impact of measures, and allowing policymakers to undertake legislative and policy reforms. Strengthening political will and leadership was considered a priority, as was increasing resource allocations for promoting gender equality in general, and implementing the gender mainstreaming strategy in particular.

With regard to linkages between the Platform for Action and the gender equality dimensions of each MDG, the report stated that gender equality perspectives were poorly reflected in the formulation of many MDGs and were not explicitly outlined in strategies and plans for implementation of the Goals. The lack of progress for women suggested that the global policy framework on gender equality and women's empowerment, particularly the Platform for Action, was insufficiently used as a basis for policymaking and programming aimed at MDG achievement. The Secretary-General recommended that participatory processes and strategic partnerships be expanded, particularly by having national gender equality mechanisms participate in national MDG processes, including monitoring and reporting. Consultative processes involving women's groups and networks, and other civil society actors, would also contribute to greater collaboration across sectors. As the need for improved tracking and monitoring of gender equality expenditures had been recognized, the Secretary-General recommended that financing for gender equality and women's empowerment be strengthened through the use of gender-responsive budgeting and the integration of gender equality perspectives in economic decision-making.

Commission action. The Commission on the Status of Women, at its fifty-fourth session (New York, 1–12 March) [E/2010/27], reviewed progress in implementing the Beijing Declaration and Platform for Action [YUN 1995, p. 1170] and the outcomes of the twenty-third special session of the General Assembly, entitled “Women 2000: gender equality, development and peace for the twenty-first century” [YUN 2000, p. 1082]. In preparation for the review, the five UN regional commissions submitted reports to the Commission. On 1 March, the Commission held a

high-level round table on the theme “Implementation of the Beijing Declaration and Platform for Action and the outcomes of the twenty-third special session and its contribution to shaping a gender perspective in the realization of the Millennium Development Goals”. On 2 March [E/2010/27 (res. 54/1)], the Commission adopted a resolution containing the declaration on the occasion of the fifteenth anniversary of the Fourth World Conference on Women and transmitted it through the Economic and Social Council to the General Assembly for its endorsement. During its March session, the Commission held expert panel discussions on the following topics: linkages between the implementation of the Beijing Platform for Action and the achievement of the MDGs; implementing the internationally agreed goals and commitments in regard to gender equality and empowerment of women; regional perspectives in progress achieved and remaining gaps and challenges in the implementation of the Beijing Platform for Action; commemorating 30 years of the Convention on the Elimination of All Forms of Discrimination against Women; women's economic empowerment in the context of the global economic and financial crises; unity towards ending violence against women; and the evolving status and role of national mechanisms for gender equality. On 12 March, the Commission adopted a decision [ibid. (dec. 54/101)] on implementing the internationally agreed goals and commitments in regard to gender equality and the empowerment of women, by which it transmitted summaries of the discussions held at the high-level round table and panels convened during its session to the Economic and Social Council as input for its 2010 annual ministerial review (see below).

Commemoration of fifteenth anniversary. On 2 March [A/64/PV.73], the General Assembly held a commemorative meeting to mark the fifteenth anniversary of the Fourth (1995) World Conference on Women [YUN 1995, p. 1168].

Economic and Social Council ministerial review. On 28 and 30 June and 1 July, during the high-level segment of its 2010 substantive session [A/65/3/Rev.1], the Economic and Social Council held its annual ministerial review on the theme “Implementing the internationally agreed goals and commitments in regard to gender equality and empowerment of women”. The Council had before it voluntary national presentations on the subject from Australia [E/2010/63], Brazil [E/2010/65], Congo [E/2010/78], France [E/2010/81], Guatemala [E/2010/60], Moldova [E/2010/67], Mongolia [E/2010/80], Namibia [E/2010/61], the Netherlands [E/2010/62], Norway [E/2010/66], Portugal [E/2010/59], the Republic of Korea [E/2010/71] and the United States [E/2010/58]. It also had before it a letter from Senegal transmitting the report of the African regional preparatory meeting on women and health (Dakar, Senegal, 12–13 Janu-

ary) [E/2010/75]. On 2 July, the Council adopted the Ministerial Declaration, which reaffirmed that gender equality, the empowerment of women and women's full enjoyment of human rights were central to economic and social development and the achievement of the MDGs. It acknowledged the vital role of women as agents of development and called attention to the need to intensify efforts to prevent and eliminate all forms of violence against women and girls, as well as for the implementation of measures to promote women's access to full and productive employment through decent work and equal pay. It called on the High-level Plenary Meeting of the sixty-fifth (2010) session of the General Assembly (20–22 September) on accelerating progress towards the achievement of all the MDGs by 2015 (see p. 813) to take into account the recommendations contained in the declaration and to ensure that gender perspectives were integrated into the Meeting's outcome.

In a 19 July letter [A/64/874], the Council President transmitted the Ministerial Declaration to the Assembly as a contribution to preparations for the High-level Plenary Meeting.

Declaration on fifteenth anniversary. On 20 July, the Council took note of the declaration adopted by the Commission on the Status of Women on the occasion of the fifteenth anniversary of the Fourth World Conference on Women (see above) and transmitted it to the Assembly for endorsement (**decision 2010/232**).

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third (Social, Humanitarian and Cultural) Committee [A/65/449], adopted **resolution 65/191** without vote [agenda item 28 (b)].

Follow-up to the Fourth World Conference on Women and full implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly

The General Assembly,

Recalling its previous resolutions on the question, including resolution 64/141 of 18 December 2009,

Deeply convinced that the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century" are important contributions to the achievement of gender equality and the empowerment of women and must be translated into effective action by all States, the United Nations system and other organizations concerned,

Reaffirming the commitments to gender equality and the advancement of women made at the Millennium Summit, the 2005 World Summit, the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals and other major United Nations summits, confer-

ences and special sessions, and reaffirming also that their full, effective and accelerated implementation is integral to achieving the internationally agreed development goals, including the Millennium Development Goals,

Welcoming progress made towards achieving gender equality, but stressing that challenges and obstacles remain in the implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session,

Recognizing that the responsibility for the implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session rests primarily at the national level and that strengthened efforts are necessary in this respect, and reiterating that enhanced international cooperation is essential for full, effective and accelerated implementation,

Taking note of the declaration adopted by the Commission on the Status of Women on the occasion of the fifteenth anniversary of the Fourth World Conference on Women,

Welcoming the work of the Commission on the Status of Women in reviewing the implementation of the Beijing Declaration and Platform for Action, and taking note with appreciation of all its agreed conclusions,

Welcoming also the adoption of General Assembly resolution 64/289 of 2 July 2010 on system-wide coherence, in particular the establishment of the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women),

Welcoming further the appointment of Ms. Michelle Bachelet, former President of Chile, as Under-Secretary-General and head of UN-Women,

Looking forward to the timely, effective and efficient operationalization of UN-Women, noting the importance of the early elaboration of the forthcoming strategic plan and budget for its operationalization, and stressing the need to meet the initial funding requirement to this end,

Reaffirming that gender mainstreaming is a globally accepted strategy for promoting the empowerment of women and achieving gender equality by transforming structures of inequality, and reaffirming also the commitment to actively promote the mainstreaming of a gender perspective into the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and social spheres, as well as the commitment to strengthen the capabilities of the United Nations system in the area of gender equality,

Taking note with appreciation of the report of the Secretary-General on mainstreaming a gender perspective into all policies and programmes in the United Nations system, and stressing the importance of the continued integration of a gender perspective in the work and activities of the Human Rights Council,

Reaffirming the commitments in regard to gender equality and the empowerment of women in the Doha Declaration on Financing for Development: outcome document of the Follow-up International Conference on Financing for Development to Review the Implementation of the Monterrey Consensus,

Bearing in mind the challenges and obstacles to changing discriminatory attitudes and gender stereotypes, which perpetuate discrimination against women and stereotypical roles of men and women, and stressing that challenges and

obstacles remain in the implementation of international standards and norms to address the inequality between men and women,

Reaffirming the Declaration of Commitment on HIV/AIDS and the Political Declaration on HIV/AIDS adopted at the High-level Meeting on HIV/AIDS, held on 2 June 2006, which, inter alia, acknowledged the feminization of the pandemic,

Expressing serious concern that the urgent goal of 50/50 gender balance in the United Nations system, especially at senior and policymaking levels, with full respect for the principle of equitable geographical distribution, in conformity with Article 101, paragraph 3, of the Charter of the United Nations, remains unmet, and that the representation of women in the United Nations system has remained almost static, with negligible improvement in some parts of the system, as reflected in the report of the Secretary-General on the improvement of the status of women in the United Nations system,

Reaffirming the important role of women in the prevention and resolution of conflicts and in peacebuilding,

Recalling Security Council resolutions 1325(2000) of 31 October 2000, 1820(2008) of 19 June 2008, 1888(2009) of 30 September 2009 and 1889(2009) of 5 October 2009 on women and peace and security and resolution 1882(2009) of 4 August 2009 on children and armed conflict,

1. *Takes note with appreciation* of the report of the Secretary-General on the measures taken and progress achieved in follow-up to the implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly;

2. *Reaffirms* the Beijing Declaration and Platform for Action adopted at the Fourth World Conference on Women and the outcome of the twenty-third special session of the General Assembly, as well as the declaration adopted on the occasion of the ten-year review and appraisal of the implementation of the Beijing Declaration and Platform for Action at the forty-ninth session of the Commission on the Status of Women, and also reaffirms its commitment to their full, effective and accelerated implementation;

3. *Also reaffirms* the primary and essential role of the General Assembly and the Economic and Social Council, as well as the catalytic role of the Commission on the Status of Women, in promoting gender equality and the empowerment of women based on the full implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session and in promoting and monitoring gender mainstreaming within the United Nations system;

4. *Recognizes* that the implementation of the Beijing Declaration and Platform for Action and the fulfilment of the obligations of States parties under the Convention on the Elimination of All Forms of Discrimination against Women are mutually reinforcing in respect of achieving gender equality and the empowerment of women, and in this regard welcomes the contributions of the Committee on the Elimination of Discrimination against Women to promoting the implementation of the Platform for Action and the outcome of the twenty-third special session, and invites States parties to the Convention to include information on measures taken to enhance implementation at

the national level in their reports to the Committee under article 18 of the Convention;

5. *Calls upon* States parties to comply fully with their obligations under the Convention on the Elimination of All Forms of Discrimination against Women and the Optional Protocol thereto and to take into consideration the concluding observations as well as the general recommendations of the Committee, urges States parties to consider limiting the extent of any reservations that they lodge to the Convention, to formulate any reservations as precisely and narrowly as possible and to regularly review such reservations with a view to withdrawing them so as to ensure that no reservation is incompatible with the object and purpose of the Convention, also urges all Member States that have not yet ratified or acceded to the Convention to consider doing so, and calls upon those Member States that have not yet done so to consider signing and ratifying or acceding to the Optional Protocol;

6. *Welcomes* the establishment of UN-Women, which consolidates the mandates and functions of the Office of the Special Adviser on Gender Issues and Advancement of Women, the Division for the Advancement of Women, the United Nations Development Fund for Women and the International Research and Training Institute for the Advancement of Women, with the additional role of leading, coordinating and promoting the accountability of the United Nations system in its work on gender equality and the empowerment of women, as established under General Assembly resolution 64/289;

7. *Recognizes* the role of the General Assembly, the Economic and Social Council and the Commission on the Status of Women as the multitiered intergovernmental governance structure for the normative support functions that shall provide normative policy guidance for UN-Women;

8. *Also recognizes* the role of the General Assembly, the Economic and Social Council and the Executive Board of UN-Women as the multitiered intergovernmental governance structure for the operational activities that shall provide operational policy guidance for UN-Women;

9. *Urges* Member States to ensure adequate funding for the budget of UN-Women by providing, when legislative and budgetary provisions allow, core, multi-year, predictable, stable and sustainable voluntary contributions to enable UN-Women to promptly and effectively plan and carry out its mandate;

10. *Welcomes* the ministerial declaration adopted by the Economic and Social Council in 2010 on the theme "Implementing the internationally agreed goals and commitments in regard to gender equality and empowerment of women";

11. *Endorses* the declaration adopted by the Commission on the Status of Women at its fifty-fourth session on the occasion of the fifteenth anniversary of the Fourth World Conference on Women;

12. *Encourages* all actors, inter alia, Governments, the United Nations system, other international organizations and civil society, to continue to support the work of the Commission on the Status of Women in fulfilling its central role in the follow-up to and review of the implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session, and, as applicable, to carry out its recommendations, and welcomes in this regard the revised programme and methods

of work of the Commission adopted at its fifty-third session, which continue to focus attention on the sharing of experiences, lessons learned and good practices in overcoming challenges to full implementation at the national and international levels as well as to the evaluation of progress in the implementation of priority themes;

13. *Calls upon* Governments and the organs and relevant funds, programmes and specialized agencies of the United Nations system, within their respective mandates, and other international and regional organizations, including financial institutions, and all relevant actors of civil society, including non-governmental organizations, to intensify action to achieve the full and effective implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session;

14. *Reaffirms* that States have an obligation to exercise due diligence to prevent violence against women and girls, provide protection to the victims and investigate, prosecute and punish the perpetrators of violence against women and girls and that failure to do so violates and impairs or nullifies the enjoyment of their human rights and fundamental freedoms, calls upon Governments to elaborate and implement laws and strategies to eliminate violence against women and girls, encourages and supports men and boys in taking an active part in the prevention and elimination of all forms of violence, encourages increased understanding among men and boys of how violence harms girls, boys, women and men and undermines gender equality, encourages all actors to speak out against any violence against women, and in this regard encourages Member States to continue to support the Secretary-General's ongoing campaign "UNITE to End Violence against Women" and the UN-Women social mobilization and advocacy platform "Say NO to violence against women";

15. *Reiterates its call* to the United Nations system, including the main organs, their main committees and subsidiary bodies, functions such as the annual ministerial review and the Development Cooperation Forum of the Economic and Social Council, and the funds, programmes and specialized agencies, to increase efforts to fully mainstream a gender perspective into all issues under their consideration and within their mandates, as well as in all United Nations summits, conferences and special sessions and in their follow-up processes, including the Fourth United Nations Conference on the Least Developed Countries in 2011, the United Nations Conference on Sustainable Development in 2012 and the review and appraisal of the Madrid International Plan of Action on Ageing, 2002, at the fifty-first session of the Commission for Social Development, in 2013;

16. *Requests* that the entities of the United Nations system systematically incorporate the outcomes of the Commission on the Status of Women into their work within their mandates, inter alia, to ensure effective support for the efforts of Member States towards the achievement of gender equality and the empowerment of women;

17. *Strongly encourages* Governments to continue to support the role and contribution of civil society, in particular non-governmental organizations and women's organizations, in the implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session;

18. *Requests* that reports of the Secretary-General submitted to the General Assembly and the Economic and Social Council and their subsidiary bodies systematically address gender perspectives through qualitative gender analysis, sex- and age-disaggregated data and, where available, quantitative data, in particular through concrete conclusions and recommendations for further action on gender equality and the empowerment of women, in order to facilitate gender-sensitive policy development;

19. *Encourages* Member States, with the support of, as appropriate, United Nations entities, including UN-Women, international and regional organizations and other relevant actors, to prioritize the strengthening of national data collection and monitoring capacities, with regard to statistics disaggregated by sex and age, as well as national tracking indicators for gender equality and the empowerment of women through multisectoral efforts and partnerships;

20. *Calls upon* all parts of the United Nations system to continue to play an active role in ensuring the full, effective and accelerated implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session, through, inter alia, the maintenance of gender specialists in all entities of the United Nations system, as well as by ensuring that all personnel, especially in the field, receive training and appropriate follow-up, including tools, guidance and support, for accelerated gender mainstreaming, and reaffirms the need to strengthen the capabilities of the United Nations system in the area of gender;

21. *Requests* the Secretary-General to review and redouble his efforts to make progress towards achieving the goal of 50/50 gender balance at all levels throughout the United Nations system, with full respect for the principle of equitable geographical distribution, in conformity with Article 101, paragraph 3, of the Charter of the United Nations, considering, in particular, women from developing and least developed countries, from countries with economies in transition and from unrepresented or largely underrepresented Member States, and to ensure managerial and departmental accountability with respect to gender balance targets, and strongly encourages Member States to identify and regularly submit more women candidates for appointment to positions in the United Nations system, especially at more senior and policymaking levels, including in peacekeeping operations;

22. *Calls upon* the United Nations system to continue its efforts towards achieving the goal of gender balance, including with the active support of gender focal points, and requests the Secretary-General to provide an oral report to the Commission on the Status of Women at its fifty-fifth session and to report to the General Assembly at its sixty-seventh session on the improvement of the status of women in the United Nations system, under the item entitled "Advancement of women", and on progress made and obstacles encountered in achieving gender balance, recommendations for accelerating progress, and up-to-date statistics, including the number and percentage of women and their functions and nationalities throughout the United Nations system, and information on the responsibility and accountability of the offices of human resources management and the secretariat of the United Nations System Chief Executives Board for Coordination for promoting gender balance;

23. *Encourages* increased efforts by Governments and the United Nations system to enhance accountability for the implementation of commitments to gender equality and the empowerment of women at the international, regional and national levels, including by improved monitoring and reporting on progress in relation to policies, strategies, resource allocations and programmes and by achieving gender balance;

24. *Reaffirms* that Governments bear the primary responsibility for the achievement of gender equality and the empowerment of women and that international cooperation has an essential role in assisting developing countries in progressing towards the full implementation of the Beijing Declaration and Platform for Action;

25. *Requests* the Secretary-General to continue to report annually to the General Assembly under the item entitled “Advancement of women”, as well as to the Commission on the Status of Women and the Economic and Social Council, on the follow-up to and progress made in the implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session, with an assessment of progress in gender mainstreaming, including information on key achievements, lessons learned and good practices, and recommendations on further measures to enhance implementation.

Critical areas of concern

Women and poverty

Women in development

At the High-level Plenary Meeting on the MDGs (see p. 813), the General Assembly, on 22 September, by **resolution 65/1**, adopted the outcome document, entitled “Keeping the promise: united to achieve the Millennium Development Goals”. The Assembly recognized that achieving gender equality and women’s empowerment was both a key development goal and an important means for realizing all of the MDGs. It welcomed the establishment of UN-Women (see p. 1178) and pledged full support for its operationalization. The Assembly noted that with increased political commitment, successful approaches in MDG implementation could be replicated and scaled up for further progress, including by advancing the economic, legal and political empowerment of women, and investing in the health of women and children to reduce the number of women and children who died of preventable causes.

2010 ECOSOC thematic dialogue

On 28 April, the Economic and Social Council decided that “Gender equality and empowerment of women in the implementation of the Millennium Development Goals: regional perspectives” would be the theme for the item on regional cooperation of its 2010 substantive session (**decision 2010/207**). On 2 July, the Council held a dialogue with the Executive Secretaries of the regional commissions on the chosen theme.

International Widows’ Day

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third Committee [A/65/449], adopted **resolution 65/189** without vote [agenda item 28 (a)].

International Widows’ Day

The General Assembly,

Recalling all its relevant resolutions, including the United Nations Millennium Declaration, as well as the Universal Declaration of Human Rights, the Convention on the Rights of the Child, the outcomes of the major United Nations conferences and summits in the economic and social fields, and, in particular, the agreed conclusions endorsing the eradication of poverty through the empowerment of women throughout their life cycle adopted by the Commission on the Status of Women at its forty-sixth session, and the Beijing Declaration and Platform for Action adopted at the Fourth World Conference on Women on 15 September 1995,

Recalling also the Convention on the Elimination of All Forms of Discrimination against Women, in particular article 3, according to which parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women,

Affirming that ensuring and promoting the full realization of all human rights and fundamental freedoms for all women is critical to achieving all internationally agreed development goals, including the Millennium Development Goals,

Emphasizing that the economic empowerment of women, including widows, is a critical factor in the eradication of poverty,

Recognizing that all aspects of the lives of widowed women and their children are, in many parts of the world, negatively affected by various economic, social and cultural factors, including lack of access to inheritance, land tenure, employment and/or livelihood, social safety nets, health care and education,

Recognizing also the link existing between the situation of widows and that of their children,

Deeply concerned that millions of widows’ children face hunger, malnutrition, child labour, difficult access to health care, water and sanitation, loss of schooling, illiteracy and human trafficking,

Reaffirming that women, including widowed women, should be an integral part of the society in the State where they reside, and recalling the importance of positive steps on the part of Member States to that end,

Emphasizing the need to give special attention to the situation of widows and their children, including those living in rural areas,

1. *Decides*, with effect from 2011, to observe International Widows’ Day on 23 June each year;

2. *Calls upon* Member States, the United Nations system and other international and regional organizations, within their respective mandates, to give special attention to the situation of widows and their children;

3. *Invites* all Member States, relevant organizations of the United Nations system and other international organizations, as well as civil society, to observe International Widows' Day and to raise awareness of the situation of widows and their children around the world;

4. *Requests* the Secretary-General to take the measures necessary, within existing resources, for the observance by the United Nations of International Widows' Day.

Women's health

Women, the girl child and HIV/AIDS

In a March resolution [E/2010/27 (res. 54/2)], the Commission on the Status of Women requested Governments to provide equal access for all persons to social services related to health care, especially women and girls living with or affected by HIV and AIDS, including treatment for opportunistic infections and other HIV-related diseases. Governments were called on to integrate HIV prevention and voluntary counselling and testing into other health services, and to intensify efforts to eliminate discrimination against women and girls in relation to HIV and AIDS. The Commission stressed that women and girls should be empowered to protect themselves against violence and have the right to decide on matters related to their sexuality. Governments and the international donor community were called on to integrate a gender perspective in all matters of international assistance and take measures to ensure that resources concomitant with the impact of HIV and AIDS on women and girls were made available. The Commission requested the Secretariat and co-sponsors of the Joint United Nations Programme on HIV/AIDS and other UN agencies addressing the pandemic, as well as the Global Fund to Fight AIDS, Tuberculosis and Malaria, to mainstream a gender and human rights perspective throughout their HIV- and AIDS-related operations. The Commission recommended that gender-equality perspectives be included throughout the MDG review process, and that gender analysis, harmonization of data, and the development and refinement of indicators be used to update the core indicators on HIV and AIDS for the reporting system of the 2001 special session of the Assembly on HIV/AIDS [YUN 2001, p. 1125].

Elimination of obstetric fistula

In response to General Assembly resolution 63/158 [YUN 2008, p. 1256], the Secretary-General submitted an August report on supporting efforts to end obstetric fistula [A/65/268], a devastating childbirth injury leaving women incontinent and therefore often stigmatized and isolated within their communities. It described actions taken at the international, regional and national levels, including within the UN system, to end obstetric fistula. Prolonged obstructed labour

without medical or surgical care was the main cause of obstetric fistula and, in almost 90 per cent of such cases, the baby was stillborn or died within the first week of life. Noting that precise figures were lacking, the report stated that at least 2 million, and possibly 3.5 million, women suffered from the condition. Attention was drawn to the need to address obstetric fistula in the context of the achievement of MDG 5 on improving maternal health and achieving universal access to reproductive health by 2015. A preventable and treatable condition that afflicted the most impoverished women and girls in the developing world, obstetric fistula was a stark example of continued global health inequity.

The United Nations Population Fund (UNFPA) continued its global Campaign to End Fistula [YUN 2002, p. 1078], aiming to end obstetric fistula by 2015 by offering preventative and treatment measures. In 2010, UNFPA conducted about 5,000 surgical treatments and was active in more than 49 countries in Africa, the Arab States and Asia (see PART THREE, Chapter VIII).

Noting that educating and empowering girls and women was crucial for the prevention of obstetric fistula, the Secretary-General recommended greater investment in health-care systems, especially in priority countries in sub-Saharan Africa and South Asia. He also proposed investments to support national health-care plans and address health-care coverage inequalities among socio-economic and age groups, particularly in rural areas and in poor urban areas. Equitable geographic access required the distribution of health-care facilities and personnel, collaboration with the transport sector on affordable transport options, and the promotion of community-based solutions, while financial access required innovative mechanisms to ensure the availability of free or subsidized delivery care and obstetric fistula treatment. He called for strengthened and expanded interventions to keep adolescent girls in school, stop child marriages and promote health-seeking behaviours. Achieving MDG 5 and the eradication of obstetric fistula would require substantial financial resources, including sustained and predictable funding for preventing and treating existing and new cases until 2015.

Global Strategy for Women's and Children's Health. On 22 September, the Secretary-General launched the Global Strategy for Women's and Children's Health (Every Woman Every Child), which aimed to save 16 million lives by 2015 through accelerating collective progress towards the achievement of MDG 4 (a two-thirds reduction in under-five mortality) and 5 (a three-quarters reduction in maternal mortality and universal access to reproductive health). In **resolution 65/197** of 21 December, the General Assembly took note of the launch (see p. 647).

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third Committee [A/65/449], adopted **resolution 65/188** without vote [agenda item 28 (a)].

Supporting efforts to end obstetric fistula

The General Assembly,

Recalling its resolutions 62/138 of 18 December 2007 and 63/158 of 18 December 2008 on supporting efforts to end obstetric fistula,

Reaffirming the Beijing Declaration and Platform for Action, the outcome of the twenty-third special session of the General Assembly entitled “Women 2000: gender equality, development and peace for the twenty-first century” and the declaration adopted at the forty-ninth session of the Commission on the Status of Women,

Reaffirming also the international commitments in the field of social development and to gender equality and the advancement of women made at the World Conference on Human Rights, the International Conference on Population and Development, the World Summit for Social Development and the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, as well as those made in the United Nations Millennium Declaration and at the 2005 World Summit,

Reaffirming further the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child, and urging States that have not done so to consider, as a matter of priority, signing, ratifying or acceding to those Conventions and the Optional Protocols thereto,

Taking note with appreciation of the report of the Secretary-General on supporting efforts to end obstetric fistula, and welcoming the conclusions and recommendations contained therein,

Stressing the interlinkages between poverty, malnutrition, lack of or inadequate or inaccessible health services, early childbearing, early marriage of the girl child, violence against young women and girls and gender discrimination as root causes of obstetric fistula, and that poverty remains the main social risk factor,

Recognizing that the difficult socio-economic conditions that exist in many developing countries, in particular the least developed countries, have resulted in the acceleration of the feminization of poverty,

Recognizing also that early pregnancy and early childbearing entail complications during pregnancy and delivery and a much higher risk of maternal mortality and morbidity, and deeply concerned that early childbearing and limited access to the highest attainable standard of health, including sexual and reproductive health, including in the area of emergency obstetric care, cause high levels of obstetric fistula and other maternal morbidities, as well as maternal mortality,

Recognizing further the serious immediate and long-term implications for health, including sexual and reproductive health, as well as increased vulnerability to HIV/AIDS, and the negative impact on psychological, social and economic development that violence against the girl child and adolescent girls represents for individuals, families, communities and States,

Deeply concerned about discrimination against the girl child and the violation of the rights of the girl child, which often result in less access by girls to education and nutrition, reduced physical and mental health and enjoyment by girls of fewer of the rights, opportunities and benefits of childhood and adolescence compared with boys, and in their often being subjected to various forms of cultural, social, sexual and economic exploitation and to violence and harmful practices,

Welcoming the contribution by Member States, the international community and civil society to the global Campaign to End Fistula, bearing in mind that a people-centred approach to social and economic development is fundamental for protecting and empowering individuals and communities,

Welcoming also the outcome document of the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals, entitled “Keeping the promise: united to achieve the Millennium Development Goals”, in particular the references to Goal 5,

Welcoming further the Secretary-General’s Global Strategy for Women’s and Children’s Health, undertaken by a broad coalition of partners, in support of national plans and strategies aimed at significantly reducing the number of maternal, newborn and under-five child deaths as a matter of immediate concern by scaling up a priority package of high-impact interventions and integrating efforts in sectors such as health, education, gender equality, water and sanitation, poverty reduction and nutrition,

Welcoming the various national, regional and international initiatives on all the Millennium Development Goals, including those undertaken bilaterally and through South-South cooperation, in support of national plans and strategies in sectors such as health, education, gender equality, energy, water and sanitation, poverty reduction and nutrition as a way to reduce the number of maternal, newborn and under-five child deaths,

Welcoming also ongoing partnerships between stakeholders at all levels to address the multifaceted determinants of maternal, newborn and child health in close coordination with Member States based on their needs and priorities and the commitments announced during the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals to accelerate progress on the health-related Goals,

Reaffirming the renewed and reinforced commitments made by Member States for achieving Millennium Development Goal 5,

1. *Recognizes* the interlinkages between poverty, malnutrition, lack of or inadequate or inaccessible health services, early childbearing, early marriage of the girl child and gender discrimination as root causes of obstetric fistula, that poverty remains the main social risk factor, that the eradication of poverty is critical to meeting the needs and protecting and promoting the rights of women and girls and that continued urgent national and international action is required to eliminate it;

2. *Stresses* the need to address the social issues that contribute to the problem of obstetric fistula, such as early marriage of the girl child, early pregnancy, lack of access to sexual and reproductive health, lack of or inadequate education of women and girls, poverty and the low status of women and girls;

3. *Also stresses* that States have the obligation to promote and protect all human rights and fundamental freedoms of women and girls, that they must exercise due diligence in order to prevent, investigate and punish the perpetrators of violence against women and girls and to provide protection to the victims, and that failure to do so violates and impairs or nullifies the enjoyment of their human rights and fundamental freedoms;

4. *Calls upon* States to take all measures necessary to ensure the right of women and girls to the enjoyment of the highest attainable standard of health, including sexual and reproductive health, and to develop sustainable health systems and social services, with a view to ensuring access to such systems and services without discrimination, while paying special attention to adequate food and nutrition, water and sanitation, family planning information, increasing knowledge and awareness and securing appropriate prenatal and post-natal care for the prevention of obstetric fistula;

5. *Also calls upon* States to ensure the right to education for women and girls, of good quality, on an equal basis with men and boys, and to ensure that they complete a full course of primary education, and to renew their efforts to improve and expand girls' and women's education at all levels, including at the secondary and higher levels, as well as vocational education and technical training, in order, inter alia, to achieve gender equality, the empowerment of women and poverty eradication;

6. *Urges* States to enact and strictly enforce laws to ensure that marriage is entered into only with the free and full consent of the intending spouses and, in addition, to enact and strictly enforce laws concerning the minimum legal age of consent and the minimum age for marriage, and to raise the minimum age for marriage where necessary;

7. *Calls upon* the international community to support the activities of the United Nations Population Fund and other partners in the global Campaign to End Fistula, including the World Health Organization, in establishing and financing regional fistula treatment and training centres, and where necessary national centres, by identifying and supporting health facilities that have the potential to serve as centres for treatment, training and convalescent care;

8. *Calls upon* States to accelerate progress in order to achieve Millennium Development Goal 5 and its two targets by addressing reproductive, maternal, newborn and child health in a comprehensive manner, inter alia, through the provision of family planning, prenatal care, skilled attendance at birth, emergency obstetric and newborn care and methods of prevention and treatment of sexually transmitted diseases and infections, such as HIV, within strengthened health systems that provide accessible and affordable integrated health-care services and include community-based preventive and clinical care, as also reflected in the outcome document of the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals, entitled "Keeping the promise: united to achieve the Millennium Development Goals", and the Global Strategy for Women's and Children's Health;

9. *Calls upon* States and/or the relevant funds and programmes, organs and specialized agencies of the United Nations system, within their respective mandates, and invites the international financial institutions and all relevant

actors of civil society, including non-governmental organizations, and the private sector:

(a) To redouble their efforts to meet the internationally agreed goal of improving maternal health by making maternal health services and obstetric fistula treatment geographically and financially accessible, including by increasing access to skilled attendance at birth, emergency obstetric care and appropriate prenatal and post-natal care;

(b) To develop, implement and support national and international prevention, care and treatment and socio-economic reintegration and support strategies, as appropriate, to address effectively the condition of obstetric fistula and to develop further a multisectoral, multidisciplinary, comprehensive and integrated approach in order to bring about lasting solutions and put an end to obstetric fistula, maternal mortality and related morbidities, including through ensuring access to affordable, comprehensive, quality maternal health-care services, including skilled birth attendance and emergency obstetric care;

(c) To strengthen the capacity of health systems, in particular public health systems, to provide the essential services needed to prevent obstetric fistula and to treat those cases that do occur by providing the continuum of services, including family planning, prenatal care, skilled birth attendance, emergency obstetric care and post-partum care, to young women and girls, including those living in poverty and in underserved rural areas where obstetric fistula is most common;

(d) To strengthen research, monitoring and evaluation systems, including community-based notification of obstetric fistula cases and maternal and newborn deaths, to guide the implementation of maternal health programmes;

(e) To provide essential health services, equipment and supplies and skills training and income-generating projects to women and girls so that they can break out of the cycle of poverty;

(f) To mobilize funding to provide free or subsidized fistula repairs, including through encouraging more networking among providers and the sharing of new treatment techniques and protocols;

(g) To improve data collection, pre- and post-surgery, to measure progress in addressing the needs for surgical treatment and the quality of surgery, rehabilitation and socio-economic reintegration services, including post-surgery prospects for successful subsequent pregnancies, live births and severe health-related complications so as to address the challenges for improving maternal health;

(h) To provide health education, rehabilitation and socio-economic reintegration counselling, including medical counselling, as key components of post-operative care to all women after fistula treatment, including to those with irreparable cases;

(i) To bring obstetric fistula to the attention of policymakers and communities, thereby reducing the stigma and discrimination associated with it and helping women and girls suffering from obstetric fistula so that they can overcome abandonment and social exclusion together with the psychosocial implications thereof, inter alia, through the support of social reintegration projects;

(j) To educate individual women and men, girls and boys, communities, policymakers and health professionals about how obstetric fistula can be prevented and treated,

and increase awareness of the needs of pregnant women and girls, as well as of those who have undergone surgical fistula repair, including their right to the highest attainable standard of health, by working with community and religious leaders, traditional birth attendants, women and girls who have suffered from fistula, the media, radio stations, influential public figures and policymakers, support the training of doctors, midwives, nurses and other health workers in lifesaving obstetric care, and include training on fistula repair, treatment and care as a standard element of the training curricula of health professionals;

(k) To develop means of transportation and financing that enable women and girls to access obstetric care and treatment, and provide incentives and other means to secure the presence in rural areas of qualified health professionals who are able to perform interventions to prevent obstetric fistula;

10. *Encourages* communication and networking among existing fistula centres to facilitate training, research, advocacy and fund-raising and the development and application of relevant standards, including *Obstetric Fistula: Guiding Principles for Clinical Management and Programme Development*, which provides background information and principles for developing fistula prevention and treatment strategies and programmes;

11. *Urges* the international community to address the shortages of doctors, midwives, nurses and other health workers trained in lifesaving obstetric care, and of space and supplies, that limit the capacity of most fistula centres;

12. *Urges* multilateral donors, and invites international financial institutions, within their respective mandates, and regional development banks to review and implement policies to support national efforts to ensure that a higher proportion of resources reaches young women and girls, in particular in rural and remote areas;

13. *Invites* Member States to contribute to efforts to end obstetric fistula, including, in particular, the United Nations Population Fund global Campaign to End Fistula, with the goal of eliminating obstetric fistula by 2015, in line with the targets of the Millennium Development Goal of improving maternal health;

14. *Requests* the Secretary-General to submit a report to the General Assembly at its sixty-seventh session on the implementation of the present resolution under the item entitled "Advancement of women".

Eliminating maternal mortality

In a March resolution [E/2010/27 (res. 54/5)], the Commission on the Status of Women called on Member States and the international community to commit to eliminating the unacceptably high global rate of maternal mortality and morbidity and to implement the Beijing Platform for Action, the Programme of Action of the International Conference on Population and Development [YUN 1994, p. 956], and the outcomes of their review conferences, including commitments related to sexual and reproductive health. States were called on to address gender inequalities, violations of the enjoyment of human rights by women and girls, discrimination against women and girls,

and harmful traditional practices that contributed to the global rate of maternal mortality and morbidity; guarantee access to the highest attainable standard of health for all women; and ensure women's full participation in decision-making regarding health care. The Commission recognized the interlinkages among poverty, malnutrition, lack of or inadequate or inaccessible health services, early childbearing and gender discrimination as root causes of maternal mortality and morbidity; that the eradication of poverty contributed to meeting the needs of women and girls; and that continued national and international action was required to eliminate it. It decided to hold, at its 2011 session, an expert panel discussion on the elimination of preventable maternal mortality and morbidity and the empowerment of women.

Tobacco use and maternal and child health

On 22 July, the Economic and Social Council, in **resolution 2010/8** (see p. 1227) on tobacco use and maternal and child health, called on Member States to include tobacco control in their efforts to improve maternal and child health, and to reduce child mortality through the protection of children and pregnant women from tobacco use and exposure to tobacco smoke.

Traditional practices affecting the health of women and girls

Female genital mutilation

In response to Commission resolution 52/2 [YUN 2008, p. 1258], the Secretary-General submitted a report [E/CN.6/2010/6] on ending female genital mutilation (FGM), which provided information on measures taken by Member States and activities within the UN system to address the practice, as well as recommendations for future action. Responses to the Secretary-General's request for information were received from 27 Member States, 10 UN system entities and the International Organization for Migration.

Measures taken by Member States included: strengthening legal and policy frameworks; reinforcing preventive action and support to victims and women at risk; and enhancing data collection and collaboration among different stakeholders. States emphasized the importance of working with communities practising FGM, including migrant communities, and developing partnerships with UN entities, non-governmental organizations (NGOs), the private sector, community and faith-based organizations, media and other actors. Awareness-raising and information campaigns and programmes on the prohibition of FGM, the detrimental effects of the practice on health and well-being, and the human rights of women and girls were carried out through a range of media. Information on the benefits of abandoning the

practice were included in school curricula. Training programmes towards FGM prevention or prohibition had been put in place for health-care providers and government officials.

UN entities collaborated with national authorities to support the adoption, improvement and implementation of laws, action plans and policies on the elimination of FGM. Approaches to working with communities were strengthened; those efforts included counselling for women and girls who had undergone the practice and advocating for alternative rites of passage for at-risk girls. UN entities supported training initiatives, focused on ensuring that victims and at-risk women and girls had access to services and support, and increased the availability of data and knowledge on FGM by providing information resources on prevalence, health consequences and elimination strategies.

The Secretary-General recommended that Member States ratify and implement international instruments and establish legal frameworks to prohibit and prevent FGM; protect and support victims and at-risk women and girls; put in place sanctions to discourage health professionals from performing the practice; and ensure that all professionals, including those in schools and health and social services, were duty-bound to report cases of FGM and cases in which they believed girls or women were at risk. Training programmes should be strengthened for religious and traditional leaders, health professionals and public officials, and States should support the re-training of traditional practitioners of FGM in alternative income-generating activities. Prevention efforts should continue, the role of communities in the abandonment of FGM should be recognized and community-based abandonment initiatives supported.

Commission action. In a March resolution [E/2010/27 (res. 54/7)], the Commission called on States to develop and implement integrated strategies for the prevention of FGM, including by training social workers, medical personnel, religious and community leaders and other professionals; ensure that they provided care and support services to at-risk women and girls and to women and girls who had undergone FGM; and compel them to report cases in which they believed girls or women were at risk. It called on the international community, UN entities, civil society and international financial institutions to support, through the allocation of increased financial resources, targeted, innovative programmes, and to disseminate best practices that addressed the needs and priorities of girls in vulnerable situations, such as that of FGM. The Commission requested the Secretary-General to ensure that all UN system entities took into account the protection and promotion of the rights of women and girls against FGM in their country programmes, in accordance with national priorities.

Violence against women

In response to General Assembly resolution 63/155 [YUN 2008, p. 1260], the Secretary-General submitted an August report [A/65/208] on the intensification of efforts to eliminate all forms of violence against women. Based on inputs received from 54 Member States, the report provided information on measures taken to address such violence, including the strengthening of legal frameworks, adoption of dedicated policies, reinforcement of preventive action, collection and analysis of data, and efforts to prosecute perpetrators and protect and support victims.

Many States had strengthened their national legislation to prevent and address violence against women, but the lack of enforcement of such laws remained a challenge. Penal codes had been amended to allow for expanded definitions of violence against women. The definition of rape had also been broadened in several countries to include a greater range of constitutive acts, focusing on consent rather than physical force and providing for an increase in applicable penalties. A growing number of States were criminalizing marital rape, and sentences and fines for domestic violence had been increased. To enhance the capacity of law enforcement officials, training programmes were carried out for police, prosecutors, judges, lawyers and security forces. Training materials were developed, and protocols and guidelines issued on investigation, prosecution, legal proceedings and cooperation between authorities.

National mechanisms were established, including expert groups, specialized units within ministries, and multisectoral task forces and commissions. Campaigns to sensitize community and religious leaders were carried out in several States, and a range of media were used in awareness-raising and information programmes. Helplines and legal clinics informed survivors and at-risk women of their rights and encouraged victims to seek assistance. A promising trend was the establishment of centres providing integrated services for victims in one location. Shelters and safe houses were more widely available for different groups, such as domestic workers, women migrants, women with disabilities, and children victims/witnesses of violence. Projects to build capacity and raise awareness among staff dealing with violence against women, including health staff, were organized in numerous States.

The Secretary-General recommended that States ensure that law enforcement officials dealing with violence against women received systematic training, and that criminal justice procedures were gender-sensitive and protected survivors' rights. Barriers to accessing justice faced by victims should be removed, including by ensuring legal aid, interpretation and court support. He recognized improvements in the collection of data on violence against women, includ-

ing through the creation of national databases and the growing number of population-based surveys, but as the availability of more and better quality information and data was crucial, States should reinforce their efforts. Data should be disaggregated by sex, race, age, ethnicity and other characteristics, and States should intensify efforts to build the capacity of statisticians to collect data in a gender-sensitive manner. State-run information and awareness-raising campaigns, educational programmes and other initiatives should be reinforced to ensure that they were sustained and extensive in coverage, and that they targeted particular groups, such as immigrants, rural and indigenous women, women from ethnic minorities, and women with disabilities. Educational curricula should promote gender equality and women's human rights and condemn violence against women. Prevention activities should be extended to school programmes and sports and youth organizations and include efforts aimed at building skills in the development of respectful relations.

The Special Rapporteur on violence against women, its causes and consequences submitted to the Human Rights Council her first thematic report, which was on the topic of reparations to women subjected to violence in contexts of both peaceful and post-conflict settings [A/HRC/14/22] (see p. 751).

UNIFEM activities. In response to General Assembly resolution 50/166 [YUN 1995, p. 1188], the Secretary-General transmitted to the Human Rights Council and the Commission on the Status of Women a December report [A/HRC/16/34-E/CN.6/2011/9] of the United Nations Development Fund for Women (UNIFEM), by then part of UN-Women (see p. 1178), on its 2010 programming to eliminate violence against women in some 90 countries. In March, UNIFEM launched an online resource for service providers, programmers, policymakers and advocates that provided information on “what works best” to address gender-based violence: the Virtual Knowledge Centre to End Violence against Women and Girls. In November, it introduced the Global Programme on Safe Cities Free of Violence against Women and Girls—the first cross-regional initiative dedicated to developing a model for making cities safer by reducing sexual harassment and violence in public spaces.

Reviewing the activities of the UNIFEM-managed United Nations Trust Fund in Support of Actions to Eliminate Violence against Women, which was guided by a new strategic plan for 2010–2015 entitled “Vision 2015”, the report said that the Fund focused on three priorities: turning policy pledges into reality for women and girls; generating knowledge on “what works” to end the pandemic of violence against women and girls; and building new partnerships, ownership and expanded commitment to the Fund throughout the UN system and beyond. Initiatives

engaging multiple sectors and encouraging partnerships among key stakeholders were prioritized; emphasis was placed on projects to meet the needs of marginalized or neglected groups, including youth, women living in conflict, and indigenous women. The Fund supported projects in standardized data collection, political advocacy and developing capacities of government officials and other stakeholders charged with implementing or enforcing laws.

The Fund had a portfolio of 83 active grants across 72 countries and territories with a total value of nearly \$47 million. Africa had the largest portfolio (29 per cent), followed by Asia and the Pacific (26 per cent). Latin America and the Caribbean accounted for 20 per cent of grants. Central and Eastern Europe and the Commonwealth of Independent States comprised 14 per cent, followed by Arab States and cross-regional programmes with grant portfolios of 6 and 5 per cent, respectively. In 2010, over \$10 million was awarded to 13 initiatives in 18 countries and territories for programmes expected to reach 280,000 beneficiaries.

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third Committee [A/65/449], adopted **resolution 65/187** without vote [agenda item 28 (a)].

Intensification of efforts to eliminate all forms of violence against women

The General Assembly,

Recalling its resolutions 61/143 of 19 December 2006, 62/133 of 18 December 2007, 63/155 of 18 December 2008 and 64/137 of 18 December 2009 and all its previous resolutions on the elimination of violence against women,

Reaffirming the obligation of all States to promote and protect all human rights and fundamental freedoms, and reaffirming also that discrimination on the basis of sex is contrary to the Charter of the United Nations, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and other international human rights instruments, and that its elimination is an integral part of efforts towards the elimination of all forms of violence against women,

Reaffirming also the Declaration on the Elimination of Violence against Women, the Beijing Declaration and Platform for Action, the outcome of the twenty-third special session of the General Assembly entitled “Women 2000: gender equality, development and peace for the twenty-first century”, the ministerial declaration of the high-level segment of the substantive session of 2010 of the Economic and Social Council and the declarations adopted at the forty-ninth and fifty-fourth sessions of the Commission on the Status of Women,

Reaffirming further the international commitments in the field of social development and to gender equality and the advancement of women made at the World Confer-

ence on Human Rights, the International Conference on Population and Development, the World Summit for Social Development and the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, as well as those made in the United Nations Millennium Declaration, at the 2005 World Summit and at the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals, and noting the attention paid to the elimination of all forms of violence against indigenous women in the United Nations Declaration on the Rights of Indigenous Peoples adopted by the Assembly in its resolution 61/295 of 13 September 2007,

Recalling the inclusion of gender-related crimes and crimes of sexual violence in the Rome Statute of the International Criminal Court, as well as the recognition by the ad hoc international criminal tribunals that rape and other forms of sexual violence can constitute a war crime, a crime against humanity or a constitutive act with respect to genocide or torture,

Recalling also the tenth anniversary of the adoption of Security Council resolution 1325(2000) of 31 October 2000 on women and peace and security and the need for its full implementation, Council resolutions 1820(2008) of 19 June 2008, 1888(2009) of 30 September 2009 and 1889(2009) of 5 October 2009 on women and peace and security and Council resolution 1882(2009) of 4 August 2009 on children and armed conflict,

Recalling further Human Rights Council resolution 14/12 of 18 June 2010, in which the Council requested the Office of the United Nations High Commissioner for Human Rights to prepare a compilation of good practices in efforts aimed at preventing violence against women, in consultation with relevant stakeholders, and Council resolution 15/23 of 1 October 2010 on the elimination of discrimination against women,

Welcoming the establishment of the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and the appointment of Ms. Michelle Bachelet as Under-Secretary-General and head of UN-Women, and recognizing the importance of the cooperation and coordination of UN-Women with all relevant United Nations entities, including the Special Representative of the Secretary-General on Sexual Violence in Conflict and the Special Rapporteur of the Human Rights Council on violence against women, its causes and consequences,

Expressing its appreciation for the efforts and the high number of activities undertaken by the United Nations bodies, entities, funds and programmes and the specialized agencies, including by the Special Rapporteur on violence against women, its causes and consequences and the Special Representative of the Secretary-General on Violence against Children, to eliminate all forms of violence against women,

Deeply concerned about the pervasiveness of violence against women and girls in all its different forms and manifestations worldwide, and reiterating the need to intensify efforts to prevent and eliminate all forms of violence against women and girls throughout the world,

Recognizing that violence against women and girls is rooted in historical and structural inequality in power relations between men and women and that all forms of violence against women seriously violate and impair or nullify the enjoyment by women and girls of all human rights and

fundamental freedoms and constitute a major impediment to the ability of women to make use of their capabilities,

Recognizing also that women's poverty and lack of empowerment, as well as their marginalization resulting from their exclusion from social policies and from the benefits of education and sustainable development, can place them at increased risk of violence, and that violence against women impedes the social and economic development of communities and States, as well as the achievement of the internationally agreed development goals, including the Millennium Development Goals,

Recognizing further that the empowerment of women, by, inter alia, ensuring their full representation and full and equal participation at all levels of decision-making and their full economic autonomy, including by promoting their equal access to the labour market, is fundamental for eliminating violence against women and girls, especially in the current time of economic crisis,

Acknowledging the need to address violence against women and girls holistically, including through the recognition of linkages between violence against women and girls and other issues, such as HIV/AIDS, poverty eradication, food security, peace and security, humanitarian assistance, human trafficking, education, health and crime prevention,

Welcoming the adoption of the United Nations Global Plan of Action to Combat Trafficking in Persons, and stressing its contribution to combating violence against women and the need for its full and effective implementation,

Expressing its appreciation for the efforts and the high number of activities undertaken by States to eliminate all forms of violence against women that have resulted in the strengthening of legislation and the criminal justice system, such as adopting national action plans, strategies and national coordination mechanisms, implementing prevention measures, including awareness-raising and capacity-building, reinforcing protection, support and services for victims and survivors, and improving data collection and analysis,

Emphasizing that the lack of full and effective enforcement of national legal frameworks to prevent and address violence against women remains a continuing challenge, as noted by the Secretary-General in his report,

Recognizing the important role of the family in preventing and combating violence against women and girls and the need to support its capacity to prevent and eliminate all forms of violence against women and girls,

Recognizing also the important role of the community, in particular men and boys, as well as civil society, in particular women's organizations, in the efforts to eliminate all forms of violence against women,

1. *Stresses* that "violence against women" means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life;

2. *Recognizes* that violence against women and girls persists in every country in the world as a pervasive violation of the enjoyment of human rights and a major impediment to achieving gender equality, development, peace and the internationally agreed development goals, in particular the Millennium Development Goals;

3. *Welcomes* the report of the Secretary-General;

4. *Also welcomes* the fact that a high number of Member States have responded to the request of the Secretary-General for information relating to the implementation of General Assembly resolution 63/155, and expresses the hope that Member States will continue to respond to subsequent requests of the Secretary-General;

5. *Further welcomes* the efforts and important contributions at the local, national, regional and international levels to eliminate all forms of violence against women, including by the Committee on the Elimination of Discrimination against Women and the Special Rapporteur of the Human Rights Council on violence against women, its causes and consequences;

6. *Expresses its appreciation* for the progress achieved in the Secretary-General's 2008–2015 campaign "UNITE to End Violence against Women", through the launch of the Secretary-General's Network of Men Leaders and the development of a framework for action outlining the five key outcomes to be achieved by 2015, supported, inter alia, by the United Nations Development Fund for Women (part of UN-Women) social mobilization and advocacy platform "Say NO to violence against women", the United Nations inter-agency initiative "Stop Rape Now: United Nations Action against Sexual Violence in Conflict" and the regional components of the campaign, stresses the need to accelerate the implementation of concrete follow-up activities by the United Nations system to end all forms of violence against women, requests the Secretary-General to report on the results of his campaign, and encourages Member States to join forces in addressing the global pandemic of all forms of violence against women;

7. *Strongly condemns* all acts of violence against women and girls, whether those acts are perpetrated by the State, by private persons or by non-State actors, and calls for the elimination of all forms of gender-based violence in the family, within the general community and where perpetrated or condoned by the State;

8. *Stresses* that it is important that States strongly condemn all forms of violence against women and refrain from invoking any custom, tradition or religious consideration to avoid their obligations with respect to its elimination as set out in the Declaration on the Elimination of Violence against Women;

9. *Also stresses* that States have the obligation, at all levels, to promote and protect all human rights and fundamental freedoms for all, including women and girls, and must exercise due diligence to prevent, investigate, prosecute and punish the perpetrators of violence against women and girls, to eliminate impunity and to provide protection to the victims, and that failure to do so violates and impairs or nullifies the enjoyment of their human rights and fundamental freedoms;

10. *Reaffirms* that the persistence of armed conflicts in various parts of the world is a major impediment to the elimination of all forms of violence against women, and, bearing in mind that armed and other types of conflicts and terrorism and hostage-taking still persist in many parts of the world and that aggression, foreign occupation and ethnic and other types of conflicts are an ongoing reality, affecting women and men in nearly every region, calls upon all States and the international community to place particular focus on the plight, and give priority attention and increased assistance to relieving the suffering of, women

and girls living in such situations and to ensure that, where violence is committed against them, all perpetrators of such violence are duly investigated and, as appropriate, prosecuted and punished in order to end impunity, while stressing the need to respect international humanitarian law and human rights law;

11. *Stresses* the need for the exclusion of the killing and maiming of women and girls, as prohibited under international law, and crimes of sexual violence from amnesty provisions in the context of conflict resolution processes;

12. *Also stresses* that, despite important steps taken by many countries around the world, States should continue to focus on the prevention of violence against women and its causes and consequences, in order to complement more effectively the improved legal and policy frameworks, and should therefore monitor and rigorously evaluate the implementation of available programmes, policies and laws and improve, where possible, their impact and effectiveness;

13. *Further stresses* that States should take measures to ensure that all officials responsible for implementing policies and programmes aimed at preventing violence against women and girls, protecting and assisting the victims and investigating and punishing violence against women and girls receive proper training to sensitize them to the different and specific needs of women and girls, in particular those who have been subjected to violence, so that women and girls are not revictimized when seeking justice and redress;

14. *Stresses* that States should take all possible measures to empower women, inform them of their rights in seeking redress through mechanisms of justice and inform everyone of women's rights and of the existing penalties for violating those rights;

15. *Calls upon* States, with the support of United Nations entities, to fully engage men and boys, as well as families and communities, as agents of change in preventing and condemning violence against women;

16. *Urges* States to continue to develop their national strategy, translating it into concrete programmes and actions, and a more systematic, comprehensive, multisectoral and sustained approach, aimed at eliminating all forms of violence against women, including by achieving gender equality and the empowerment of women, and by increasing the focus on prevention in laws, policies and programmes and their implementation, monitoring and evaluation, so as to ensure the optimal use of available instruments, by, for example:

(a) Establishing, in partnership with all relevant stakeholders and at all relevant levels, a comprehensive integrated national plan dedicated to combating violence against women and girls in all its aspects, which includes data collection and analysis, prevention and protection measures, as well as national information campaigns, using resources to eliminate in the media gender stereotypes that lead to violence against women and girls;

(b) Reviewing and, where appropriate, revising, amending or abolishing all laws, regulations, policies, practices and customs that discriminate against women or have a discriminatory impact on women, and ensuring that the provisions of multiple legal systems, where they exist, comply with international human rights obligations, commitments and principles, including the principle of non-discrimination;

(c) Evaluating and assessing the impact of current legislation, rules and procedures regarding violence against women and the reasons for low reporting, reinforcing, where necessary, criminal law and procedure relating to all forms of violence against women and, where necessary, incorporating into law measures aimed at preventing violence against women;

(d) Promoting awareness among all stakeholders of the need to combat violence against women, and promoting gender equality and the empowerment of women, inter alia, through regular and repeated use and funding of awareness-raising campaigns and other ways to promote prevention, such as international, regional and national conferences, seminars, training, publications, brochures, websites, audiovisual material, social media, television and radio spots, and debates, as appropriate;

(e) Ensuring that there is sufficient knowledge, including expertise in effective legal approaches to eliminating violence against women and girls, awareness and coordination in the legal system and, to that end, where appropriate, appointing a focal point in the legal system for cases of violence against women and girls;

(f) Ensuring the systematic collection and analysis of data to monitor all forms of violence against women, including on the effectiveness of measures to prevent and address such violence, with the involvement of national statistical offices and, where appropriate, in partnership with other actors, in order to review and implement effectively laws, policies, strategies and preventive measures, while ensuring and maintaining the privacy and confidentiality of the victims;

(g) Establishing appropriate national mechanisms for monitoring and evaluating the implementation of national measures, including national action plans, taken to eliminate violence against women, including through the use of national indicators;

(h) Providing adequate financial support for the implementation of national action plans to end violence against women and other relevant activities;

(i) Allocating adequate resources to promote the empowerment of women and gender equality and to prevent and redress all forms and manifestations of violence against women;

(j) Adopting all appropriate measures, especially in the field of education, from the entry levels of the education system, to modify the social and cultural patterns of conduct of men and women of all ages, in order to promote the development of respectful relations and to eliminate prejudices, customary practices and all other practices based on the idea of the inferiority or superiority of either of the sexes and on stereotyped roles for men and women, and by raising awareness of the unacceptability of violence against women and girls at all levels, including through schools, teachers, parents, youth organizations and teaching materials sensitized on gender equality and human rights;

(k) Empowering women, in particular women living in poverty, by, inter alia, strengthening their economic autonomy and by ensuring their full participation in society and in decision-making processes, through, inter alia, social and economic policies that guarantee them full and equal access to all levels of quality education and training and to affordable and adequate public and social services,

as well as equal access to financial resources and employment, and full and equal rights to own and have access to land and other property, and taking further appropriate measures to address the increasing rate of homelessness of and inadequate housing for women in order to reduce their vulnerability to violence;

(l) Treating all forms of violence against women and girls as a criminal offence, punishable by law, contributing, inter alia, to the prevention of such crimes, and ensuring penalties commensurate with the severity of the crimes and sanctions in domestic legislation to punish, and redress, as appropriate, the wrongs caused to women and girls who are subjected to violence;

(m) Taking effective measures to prevent the victim's consent from becoming an impediment to bringing perpetrators of violence against women and girls to justice, while ensuring that appropriate safeguards to protect the victim and adequate and comprehensive measures for the rehabilitation and reintegration of victims of violence into society are in place;

(n) Encouraging the removal of all barriers to women's access to justice and ensuring that effective legal assistance is provided to all female victims of violence so that they can make informed decisions regarding, inter alia, legal proceedings and issues relating to family law, and also ensuring that victims have access to just and effective remedies for the harm that they have suffered, including through the adoption of national legislation where necessary;

(o) Ensuring effective cooperation and coordination among all stakeholders, including all relevant public officials and civil society, in the prevention, investigation, prosecution and punishment of all forms of violence against women and girls;

(p) Developing or improving and disseminating specialized training programmes, including practical tools and good practice guidelines on how to identify, prevent and deal with cases of violence against women and girls and on how to assist victims, for all stakeholders responsible for dealing with violence against women and girls, its causes and consequences, including police officers, the judiciary, health workers, law enforcement personnel and civil society, and engaging statisticians and the media;

(q) Strengthening national health and social infrastructure to reinforce measures to promote women's equal access to public health care and address the health consequences of all forms of violence against women and girls, including by providing support to victims;

(r) Establishing or supporting integrated centres through which shelter, legal, health, psychological, counselling and other services are provided to victims of all forms of violence against women and, where such centres are not yet feasible, promoting collaboration and coordination among agencies, in order to make remedies more accessible and to facilitate the physical, psychological and social recovery of victims, and ensuring that victims have access to such services;

(s) Ensuring that the prison system and probation services provide appropriate rehabilitation programmes for perpetrators, as a preventive tool to avoid recidivism;

(t) Supporting and engaging in partnerships with non-governmental organizations, in particular women's organizations, and other relevant actors and the private sector to end violence against women and girls;

17. *Calls upon* the international community, including the United Nations system and, as appropriate, regional and subregional organizations, to support national efforts to promote the empowerment of women and gender equality in order to enhance national efforts to eliminate violence against women and girls, including, upon request, in the development and implementation of national action plans on the elimination of violence against women and girls, through, inter alia, official development assistance and other appropriate assistance, such as facilitating the sharing of guidelines, methodologies and best practices, taking into account national priorities;

18. *Stresses* the contribution of the ad hoc international criminal tribunals and the International Criminal Court to ending impunity, by ensuring accountability and punishing perpetrators of violence against women, and urges States to consider ratifying or acceding as a matter of priority to the Rome Statute of the International Criminal Court, which entered into force on 1 July 2002;

19. *Calls upon* the inter-agency Programme Appraisal Committee of the United Nations Trust Fund in Support of Actions to Eliminate Violence against Women, in consultation with the Inter-Agency Network on Women and Gender Equality, to continue to provide guidance on the implementation of the 2010–2015 strategy for the Trust Fund and to further enhance its effectiveness as a system-wide funding mechanism for preventing and redressing all forms of violence against women and girls and to give due consideration, inter alia, to the findings and recommendations of the external evaluation of the Trust Fund;

20. *Notes with concern* the growing gap between available funding in the United Nations Trust Fund in Support of Actions to Eliminate Violence against Women and the funds required to meet the increasing demand, and urges States and other stakeholders, where possible, to significantly increase their voluntary contributions to the Trust Fund in order to meet the annual target of 100 million United States dollars by 2015 as set by the Secretary-General's campaign "UNITE to End Violence against Women", while expressing its appreciation for the contributions to the Trust Fund already made by States, the private sector and other donors;

21. *Stresses* that, within the United Nations system, adequate resources should be assigned to UN-Women and other bodies, specialized agencies, funds and programmes responsible for the promotion of gender equality and women's rights and to efforts throughout the United Nations system to prevent and eliminate violence against women and girls, and calls upon the United Nations system to make the necessary support and resources available;

22. *Welcomes* the establishment of the Secretary-General's database on violence against women, expresses its appreciation to all the States that have provided the database with information regarding, inter alia, their national policies and legal frameworks aimed at eliminating violence against women and supporting victims of such violence, strongly encourages all States to regularly provide updated information for the database, and calls upon all relevant entities of the United Nations system to continue to support States, at their request, in the compilation and regular updating of pertinent information and to raise awareness of the database among all relevant stakeholders, including civil society;

23. *Also welcomes* the adoption of an interim set of indicators to measure violence against women by the Statistical Commission at its fortieth session, and looks forward to the results of the ongoing work of the Commission on this topic;

24. *Calls upon* all United Nations bodies, entities, funds and programmes and the specialized agencies and invites the Bretton Woods institutions to intensify their efforts at all levels to eliminate all forms of violence against women and girls and to better coordinate their work, inter alia, through the Task Force on Violence against Women of the Inter-Agency Network on Women and Gender Equality, and looks forward to the results of the ongoing work of the Task Force on composing a manual on joint programming, with a view to increasing effective support for national efforts to eliminate all forms of violence against women;

25. *Requests* the Special Rapporteur on violence against women, its causes and consequences to present an annual report to the General Assembly at its sixty-sixth and sixty-seventh sessions;

26. *Requests* the Secretary-General to submit to the General Assembly at its sixty-seventh session a report containing:

(a) Information provided by the United Nations bodies, funds and programmes and the specialized agencies on their follow-up activities to implement resolution 64/137 and the present resolution, including on their assistance to States in their efforts to eliminate all forms of violence against women;

(b) Information provided by States on their follow-up activities to implement the present resolution;

27. *Also requests* the Secretary-General to present an oral report to the Commission on the Status of Women at its fifty-fifth and fifty-sixth sessions including information provided by the United Nations bodies, funds and programmes and the specialized agencies on recent follow-up activities to implement resolutions 63/155 and 64/137 and the present resolution, including on the progress made in enhancing the effectiveness of the United Nations Trust Fund in Support of Actions to Eliminate Violence against Women as a system-wide United Nations mechanism and on the progress of the Secretary-General's campaign to end violence against women, and urges United Nations bodies, entities, funds and programmes and the specialized agencies to contribute promptly to that report;

28. *Decides* to continue the consideration of the question at its sixty-seventh session under the item entitled "Advancement of women".

Crime prevention and criminal justice responses to violence against women

The Commission on Crime Prevention and Criminal Justice, at its nineteenth session (Vienna, 17–21 May) [E/2010/30], had before it a draft resolution on strengthening crime prevention and criminal justice responses to violence against women. As recommended by the 2009 meeting of the intergovernmental expert group to review and update the Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime

Prevention and Criminal Justice [YUN 2009, p. 1133], the Commission submitted the draft to the Economic and Social Council for approval and for adoption by the General Assembly. Annexed to the draft resolution were the updated Model Strategies and Practical Measures.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 22 July [meeting 45], the Economic and Social Council, on the recommendation of the Commission on Crime Prevention and Criminal Justice [E/2010/30], adopted **resolution 2010/15** without vote [agenda item 14 (c)].

Strengthening crime prevention and criminal justice responses to violence against women

The Economic and Social Council

Recommends to the General Assembly the adoption of the following draft resolution:

[For text, see General Assembly resolution 65/228 below.]

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third Committee [A/65/457], adopted **resolution 65/228** without vote [agenda item 105].

Strengthening crime prevention and criminal justice responses to violence against women

The General Assembly,

Reaffirming the Declaration on the Elimination of Violence against Women and the Beijing Declaration and Platform for Action adopted by the Fourth World Conference on Women, and, in particular, the determination of Governments to prevent and eliminate all forms of violence against women,

Reaffirming also the Programme of Action of the International Conference on Population and Development, as well as the outcome of the twenty-third special session of the General Assembly entitled “Women 2000: gender equality, development and peace for the twenty-first century” and the declarations adopted at the forty-ninth and fifty-fourth sessions of the Commission on the Status of Women,

Recognizing that the term “women”, except where otherwise specified, encompasses “girl children”,

Reaffirming the obligation of all States to promote and protect all human rights and fundamental freedoms, and reaffirming that discrimination on the basis of sex is contrary to the Charter of the United Nations, the Convention on the Elimination of All Forms of Discrimination against Women and other international human rights instruments and that its elimination is an integral part of efforts towards the elimination of all forms of violence against women,

Stressing that States have the obligation to promote and protect all human rights and fundamental freedoms for all, including women and girls, and must exercise due diligence to prevent and investigate acts of violence against women and girls and punish the perpetrators, eliminate impunity

and provide protection to the victims, and that failure to do so violates and impairs or nullifies the enjoyment of their human rights and fundamental freedoms,

Emphasizing the importance of preventing violence against migrant women through the implementation, inter alia, of measures aimed at combating racism, xenophobia and related forms of intolerance,

Deeply concerned that all forms of discrimination, including racism, racial discrimination, xenophobia and related intolerance and multiple or aggravated forms of discrimination and disadvantage, can lead to the targeting or particular vulnerability to violence of girls and some groups of women, such as women belonging to minority groups, indigenous women, refugee and internally displaced women, migrant women, women living in rural or remote communities, destitute women, women in institutions or in detention, women with disabilities, elderly women, widows, women in situations of armed conflict, women who are otherwise discriminated against, including on the basis of HIV status, and women victims of commercial sexual exploitation,

Greatly concerned that some groups of women, such as migrant women, refugees and women in detention, in situations of armed conflict or in territories under occupation, might be more vulnerable to violence,

Recognizing that women’s poverty and lack of empowerment, as well as their marginalization resulting from their exclusion from social policies and from the benefits of sustained development, can place them at increased risk of violence and that violence against women impedes the social and economic development of communities and States, as well as the achievement of the internationally agreed development goals, including the Millennium Development Goals,

Reaffirming its resolution 52/86 of 12 December 1997, in which it adopted the Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice,

Recalling its resolutions 61/143 of 19 December 2006, 62/133 of 18 December 2007, 63/155 of 18 December 2008 and 64/137 of 18 December 2009 on the intensification of efforts to eliminate all forms of violence against women,

Recalling also the Bangkok Declaration on Synergies and Responses: Strategic Alliances in Crime Prevention and Criminal Justice, adopted at the Eleventh United Nations Congress on Crime Prevention and Criminal Justice, in which Governments recognized that comprehensive crime prevention strategies could significantly reduce crime and victimization and urged that such strategies be developed at the local, national and international levels and that they, inter alia, take into account the Guidelines for the Prevention of Crime, and emphasized the importance of promoting the interests of victims of crime, including taking account of their gender,

Taking note of Human Rights Council resolution 11/2 of 17 June 2009 on accelerating efforts to eliminate all forms of violence against women,

Recalling the inclusion of gender-related crimes and crimes of sexual violence in the Rome Statute of the International Criminal Court, as well as the recognition by the ad hoc international criminal tribunals that rape can constitute a war crime, a crime against humanity or a constitutive act with respect to genocide or torture,

Expressing deep concern about the pervasiveness of violence against women in all its forms and manifestations worldwide, and reiterating the need to intensify efforts to address that challenge,

Recognizing that effective and integrated criminal justice responses to violence against women require close cooperation among all key stakeholders, including law enforcement officials, prosecutors, judges, victim advocates, health professionals and forensic scientists,

Stressing the importance of a comprehensive, well-coordinated, effective and adequately resourced response by the United Nations system to all forms of violence against women,

Recalling the joint dialogue of the Commission on the Status of Women and the Commission on Crime Prevention and Criminal Justice on addressing violence against women through legal reform, held in New York on 4 March 2009 within the framework of the fifty-third session of the Commission on the Status of Women,

Recalling also Commission on Crime Prevention and Criminal Justice decision 17/1 of 18 April 2008, in which the Commission requested the United Nations Office on Drugs and Crime to convene an intergovernmental group of experts with equitable geographical representation, in cooperation with the institutes of the United Nations crime prevention and criminal justice programme network, the Commission on the Status of Women and the Special Rapporteur on violence against women, its causes and consequences, to review and update, as appropriate, the Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice,

1. *Strongly condemns* all acts of violence against women, whether those acts are perpetrated by the State, by private persons or by non-State actors, and calls for the elimination of all forms of gender-based violence in the family, within the general community and where perpetrated or condoned by the State;

2. *Stresses* that “violence against women” means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life;

3. *Takes note with appreciation* of the work done at the meeting of the intergovernmental expert group to review and update the Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice, held in Bangkok from 23 to 25 March 2009;

4. *Adopts* the guidelines in the updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice, annexed to the present resolution;

5. *Urges* Member States to end impunity for violence against women by investigating, prosecuting with due process and punishing all perpetrators, by ensuring that women have equal protection under the law and equal access to justice and by holding up to public scrutiny and countering those attitudes that foster, justify or tolerate any form of violence against women;

6. *Also urges* Member States to enhance their mechanisms and procedures for protecting victims of violence against women in the criminal justice system, taking into account, inter alia, the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, and to provide to that end specialized counselling and assistance;

7. *Calls upon* Member States to advance effective crime prevention and criminal justice strategies that address violence against women, including strategies aimed at preventing revictimization by, inter alia, removing barriers that prevent victims from seeking safety, including barriers related to custody of children, access to shelter and availability of legal assistance;

8. *Also calls upon* Member States to develop and implement crime prevention policies and programmes to promote the safety of women in the home and in society at large in a manner that reflects the realities of women’s lives and addresses their distinct needs, taking into account, inter alia, the Guidelines for the Prevention of Crime and the important contribution that educational and public awareness-raising initiatives provide to the promotion of the safety of women;

9. *Urges* Member States to evaluate and review their legislation and legal principles, procedures, policies, programmes and practices relating to crime prevention and criminal justice matters, in a manner consistent with their legal systems and drawing upon the updated Model Strategies and Practical Measures, to determine if they are adequate to prevent and eliminate violence against women or if they have a negative impact on women and, if they do, to modify them in order to ensure that women enjoy fair and equal treatment;

10. *Also urges* Member States to take into account the special needs and vulnerabilities of women within the criminal justice system, especially women in detention, pregnant inmates and women with children born in detention, including through the development of policies and programmes to address such needs, taking into account relevant international standards and norms;

11. *Further urges* Member States to recognize the needs and special vulnerabilities of women and children in situations of armed conflict and in post-conflict situations, migrant women, refugee women and women subject to forms of violence because of their nationality, ethnicity, religion or language;

12. *Urges* Member States to provide appropriate assistance to women victims of violence, including by ensuring that those women have access to adequate legal representation where appropriate, in particular so that they can make informed decisions regarding, inter alia, legal proceedings and issues relating to family law;

13. *Invites* Member States to establish a multidisciplinary, coordinated response to sexual assault that includes specially trained police, prosecutors, judges, forensic examiners and victim support services to contribute to the well-being of the victim and increase the likelihood of the successful apprehension, prosecution and conviction of the offender and to prevent revictimization;

14. *Encourages* Member States to design and support programmes to empower women, both politically and economically, in order to assist in preventing violence against women, in particular through their participation in decision-making processes;

15. *Calls upon* Member States to set up and strengthen mechanisms for the systematic collection of data on violence against women with a view to assessing the scope and prevalence of such violence and to guiding the design, implementation and funding of effective crime prevention and criminal justice responses;

16. *Urges* Member States and the United Nations system to give attention to, and encourages greater international cooperation in, systematic research and the collection, analysis and dissemination of data, including data disaggregated by sex, age and other relevant information, on the extent, nature and consequences of violence against women and on the impact and effectiveness of policies and programmes for combating violence, welcomes in that context the establishment of the Secretary-General's co-ordinated database on violence against women, and urges Member States and the United Nations system to regularly provide information for inclusion in the database;

17. *Calls upon* the United Nations Office on Drugs and Crime to support national efforts to promote the empowerment of women and gender equality in order to enhance national efforts to eliminate violence against women, including by strengthening throughout its programme of work its crime prevention and criminal justice efforts in response to violence against women;

18. *Urges* the United Nations Office on Drugs and Crime and Member States and invites the institutes of the United Nations crime prevention and criminal justice programme network to continue to offer training and capacity-building opportunities, in particular for practitioners working in the area of crime prevention and criminal justice and providers of support services to victims of violence against women, and to make available and disseminate information on successful intervention models, preventive programmes and other practices;

19. *Requests* the United Nations Office on Drugs and Crime to intensify its efforts to ensure the widest possible use and dissemination of the updated Model Strategies and Practical Measures, including through the development or revision of relevant tools, such as handbooks, training manuals, programmes and modules, including online capacity-building modules for each section of the updated Model Strategies and Practical Measures, as an efficient and practical way to disseminate the relevant content, and invites Member States and other donors to provide extrabudgetary contributions for that purpose, in accordance with the rules and procedures of the United Nations;

20. *Invites* the United Nations Office on Drugs and Crime to strengthen coordination in its activities in the area of violence against women with other relevant entities of the United Nations system, particularly the United Nations Development Fund for Women, the Division for the Advancement of Women of the Secretariat, the United Nations Children's Fund, the United Nations Population Fund and the Office of the United Nations High Commissioner for Human Rights, and the Special Rapporteur on violence against women, its causes and consequences, as well as other relevant intergovernmental and non-governmental organizations, so as to make efficient use of the financial, technical, material and human resources in the application of the updated Model Strategies and Practical Measures;

21. *Also invites* the United Nations Office on Drugs and Crime to cooperate with the Department of Peacekeeping Operations of the Secretariat in the development of training material based on the updated Model Strategies and Practical Measures for military, police and civilian personnel of peacekeeping and peacebuilding operations;

22. *Requests* the Secretary-General to report to the Commission on Crime Prevention and Criminal Justice at its twenty-first session on the implementation of the present resolution.

ANNEX

Updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice

Preamble

1. The multifaceted nature of violence against women necessitates different strategies to respond to the diverse manifestations of violence and the various settings in which it occurs, both in private and in public life, whether committed in the home, the workplace, educational and training institutions, the community or society, in custody or in situations of armed conflict or natural disaster. In the updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice, the importance of adopting a systematic, comprehensive, coordinated, multi-sectoral and sustained approach to fighting violence against women is recognized. The practical measures, strategies and activities described below can be introduced in the field of crime prevention and criminal justice to address violence against women. Except where otherwise specified, the term "women" encompasses "girl children".

2. Violence against women exists in every country in the world as a pervasive violation of human rights and a major impediment to achieving gender equality, development and peace. Violence against women is rooted in historically unequal power relations between men and women. All forms of violence against women seriously violate and impair or nullify the enjoyment by women of all human rights and fundamental freedoms and have serious immediate and long-term implications for health, including sexual and reproductive health, for example through increased vulnerability to HIV/AIDS, and public safety, and have a negative impact on the psychological, social and economic development of individuals, families, communities and States.

3. Violence against women is often embedded in and supported by social values, cultural patterns and practices. The criminal justice system and legislators are not immune to such values and thus have not always regarded violence against women with the same seriousness as other types of violence. Therefore, it is important that States strongly condemn all forms of violence against women and refrain from invoking any custom, tradition or religious consideration to avoid their obligation with respect to its elimination and that the criminal justice system recognize violence against women as a gender-related problem and as an expression of power and inequality.

4. Violence against women is defined in the Declaration on the Elimination of Violence against Women and reiterated in the Platform for Action adopted by the Fourth

World Conference on Women to mean any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life. The updated Model Strategies and Practical Measures build on the measures adopted by Governments in the Platform for Action, which was adopted in 1995 and subsequently reaffirmed in 2000 and 2005, the Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice adopted in 1997, and relevant General Assembly resolutions, including resolutions 61/143 and 63/155, bearing in mind that some groups of women are especially exposed and vulnerable to violence.

5. The updated Model Strategies and Practical Measures specifically acknowledge the need for an active policy of mainstreaming a gender perspective in all policies, programmes and practices to ensure gender equality and equal and fair access to justice, as well as establishing the goal of gender balance in all areas of decision-making, including those related to the elimination of violence against women. The updated Model Strategies and Practical Measures should be applied as guidelines in a manner consistent with relevant international instruments, including the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child, the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, the International Covenant on Civil and Political Rights, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, the Rome Statute of the International Criminal Court and the Guidelines for the Prevention of Crime, with a view to furthering their fair and effective implementation. The updated Model Strategies and Practical Measures reaffirm the commitment of States to promote gender equality and empower women with a view to meeting Goal 3 of the Millennium Development Goals.

6. The updated Model Strategies and Practical Measures should be endorsed by national legislation and implemented by Member States and other entities in a manner consistent with the right to equality before the law, while also recognizing that gender equality may sometimes require the adoption of different approaches that acknowledge the different ways in which violence affects women as compared to men. Member States should ensure that women have equal protection under the law and equal access to justice in order to facilitate efforts by Governments to prevent and sanction acts of violence against women through comprehensive and coordinated policies and strategies, and to deal with all forms of violence against women within the criminal justice system.

7. The updated Model Strategies and Practical Measures recognize that crime prevention and criminal justice responses to violence against women must be focused on the needs of victims and empower individual women who are victims of violence. They aim to ensure that prevention and intervention efforts are made to not only stop and appropriately sanction violence against women, but also restore a sense of dignity and control to the victims of such violence.

8. The updated Model Strategies and Practical Measures aim to contribute to *de jure* and *de facto* equality between women and men. They do not give preferential treatment to women but aim to ensure that any inequalities or forms of discrimination that women face in accessing justice, particularly in respect of acts of violence, are redressed.

9. The updated Model Strategies and Practical Measures recognize that sexual violence is an issue of international peace and security, as outlined in Security Council resolutions 1325(2000) of 31 October 2000 and 1820(2008) of 19 June 2008 on women and peace and security, particularly the need for parties to armed conflict to adopt prevention and protection measures in order to end sexual violence.

10. The updated Model Strategies and Practical Measures recognize that some special groups of women are particularly vulnerable to violence, either because of their nationality, ethnicity, religion or language or because they belong to an indigenous group, are migrants, are stateless, are refugees, live in underdeveloped, rural or remote communities, are homeless, are in institutions or in detention, have disabilities, are elderly, are widowed or live in conflict, post-conflict or disaster situations and, as such, require special attention, intervention and protection in the development of crime prevention and criminal justice responses to violence against women.

11. The updated Model Strategies and Practical Measures recognize advances in crime prevention and criminal justice responses to violence against women and the importance of investing in the prevention of violence against women.

12. The updated Model Strategies and Practical Measures recognize that States have the obligation to promote and protect the human rights and fundamental freedoms of all people, including women, and that they must exercise due diligence and take relevant measures to prevent, investigate and punish the perpetrators of violence against women, to eliminate impunity and to provide protection to the victims, and that failure to do so violates and impairs or nullifies the enjoyment of women's human rights and fundamental freedoms.

I. Guiding principles

13. Member States are urged:

(a) To be guided by the overall principle that effective crime prevention and criminal justice responses to violence against women are human rights-based, manage risk and promote victim safety and empowerment while ensuring offender accountability;

(b) To develop mechanisms to ensure a comprehensive, coordinated, systematic and sustained approach for the implementation of the updated Model Strategies and Practical Measures at the national, regional and international levels;

(c) To promote the involvement and participation of all relevant sectors of government and civil society and other stakeholders in the implementation process;

(d) To commit adequate and sustained resources and develop monitoring mechanisms to ensure their effective implementation and oversight;

(e) To take into account in the implementation of the updated Model Strategies and Practical Measures the varying needs of women subjected to violence.

II. Criminal law

14. Member States are urged:

(a) To review, evaluate and update their national laws, policies, codes, procedures, programmes and practices, especially their criminal laws, on an ongoing basis to ensure and guarantee their value, comprehensiveness and effectiveness in eliminating all forms of violence against women and to remove provisions that allow for or condone violence against women or that increase the vulnerability or revictimization of women who have been subject to violence;

(b) To review, evaluate and update their criminal and civil laws in order to ensure that all forms of violence against women are criminalized and prohibited and, if not, to adopt measures to do so, including measures aimed at preventing violence against women, protecting, empowering and supporting survivors, adequately punishing perpetrators and ensuring available remedies for victims;

(c) To review, evaluate and update their criminal laws in order to ensure that:

(i) Persons who are brought before the courts on judicial matters in respect of violent crimes or who are convicted of such crimes can be restricted in their possession and use of firearms and other regulated weapons, within the framework of their national legal systems;

(ii) Individuals can be prohibited or restrained, within the framework of their national legal systems, from harassing, intimidating or threatening women;

(iii) The laws on sexual violence adequately protect all persons against sexual acts that are not based on the consent of both parties;

(iv) The law protects all children against sexual violence, sexual abuse, commercial sexual exploitation and sexual harassment, including crimes committed through the use of new information technologies, including the Internet;

(v) Harmful traditional practices, including female genital mutilation, in all their forms, are criminalized as serious offences under the law;

(vi) Trafficking in persons, especially women and girls, is criminalized;

(vii) Individuals who are serving in the armed forces or in United Nations peacekeeping operations are investigated and punished for committing acts of violence against women;

(d) To continually review, evaluate and update their national laws, policies, practices and procedures, taking into account all relevant international legal instruments, in order to effectively respond to violence against women, including to ensure that such measures complement and are consistent with the criminal justice system's response to such violence and that civil law decisions reached in marital dissolutions, child custody decisions and other family law proceedings for cases involving domestic violence or child abuse adequately safeguard victims and the best interests of children;

(e) To review and, where appropriate, revise, amend or abolish any laws, regulations, policies, practices and customs that discriminate against women or have a discriminatory impact on women, and to ensure that provisions of multiple legal systems, where they exist, comply with international human rights obligations, commitments and principles, in particular the principle of non-discrimination.

III. Criminal procedure

15. Member States are urged to review, evaluate and update their criminal procedures, as appropriate and taking into account all relevant international legal instruments, in order to ensure that:

(a) The police and other law enforcement agencies have, with judicial authorization where required by national law, adequate powers to enter premises and conduct arrests in cases of violence against women and to take immediate measures to ensure the safety of victims;

(b) The primary responsibility for initiating investigations and prosecutions lies with the police and prosecution authorities and does not rest with women subjected to violence, regardless of the level or form of violence;

(c) Women subjected to violence are enabled to testify in criminal proceedings through adequate measures that facilitate such testimony by protecting the privacy, identity and dignity of the women; ensure safety during legal proceedings; and avoid "secondary victimization". In jurisdictions where the safety of the victim cannot be guaranteed, refusing to testify should not constitute a criminal or other offence;

(d) Evidentiary rules are non-discriminatory; all relevant evidence can be brought before the court; rules and principles of defence do not discriminate against women; and "honour" or "provocation" cannot be invoked by perpetrators of violence against women to escape criminal responsibility;

(e) The credibility of a complainant in a sexual violence case is understood to be the same as that of a complainant in any other criminal proceeding; the introduction of the complainant's sexual history in both civil and criminal proceedings is prohibited when it is unrelated to the case; and no adverse inference is drawn solely from a delay of any length between the alleged commission of a sexual offence and the reporting thereof;

(f) People who perpetrate acts of violence against women while voluntarily under the influence of alcohol, drugs or other substances are not exempted from criminal responsibility;

(g) Evidence of prior acts of violence, abuse, stalking and exploitation by the perpetrator is considered during court proceedings, in accordance with the principles of national criminal law;

(h) Police and courts have the authority to issue and enforce protection and restraining or barring orders in cases of violence against women, including removal of the perpetrator from the domicile, prohibiting further contact with the victim and other affected parties, inside and outside the domicile; to issue and enforce child support and custody orders; and to impose penalties for breaches of those orders. If such powers cannot be granted to the police, measures must be taken to ensure timely access to court decisions in order to ensure swift action by the court. Such protective measures should not be dependent on the initiation of a criminal case;

(i) Comprehensive services are provided and protection measures are taken when necessary to ensure the safety, privacy and dignity of victims and their families at all stages of the criminal justice process, without prejudice to the victim's ability or willingness to participate in an investigation or prosecution, and to protect them from intimidation and retaliation, including by establishing comprehensive witness and victim protection programmes;

(j) Safety risks, including the vulnerability of victims, are taken into account in decisions concerning non-custodial or quasi-custodial sentences, the granting of bail, conditional release, parole or probation, especially when dealing with repeat and dangerous offenders;

(k) Claims of self-defence by women who have been victims of violence, particularly in cases of battered woman syndrome, are taken into account in investigations, prosecutions and sentences against them;

(l) All procedures and complaint mechanisms are accessible to women who are victims of violence without fear of reprisal or discrimination.

IV. Police, prosecutors and other criminal justice officials

16. Member States are urged, within the framework of their national legal systems, as appropriate and taking into account all relevant international legal instruments:

(a) To ensure that the applicable provisions of laws, policies, procedures, programmes and practices related to violence against women are consistently and effectively implemented by the criminal justice system and supported by relevant regulations as appropriate;

(b) To develop mechanisms to ensure a comprehensive, multidisciplinary, coordinated, systematic and sustained response to violence against women in order to increase the likelihood of successful apprehension, prosecution and conviction of the offender, contribute to the well-being and safety of the victim and prevent secondary victimization;

(c) To promote the use of specialized expertise in the police, among prosecution authorities and in other criminal justice agencies, including through the establishment, where possible, of specialized units or personnel and specialized courts or dedicated court time, and to ensure that all police officers, prosecutors and other criminal justice officials receive regular and institutionalized training to sensitize them to gender and child-related issues and to build their capacity with regard to violence against women;

(d) To promote the development and implementation of appropriate policies among different criminal justice agencies to ensure coordinated, consistent and effective responses to violence perpetrated against women by personnel within such agencies and to ensure that attitudes of criminal justice officials that foster, justify or tolerate violence against women are held up to public scrutiny and sanction;

(e) To develop and implement policies and appropriate responses regarding the investigation and collection of evidence that take into account the unique needs and perspectives of victims of violence, respect their dignity and integrity and minimize intrusion into their lives while abiding by standards for the collection of evidence;

(f) To ensure that criminal justice officials and victims' advocates conduct risk assessments that indicate the level or extent of harm that victims may be subjected to based on their vulnerability, the threats to which they are exposed, the presence of weapons and other determining factors;

(g) To ensure that laws, policies, procedures and practices pertaining to decisions on the arrest, detention and terms of any form of release of the perpetrator take into account the need for the safety of the victim and others

related through family, socially or otherwise and that such procedures also prevent further acts of violence;

(h) To establish a registration system for judicial protection, restraining or barring orders, where such orders are permitted by national law, so that police or criminal justice officials can quickly determine whether such an order is in force;

(i) To empower and equip police, prosecutors and other criminal justice officials to respond promptly to incidents of violence against women, including by drawing on a rapid court order, where appropriate, and by taking measures to ensure the fast and efficient management of cases;

(j) To ensure that the exercise of powers by police, prosecutors and other criminal justice officials is undertaken according to the rule of law and codes of conduct and that such officials are held accountable for any infringement thereof through appropriate oversight and accountability mechanisms;

(k) To ensure gender-equitable representation in the police force and other agencies of the justice system, particularly at the decision-making and managerial levels;

(l) To provide victims of violence, where possible, with the right to speak to a female officer, whether it be the police or any other criminal justice official;

(m) To develop new or improve existing model procedures and resource material and disseminate such procedures and material, to help criminal justice officials to identify, prevent and deal with violence against women, including by assisting and supporting women subjected to violence in a manner that is sensitive and responsive to their needs;

(n) To provide adequate psychological support to police, prosecutors and other criminal justice officials to prevent their vicarious victimization.

V. Sentencing and corrections

17. Recognizing the serious nature of violence against women and the need for crime prevention and criminal justice responses that are commensurate with that severity, Member States are urged, as appropriate:

(a) To review, evaluate and update sentencing policies and procedures in order to ensure that they:

(i) Hold offenders accountable for their acts related to violence against women;

(ii) Denounce and deter violence against women;

(iii) Stop violent behaviour;

(iv) Promote victim and community safety, including by separating the offender from the victim and, if necessary, from society;

(v) Take into account the impact on victims and their family members of sentences imposed on perpetrators;

(vi) Provide sanctions that ensure that the perpetrators of violence against women are sentenced in a manner commensurate with the severity of the offence;

(vii) Provide reparations for harm caused as a result of the violence;

(viii) Promote the rehabilitation of the perpetrator, including by promoting a sense of responsibility in offenders and, where appropriate, reintegrating perpetrators into the community;

(b) To ensure that their national laws take into account specific circumstances as aggravating factors for sentencing purposes, including, for example, repeated violent acts, abuse of a position of trust or authority, perpetration of violence against a spouse or a person in a close relationship with the perpetrator and perpetration of violence against a person under 18 years of age;

(c) To ensure the right of a victim of violence to be notified of the offender's release from detention or imprisonment;

(d) To take into account, in the sentencing process, the severity of the physical and psychological harm and the impact of victimization, including through victim impact statements;

(e) To make available to the courts, through legislation, a full range of sentencing dispositions to protect the victim, other affected persons and society from further violence, and to rehabilitate the perpetrator, as appropriate;

(f) To develop and evaluate treatment and reintegration/rehabilitation programmes for perpetrators of different types of violence against women that prioritize the safety of the victims;

(g) To ensure that judicial and correctional authorities, as appropriate, monitor perpetrators' compliance with any treatment ordered;

(h) To ensure that there are appropriate measures in place to eliminate violence against women who are detained for any reason;

(i) To provide adequate protection to victims and witnesses of acts of violence before, during and after criminal proceedings.

VI. Victim support and assistance

18. Member States are urged, as appropriate and taking into account all relevant international legal instruments, in particular the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power:

(a) To make available to women who have been subjected to violence relevant information on rights, remedies and victim support services and on how to obtain them, in addition to information about their role and opportunities for participating in criminal proceedings and the scheduling, progress and ultimate disposition of the proceedings, as well as any orders against the offender;

(b) To encourage and assist women subjected to violence in lodging and following through on formal complaints by providing protection to the victims and advising them that the responsibility for pursuing charges and prosecuting offenders rests with the police and the prosecution;

(c) To take appropriate measures to prevent hardship during the detection, investigation and prosecution process in order to ensure that victims are treated with dignity and respect, whether they participate in the criminal proceedings or not;

(d) To ensure that women subjected to violence have access to prompt and fair redress for the harm that they have suffered as a result of violence, including the right to seek restitution from the offender or compensation from the State;

(e) To provide court mechanisms and procedures that are accessible and sensitive to the needs of women subjected to violence and that ensure the fair and timely processing of cases;

(f) To provide efficient and easily accessible procedures for issuing restraining or barring orders to protect women and other victims of violence and for ensuring that victims are not held accountable for breaches of such orders;

(g) To recognize that children who have witnessed violence against their parent or another person with whom they have a close relationship are victims of violence and need protection, care and support;

(h) To ensure that women subjected to violence have full access to the civil and criminal justice systems, including access to free legal aid, where appropriate, court support and interpretation services;

(i) To ensure that women subjected to violence have access to qualified personnel who can provide victim advocacy and support services throughout the entire criminal justice process, as well as access to any other independent support persons;

(j) To ensure that all services and legal remedies available to victims of violence against women are also available to immigrant women, trafficked women, refugee women, stateless women and all other women in need of such assistance, and that specialized services for such women are established, where appropriate;

(k) To refrain from penalizing victims who have been trafficked for having entered the country illegally or for having been involved in unlawful activities that they were forced or compelled to carry out.

VII. Health and social services

19. Member States, in cooperation with the private sector, relevant non-governmental organizations and professional associations, are urged, as appropriate:

(a) To establish, fund and coordinate a sustainable network of accessible facilities and services for emergency and temporary residential accommodation, health services, including counselling and psychological care, legal assistance and other basic needs for women and their children who are victims of violence or who are at risk of becoming victims of violence;

(b) To establish, fund and coordinate services such as toll-free information lines, professional multidisciplinary counselling and crisis intervention services and support groups in order to benefit women who are victims of violence and their children;

(c) To establish better linkages between health and social services, both public and private, particularly in emergency situations, and criminal justice agencies for the purposes of reporting, recording and responding appropriately to acts of violence against women, while protecting the privacy of women subjected to violence;

(d) To design and sponsor sustainable programmes to prevent and treat alcohol and other substance abuse, given the frequent presence of substance abuse in incidents of violence against women;

(e) To ensure that violent acts and sexual crimes against children are reported to the police and other law enforcement agencies when suspected by the health and social services;

(f) To promote collaboration and coordination among relevant agencies and services, including through the establishment, where possible, of specialized units specifically

trained to deal with the complexities and sensitivities of victims involved in cases of violence against women where victims can receive comprehensive assistance, protection and intervention services, including health and social services, legal advice and police assistance;

(g) To ensure that adequate medical, legal and social services sensitive to the needs of victims are in place to enhance the criminal justice management of cases involving violence against women and to encourage the development of specialized health services, including comprehensive, free and confidential forensic examinations by trained health providers and appropriate treatment, including HIV-specific treatment.

VIII. Training

20. Member States, in cooperation with relevant non-governmental organizations and professional associations, are urged, as appropriate:

(a) To provide for or to encourage mandatory cross-cultural gender and child-sensitivity training modules for police, criminal justice officials and professionals involved in the criminal justice system on the unacceptability of all forms of violence against women and on their harmful impact and consequences on all those who experience such violence;

(b) To ensure that police, criminal justice officials and other professionals involved in the criminal justice system receive adequate training and continued education on all relevant national laws, policies and programmes, as well as international legal instruments;

(c) To ensure that police, criminal justice officials and other relevant authorities are adequately trained to identify and respond appropriately to the specific needs of women victims of violence, including victims of trafficking; to receive and treat all victims respectfully with a view to avoiding secondary victimization; to handle complaints confidentially; to conduct safety assessments and risk management; and to use and enforce protection orders;

(d) To encourage relevant professional associations to develop enforceable standards of practice and behaviour and codes of conduct that promote justice and gender equality.

IX. Research and evaluation

21. Member States, the institutes of the United Nations crime prevention and criminal justice programme network, relevant entities of the United Nations system, other relevant international organizations, research institutes, non-governmental organizations and professional associations are urged, as appropriate:

(a) To set up and strengthen mechanisms for systematic and coordinated data collection on violence against women;

(b) To develop both modules and dedicated population-based surveys, including crime surveys, for assessing the nature and extent of violence against women;

(c) To collect, analyse and publish data and information, including data and information disaggregated by gender, for use in carrying out needs assessments, taking decisions and developing policy in the field of crime prevention and criminal justice, in particular concerning:

- (i) The different forms of violence against women; the causes, risk factors and levels of severity of such violence; and the consequences and impacts of such violence, including on different population subgroups;
 - (ii) The extent to which economic deprivation and exploitation are linked to violence against women;
 - (iii) The patterns, trends and indicators of violence against women, women's feelings of insecurity in the public and private spheres and factors that can reduce such feelings of insecurity;
 - (iv) The relationship between the victim and the offender;
 - (v) The effect of various types of interventions on the individual offender and on the reduction and elimination of violence against women as a whole;
 - (vi) The use of weapons and of drugs, alcohol and other substances in cases of violence against women;
 - (vii) The relationship between victimization or exposure to violence and subsequent violent activity;
 - (viii) The relationship between the violence experienced by women and women's vulnerability to other types of abuse;
 - (ix) The consequences of violence on those who witness it, particularly within the family;
- (d) To monitor, and publish annual reports on, the number of cases of violence against women reported to the police as well as other criminal justice agencies, including arrest and clearance rates, prosecution and case disposition of the offenders and the prevalence of violence against women; in doing so, use should be made of data derived from population-based surveys. Such reports should disaggregate data by type of violence and include, for example, information on the sex of the perpetrator and his or her relationship to the victim;
- (e) To evaluate the efficiency and effectiveness of the criminal justice system in meeting the needs of women subjected to violence, including with regard to the way in which the criminal justice system treats victims and witnesses of acts of violence, the use it makes of different intervention models and the degree to which it cooperates with providers of services to victims and witnesses, as well as to evaluate and assess the impact of current legislation, rules and procedures relating to violence against women;
- (f) To evaluate the efficiency and effectiveness of offender treatment, rehabilitation and reintegration programmes, in consultation with relevant stakeholders, including victims and victim service providers;
- (g) To be guided by existing ongoing efforts at the international level to develop a set of indicators to measure violence against women and to ensure a multisectoral, coordinated approach to the development, implementation, monitoring and evaluation of data-collection initiatives;
- (h) To ensure that data on violence against women are collected in a way that respects the confidentiality and human rights of women and does not jeopardize their safety;
- (i) To encourage and provide sufficient financial support for research on violence against women.

X. Crime prevention measures

22. Member States and the private sector, relevant non-governmental organizations and professional associations are urged, as appropriate:

(a) To develop and implement relevant and effective public awareness and public education initiatives, as well as school programmes and curricula, that prevent violence against women by promoting respect for human rights, equality, cooperation, mutual respect and shared responsibilities between women and men;

(b) To develop codes of conduct for personnel in public and private entities that prohibit violence against women, including sexual harassment, and include safe complaint and referral procedures;

(c) To develop multidisciplinary and gender-sensitive approaches within public and private entities that seek to prevent violence against women, especially through partnerships between law enforcement officials and services specialized in the protection of women victims of violence;

(d) To develop programmes to assess perceptions of public safety and to develop safety planning, environmental design and management of public space in order to reduce the risk of violence against women;

(e) To set up outreach programmes and provide relevant information to women about gender roles, women's human rights and the social, health, legal and economic aspects of violence against women in order to empower women to protect themselves and their children against all forms of violence;

(f) To set up outreach programmes for offenders or persons identified as potential offenders in order to promote non-violent behaviour and attitudes and respect for equality and the rights of women;

(g) To develop and disseminate, in a manner appropriate to the audience concerned, including in educational institutions at all levels, information and awareness-raising materials on the different forms of violence that are perpetrated against women and the availability of relevant programmes that include information on the relevant provisions of criminal law, the functions of the criminal justice system, the victim support mechanisms that are available and the existing programmes concerning non-violent behaviour and the peaceful resolution of conflicts;

(h) To support all initiatives, including those of non-governmental organizations and other relevant organizations seeking women's equality, to raise public awareness of the issue of violence against women and to contribute to the elimination of such violence;

(i) To facilitate the work at lower levels of government, including among city and local community authorities, to promote an integrated approach that makes use of the range of local services provided by institutions and civil society for the development of preventive strategies and programmes.

23. Member States and the media, media associations, media self-regulatory bodies, schools and other relevant partners, while respecting the freedom of the media, are urged, as appropriate, to develop public awareness campaigns and appropriate measures and mechanisms, such as codes of ethics and self-regulatory measures on media violence, aimed at enhancing respect for the rights and dignity of women, while discouraging both discrimination and gender stereotyping.

24. Member States and the private sector, relevant non-governmental organizations and professional associations are urged to develop and improve, where appropriate, crime prevention and criminal justice responses to the production, possession and dissemination of games, images and all other materials that depict or glorify acts of violence against women and children, and their impact on the general public's attitude towards women and children, as well as the mental and emotional development of children, particularly through new information technologies, including the Internet.

XI. International cooperation

25. Member States, in cooperation with United Nations bodies and institutes and other relevant organizations, are urged, as appropriate:

(a) To continue exchanging information concerning successful intervention models and preventive programmes on eliminating all forms of violence against women and to update the resource manual and the compendium on the Model Strategies and Practical Measures, as well as to provide information for inclusion in the Secretary-General's database on violence against women;

(b) To cooperate and collaborate at the bilateral, regional and international levels with relevant entities to prevent violence against women; to provide safety, assistance and protection for the victims and witnesses of violence and their family members, as appropriate; and to promote measures to effectively bring perpetrators to justice, through strengthened mechanisms of international cooperation and mutual legal assistance;

(c) To develop provisions providing for the safe and, to the extent possible, voluntary repatriation and reintegration of women victims of violence who have been trafficked or kidnapped across borders;

(d) To contribute and provide support to the United Nations system in its efforts to eliminate all forms of violence against women;

(e) To take appropriate preventive action and to ensure full accountability in cases of sexual exploitation and abuse involving troops and police in United Nations peacekeeping operations.

26. Member States are also urged:

(a) To condemn all acts of violence against women in situations of armed conflict, to recognize them as violations of international human rights, humanitarian law and international criminal law, to call for a particularly effective response to such violations, in particular when they involve murder, systematic rape, sexual slavery and forced pregnancy, and to implement Security Council resolutions 1325(2000) and 1820(2008) on women and peace and security;

(b) To work actively towards universal ratification of or accession to all relevant treaties and to promote their full implementation, including the Convention on the Elimination of All Forms of Discrimination against Women and the Optional Protocol thereto, the Rome Statute of the International Criminal Court, the Convention on the Rights of the Child and the Optional Protocol thereto on the sale of children, child prostitution and child pornography, and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime;

(c) To formulate any reservations to the Convention on the Elimination of All Forms of Discrimination against Women in a manner that is as precise and as narrow as possible and to ensure that any such reservations are not incompatible with the object and purpose of that Convention;

(d) To work actively towards the ratification of or accession to existing regional instruments and agreements aimed at combating violence against women, and to promote their implementation;

(e) To include in periodic reports to the Committee on the Elimination of Discrimination against Women information on efforts made to implement the updated Model Strategies and Practical Measures;

(f) To cooperate with the International Criminal Court, ad hoc international criminal tribunals and other international criminal tribunals in the investigation and prosecution of the perpetrators of genocide, crimes against humanity and war crimes, particularly of those crimes involving gender-based violence, and to enable women who have been subjected to violence to give testimony and participate in all stages of the proceedings while protecting the safety, interests, identity and privacy of those women;

(g) To cooperate with and assist the Special Rapporteur on violence against women, its causes and consequences and the Special Rapporteur on trafficking in persons, especially in women and children, in performing their mandated tasks and duties by supplying all information requested and responding to the Special Rapporteurs' visits and communications.

XII. Follow-up activities

27. Member States, United Nations bodies, the institutes of the United Nations crime prevention and criminal justice programme network, other relevant international and regional organizations, research institutes, non-governmental organizations and professional organizations, including organizations seeking women's equality, are urged, as appropriate:

(a) To encourage the translation of the updated Model Strategies and Practical Measures into local languages and to ensure their wide dissemination and use in training and education programmes;

(b) To draw, as appropriate, on the updated Model Strategies and Practical Measures in the development of legislation, procedures, policies and practices in responding to violence against women;

(c) To assist States, upon request, in developing strategies and programmes to prevent violence against women and in reviewing and evaluating their criminal justice systems, including their criminal legislation, on the basis of the updated Model Strategies and Practical Measures;

(d) To support the technical cooperation activities of the institutes of the United Nations crime prevention and criminal justice programme network aimed at eliminating all forms of violence against women;

(e) To develop coordinated national, subregional and regional plans and programmes to implement the updated Model Strategies and Practical Measures;

(f) To design standard training programmes and manuals for police and criminal justice officials based on the updated Model Strategies and Practical Measures;

(g) To periodically monitor and review progress made at the national and international levels in terms of plans, programmes and initiatives to eliminate all forms of violence against women;

(h) To periodically review and update, if necessary, the updated Model Strategies and Practical Measures.

UN rules for treatment of women prisoners

On 22 July, the Economic and Social Council recommended to the Assembly the adoption of a draft resolution on UN rules for the treatment of women prisoners and non-custodial measures for women offenders (**resolution 2010/16**), which were annexed to the resolution and would henceforth be known as the Bangkok Rules. On 21 December, in **resolution 65/229**, the Assembly took that action (see p. 1120).

Women and armed conflict

Women and children taken hostage

In response to a 2008 Commission on the Status of Women resolution [YUN 2008, p. 1267], the Secretary-General submitted a report [E/CN.6/2010/5] on the release of women and children taken hostage, including those subsequently imprisoned, in armed conflicts. Six Member States provided information for the report. Of the 14 entities of the UN system that responded to the request for information, three described activities related to women and children taken hostage or imprisoned in armed conflict. The information from States demonstrated that Governments continued to develop policies and legislation in support of women and children taken hostage, as well as provide humanitarian assistance. Information provided by the United Nations focused on programmes in support of women and children demobilized from situations of forced recruitment into armed forces. The Secretary-General suggested that the Commission might wish to invite the Special Representative of the Secretary-General for Children and Armed Conflict to take into account the release of children taken hostage, including those subsequently imprisoned, in armed conflicts, and provide sex-disaggregated data, where available, when preparing the reports requested by the General Assembly.

Commission action. In a March resolution [E/2010/27 (res. 54/3)], the Commission requested the Secretary-General to facilitate the immediate release of civilian women and children who had been taken hostage, to ensure the widest possible dissemination of relevant material, in particular material related to Security Council resolution 1325(2000) [YUN 2000, p. 1113], and to submit to the Commission in 2012 a report on the implementation of its resolution.

On 12 March [dec. 54/102], the Commission took note of the Secretary-General's report.

Women, peace and security

Report of Secretary-General. In response to Security Council resolution 1889(2009) [YUN 2009, p. 1141], the Secretary-General submitted an April report [S/2010/173] containing a set of proposed indicators for use at the global level to track implementation of resolution 1325(2000) concerning the obstacles to women's full involvement in the prevention and resolution of conflicts and their participation in post-conflict public life. The provision of indicators, to be used as a common basis for reporting by Member States, UN entities and international and regional organizations, was considered a major step towards fostering more effective and coordinated action. The report described the process by which the indicators were developed, including the establishment of the 15-entity Technical Working Group on Global Indicators for resolution 1325(2000), for which UNIFEM served as the technical lead. Organized in line with the pillars of the 2008–2009 United Nations System-wide Action Plan [YUN 2007, p. 1166] on implementing resolution 1325(2000), the indicators were grouped in four thematic areas: prevention; participation; protection; and relief and recovery. The Action Plan's fifth thematic area, normative, was cross-cutting, and therefore incorporated within the four areas selected. For the prevention pillar, indicators would measure progress towards preventing conflict and violations of women's and girls' human rights, including sexual and gender-based violence. They would also respond to a need to develop specific guidelines and protocols for justice and security actors and to establish systems for reporting abuses and ensuring the accountability of both peacekeepers and national security forces. Indicators for the participation pillar would allow for the monitoring of progress in ensuring the inclusion of women and women's interests in decision-making processes related to the prevention, management and resolution of conflicts. Indicators for the protection pillar would measure progress towards protecting and promoting the human rights of women and girls and ensuring their physical safety, health and economic security, while those for the relief and recovery pillar would assess the extent to which the specific needs of women and girls were addressed during the relief and recovery phase following conflict.

The Secretary-General concluded that development of the indicators was timely as, 10 years after its adoption, the implementation of resolution 1325(2000) remained slow, and the assessment of progress was constrained by an absence of baseline data and specific, measurable, relevant and time-bound indicators. To make the indicators operational, a pilot phase entailing technical and baseline development and data collection would be needed, for which the involvement of UN country teams would be critical.

The pilot period would vary from two to five years. The Secretary-General recommended that the Council urge the UN system to engage organizations and parties that had technical expertise in data collection and analysis to populate the indicators in the shortest possible time, so that the data would be available for use. He urged Member States, in parallel with UN efforts, to volunteer to pilot the indicators to ensure that they were relevant to country situations and to establish best practices in data collection and analysis. He recommended the inclusion of information generated through the indicators in the Secretary-General's country reports to the Council, and that the Council strengthen its accountability and monitoring through the establishment of a mechanism that would use the indicators.

Appointment of Special Representative. On 29 January [S/2010/62], the Secretary-General informed the President of the Security Council of his intention, in accordance with resolution 1888(2009) [YUN 2009, p. 1137], to appoint Margot Wallström (Sweden) as his Special Representative on Sexual Violence in Conflict, with immediate effect. On 2 February [S/2010/63], the Council took note of the Secretary-General's appointment.

SECURITY COUNCIL ACTION

On 27 April [meeting 6302], following consultations among Security Council members, the President made statement **S/PRST/2010/8** on behalf of the Council:

The Security Council welcomes the appointment of Ms. Margot Wallström as Special Representative of the Secretary-General on Sexual Violence in Conflict and reiterates its support of her mandate as outlined in resolution 1888(2009).

The Council welcomes the timely submission of the report of the Secretary-General requested in resolution 1889(2009) and takes note of both the indicators and the recommendations contained in the report.

The Council notes that indicators contained in the report would need technical and conceptual development before they could become operational.

The Council requests the Secretary-General to continue to consult with the Council, taking into account views expressed by other relevant stakeholders, including the broader United Nations membership, taking into account the need to further develop indicators contained in his report and the parallel ongoing work regarding resolution 1888(2009), in order to include a comprehensive set of indicators in his next report on the implementation of resolution 1325(2000), to be submitted to the Council in October 2010, as well as a programme of work containing roles and responsibilities vis-à-vis the indicators within the United Nations system and a time frame to render the indicators operational.

The Council requests the Secretary-General to continue to ensure that all country reports to the Council provide information on the impact of situations of armed conflict

on women and girls, their particular needs in post-conflict situations and obstacles to meeting those needs.

The Council expresses its intention to take action on a comprehensive set of indicators on the occasion of the tenth anniversary of resolution 1325(2000) in October 2010, for use at the global level to track implementation of resolution 1325(2000).

The Council reiterates its desire to commemorate the tenth anniversary of resolution 1325(2000).

Report of Secretary-General. In response to a Security Council request contained in presidential statement S/PRST/2007/40 [YUN 2007, p. 1167], the Secretary-General submitted a September report [S/2010/498] that reviewed progress in implementing resolution 1325(2000). The report assessed the processes by which the Council received, analysed and took action on information pertinent to that resolution, and it included information on measures taken to improve the capacity of Member States to implement the resolution, including on best practices. It also reviewed the 2008–2009 System-wide Action Plan for implementing resolution 1325(2000) and, in response to a request contained in presidential statement S/PRST/2010/8 (see above), presented the results of the further development of the indicators proposed in the Secretary-General's April report (see p. 1160). The latter section included the outline of a programme of work detailing roles and responsibilities within the UN system vis-à-vis the indicators and a time frame to render the indicators operational.

In June and July, the UN Department of Political Affairs (DPA), the UN Department of Peacekeeping Operations (DPKO), the United Nations Development Programme (UNDP) and UNIFEM, through the Global Open Day for Women and Peace, supported over 20 dialogues on gender issues in peacebuilding between women's peace groups and senior UN leaders in conflict-affected countries and territories. The Global Open Day aimed to further national dialogues on women and peace and security and thereby improve the implementation of resolution 1325(2000); it enabled women to share their concerns with the international community and provided a model for more regular dialogue between civil society and Special Representatives of the Secretary-General and Resident Coordinators. In January, DPA and UNIFEM, in response to Council resolution 1889(2009), initiated a Joint Strategy on Gender and Mediation, with the task of identifying and preparing qualified female mediators; increasing the availability of gender expertise in mediation processes; and enhancing women's participation in peace processes. The High-Level Steering Committee to guide the commemoration of the tenth anniversary of resolution 1325(2000), established in 2010 and chaired by the Deputy Secretary-General, sought to produce a more intensified second decade of resolution implementation. One of the priorities of

the Special Representative of the Secretary-General on Sexual Violence in Conflict, who was appointed in March (see p. 1160), was to increase the participation of female police officers to 20 per cent by 2014. In 2010, women comprised 3.2 per cent of total military personnel deployed to peacekeeping.

Between May and July, consultations were held with Council experts, regional groups and Member States to receive their inputs to guide the development of the 26 indicators to track implementation of resolution 1325(2000). The technical review and development of the indicators was carried out by the Technical Working Group on Global Indicators and the effort was coordinated by the Office of the Special Adviser on Gender Issues and Advancement of Women (OSAGI) and UNIFEM. Member States' concerns related to the applicability of the indicators for non-conflict contexts; the responsibility of Member States for populating the indicators; the need to address qualitative as well as quantitative indicators; and the need to ensure that all aspects were addressed. Annexed to the report was the final set of indicators.

The report noted that the UN system, Member States, civil society and other actors had made notable efforts to implement resolution 1325(2000) in a range of areas, but progress had been inconsistent. There was need for an overarching framework to set strategic system-wide priorities and ensure coherence. It was suggested that the Council might wish to request the Secretary-General to provide, in his next annual report to the Council, a single comprehensive framework with an agreed set of goals, targets and indicators to guide resolution implementation in the next decade. The Council could endorse the set of indicators for use in preparing the framework. The Council and Member States might adopt and begin to use the indicators as a basis for their reviews, analyses, interventions and reporting. It was further proposed that a working group be established, which would review progress in implementing resolution 1325(2000), on the basis of the Secretary-General's annual reports, and recommend to the Council how to address gaps and challenges.

With the Secretary-General's report before it, the Council held a ministerial open debate on women and peace and security on 26 October [S/PV.6411].

SECURITY COUNCIL ACTION

On 26 October [meeting 6411], following consultations among Security Council members, the President made statement **S/PRST/2010/22** on behalf of the Council:

The Security Council, meeting on the tenth anniversary of the adoption of its resolution 1325(2000), reaffirms its commitment to the continuing and full implementation, in a mutually reinforcing manner, of resolutions 1325(2000), 1612(2005), 1674(2006),

1820(2008), 1882(2009), 1888(2009), 1889(2009) and 1894(2009) and all relevant statements by its President.

The Council welcomes the report of the Secretary-General on women and peace and security and the analysis it contains on progress in implementing resolution 1325(2000).

The Council welcomes General Assembly resolution 64/289 establishing the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) that will be fully operational in January 2011. The Council invites UN-Women to regularly contribute to its work on women and peace and security and notes the valuable role that it will play in supporting women's roles in peacebuilding and the prevention of sexual violence in conflict, including through coordination and coherence in policy and programming for women and girls. It welcomes the appointment of Ms. Michelle Bachelet as the head of UN-Women.

The Council reiterates its strong condemnation of all violations of applicable international law committed against women and girls in situations of armed conflict and in post-conflict situations, including rape, other forms of sexual and gender-based violence and killing and maiming that contravene international law. The Council urges the complete cessation by all parties of such acts with immediate effect and also urges Member States to bring to justice those responsible for crimes of this nature. Their efforts to combat impunity must be matched with assistance and redress to victims. In this regard, it reiterates its support for the mandates of the Special Representative of the Secretary-General on Sexual Violence in Conflict and the Special Representative of the Secretary-General for Children and Armed Conflict and encourages them to continue to ensure full transparency, cooperation and coordination of their efforts.

The Council notes that the fight against impunity for the most serious crimes of international concern committed against women and girls has been strengthened through the work of the International Criminal Court, ad hoc and mixed tribunals, as well as specialized chambers in national tribunals and takes note of the stocktaking of international criminal justice undertaken at the first Review Conference of the Rome Statute of the International Criminal Court, held in Kampala from 31 May to 11 June 2010. The Council intends to enhance its efforts to fight impunity and uphold accountability for serious crimes against women and girls with appropriate means and draws attention to the full range of justice and reconciliation mechanisms to be considered, including national, international and mixed criminal courts and tribunals, truth and reconciliation commissions, as well as national reparation programmes for victims, institutional reforms and traditional dispute resolution mechanisms.

The Council recognizes the continuing challenges and welcomes the many efforts to implement resolution 1325(2000) detailed in the report of the Secretary-General, in particular positive examples of efforts to engage with women's civil society groups in conflict resolution and peacebuilding, and to protect women and girls from sexual and gender-based violence.

The Council notes with grave concern that women and girls are disproportionately affected by conflict, and that women's participation at all stages of peace processes and

in the implementation of peace accords remains too low, despite the vital role of women in the prevention and resolution of conflicts and in rebuilding their societies. The Council recognizes the need to facilitate the full and effective participation of women in these areas and stresses that the full and effective participation of women is very important for the sustainability of peace processes.

The Council welcomes the efforts of Member States to implement resolution 1325(2000) at the national level, including the increase in the number of States that have formulated or revised national action plans and strategies, and encourages Member States to continue to pursue such implementation.

The Council welcomes the concrete commitments made by a number of Member States at the present ministerial open debate on 26 October 2010 to increase their efforts to implement resolution 1325(2000) and invites those Member States and any other Member States that wish to do so to regularly review implementation of this resolution and to report to the Council on progress made, as appropriate.

The Council supports taking forward, including by relevant United Nations entities, the set of indicators contained in the annex to the report of the Secretary-General for use as an initial framework to track implementation of resolution 1325(2000) in situations of armed conflict and in post-conflict and other situations relevant to the implementation of resolution 1325(2000), as appropriate, and taking into account the specificity of each country.

The Council recognizes the need for consistent implementation of resolution 1325(2000) in its own work and for monitoring progress in implementation. In this regard the Council underlines the need for timely and systematic reporting on women and peace and security issues and urges the Secretary-General to ensure that reports and briefings on country-specific and relevant thematic issues provide information on women and peace and security issues and on the implementation of resolution 1325(2000) using this set of indicators, as appropriate.

The Council encourages Member States to take into account the set of indicators contained in the annex to the report of the Secretary-General, as appropriate, in implementing resolution 1325(2000) and subsequent resolutions on women and peace and security.

The Council reiterates its demand to all parties to armed conflict to immediately and completely cease all forms of violence against women and girls, including acts of sexual violence.

The Council encourages Member States to deploy greater numbers of female military and police personnel to United Nations peacekeeping operations, and to provide all military and police personnel with adequate training to carry out their responsibilities. The Council requests the Secretary-General to continue and strengthen efforts to implement the policy of zero tolerance of sexual exploitation and abuse by United Nations peacekeeping and humanitarian personnel. The Council requests the Secretary-General to continue to provide and deploy guidance on addressing sexual violence for predeployment and induction training of military and police personnel, to assist missions in developing situation-specific procedures to address sexual violence

at the field level and to ensure that technical support is provided to troop- and police-contributing countries in order to include guidance for military and police personnel on addressing sexual violence in predeployment and induction training. The Council welcomes the work of gender and women's protection advisers appointed to peacekeeping missions. The Council looks forward to considering the annual report of the Secretary-General on the implementation of its resolution 1820(2008).

The Council requests the Secretary-General to continue to submit an annual report to it on the implementation of resolution 1325(2000). The Council further requests the Secretary-General to propose in his next annual report a strategic framework to guide the implementation by the United Nations of the resolution in the next decade, which includes targets and indicators and takes account of relevant processes within the Secretariat. In this context, the Council requests the Secretary-General to include recommendations for policy and institutional reforms in the United Nations that will facilitate improved response by the Organization to women and peace and security issues.

The Council reiterates its request to Member States and international, regional and subregional organizations to take measures to increase the participation of women in conflict prevention, conflict resolution and peacebuilding, including in decision-making roles in post-conflict governance institutions, appointed and elected. The Council urges the Secretary-General to appoint more women as mediators and special representatives and envoys to pursue good offices on his behalf.

The Council expresses its intention to convene a high-level review in five years to assess progress at the global, regional and national levels in implementing resolution 1325(2000), renew commitments and address obstacles and constraints that have emerged in the implementation of resolution 1325(2000).

Sexual violence and armed conflict

Situation in Democratic Republic of the Congo. In presidential statement *S/PRST/2010/17* of 17 September (see p. 128) on the situation concerning the Democratic Republic of the Congo (DRC), the Security Council condemned the mass rapes that had occurred in late July and August and urged the DRC Government to ensure swift prosecution of the perpetrators and to inform the Council on measures taken to that end.

Report of Secretary-General. In response to Council resolution 1888(2009), the Secretary-General submitted a November report [A/65/592-S/2010/604] on the implementation of that resolution and of resolution 1820(2008) [YUN 2008, p. 1265]. The report provided an analysis of conflict-related sexual violence to inform practice; updates on situations on the Council's agenda, including information about parties suspected of engaging in patterns of sexual violence; progress made by the UN system in implementing the resolutions, including measures to improve the

collection of information; and recommendations for enhancing response. Input from stakeholders at both Headquarters and the country level, including Member States, NGOs and experts, contributed to the report. Information was provided on contemporary conflicts in which sexual violence was a factor, including in Afghanistan, Angola, the Central African Republic, Chad, Côte d'Ivoire, the DRC, Haiti, Iraq, Liberia, Nepal, Somalia and South Sudan. Three common themes emerged from the country-level contributions: there was a need to change social attitudes in tandem with legal and policy reforms to reduce stigmatization; reporting should be standardized, employing an ethical and methodologically sound system that could be used by all stakeholders; and the UN system and donor countries should provide coherent and sustained support to national authorities. The Secretary-General drew attention to the appointment of his first Special Representative on Sexual Violence in Conflict, who had established her office in April. Progress had been made in carrying out her five-point agenda, which was to address impunity, including by supporting national institutions to identify and prosecute perpetrators; empower women to seek redress and claim their rights; mobilize political leadership; increase recognition of rape as a tactic and consequence of conflict; and ensure a more coherent response by the UN system. The Special Representative's priorities included facilitating a rapid response to emerging situations of sexual violence by developing an early warning matrix of risk factors; recognizing and promoting exemplary action; sustaining media attention through political and public advocacy regarding situations in which sexual violence was not sufficiently recognized and the response was under-resourced; paving the way for the deployment of a team of experts on the rule of law in support of national institutions; and fostering Government engagement in developing and implementing comprehensive strategies to combat sexual violence.

The Secretary-General affirmed his commitment to accelerating implementation of resolutions 1820(2008) and 1888(2009) and to according the highest level of attention to the issue of sexual violence and armed conflict. He noted that progress at the policy level had been overshadowed by the surge of sexual violence in the eastern DRC and its continuing prevalence elsewhere. Additional measures were needed to deliver tangible protection outcomes. He urged the Council to increase pressure on perpetrators through the adoption of sanctions against individuals and entities and the exchange of information between relevant sanctions committees and his Special Representative. As a possible basis for the application of targeted measures, he proposed that the Council mandate the listing, in his annual reports, of parties who had engaged in patterns of sexual violence.

The Council should systematically consider sexual violence in authorizing and renewing the mandates of peacekeeping and political missions to ensure that the language contained in thematic resolutions would be reflected in country-level action.

SECURITY COUNCIL ACTION

On 16 December [meeting 6453], the Security Council unanimously adopted **resolution 1960(2010)**. The draft [S/2010/641] was submitted by 68 Member States.

The Security Council,

Reaffirming its commitment to the continuing and full implementation, in a mutually reinforcing manner, of resolutions 1325(2000) of 31 October 2000, 1612(2005) of 26 July 2005, 1674(2006) of 28 April 2006, 1820(2008) of 19 June 2008, 1882(2009) of 4 August 2009, 1888(2009) of 30 September 2009, 1889(2009) of 5 October 2009 and 1894(2009) of 11 November 2009, and all relevant statements by its President,

Welcoming the report of the Secretary-General of 24 November 2010, but remaining deeply concerned over the slow progress on the issue of sexual violence in situations of armed conflict, in particular against women and children, and noting, as documented in the report of the Secretary-General, that sexual violence occurs in armed conflicts throughout the world,

Reiterating its deep concern that, despite its repeated condemnation of violence against women and children in situations of armed conflict, including sexual violence in situations of armed conflict, and despite its calls addressed to all parties to armed conflict for the cessation of such acts with immediate effect, such acts continue to occur, and in some situations have become systematic and widespread, reaching appalling levels of brutality,

Reiterating the necessity for all States and non-State parties to conflicts to comply fully with their obligations under applicable international law, including the prohibition on all forms of sexual violence,

Reiterating also the need for civilian and military leaders, consistent with the principle of command responsibility, to demonstrate commitment and political will to prevent sexual violence and to combat impunity and enforce accountability, and that inaction can send a message that the incidence of sexual violence in conflicts is tolerated,

Recalling the responsibilities of States to end impunity and to prosecute those responsible for genocide, crimes against humanity, war crimes and other egregious crimes perpetrated against civilians, and in this regard noting with concern that only limited numbers of perpetrators of sexual violence have been brought to justice, while recognizing that in conflict and in post-conflict situations national justice systems may be significantly weakened,

Welcoming the progress made in rendering operational the team of experts to assist national authorities to strengthen the rule of law in accordance with resolution 1888(2009), reaffirming the importance of deploying it rapidly to situations of particular concern with respect to sexual violence in armed conflict, working through the United Nations presence on the ground and with the consent of the host Government, and in this regard appreciating the voluntary contributions to support its work,

Recognizing that States bear the primary responsibility to respect and ensure the human rights of all persons within their territory and subject to their jurisdiction as provided for by international law,

Reaffirming that parties to armed conflict bear the primary responsibility to take all feasible steps to ensure the protection of civilians,

Recalling that international humanitarian law affords general protection to women and children as part of the civilian population during armed conflicts and special protection due to the fact that they can be placed particularly at risk,

Reaffirming that ending impunity is essential if a society in conflict or recovering from conflict is to come to terms with past abuses committed against civilians affected by armed conflict and to prevent such abuses in the future, drawing attention to the full range of justice and reconciliation mechanisms to be considered, including national, international and "mixed" criminal courts and tribunals and truth and reconciliation commissions, and noting that such mechanisms can promote not only individual responsibility for serious crimes but also peace, truth, reconciliation and the rights of the victims,

Recalling the inclusion of a range of sexual violence offences in the Rome Statute of the International Criminal Court and the statutes of the ad hoc international criminal tribunals,

Reaffirming the importance for States, with the support of the international community, to increase access to health care, psychosocial support, legal assistance and socio-economic reintegration services for victims of sexual violence, in particular in rural areas, and taking into account the specific needs of persons with disabilities,

Welcoming the proposals, conclusions and recommendations included in the report of the Special Committee on Peacekeeping Operations on the need for adequate capabilities and clear and appropriate guidelines to enable peacekeeping missions to carry out all their mandated tasks, including prevention of and response to sexual violence; stressing the importance of ensuring engagement by senior mission leadership on protection of civilians, including the prevention of and response to instances of sexual violence in armed conflict, with a view to ensuring that all mission components and all levels of the chain of command are properly informed of and involved in the mandate of the mission and their relevant responsibilities; welcoming progress made by the Secretary-General in developing operational tools for the implementation of protection of civilians mandates; and encouraging troop- and police-contributing countries to make full use of and provide feedback on these important materials,

Recognizing the efforts of the Secretary-General to address the underrepresentation of women in formal peace processes, the lack of mediators and ceasefire monitors with proper training in dealing with sexual violence, and the lack of women as chief or lead peace mediators in United Nations-sponsored peace talks, and encouraging further such efforts,

Welcoming the inclusion of women in peacekeeping missions in civil, military and police functions, recognizing that their presence may encourage women from local communities to report acts of sexual violence,

Having considered the report of the Secretary-General of 24 November 2010, and stressing that the present reso-

lution does not seek to make any legal determination as to whether situations that are referred to in the report of the Secretary-General are or are not armed conflicts in the context of the Geneva Conventions of 1949 and the Additional Protocols thereto, of 1977, nor does it prejudice the legal status of non-State parties involved in those situations,

1. *Reaffirms* that sexual violence, when used or commissioned as a tactic of war or as a part of a widespread or systematic attack against civilian populations, can significantly exacerbate and prolong situations of armed conflict and may impede the restoration of international peace and security, affirms in this regard that effective steps to prevent and respond to such acts of sexual violence can significantly contribute to the maintenance of international peace and security, and expresses its readiness, when considering situations on the agenda of the Security Council, to take, where necessary, appropriate steps to address widespread or systematic sexual violence in situations of armed conflict;

2. *Reiterates its demand* for the complete cessation with immediate effect by all parties to armed conflict of all acts of sexual violence;

3. *Encourages* the Secretary-General to include in his annual reports submitted pursuant to resolutions 1820(2008) and 1888(2009) detailed information on parties to armed conflict that are credibly suspected of committing or being responsible for acts of rape or other forms of sexual violence, and to list in an annex to these annual reports the parties that are credibly suspected of committing or being responsible for patterns of rape and other forms of sexual violence in situations of armed conflict on the Council agenda; and expresses its intention to use this list as a basis for more focused United Nations engagement with those parties, including, as appropriate, measures in accordance with the procedures of the relevant sanctions committees;

4. *Requests* the Secretary-General, in accordance with the present resolution and taking into account its specificity, to apply the listing and de-listing criteria for parties listed in his annual report on sexual violence in armed conflict consistent with paragraphs 175, 176, 178 and 180 of his report of 13 April 2010;

5. *Calls upon* parties to armed conflict to make and implement specific and time-bound commitments to combat sexual violence, which should include, inter alia, the issuance of clear orders through chains of command prohibiting sexual violence and the prohibition of sexual violence in codes of conduct, military field manuals, or equivalent; and further calls upon those parties to make and implement specific commitments on timely investigation of alleged abuses in order to hold perpetrators accountable;

6. *Requests* the Secretary-General to track and monitor implementation of these commitments by parties to armed conflict on the Council agenda that engage in patterns of rape and other sexual violence, and to regularly update the Council in relevant reports and briefings;

7. *Reiterates its intention*, when adopting or renewing targeted sanctions in situations of armed conflict, to consider including, where appropriate, designation criteria pertaining to acts of rape and other forms of sexual violence; and calls upon all peacekeeping and other relevant United Nations missions and United Nations entities, in particular the Security Council Working Group on Children and Armed Conflict, the Special Representative of

the Secretary-General for Children and Armed Conflict and the Special Representative of the Secretary-General on Sexual Violence in Conflict, to share with relevant Security Council sanctions committees, including through relevant sanctions committee monitoring groups and groups of experts, all pertinent information about sexual violence;

8. *Requests* the Secretary-General to establish monitoring, analysis and reporting arrangements on conflict-related sexual violence, including rape in situations of armed conflict and in post-conflict and other situations relevant to the implementation of resolution 1888(2009), as appropriate, and taking into account the specificity of each country, that ensure a coherent and coordinated approach at the field level, and encourages the Secretary-General to engage with United Nations actors, national institutions, civil society organizations, health-care service providers and women's groups to enhance data collection and analysis of incidents, trends and patterns of rape and other forms of sexual violence to assist the consideration by the Council of appropriate actions, including targeted and graduated measures, while respecting fully the integrity and specificity of the monitoring and reporting mechanism implemented under Council resolutions 1612(2005) and 1882(2009) on children and armed conflict;

9. *Also requests* the Secretary-General to continue to ensure full transparency, cooperation and coordination of efforts between the Special Representative of the Secretary-General for Children and Armed Conflict and the Special Representative of the Secretary-General on Sexual Violence in Conflict;

10. *Welcomes* the work of gender advisers, looks forward to the appointment of more women's protection advisers to peacekeeping missions, in accordance with resolution 1888(2009), and notes their potential contribution within the framework of the monitoring, analysis and reporting arrangements to be established pursuant to paragraph 8 of the present resolution;

11. *Also welcomes* the elaboration by the Secretary-General of scenario-based training materials on combating sexual violence for peacekeepers, and encourages Member States to use them as a reference for the preparation and deployment of United Nations peacekeeping operations;

12. *Underlines* that, in order to carry out their mandate, missions must communicate effectively with local communities, and encourages the Secretary-General to improve their capacity to do so;

13. *Expresses its intention* to give due consideration to sexual violence in mandate authorizations and renewals and to request the Secretary-General to include, as appropriate, gender expertise in technical assessment missions;

14. *Encourages* the entities comprising United Nations Action Against Sexual Violence in Conflict, as well as other relevant parts of the United Nations system, to continue to support the work of the aforementioned Special Representative of the Secretary-General on Sexual Violence in Conflict and to enhance cooperation and information-sharing among all relevant stakeholders in order to reinforce coordination and avoid overlap at the Headquarters and country levels and to improve system-wide response;

15. *Encourages* Member States to deploy greater numbers of female military and police personnel to United Nations peacekeeping operations and to provide all military and police personnel with adequate training on sexual and

gender-based violence, inter alia, to carry out their responsibilities;

16. *Requests* the Secretary-General to continue and strengthen efforts to implement the policy of zero tolerance of sexual exploitation and abuse by United Nations peace-keeping and humanitarian personnel, and further requests the Secretary-General to continue to provide and deploy guidance on addressing sexual violence for predeployment and induction training of military and police personnel, to assist missions in developing situation-specific procedures to address sexual violence at the field level and to ensure that technical support is provided to troop- and police-contributing countries in order to include guidance for military and police personnel on addressing sexual violence in predeployment and induction training;

17. *Invites* the Special Representative of the Secretary-General on Sexual Violence in Conflict to continue to provide briefings on sexual violence, in accordance with resolution 1888(2009);

18. *Requests* the Secretary-General to continue to submit annual reports to the Council on the implementation of resolutions 1820(2008) and 1888(2009) and to submit by December 2011 his next report on the implementation of resolutions 1820(2008) and 1888(2009) and the present resolution, to include, inter alia:

(a) A detailed coordination and strategy plan on the timely and ethical collection of information;

(b) Information on progress made in the implementation of the monitoring, analysis and reporting arrangements mentioned in paragraph 8 above;

(c) Detailed information on parties to armed conflict that are credibly suspected of committing or being responsible for acts of rape or other forms of sexual violence, and an annex with a list of parties that are credibly suspected of committing or being responsible for patterns of rape and other forms of sexual violence in situations of armed conflict on the Council agenda;

(d) Updates on efforts by United Nations mission focal points on sexual violence to work closely with the Resident Coordinator/Humanitarian Coordinator, the United Nations country team, and, where appropriate, the Special Representative of the Secretary-General for Children and Armed Conflict and the Special Representative of the Secretary-General on Sexual Violence in Conflict and/or the team of experts, to address sexual violence;

19. *Decides* to remain actively seized of the matter.

Women's participation in peacebuilding

In response to Security Council resolution 1889(2009) [YUN 2009, p. 1141], the Secretary-General submitted a September report [A/65/354-S/2010/466] on women's participation in peacebuilding, which analysed the needs of women and girls in post-conflict situations; identified the challenges to women's participation in preventing, resolving and recovering from conflict; and specified national and international measures aimed at ensuring that women's priorities were addressed, their right to participation was realized, a gender perspective was applied to peacebuilding, and public actions were consistent with States' international human rights obligations. Among the

factors preventing women in post-conflict situations from partaking in peacebuilding were elevated levels of violence and sexual violence; discriminatory legal codes, laws and customs excluding them from gaining a voice in political forums; the restoration of basic services without taking gender dimensions into account; and the re-establishment of public administration and finance systems without taking steps to counteract gender biases. With regard to economic revitalization, the needs and capacities of rural women had to be addressed.

The report comprised an action plan aimed at changing practices among national and international actors and improving outcomes on the ground. The plan's seven commitments were to ensure that women were fully engaged in, and timely gender expertise was provided to, all peace talks; women played substantive roles in post-conflict planning processes, including donor conferences, with comprehensive attention paid to gender equality; adequate financing was provided to address women's specific needs, advance gender equality and promote women's empowerment; deployed civilians possessed the necessary skills, including expertise in rebuilding State institutions to make them more accessible to women; women participated in post-conflict governance as civic actors, elected representatives or decision makers in public institutions, including through temporary special measures such as quotas; rule-of-law initiatives encouraged women's participation in seeking redress for injustices committed against them and in improving the capacity of security actors to prevent and respond to violations of women's rights; and economic recovery prioritized women's involvement in employment-creation schemes, community-development programmes and the delivery of front-line services. Each commitment corresponded to a set of specific measures and supporting activities. The Secretary-General noted that senior UN leaders would need to translate the commitments into outcomes. He urged coordinated action by Member States, regional organizations and, most importantly, the Governments and peoples of countries emerging from conflict.

The Secretary-General concluded that the action plan was a strong basis for fulfilling the pledges of Council resolutions on women and peace and security, but the implementation challenges were considerable. Revising procedures and designing programmes required careful deliberation and additional resources; he urged Member States to make substantial, long-term investments in women's security and productive potential. Member States should ensure that their support for women's engagement in peacebuilding was consistent. Positions on crucial issues should not vary across institutional contexts, both within and beyond the United Nations. Enhancing women's capacity to engage in peacebuilding had to be prioritized

in, among other areas, supporting peace processes through independent diplomatic initiatives, providing bilateral assistance to post-conflict countries and participation within UN intergovernmental bodies. As to the UN system, the Peacebuilding Commission, whose founding resolutions included a mandate to address gender issues, had an important role to play, including through its country-specific configurations. Tracking progress in fulfilling the provisions of the action plan's seven commitments would be crucial. Monitoring would be facilitated by the global indicators on the implementation of resolution 1325(2000), prepared at the Council's request. Reporting and monitoring on action plan implementation would be part of the Secretary-General's overall agenda for action to improve UN peacebuilding efforts.

In presidential statement **S/PRST/2010/20** of 13 October (see p. 53) the Secretary-General was requested to brief the Council and the Assembly by 13 October 2011 and submit a report by 13 October 2012 on progress made in implementing his agenda for action, with emphasis on the impact it had made on the ground, including progress towards increasing women's participation in peacebuilding, taking into consideration the views of the Peacebuilding Commission.

Women and the economy

On 12 March, the Commission on the Status of Women (see p. 1177) adopted a resolution [E/2010/27 (res. 54/4)] on women's economic empowerment. Noting the increasing recognition that women's economic empowerment was a key factor that contributed to sustainable economic development and women's human rights, the Commission recognized that the full integration of women into the formal economy, in particular into economic decision-making, meant changing the current gender-based division of labour into new economic structures where women and men enjoyed equal treatment, pay and power, including sharing of paid and unpaid work. It called on States to incorporate gender perspectives into social and economic policies, including development and poverty eradication strategies and related actions promoting women's economic rights and independence. States were requested to adopt and apply a systematic approach in order to accelerate women's participation in economic decision-making; undertake legislative and administrative reforms in order to give women full and equal access to economic resources; and provide adequate safety nets and strengthen State-based and community-based support systems in order to enable women living in poverty to withstand adverse economic environments. The Secretary-General was requested to submit to the Commission in 2011 a report on implementation of the resolution.

Women in power and decision-making

In response to Economic and Social Council decision 2009/210 [YUN 2009, p. 1143], by which the Council identified "Current global and national trends and challenges and their impact on gender equality and empowerment of women" as the topic for the thematic discussion of its 2010 substantive session, the Secretary-General submitted an April report [E/2010/49] on current global and national trends and challenges and their impact on gender equality and empowerment of women. The report discussed imbalances and weaknesses in the global economy, food insecurity, climate change, humanitarian crises, armed conflict and international development cooperation, and their impact on gender equality and the empowerment of women. Noting that the global crises could undermine progress made on gender equality, the report stated that they could also provide the potential for positive transformations of gender roles and women's empowerment, and offered ideas and proposals on how such global trends and challenges might be turned into opportunities for advancing equality.

Compared to other segments of the population, women and girls suffered disproportionately in times of crisis or hardship, and in that context the Secretary-General analysed the disadvantages they faced under those conditions, including limited access to food, health care, land for agricultural development, employment, education, economic resources and financial services. To empower women, it was necessary to ensure their full and equal participation in economic and political decision-making and to enhance their economic capacity. Policies should be formulated through continuous dialogue with those affected and with gender-sensitive indicators supported by sex-disaggregated data. Noting that particular attention needed to be given to the specific obstacles faced by poor women in accessing finance, the Secretary-General called for sustained and increased social expenditure and economic policies that included both short-term gender-sensitive measures to mitigate the adverse effects of the crises, and long-term measures to address implicit gender biases in policies and gender inequalities in the economy. Spending for women's health should be sustained to achieve the gender- and health-related MDGs by 2015; women's political, social and economic empowerment in post-conflict settings had to be given greater priority; and stable and predictable foreign aid was required to ensure the effective implementation of gender equality goals and commitments. The Secretary-General recommended that Governments, international organizations and UN system entities implement international commitments on gender equality and strengthen their capacity for gender mainstreaming and the advancement of women's rights. He referred to the recommendations

of the Committee for Development Policy, which considered in 2010 the gender dimensions of the global economic crisis and the crisis of food security in the context of climate change (see p. 840).

Women and disarmament

On 8 December, the General Assembly, in **resolution 65/69** (see p. 513), encouraged Member States, regional and subregional organizations, the United Nations and specialized agencies to promote the equitable representation of women in decision-making processes related to disarmament, non-proliferation and arms control. The Assembly invited States to strengthen women's participation in disarmament organizations.

Institutional mechanisms for the advancement of women

Inter-Agency Network. The United Nations Inter-Agency Network on Women and Gender Equality (IANWGE), at its ninth annual session (New York, 23–25 February) [IANWGE/2010/Report], discussed: the mainstreaming of gender perspectives throughout preparations for the High-level Plenary Meeting of the sixty-fifth (2010) session of the General Assembly (20–22 September) on progress towards the MDGs (see p. 813); preparations for the tenth anniversary of Security Council resolution 1325(2000) [YUN 2000, p. 1113]; follow-up activities towards implementation of resolutions 1820(2008) [YUN 2008, p. 1265] and 1888(2009) [YUN 2009, p. 1137] (see p. 1163); matters related to the 2010 session of the Commission on the Status of Women, particularly its 15-year review of the implementation of the Beijing Declaration and Platform for Action (1995) and the outcomes of the twenty-third special session of the Assembly (2000) (see p. 1134); the system-wide implementation of Economic and Social Council agreed conclusions 1997/2 [YUN 1997, p. 1186] on mainstreaming a gender perspective into all policies and programmes in the UN system; the status of the Secretary-General's UNiTE to End Violence against Women campaign; and progress in the creation of UN-Women (see p. 1178). Oral briefings on those topics were heard from representatives of UN entities and presentations were made on new and emerging issues, such as the International Labour Organization (ILO) Global Jobs Pact, adopted in 2009 [YUN 2009, p. 1062], and accountability for women's right to health.

With regard to the establishment of a set of global indicators to track implementation of resolution 1325(2000), IANWGE suggested two indicators: women's right to land and different forms of property; and tracking the economic activity and respective resources to support women in conflict situations. The Inter-

Agency Network expressed concern regarding the lack of a comprehensive resource mobilization strategy for the UNiTE campaign and urged its working group on UNiTE to focus on addressing the gap by mapping resource availability, identifying mechanisms to channel contributions, defining terms of reference for funding initiatives, generating a project pipeline, and establishing mechanisms to reach a broad range of stakeholders. Session participants reaffirmed their interest in a system-wide capacity development programme on gender mainstreaming [YUN 2009, p. 1144], to be developed by OSAGI and the United Nations System staff college. The Network endorsed a proposal to hold an expert group meeting (Turin, Italy, 7–9 June) on the development of a mandatory online training module in gender mainstreaming for all UN staff, the initial version of which would be developed in 2010, followed by the design of different versions tailored to various staff functions in the Organization, including an executive version for senior managers.

Report of Secretary-General. In response to Council resolution 2009/12 [YUN 2009, p. 1144], the Secretary-General submitted a May report [E/2010/57] on mainstreaming a gender perspective into all UN system policies and programmes, which was based on the responses of 28 UN entities to an OSAGI-formulated questionnaire.

The Secretary-General said that, since 2000, UN entities had adopted policies, strategies and action plans on mainstreaming a gender perspective into policy and capacity development, monitoring and reporting, and institutional arrangements of the UN system. In March, DPA reviewed its gender action plan and adopted a department-wide gender results framework, while the United Nations Economic and Social Commission for Western Asia updated its gender mainstreaming strategy to ensure the availability of human and financial resources. DPA and UNIFEM had signed a three-year joint strategy on gender and mediation, and by April a gender expert was added to the standby team of mediation experts to mainstream a gender perspective into peace negotiations. The Food and Agriculture Organization of the United Nations (FAO) developed its strategic framework 2010–2019, in which gender equality was identified as one of the organization's 11 strategic objectives, and the Office of the United Nations High Commissioner for Refugees developed an age, gender and diversity action plan 2010–2015. Drpko updated the UN gender guidelines for mine action programmes to assist policymakers and programme personnel in incorporating gender considerations into mine action operations and developed a gender training strategy for peacekeeping. The United Nations Environment Programme integrated gender into its 2010–2013 work programme. Different types of training courses, whether continuous, on-demand or mandatory, were reported by UN entities,

as were joint efforts with regard to capacity development in the framework of country programmes. Two e-learning courses were launched in 2010: “Gender equality, United Nations coherence and you”; and “Different needs—equal opportunities: increasing effectiveness of humanitarian action for women, girls, boys and men”. The collection of data disaggregated by sex expanded steadily throughout the UN system. UNICEF, UNFPA, DAW, UNIFEM, ILO, the World Bank and the Statistics Division of the Department of Economic and Social Affairs produced “Gender Info 2010”, a global database of gender statistics and indicators on population, families, health, education, work and political participation that contained more than 360,000 data values from regional, national and subnational levels.

Despite progress achieved, the Secretary-General determined that UN entities were moving on an individual basis to implement the gender mainstreaming strategy, and, aside from IANWGE, there was no single driver of gender mainstreaming in the UN system. As efforts were not always coherent, the IANWGE system-wide gender mainstreaming capacity development programme (see above) was a welcome initiative. Suggested recommendations for action by UN entities included: ensuring that managers provided the leadership required to advance gender mainstreaming within the UN system; strengthening gender mainstreaming accountability frameworks using results-based management, including by establishing measurable common system indicators and protocols; increasing financial resources for gender mainstreaming; enhancing attention to gender perspectives in medium-term plans and programme budget and multi-year funding frameworks; using training institutions to assist entities in applying training modules and tools on gender mainstreaming; and increasing field-level capacity to support Member States in collecting and analysing gender-sensitive information, sex- and age-disaggregated data, and the use of gender-responsive budgeting.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 23 July [meeting 46], the Economic and Social Council adopted **resolution 2010/29** [draft: E/2010/L.35] without vote [agenda item 7 (e)].

Mainstreaming a gender perspective into all policies and programmes in the United Nations system

The Economic and Social Council,

Welcoming the ministerial declaration of the high-level segment of its substantive session of 2010 on implementing the internationally agreed goals and commitments in regard to gender equality and empowerment of women,

Reaffirming its agreed conclusions 1997/2 of 18 July 1997 on mainstreaming a gender perspective into all policies and programmes in the United Nations system, and

recalling its resolutions 2001/41 of 26 July 2001, 2002/23 of 24 July 2002, 2003/49 of 24 July 2003, 2004/4 of 7 July 2004, 2005/31 of 26 July 2005, 2006/36 of 27 July 2006, 2007/33 of 27 July 2007, 2008/34 of 25 July 2008 and 2009/12 of 28 July 2009,

Reaffirming also the commitment made at the 2005 World Summit to actively promote the mainstreaming of a gender perspective in the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and social spheres and to strengthen the capabilities of the United Nations system in the area of gender,

Welcoming the establishment of the United Nations Entity for Gender Equality and the Empowerment of Women, to be known as UN-Women, through the adoption by the General Assembly of resolution 64/289 of 2 July 2010 on system-wide coherence,

Underlining, in this regard, that the establishment of the Entity and the conduct of its work will lead to more effective coordination, coherence and gender mainstreaming across the United Nations system, and emphasizing that support of gender mainstreaming across the United Nations system will be an integral part of the work of the Entity,

Reaffirming that gender mainstreaming is a globally accepted strategy for achieving gender equality and the empowerment of women and constitutes a critical strategy in the full, effective and accelerated implementation of the Beijing Declaration and Platform for Action and the outcomes of the twenty-third special session of the General Assembly, and reaffirming also the commitment to actively promote the mainstreaming of a gender perspective in the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and social spheres, as well as the commitment to strengthen the capabilities of the United Nations system in the area of gender equality,

1. *Takes note with appreciation* of the report of the Secretary-General and the recommendations contained therein, and calls for further and continued efforts to mainstream a gender perspective into all policies and programmes of the United Nations in accordance with all relevant resolutions of the Economic and Social Council;

2. *Looks forward* to UN-Women becoming fully operational, welcomes the decision of the General Assembly in its resolution 64/289 that the Entity shall assume the additional role of leading, coordinating and promoting the accountability of the United Nations system in its work on gender equality and the empowerment of women in accordance with its mandate, and in this regard requests the Secretary-General to ensure a smooth transition;

3. *Requests* the United Nations system, including its agencies, funds and programmes, within their respective mandates, to continue mainstreaming the issue of gender in accordance with previous Council resolutions, in particular resolution 2008/34, and General Assembly resolution 64/289, including mainstreaming a gender perspective into all operational mechanisms, inter alia, the United Nations Development Assistance Framework and other development frameworks, ensuring that managers provide leadership and support, within the United Nations system, to advance gender mainstreaming, strengthening monitoring, reporting and evaluation so as to allow system-wide

assessment of progress in gender-mainstreaming, and using existing training resources, including institutions and infrastructure, to assist in the development and application of unified training modules and tools on gender mainstreaming and to promote the collection, analysis and use of data disaggregated by sex and age during programme development and evaluation of gender mainstreaming in order to assess progress towards achieving gender equality and the empowerment of women;

4. *Also requests* the United Nations system to continue to support Member States, upon their request, in the implementation of national policies for the achievement of gender equality and the empowerment of women;

5. *Requests* the Secretary-General to submit to the Council at its substantive session of 2011 a detailed report on the efforts and progress made by United Nations entities, and on gaps and challenges that they still face in mainstreaming a gender perspective in the design, implementation, monitoring and evaluation of all policies and programmes and in capacity development, and to include in the report a section on how UN-Women will carry out its work, including by strengthening coordination, identifying areas for improvement and elevating the level of attention given to this cross-cutting issue.

OIOS report. In August [A/65/266], the Office of Internal Oversight Services (OIOS) reported on the results of a thematic evaluation of gender mainstreaming in the United Nations that had assessed 20 programmes within the Secretariat. The objective was to review the implementation and outcomes of the gender mainstreaming policy nearly 15 years after it was introduced in Assembly resolution 50/203 [YUN 1995, p. 1173].

OIOS found that every programme had responded to the gender mainstreaming mandates, but further steps were needed before the Assembly's vision of "an active and visible policy of mainstreaming a gender perspective" could be achieved. The evaluation revealed a range of structures and processes for gender mainstreaming across the Secretariat; gaps in the understanding of the meaning, purpose and implications of gender mainstreaming; weaknesses in leadership and accountability; lack of visibility of the gender perspective in public documents; and lack of comprehensive and systematic evidence of results. It determined that the Secretariat's priority appeared to have been to ensure that appropriate structures and processes were in place rather than focusing on what they were delivering. As the link between the structures and processes and their results was weak or missing, OIOS was unable to draw firm conclusions about the outcomes of gender mainstreaming or its effectiveness in advancing gender equality.

OIOS concluded that the lack of alignment between policy and practice posed a risk to the reputation of the United Nations, which had committed to and promoted gender mainstreaming as a strategy for achieving gender equality. The formation of UN-Women

(see p. 1178) was an opportunity for reinvigorating the Secretariat's approach, and OIOS encouraged the architects of the new gender entity to take the evaluation's findings into account when developing the UN-Women mandate and structure. It urged the UN-Women governing body to seek a further evaluation of Secretariat gender mainstreaming within three years of its launch, building on the baselines established in the current report. OIOS recommended that OSAGI strengthen the central guidance available to Secretariat programmes and ensure greater coordination of their efforts by seeking a recommitment to gender mainstreaming at the highest level; developing a Secretariat-wide approach to the development of staff capabilities to implement gender mainstreaming; providing a central hub of expertise to enable gender experts to work together with Secretariat programmes; and developing guidelines to ensure that gender mainstreaming was integrated into common Secretariat tasks. OIOS also recommended that each Secretariat programme strengthen its results-based focus by ensuring it had developed and disseminated a programme-level gender mainstreaming action plan; establishing clear expectations for managers and all staff and developing the resources and staff capabilities to deliver on those expectations; ensuring that, if retained, focal points who were not specialized in gender mainstreaming had terms of reference and were well supported; and building an evidence base by collecting and analysing outcomes, best practices and lessons learned in gender mainstreaming.

Status of women in the United Nations

In response to General Assembly resolution 64/141 [YUN 2009, p. 1116], the Secretary-General submitted a September report [A/65/334] on the improvement of the status of women in the UN system between 1 January 2008 and 31 December 2009. Representation of women in the Professional and higher categories increased marginally from 38.4 to 39.9 per cent.

The Assembly, in resolution 65/191 (see p. 1136), requested the Secretary-General to review and redouble his efforts to make progress towards the goal of achieving a 50/50 gender balance throughout the UN system.

In **resolution 65/247** (see p. 1480), the Assembly expressed concern that progress towards the goal of 50/50 gender balance in the UN system, especially at senior and policymaking levels, had been slow. It requested the Secretary-General to increase his efforts to attain and monitor the goal of gender parity in the Secretariat, particularly at senior levels, and in that context to ensure that women, especially those from developing countries and countries with economies in transition, were appropriately represented in the Secretariat.

Women and human rights

Division for the Advancement of Women and OHCHR activities

During 2010, cooperation continued between the Division for the Advancement of Women (DAW), which became part of the newly established UN-Women before the end of the year (see p. 1178), and the Office of the United Nations High Commissioner for Human Rights (OHCHR) with the goal of achieving equality between women and men and promoting and protecting women's human rights. In a November report [A/HRC/16/33-E/CN.6/2011/8], the Secretary-General reviewed implementation of the 2010 joint workplan of DAW and OHCHR and discussed plans for future cooperation, taking into account the establishment of UN-Women. OHCHR and UN-Women would continue and strengthen their cooperation under a mutually agreed strategic framework, the details of which would be reported to the Commission on the Status of Women in 2012 in the joint workplan for 2011–2012.

Palestinian women

In accordance with Economic and Social Council resolution 2009/14 [YUN 2009, p. 474], the Secretary-General submitted to the Commission on the Status of Women a report [E/CN.6/2010/4] in which he reviewed the situation of and assistance to Palestinian women from October 2008 to September 2009 (see p. 481).

In a 23 February letter to the Secretary-General [E/CN.6/2010/10], Palestine expressed its concerns about the language used in the report, and the overall context in which the report examined the situation and developments in the Occupied Palestinian Territory.

On 12 March, the Commission adopted a resolution on the subject and recommended the text to the Council for adoption.

On 20 July, the Council took action on the situation of and assistance to Palestinian women in **resolution 2010/6** (see p. 482).

Trafficking in women and girls

United Nations Global Plan of Action. On 30 July, the General Assembly, in **resolution 64/293** (see p. 1111), adopted the United Nations Global Plan of Action to Combat Trafficking in Persons, which was annexed to the resolution. It established the United Nations Voluntary Trust Fund for Victims of Trafficking in Persons, Especially Women and Children, and requested the Secretary-General to take all necessary measures for its operation.

Report of Secretary-General. In response to Assembly resolution 63/156 [YUN 2008, p. 1273], the Secretary-General submitted an August report

[A/65/209] on trafficking in women and girls, which provided information on measures taken by 59 Member States and 11 UN system entities to combat the practice. The report described initiatives by States with regard to ratification of international instruments, strengthened legal and policy frameworks, enhanced coordination with stakeholders, reinforced prevention measures, and efforts to prosecute perpetrators and support victims. In many States, penal codes included explicit criminal offences related to human trafficking, and numerous States strengthened their penalties for traffickers to make them commensurate with those prescribed for other grave crimes. An increasing number of countries were combining comprehensive laws with a range of other measures, such as protection and support services for victims, compensation for damages to victims, and the establishment of national coordination bodies on trafficking. Most reporting States supported bilateral or multilateral programmes to combat trafficking in persons, including development projects in and with countries of origin. Educational programmes and awareness-raising campaigns to improve knowledge of human trafficking and anti-trafficking measures were implemented by most reporting States; many activities were carried out in multiple languages and in cooperation with partners, including NGOs, international and regional organizations, human rights institutions, the media and the business sector. An increasing number of countries offered and supported specialized services for victims of trafficking, including psychological, medical, legal and social/financial assistance, as well as shelters, often run in cooperation with NGOs and other partners. Many countries established helplines for trafficking victims, or to report trafficking cases, and there was a growing trend towards the establishment of national referral mechanisms/procedures and national or multilateral networks to ensure the delivery of support for and protection of victims. Trafficking in women and girls remained under-documented, and although some States provided data on victims, investigations, prosecutions and convictions for human trafficking, the number of cases brought to the attention of the police, courts or service providers was small, data collection methodologies differed, and estimates of the number of victims varied. States therefore intensified efforts to enhance data collection and analysis on trafficking through research programmes, training and studies.

In the UN system, activities focused on global legal and policy development; coordination efforts; studies and reports; data collection; capacity-building; prevention activities; services for victims; and supporting partnerships with the private sector. The Human Rights Council working group on the Universal Periodic Review, between December 2008 and May 2010, continued to make recommendations related

to trafficking, especially in women and children, in 75 of the 96 countries it considered. In May, OHCHR organized a seminar aimed at identifying opportunities and challenges in the development of rights-based responses to trafficking in persons. In March, April, May and June, the Assembly held informal consultations to consider the development of a UN global plan of action to combat trafficking in persons (see p. 1110). The United Nations Global Initiative to Fight Human Trafficking carried out activities in the areas of advocacy; public-private partnerships; and knowledge-building to feed into global, regional and national policymaking. The Inter-Agency Cooperation Group against Trafficking in Persons continued its work to improve coordination between UN entities and other international organizations.

The Secretary-General recommended that future action should focus on ensuring a cohesive and gender-sensitive approach among all stakeholders. Comprehensive anti-trafficking acts covering offences and a range of other measures, including protection and support for victims, prevention measures and the establishment of national coordination bodies, were good practices that should be replicated. Training should be conducted for law enforcement officials, the judiciary and other personnel working on combating the practice. Efforts should be strengthened to ensure the prosecution and sentencing of perpetrators. Prevention efforts had to address the root causes and factors that put women and girls at risk, including social and economic marginalization, and violence and discrimination against women. Measures needed to be put in place to discourage employer and consumer demand that led to trafficking in women and girls. Countries should reinforce efforts to provide trafficking victims with support services; shelters; vocational training and alternative employment programmes; and residence permits or extended stays in third countries. States should continue strengthening their efforts to improve data collection on trafficking in women and girls.

The Special Rapporteur on trafficking in persons, especially women and children, submitted to the Human Rights Council her second report, which contained recommendations for combating the practice [A/HRC/14/32 & Add.1–5] (see p. 752).

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third Committee [A/65/449], adopted **resolution 65/190** without vote [agenda item 28 (a)].

Trafficking in women and girls

The General Assembly,

Reiterating its strong condemnation of trafficking in persons, especially women and children, which constitutes a serious threat to human dignity, human rights and development,

Recalling all international conventions that deal specifically with and address issues relevant to the problem of trafficking in women and girls, such as the United Nations Convention against Transnational Organized Crime and the Protocols thereto, in particular the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime and the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, the Convention on the Elimination of All Forms of Discrimination against Women and the Optional Protocol thereto, the Convention on the Rights of the Child and the Optional Protocol thereto on the sale of children, child prostitution and child pornography, and the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, as well as previous resolutions of the General Assembly and its subsidiary body the Human Rights Council, and the Economic and Social Council and its functional commissions on the issue,

Reaffirming the provisions pertaining to trafficking in women and girls contained in the outcome documents of relevant international conferences and summits, in particular the strategic objective on the issue of trafficking contained in the Beijing Declaration and Platform for Action adopted by the Fourth World Conference on Women,

Reaffirming also the commitment made by world leaders at the Millennium Summit, the 2005 World Summit and the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals to devise, enforce and strengthen effective measures to combat and eliminate all forms of trafficking in persons to counter the demand for trafficked victims and to protect the victims,

Welcoming the adoption of the United Nations Global Plan of Action to Combat Trafficking in Persons by the General Assembly on 30 July 2010,

Welcoming also the resolutions on trafficking in persons, especially women and children, adopted by the Human Rights Council, in particular resolution 11/3 of 17 June 2009 on trafficking in persons, especially women and children, and resolution 14/2 of 17 June 2010 entitled “Trafficking in persons, especially women and children: regional and subregional cooperation in promoting a human rights-based approach to combating trafficking in persons”,

Noting with appreciation the steps taken, including the reports of human rights treaty bodies and the Special Rapporteur of the Human Rights Council on trafficking in persons, especially women and children, the Special Rapporteur of the Council on violence against women, its causes and consequences, the Special Representative of the Secretary-General on Violence against Children, the Special Rapporteur of the Council on the sale of children, child prostitution and child pornography and the Special Rapporteur of the Council on contemporary forms of slavery, including its causes and consequences, and United Nations agencies and other concerned intergovernmental and governmental organizations, within their existing mandates, as well as civil society, to address the serious crime of trafficking in persons, and encourages them to continue doing so and to share their knowledge and best practices as widely as possible,

Recalling the Global Report on Trafficking in Persons published by the United Nations Office on Drugs and Crime in February 2009 and the attention paid in it to the situation of trafficked women and girls, as well as other relevant reports of the Office on trafficking in persons,

Taking note of the Vienna Forum to Fight Human Trafficking, held from 13 to 15 February 2008, within the framework of the United Nations Global Initiative to Fight Human Trafficking, and of the thematic debates on the issue of trafficking in persons, held on 3 June 2008 and 13 May 2009 within the framework of the General Assembly,

Taking note also of the mandate of the Special Rapporteur on trafficking in persons, especially women and children, and of the fact that part of her task is to integrate a gender- and age-specific perspective throughout the work of her mandate, *inter alia*, through the identification of gender- and age-specific vulnerabilities in relation to the issue of trafficking in persons,

Acknowledging the inclusion of gender-related crimes in the Rome Statute of the International Criminal Court, which entered into force on 1 July 2002,

Bearing in mind that all States have an obligation to exercise due diligence to prevent, investigate and punish perpetrators of trafficking in persons, and to rescue victims as well as provide for their protection, and that not doing so violates and impairs or nullifies the enjoyment of the human rights and fundamental freedoms of the victims,

Seriously concerned that an increasing number of women and girls are being trafficked, including to developed countries, as well as within and between regions and States, and that men and boys are also victims of trafficking, including for sexual exploitation,

Recognizing that certain efforts against trafficking in persons lack the gender and age sensitivity needed to address effectively the situation of women and girls, who are particularly vulnerable to trafficking for the purposes of sexual exploitation, forced labour, services and other forms of exploitation, thus highlighting the need to incorporate a gender- and age-sensitive approach in all anti-trafficking efforts,

Recognizing also the need to address the impact of globalization on the particular problem of trafficking in women and children, in particular girls,

Recognizing further that, despite the progress made, challenges to combating trafficking in women and girls remain and that further efforts should be made to adopt adequate legislation and to implement existing legislation and to continue improving the collection of reliable sex-disaggregated data and statistics that would allow proper analysis of the nature and extent of trafficking in women and girls,

Concerned about the use of new information technologies, including the Internet, for purposes of exploitation of the prostitution of others, for trafficking in women as brides, for sex tourism exploiting women and children and for child pornography, paedophilia and any other forms of sexual exploitation of children,

Concerned also about the increasing activities of transnational criminal organizations and others that profit from international trafficking in persons, especially women and children, without regard to dangerous and inhuman conditions and in flagrant violation of domestic laws and international standards,

Recognizing that victims of trafficking are particularly exposed to racism, racial discrimination, xenophobia and related intolerance and that women and girl victims are often subject to multiple forms of discrimination and violence, including on the grounds of their gender, age, ethnicity, culture and religion, as well as their origins, and that those forms of discrimination themselves may fuel trafficking in persons,

Noting that some of the demand for prostitution and forced labour is met by trafficking in persons in some parts of the world,

Acknowledging that women and girl victims of trafficking, on account of their gender, are further disadvantaged and marginalized by a general lack of information on or awareness and recognition of their human rights and by the stigmatization often associated with trafficking, as well as by the obstacles they meet in gaining access to information and recourse mechanisms in cases of violation of their rights, and that special measures are required for their protection and to increase their awareness,

Reaffirming the importance of bilateral, subregional, regional and international cooperation mechanisms and initiatives, including information exchanges on best practices, of Governments and intergovernmental and non-governmental organizations to address the problem of trafficking in persons, especially women and children,

Reaffirming also that global efforts, including international cooperation and technical assistance programmes, to eradicate trafficking in persons, especially women and children, demand the strong political commitment, shared responsibility and active cooperation of all Governments of countries of origin, transit and destination,

Recognizing that policies and programmes for prevention, rehabilitation, repatriation and reintegration should be developed through a gender- and age-sensitive, comprehensive and multidisciplinary approach, with concern for the security of the victims and respect for the full enjoyment of their human rights and with the involvement of all actors in countries of origin, transit and destination,

Convinced of the need to protect and assist all victims of trafficking, with full respect for the human rights of the victims,

1. *Takes note with appreciation* of the report of the Secretary-General, which outlines concrete measures, addressing them to States and other stakeholders, to prevent and eliminate trafficking in persons, especially women and children;

2. *Urges* Member States that have not yet done so to consider ratifying or acceding to, as a matter of priority, the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, taking into consideration the central role of those instruments in the fight against trafficking in persons, and urges States parties to those instruments to implement them fully and effectively;

3. *Urges* Member States, the United Nations and other international, regional and subregional organizations, as well as civil society, including non-governmental organizations, the private sector and the media, to fully and effectively implement the relevant provisions of the United

Nations Global Plan of Action to Combat Trafficking in Persons and the activities outlined therein;

4. *Urges* Governments to consider signing and ratifying and States parties to implement the Convention on the Elimination of All Forms of Discrimination against Women and the Optional Protocol thereto, and the Convention on the Rights of the Child and the Optional Protocol thereto on the sale of children, child prostitution and child pornography, as well as the Forced Labour Convention, 1930 (No. 29), the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and the Worst Forms of Child Labour Convention, 1999 (No. 182), of the International Labour Organization;

5. *Welcomes* the efforts of Governments, United Nations bodies and agencies and intergovernmental and non-governmental organizations to address the particular problem of trafficking in women and girls, and encourages them to further enhance their efforts and cooperation, including by sharing their knowledge, technical expertise and best practices as widely as possible;

6. *Encourages* the United Nations system to mainstream, as appropriate, the issue of trafficking in persons, especially women and girls, into its broader policies and programmes aimed at addressing economic and social development, human rights, the rule of law, good governance, education, health and natural disaster and post-conflict reconstruction;

7. *Calls upon* Governments to address, with a view to eliminating, the demand that fosters the trafficking of women and girls for all forms of exploitation and in this regard to enhance preventive measures, including legislative measures, to deter exploiters of trafficked persons, as well as ensure their accountability;

8. *Also calls upon* Governments to take appropriate measures to address the factors that increase vulnerability to being trafficked, including poverty and gender inequality, as well as other factors that encourage the particular problem of trafficking in women and girls for prostitution and other forms of commercialized sex, forced marriage, forced labour and organ removal, in order to prevent and eliminate such trafficking, including by strengthening existing legislation with a view to providing better protection of the rights of women and girls and to punishing perpetrators, including public officials engaging in or facilitating human trafficking, through, as appropriate, criminal and/or civil measures;

9. *Calls upon* Governments, the international community and all other organizations and entities that deal with conflict, post-conflict, disaster and other emergency situations to address the heightened vulnerability of women and girls to trafficking and exploitation and associated gender-based violence;

10. *Urges* Governments to devise, enforce and strengthen effective gender- and age-sensitive measures to combat and eliminate all forms of trafficking in women and girls, including for sexual and economic exploitation, as part of a comprehensive anti-trafficking strategy that integrates a human rights perspective, and to draw up, as appropriate, national action plans in this regard;

11. *Also urges* Governments, in cooperation with intergovernmental and non-governmental organizations, to support and allocate resources to strengthen preventive action, in particular education for women and men, as well as for girls and boys, on gender equality, self-respect and mutual

respect, and campaigns, carried out in collaboration with civil society, to increase public awareness of the issue at the national and grass-roots levels;

12. *Reiterates* the importance of continued coordination among, inter alia, the Special Rapporteur of the Human Rights Council on trafficking in persons, especially women and children, the Special Rapporteur of the Council on the sale of children, child prostitution and child pornography and the Special Rapporteur of the Council on contemporary forms of slavery, including its causes and consequences, in order to avoid unnecessary duplication in their activities in fulfilment of their mandates;

13. *Encourages* Governments to take appropriate measures to eliminate sex tourism demand, especially for children, through all possible preventive actions;

14. *Urges* Governments to develop educational and training programmes and policies and to consider, as appropriate, enacting legislation aimed at preventing sex tourism and trafficking, giving special emphasis to the protection of young women and children;

15. *Encourages* Member States to strengthen national programmes and to engage in bilateral, subregional, regional and international cooperation, including by forging regional initiatives or plans of action, to address the problem of trafficking in persons through, inter alia, the enhancement of information-sharing, gender- and age-specific data collection and other technical capacities, and mutual legal assistance, as well as the combating of corruption and laundering of proceeds derived from trafficking, including for purposes of commercial sexual exploitation, and to ensure, as appropriate, that such agreements and initiatives are particularly responsive to the problem of trafficking as it affects women and girls;

16. *Calls upon* all Governments to criminalize all forms of trafficking in persons, recognizing its increasing occurrence for purposes of sexual exploitation, commercial sexual exploitation and abuse, sex tourism and forced labour, and to bring to justice and punish the offenders and intermediaries involved, including public officials involved with trafficking in persons, whether local or foreign, through the competent national authorities, either in the country of origin of the offender or in the country in which the abuse occurs, in accordance with due process of law, as well as to penalize persons in authority found guilty of sexually assaulting victims of trafficking in their custody;

17. *Urges* Governments to take all appropriate measures to ensure that victims of trafficking are not penalized or prosecuted for acts committed as a direct result of being trafficked and that they do not suffer from revictimization as a result of actions taken by Government authorities, and encourages Governments to prevent, within their legal framework and in accordance with national policies, victims of trafficking in persons from being prosecuted for their illegal entry or residence;

18. *Invites* Governments to consider setting up or strengthening a national coordinating mechanism, for example, a national rapporteur or an inter-agency body, with the participation of civil society, as appropriate, including non-governmental organizations, to encourage the exchange of information and to report on data, root causes, factors and trends in trafficking in persons, especially women and girls, and to include data on victims of trafficking disaggregated by sex and age;

19. *Encourages* Governments and relevant United Nations bodies, within existing resources, to take appropriate measures to raise public awareness of the issue of trafficking in persons, particularly women and girls, including the factors that make women and girls vulnerable to trafficking; to discourage, with a view to eliminating, the demand that fosters all forms of exploitation, including sexual exploitation and forced labour; to publicize the laws, regulations and penalties relating to this issue; and to emphasize that trafficking is a serious crime;

20. *Calls upon* concerned Governments to allocate resources, as appropriate, to provide access to appropriate programmes for the physical, psychological and social recovery of victims of trafficking, including through job training, legal assistance in a language that they can understand and health care, including for HIV/AIDS, and by taking measures to cooperate with intergovernmental and non-governmental organizations to provide for the social, medical and psychological care of the victims;

21. *Encourages* Governments, in cooperation with intergovernmental and non-governmental organizations, to undertake or strengthen campaigns aimed at clarifying opportunities, limitations and rights in the event of migration, as well as information on the risks of irregular migration and the ways and means used by traffickers, so as to enable women to make informed decisions and to prevent them from becoming victims of trafficking;

22. *Also encourages* Governments to intensify collaboration with non-governmental organizations to develop and implement gender- and age-sensitive programmes for effective counselling, training and reintegration into society of victims of trafficking and programmes that provide shelter and helplines to victims or potential victims;

23. *Urges* Governments to provide or strengthen training for, and to raise awareness among, law enforcement, judicial, immigration and other relevant officials on the prevention and combating of trafficking in persons, including the sexual exploitation of women and girls, and in this regard calls upon Governments to ensure that the treatment of victims of trafficking, especially by law enforcement officials, immigration officers, consular officials, social workers and other first response officials, is conducted with full respect for the human rights of those victims and with gender and age sensitivity and observes the principles of non-discrimination, including the prohibition of racial discrimination;

24. *Invites* Governments to take steps to ensure that criminal justice procedures and witness protection programmes are sensitive to the particular situation of trafficked women and girls and that they are supported and assisted, as appropriate, in making complaints to the police or other authorities without fear and being available when required by the criminal justice system, and to ensure that during this time they have access to gender- and age-sensitive protection and, as appropriate, social, medical, financial and legal assistance, including the possibility of obtaining compensation for damages suffered;

25. *Also invites* Governments to encourage media providers, including Internet service providers, to adopt or strengthen self-regulatory measures to promote the responsible use of media, particularly the Internet, with a view to eliminating the exploitation of women and children, in particular girls, which could foster trafficking;

26. *Invites* the business sector, in particular the tourism, travel and telecommunications industries, including mass media organizations, to cooperate with Governments in eliminating trafficking in women and children, in particular girls, including through the dissemination by the media of information regarding the dangers of trafficking, the means used by traffickers, the rights of trafficked persons and the services available to victims of trafficking;

27. *Stresses* the need for the systematic collection of sex- and age-disaggregated data and comprehensive studies at both the national and the international levels and the development of common methodologies and internationally defined indicators to make it possible to develop relevant and comparable figures, and encourages Governments to enhance information-sharing and data-collection capacity as a way of promoting cooperation to combat the trafficking problem;

28. *Invites* Governments, United Nations bodies, agencies and special mechanisms, intergovernmental and non-governmental organizations and the private sector to undertake collaborative and joint research and studies on trafficking in women and girls that can serve as a basis for policy formulation or change;

29. *Invites* Governments, with the support of the United Nations, when necessary, and other intergovernmental organizations, taking into account best practices, to formulate training manuals and other informational materials and provide training for law enforcement, judicial and other relevant officers, and medical and support personnel, with a view to sensitizing them to the special needs of women and girl victims;

30. *Encourages* Governments, relevant intergovernmental bodies and international organizations to ensure that military, peacekeeping and humanitarian personnel deployed in conflict, post-conflict and other emergency situations are provided with training on conduct that does not promote, facilitate or exploit trafficking in women and girls, including for sexual exploitation, and to raise the awareness of such personnel of the potential risks to victims of conflict and other emergency situations, including natural disasters, of being trafficked;

31. *Invites* States parties to the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and the International Covenants on Human Rights to include information and statistics on trafficking in women and girls as part of their national reports to their respective committees and to work towards developing a common methodology and statistics to obtain comparable data;

32. *Invites* States to continue to contribute to the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery and to the United Nations Voluntary Trust Fund for Victims of Trafficking in Persons, Especially Women and Children;

33. *Requests* the Secretary-General to submit to the General Assembly at its sixty-seventh session a report that compiles successful interventions and strategies, as well as the gaps, in addressing the gender dimensions of the problem of trafficking in persons and provides recommendations on the strengthening of human rights-based, gender- and age-sensitive approaches within comprehensive and balanced efforts to address trafficking in persons.

UN machinery

Convention on the elimination of discrimination against women

As at 31 December, 186 States were parties to the 1979 Convention on the Elimination of All Forms of Discrimination against Women, adopted by the General Assembly in resolution 34/180 [YUN 1979, p. 895]. At year's end, 60 States had also accepted the amendment to article 20, paragraph 1, of the Convention in respect of the meeting time of the Committee on the Elimination of Discrimination against Women, which was adopted by the States parties in 1995 [YUN 1995, p. 1178]. The amendment would enter into force when accepted by a two-thirds majority of States parties.

The Optional Protocol to the Convention, adopted by the Assembly in resolution 54/4 [YUN 1999, p. 1100] and which entered into force in 2000 [YUN 2000, p. 1123], had 100 States parties as at 31 December. Cambodia acceded on 13 October.

CEDAW

In 2010, the Committee on the Elimination of Discrimination against Women (CEDAW), established in 1982 [YUN 1982, p. 1149] to monitor compliance with the 1979 Convention, held three regular sessions [A/65/38 & A/66/38].

At its forty-fifth session (Geneva, 18 January–5 February) [A/65/38], CEDAW reviewed the initial or periodic reports of Botswana, Egypt, Malawi, the Netherlands, Panama, Ukraine, the United Arab Emirates and Uzbekistan on measures taken to implement the Convention. CEDAW considered a Secretariat report on ways and means of expediting its work [CEDAW/C/2010/45/4]; a Secretary-General's report on the status of submission of reports by States parties under article 18 of the Convention [CEDAW/C/2010/45/2]; a note by the Secretary-General on the reports of specialized agencies [CEDAW/C/2010/45/3]; and a report by ILO on the implementation of the Convention in areas falling within the scope of its activities [CEDAW/C/2010/45/3/Add.4]. The Committee adopted its methodology to assess reports of States parties received under its follow-up procedure [A/65/38 (dec. 45/II)], as well as the report of the follow-up rapporteur [YUN 2009, p. 1152]. It decided that States parties whose reports were to be submitted within two years should be invited to follow the harmonized guidelines on reporting under the international human rights treaties, including the guidelines on a common core document and treaty-specific documents [dec. 45/I]

approved at the fifth Inter-Committee meeting of the human rights treaty bodies in 2006 [YUN 2006, p. 769]. The Committee adopted statements on the situation in Haiti [dec. 45/III]; the inclusion of Afghan women in the process of peacebuilding, security and reconstruction in Afghanistan [dec. 45/IV]; the 15-year review of the implementation of the Beijing Declaration and Platform for Action [dec. 45/V]; its relationship with NGOs [dec. 45/VI]; and its relationship with parliamentarians [dec. 45/VII].

At its forty-sixth session (New York, 12–30 July) [A/66/38], CEDAW reviewed the initial or periodic reports of Albania, Argentina, Australia, Fiji, Papua New Guinea, the Russian Federation and Turkey. The Committee considered a report on the status of submission of reports by States parties under article 18 of the Convention [CEDAW/C/2010/46/2 & Corr.1]. It also had before it a note by the Secretary-General on the reports of specialized agencies [CEDAW/C/2010/46/3] and the reports of specialized agencies on the implementation of the Convention in areas falling within the scope of their activities [CEDAW/C/2010/46/3/Add.2,4]. CEDAW adopted a statement [A/66/38 (dec. 46/III)] on the tenth anniversary of Security Council resolution 1325(2000) [YUN 2000, p. 1113]. It decided that its Working Group on Communications under the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, which convened three times a year for 10 working days, would meet immediately prior to the scheduled sessions of the Committee, except when the election of new experts to the Committee resulted in the expiration of the mandate of Working Group members. In that case, the Working Group would hold its meetings after the session of the Committee at which the members of the Working Group were appointed [A/66/38 (dec. 46/I)]. It extended the mandate of the follow-up rapporteur and her alternate [YUN 2009, p. 1152] until 31 December, and decided that their mandates would be extended for an additional two-year term, ending on 31 December 2012. Thereafter, the duration of the mandate of the rapporteur and his or her alternate would be two years [dec. 46/IV]. The Committee postponed examination of the exceptional report of India until its forty-seventh session [dec. 46/II].

At its forty-seventh session (Geneva, 4–22 October) [A/66/38], CEDAW reviewed the initial or periodic reports of Burkina Faso, the Czech Republic, Malta, Tunisia and Uganda, as well as the exceptional report of India. The Committee considered a report on the status of submission of reports by States parties under article 18 of the Convention [CEDAW/C/2010/47/2]. It also had before it a note by the Secretary-General on the reports of specialized agencies [CEDAW/C/2010/47/3] and the report of specialized agencies on the implementation of the Convention in areas falling within the

scope of their activities [CEDAW/C/2010/47/3/Add.1–4]. The Committee decided to include “Follow-up procedures to concluding observations” as a regular item in its agenda [A/66/38 (dec. 47/IV)]; request an exceptional report from the Democratic Republic of the Congo [dec. 47/VIII]; and elaborate a general recommendation on women in armed conflict and post-conflict situations and establish a working group in that regard at its forty-eighth (2011) session [dec. 47/I]. It adopted general recommendations on older women and the protection of their human rights [dec. 47/VI], and on the core obligations of States parties under article 2 of the Convention [dec. 47/V], which identified the general legal obligations of States parties under the Convention and provided ways for them to implement its substantive provisions domestically. The Committee adopted a statement on the establishment of UN-Women [dec. 47/VII] and decided to send congratulatory letters to Michelle Bachelet, Executive Director of UN-Women, and Margot Wallström, Special Representative of the Secretary-General on Sexual Violence in Conflict, on their recent appointments [dec. 47/II].

The Committee endorsed the reports of the Working Group on Communications under the Optional Protocol to the Convention on its sixteenth, seventeenth and eighteenth sessions (annexed to the reports). In respect of issues arising from article 2 of the Optional Protocol, the Committee took action on communication No. 18/2008; decided on the admissibility of communication No. 19/2008 [dec. 47/III]; and decided to register a new case as communication No. 25/2010.

On 21 December, by **decision 65/533**, the Assembly took note of the report of CEDAW on its forty-fifth session [A/65/38].

Commission on the Status of Women

The Commission on the Status of Women, at its fifty-fourth session (New York, 1–12 March) [E/2010/27], recommended to the Economic and Social Council the adoption of a draft resolution on the situation of and assistance to Palestinian women (see p. 1171), a draft decision containing the declaration on the occasion of the fifteenth anniversary of the Fourth World Conference on Women (see p. 1136), and a draft decision on the report of the Commission's fifty-fourth session and the provisional agenda and documentation for its fifty-fifth (2011) session. As part of its priority theme for the session, the Commission conducted a review of the Beijing Declaration and Platform for Action [YUN 1995, p. 1170] and the outcomes of the twenty-third special session of the General Assembly (Beijing+5) [YUN 2000, p. 1084] and adopted a resolution submitting the declaration on the occasion of the fifteenth anniversary of the Fourth World Conference on Women to the Council

for transmission to the General Assembly for endorsement [E/2010/27 (res. 54/1)]. It also transmitted to the Council, as input for its 2010 annual ministerial review, the summaries of the high-level round table and panel discussions convened during its session in the context of its priority theme [dec. 54/101] (see p. 1135). The Commission brought to the Council's attention a decision by which it took note of the UNIFEM report on its activities to eliminate violence against women [A/HRC/13/71-E/CN.6/2010/8] and the Secretary-General's report on the joint workplan of DAW and OHCHR [A/HRC/13/70-E/CN.6/2010/7], as well as resolutions it had adopted on women, the girl child and HIV and AIDS [E/2010/27 (res. 54/2)] (see p. 1140); the release of women and children taken hostage, including those subsequently imprisoned, in armed conflicts [res. 54/3] (see p. 1159); women's economic empowerment [res. 54/4] (see p. 1167); eliminating maternal mortality and morbidity through the empowerment of women [res. 54/5] (see p. 1143); ending female genital mutilation [res. 54/7] (see p. 1144); and strengthening the institutional arrangements of the United Nations for support of gender equality and the empowerment of women by consolidating the four existing offices into a composite entity [res. 54/6] (see p. 1179).

By **decision 2010/233** of 20 July, the Council took note of the Commission's report on its fifty-fourth session and approved the provisional agenda for its fifty-fifth (2011) session.

Communication. In an 8 November letter [E/CN.6/2011/10] to the Commission Chairperson, the Economic and Social Council President summarized the outcome of the Council's 2010 substantive session and annual ministerial review (see p. 1135) and attached a list of resolutions adopted by the Council calling for action by its functional commissions.

Other reports. Documents issued in 2010, to be addressed during the Commission's 2011 session, included reports of the Secretary-General on women, the girl child and HIV and AIDS [E/CN.6/2011/7]; progress in mainstreaming a gender perspective in the development, implementation and evaluation of national policies and programmes [E/CN.6/2011/5]; the situation of and assistance to Palestinian women [E/CN.6/2011/6]; access and participation of women and girls in education, training, science and technology, including for the promotion of women's equal access to full employment and decent work [E/CN.6/2011/3]; and a note by the Secretariat on implementing the internationally agreed goals and commitments in regard to education [E/CN.6/2011/11].

Communications on the status of women

At a closed meeting on 10 March [E/2010/27], the Commission considered the report of the Working Group on Communications on the Status of Women

[E/CN.6/2010/CRP.4]. The Group had considered 45 confidential communications received by DAW, of which 21 had been replied to by Governments. No non-confidential communications were received. The Group observed that the communications most frequently concerned sexual violence, including rape, gang rape, forced prostitution, and incitement to sexual violence through gender stereotyping and the promotion of rape in new media, and failure by States to prevent such violations, provide protection and support for victims, and punish the perpetrators; other forms of violence, including domestic violence (especially domestic violence committed with firearms), trafficking, forced and early marriage and harmful traditional practices, with a lack of due diligence by States to investigate, prosecute and punish perpetrators; abuse of power by military and law enforcement personnel, humiliation and lack of due process; physical and psychological threats and pressure on victims of violence, their families and witnesses by private individuals and law enforcement officials to prevent them from filing complaints, or to force retraction of complaints; inhumane treatment in detention and inadequate conditions of imprisonment for women, and failure by States to address such situations; serious and systematic violations of the human rights of women and girls, including rape, torture, killings and so-called “honour” crimes, as well as failure by States to prevent such violations, prosecute and punish perpetrators, and provide protection and support for victims and their families; harassment and death threats against female human rights defenders, and disproportionate penalties and restrictions on the rights to freedom of expression of female human rights defenders and of the press when reporting on women’s rights violations, by State and non-State actors as a means of pressuring them to stop their work, as well as failure by States to prevent such violations, provide protection to victims, and prosecute and punish the perpetrators; violations of the right to health, including sexual and reproductive health, of women, especially indigenous, low-income and marginalized women; and legislation and practices that discriminated against women in the areas of civil and political rights, especially the right to privacy, freedom of expression, freedom of movement, and participation in decision-making processes and in public life on an equal basis with men.

During its consideration of communications, the Working Group expressed concern about violence against women and girls and mistreatment of woman human rights defenders; forced and early marriage and harmful traditional practices; the climate of impunity and abuse of power, including where violence against women was perpetrated or condoned by law enforcement personnel; the failure of States to exercise due diligence; and violations of the right of women to health, including sexual and reproductive health.

The Working Group was encouraged that some Governments had investigated the allegations and taken steps in response, including by enacting new legislation, introducing policies to better protect and assist women and victims of violence, developing national plans of action, introducing training modules to sensitize government officials to women’s issues, and improving public awareness to promote gender equality and the advancement of women.

UN-Women

In July, the General Assembly established the United Nations Entity for Gender Equality and the Empowerment of Women (to be known as UN-Women) (**resolution 64/289**) (see p. 1396). The new entity, to become fully operational on 1 January 2011, would combine the mandates and assets of the four existing gender equality entities—OSAGI, DAW, UNIFEM and the International Research and Training Institute for the Advancement of Women (INSTRAW). On 14 September, the Secretary General appointed Michelle Bachelet (Chile) as the head of UN-Women.

Report of Secretary-General. In response to resolution 63/311 [YUN 2009, p. 1368], the Secretary-General submitted a January report [A/64/588] in which he presented a comprehensive proposal for a composite entity for gender equality and the empowerment of women. Included in the report was the mission statement for the new entity, an organizational chart, and provisions related to the funding and establishment of an Executive Board to oversee operations. The report proposed that the composite entity be a subsidiary organ of the General Assembly, to which it would report through the Economic and Social Council. The Commission on the Status of Women would play a crucial role in guiding the entity’s work. Combining the mandates and assets of the four existing gender equality entities—namely, OSAGI, DAW, UNIFEM, and INSTRAW—the composite entity would be the centre of the gender equality architecture of the UN system. To ensure clarity of roles and responsibilities and support for a more coherent, scaled-up response, work would be conducted through the United Nations System Chief Executives Board for Coordination at the global level, the regional directors’ teams and the Regional Coordination Mechanism at the regional level, and the resident coordinator system at the country level.

The composite entity would have eight functions: provide support to UN bodies (the Commission on the Status of Women, the Economic and Social Council, the General Assembly and the Security Council) in which commitments, norms and policy recommendations on gender equality and gender mainstreaming were discussed and agreed upon; support national efforts to promote and enhance gender equality and

women's empowerment through country-driven programming, working with UN country teams, including on gender mainstreaming, capacity development and the provision of targeted technical cooperation in line with national priorities; undertake global, regional and national advocacy efforts on issues critical to gender equality and women's empowerment to ensure that under-recognized and under-resourced issues receive national, regional and global attention; support Member States in implementing and monitoring the 12 critical areas of the Beijing Platform for Action, the outcomes of the twenty-third special session of the Assembly, Security Council resolutions 1325(2000) and 1820(2008) and other resolutions, as well as the Convention on the Elimination of All Forms of Discrimination against Women; undertake research and analytical work to support overall objectives, and act as a hub/centre of knowledge and experience on gender equality and women's empowerment from throughout the UN system; lead and coordinate UN system strategies, policies and actions on gender equality and women's empowerment to promote system-wide gender mainstreaming; strengthen UN accountability, including through oversight, monitoring and reporting on system-wide performance on gender equality; and monitor and report on system-wide compliance with intergovernmental mandates on gender balance.

With regard to the funding implications of the new entity, from assessed and voluntary contributions, the Secretary-General suggested that approximately \$125 million per annum was needed for a basic staff complement, related operating costs and "start-up" capacity at the country, regional and Headquarters levels, as well as an additional \$375 million per annum in the initial phase to respond to country-level requests for UN support.

The report presented two options for establishing the entity's Executive Board. One was to establish an autonomous segment of the UNDP/UNFPA Executive Board, while the other would be to establish a new Executive Board, including a Board secretariat. It was recommended that the Assembly consider deciding on an option to establish the entity's Executive Board; abolishing and liquidating UNIFEM; requesting the Economic and Social Council to abolish INSTRAW; requesting the Council to find ways to establish co-ordination and the regular exchange of information between the Executive Board of the new entity and the Commission to enhance policy coherence; approving the creation of the post of Under-Secretary-General (USG) to head the entity; authorizing the head of the entity to prepare the necessary financial regulations and rules for consideration by the new Executive Board; deciding that costs for the entity's functions should continue to be borne by the regular UN budget; deciding that the costs for the entity's

operations should be financed by voluntary contributions; and encouraging Member States in a position to do so to make voluntary contributions towards funding the entity.

Commission action. In a March resolution [E/2010/27 (res. 54/6)], the Commission welcomed resolution 63/311 [YUN 2009, p. 1368] and its provisions on strengthening institutional arrangements for the support of gender equality and the empowerment of women by consolidating the four existing UN offices into a composite entity.

Gender architecture reform. On 2 July, the General Assembly, in **resolution 64/289** (see p. 1396) on system-wide coherence, decided to establish the United Nations Entity for Gender Equality and the Empowerment of Women, to be known as UN-Women, to be operational on 1 January 2011. It also decided to establish an Executive Board as the governing body of the Entity. The Assembly, the Economic and Social Council and the Commission would provide policy guidance to the Entity, while the Assembly, the Council and the Executive Board would provide operational policy guidance. The Entity Executive Board would comprise 41 members and would carry out the functions outlined in annex I to resolution 48/162 [YUN 1993, p. 1118]. The Entity would be headed by a USG, to be appointed by the Secretary-General, in consultation with Member States, for a term of four years. The resources required for the Entity's normative intergovernmental processes would be funded from the UN regular budget and approved by the Assembly, while the resources required for the operational intergovernmental processes and activities would be funded from voluntary contributions and approved by the Executive Board. The Assembly decided to dissolve UNIFEM as of 2 July and requested the Council to dissolve INSTRAW as of the date of adoption of the pertinent resolution (see below).

ECONOMIC AND SOCIAL COUNCIL ACTION

On 20 July [meeting 42], the Economic and Social Council adopted **resolution 2010/7** [draft: E/2010/L.21] without vote [agenda item 14 (a)].

Strengthening the institutional arrangements for support of gender equality and the empowerment of women

The Economic and Social Council,

Recalling its resolution 1998(LX) of 12 May 1976 establishing the International Research and Training Institute for the Advancement of Women,

Recalling also General Assembly resolution 64/289 of 2 July 2010, in particular the section entitled "Strengthening the institutional arrangements for support of gender equality and the empowerment of women", and the establishment, as a composite entity, of the United Nations

Entity for Gender Equality and the Empowerment of Women, to be known as UN-Women,

Noting the transitional arrangements set out in paragraphs 81 to 88 of resolution 64/289, in particular paragraphs 82, 83, 84, 87 and 88,

Expressing its deep gratitude for the support offered by the host country during all the years of operation of the Institute,

Decides to dissolve the International Research and Training Institute for the Advancement of Women as of the date of the adoption of the present resolution.

Election of UN-Women Executive Board. On 9 September, the Council decided that the election of the 41 members of the UN-Women Executive Board would be held as soon as possible and by early November 2010. It also decided to discuss further the issue of the staggering of terms, so as to reach an agreement on the modalities prior to the elections (**decision 2010/261**).

ECONOMIC AND SOCIAL COUNCIL ACTION

On 25 October [meeting 49], the Economic and Social Council adopted **resolution 2010/35** [draft: E/2010/L.40] without vote [agenda item 1].

Procedures for the election of the members of the Executive Board of the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women)

The Economic and Social Council,

Recalling General Assembly resolution 64/289 of 2 July 2010 and Economic and Social Council decision 2010/261 of 9 September 2010,

Noting that the Executive Board of the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) shall consist of forty-one members, as follows:

- (a) Ten from African States,
- (b) Ten from Asian States,
- (c) Four from Eastern European States,
- (d) Six from Latin American and Caribbean States,
- (e) Five from Western European and other States,
- (f) Six from contributing countries,

1. *Decides* that the term of membership of the thirty-five members of the Executive Board of UN-Women elected from the five regional groups, pursuant to paragraphs 60 (a) to (e) of General Assembly resolution 64/289, shall be staggered and that such a decision shall be taken for the first election by the drawing of lots, for members to serve two-year and three-year terms, as follows:

Regional groups	Number of seats for		
	Two years	Three years	Total
African States	5	5	10
Asian States	5	5	10
Eastern European States	2	2	4
Latin American and Caribbean States	3	3	6
Western European and other States	2	3	5
TOTAL seats	17	18	35

2. *Also decides* that the six contributing countries serving as members of the Executive Board, pursuant to paragraph 60 (f) of General Assembly resolution 64/289, shall be elected for a three-year term;

3. *Further decides* that the term of office of the forty-one members of the Executive Board elected at the first election shall begin on the date of the election and run until 31 December of the year in which their term ends;

4. *Decides* that in subsequent elections members shall be elected for a term of office of three years, beginning on 1 January of the year following their election and running until 31 December of the year in which their term ends.

UN-Women financing. In response to Assembly **resolution 64/289** (see p. 1396), the Secretary-General submitted an October report [A/65/531] containing a revised proposal for the use of regular UN budget resources approved for the biennium 2010–2011 for the normative support functions of UN-Women, including options for administrative arrangements; an organizational chart; and a new appropriation under section 37 of the 2010–2011 budget, entitled UN-Women, with a proposed modality of budget implementation. Recalling the Secretary-General's previous estimate of \$500 million in funding requirements for the UN-Women start-up phase, the report provided information on the expected levels of total resources required for 2011, estimated at \$500,939,900. The report included information on current and estimated future voluntary contributions to UN-Women. A proposal for the use of voluntary resources for the support budget for the biennium 2010–2011, together with a revised draft strategic plan and organizational chart, would be submitted in a separate report to the UN-Women Executive Board.

UN-Women would be financed from two sources, namely, the regular UN budget for its normative intergovernmental processes and voluntary contributions for its operational activities. It would have financial regulations and rules similar to those of other UN funds and programmes and consistent with the UN Financial Regulations and Rules. The head of UN-Women would present a proposal for financial regulations for consideration and adoption by the Executive Board, and would appoint and administer the Entity's staff. Two possible administrative arrangements for UN-Women were proposed. Option 1 would be a unified system allowing for the integrated administration of all regular budget resources based on the use of a grant modality. Under that option, the normal budget review and approval processes, as well as the normal reporting processes, would be maintained, thereby ensuring the Assembly's control of posts and non-post resources funded from the regular budget. After approval of the biennial budget by the Assembly, the regular budget resources would be provided to UN-Women in the form of a grant, which would be administered and disbursed by the

Entity in accordance with its own financial regulations and rules and using its own enterprise resource planning system. Option 2 would be the use of two separate administrative systems, one for the regular budget and one for voluntary contributions. The Secretary-General requested that the Assembly approve the grant modality of budget implementation (option 1) under the new regular budget section 37, UN-Women.

To create a new regular budget section to finance the normative and analytical activities of UN-Women, the Secretary-General proposed a reduction of the initial 2010–2011 appropriation approved in Assembly resolution 64/244 A [YUN 2009, p. 1403] for section 9, economic and social affairs. Noting that the initial appropriation was in the amount of \$166,217,100, he proposed a reduction of \$6,615,700, representing the appropriation for the 2011 meetings of the Commission of the Status of Women (\$115,800); the 2011 resources for subprogramme 2 of section 9, Gender issues and advancement of women (\$6,346,900); and the proportional share of resources under programme support related to backstopping activities of subprogramme 2 of section 9 of the programme budget for the biennium 2010–2011 (\$153,000). As a result, the revised 2010–2011 appropriation would amount to \$159,601,400. The amount of \$6,615,700 would be transferred to the new budget section 37, UN-Women, and the additional appropriation of \$367,800, representing the 2011 costs of the establishment of three new posts (1 USG, 1 D-2 and 1 General Service) would also be required, bringing the total proposed 2011 appropriation to \$6,983,500. Recalling that a contingency fund had been established for each biennium to accommodate additional expenditure derived from legislative mandates not provided for in the programme budget, the Secretary-General proposed that the additional appropriation of \$367,800 for the three new posts represented a charge against the contingency fund. Further, an amount of \$62,300 under section 36, Staff assessment, would be offset by an equivalent amount under section 1, Income from staff assessment. The report elaborated on the proposed new section of the programme budget by providing tables and analysis on UN-Women's main areas of work and subprogrammes; capacity gaps at the regional and country levels; post requirements and staffing considerations; and provisions and resource requirements related to its policymaking organs, executive direction and management, programme support activities, and non-post contractual and general operations. The Secretary-General requested that the Assembly approve the transfers and appropriations detailed above, as well as the establishment of the new posts and the proposed programme of work and resource requirements under section 37, UN-Women.

In November [A/65/593], the Advisory Committee on Administrative and Budgetary Questions (ACABQ), having considered the Secretary-General's report, concurred with his recommendations.

On 24 December, the Assembly, in **resolution 65/259** (see p. 1429) on questions relating to the programme budget for the biennium 2010–2011, requested the Secretary-General to elaborate, in the proposed programme budget for the biennium 2012–2013, the normative intergovernmental processes undertaken by UN-Women, in order to specify whether the Entity's activities would support or be considered normative intergovernmental processes, operational intergovernmental processes and operational activities, or a combination thereof. In that regard, the Secretary-General was requested to reflect, in the proposed programme budget for the biennium 2012–2013, on the necessary budget allocation resulting from such information to ensure an appropriate funding source for the required resources. The Assembly approved the use of a grant arrangement for the UN-Women regular budget portion and decided that posts financed by the regular budget grant would be requested on a post-by-post basis in future budget proposals. It decided to establish three new posts (1 USG, 1 D-2 and 1 General Service) under section 37, UN-Women, of the programme budget for the biennium 2010–2011; approve an additional amount of \$430,100 under the programme budget for the biennium 2010–2011, comprising \$367,800 under section 37, and \$62,300 under section 36, Staff assessment, to be offset by a corresponding amount under income section 1, Income from staff assessment; and that the additional amount of \$430,100 would represent a charge against the biennium 2010–2011 contingency fund.

Report of Executive Director. In response to **resolution 64/289** (see above), the UN-Women Executive Director submitted to the Commission on the Status of Women her first annual report [E/CN.6/2011/2] on the normative aspects of UN-Women's work and its implementation of policy guidance provided by the Commission. The report discussed the Executive Director's vision and strategic direction for UN-Women, and the administrative and institutional changes needed to consolidate the previous four gender equality offices into a structure integrating the role of leading, coordinating and promoting UN accountability on gender equality and the empowerment of women. UN-Women's strategy would focus on expanding support to Member States at the national level in line with national priorities; strengthening coherence between the normative support provided to global intergovernmental processes and the technical and thematic advice provided to national partners at the country level; and providing support for gender mainstreaming across the UN system.

The change-management process was under way, and the Executive Director expected significant progress by the end of 2010 in terms of transitioning staff into UN-Women and establishing new work units. The UN-Women Executive Board had been elected by the Economic and Social Council on 10 November, and its organizational session was scheduled for 15 December. She had initiated a field assessment exercise to provide a basis for determining the specific capacities required in different country/regional typologies to ensure the effective implementation of UN-Women's mandate. Noting that the Commission had been requested by the Assembly to work with the UN-Women Executive Board to provide guidance and direction, she concluded that, for the benefit of women and girls everywhere, such interaction should aim to close the gaps between intergovernmental goals and commitments and their effective implementation.

Executive Board meeting. The Executive Board of UN-Women, at its organizational session (New York, 15 and 22 December) [UNW/2011/1], elected the five members of its Bureau for 2011, agreed to hold its first regular session in January 2011 and approved the tentative workplan for that session.

UN Development Fund for Women

The Secretary-General, in August, transmitted to the General Assembly a report on UNIFEM activities in 2009 [YUN 2009, p. 1157]. It was the last report submitted in fulfilment of the mandate contained in resolution 39/125 [YUN 1984, p. 893], as UNIFEM was dissolved and integrated into UN-Women in accordance with Assembly **resolution 64/289** (see p. 1396).

On 21 December, the Assembly took note of the note by the Secretary-General transmitting the report on the 2009 activities of UNIFEM (**decision 65/533**).

UNDP/UNFPA Board action. On 22 January, the UNDP/UNFPA Executive Board [E/2010/35 (dec. 2010/6)] took note of the functions, management results, indicators and resource requirements of the UNIFEM budget estimates for the biennium 2010–2011 [DP/2010/7]. It approved gross resources in the amount of \$39.8 million, representing the total biennial support budget for 2010–2011 funded

from regular resources and noted that the estimated \$7.1 million income from support costs would be used to offset the gross regular resources appropriation, resulting in an estimated “net” regular resources appropriation of \$32.7 million. It approved the amount of \$1.6 million from regular resources to cover United Nations-mandated security costs, and \$0.6 million for costs related to the adoption of the International Public Sector Accounting Standards [YUN 2006, p. 1583] and enhancement of the Atlas system [YUN 2004, p. 1082], as described in the budget estimates. The Board decided that the appropriated amount would be used to achieve the results specified in the functions identified in the budget estimates, and requested UNIFEM to monitor the levels of income from all sources, particularly other resources, and to use prudence in planning staffing increases. It requested the Executive Director to improve the UNIFEM biennial support budget, 2012–2013, as a step towards a single, integrated budget for UNIFEM, by improving the linkages between resources and results; providing summary explanations of any proposed budgetary changes and their attribution to volume and to nominal and statutory changes; and providing information on cost recovery by describing how projected cost recoveries from extrabudgetary resources were calculated, including updated information on UNIFEM variable and fixed indirect costs to allow for appropriate analysis of the cost-recovery rate. On the same date [E/2010/35 (dec. 2010/12)], the Board took note of the ACABQ report on the UNDP and UNIFEM estimates for the biennial support budget, 2010–2011 [DP/2010/4], which contained observations on progress made by UNIFEM in improving the results-based format of the biennial support budget.

On 30 June [E/2010/35 (dec. 2010/20)], the Board took note of the annual report of the UNIFEM Executive Director [DP/2010/29 & Corr.1] and its results-based focus and requested UNIFEM to include in future reports more elements related to the analysis of results achieved, lessons learned and remaining challenges. It also noted the ongoing discussions regarding the creation of a new gender entity and requested UNIFEM to take all necessary actions to ensure that the modalities regarding transitional arrangements were completed within the deadline agreed upon by the Assembly.

Children, youth and ageing persons

The United Nations Children's Fund (UNICEF) in 2010 continued to work to give children the best start in life and to overcome poverty, violence, disease and discrimination. In its activities, UNICEF cooperated with 150 countries, areas and territories and focused on five main areas: young child survival and development; basic education and gender equality; HIV/AIDS and children; child protection from violence, exploitation and abuse; and policy advocacy and partnerships for children's rights. Emergency response services were provided in 98 countries, with the greatest efforts addressing the aftermath of natural disasters in Haiti and Pakistan. On 1 May, the new Executive Director, Anthony Lake, started his work with UNICEF, visiting 22 countries in which the Fund worked during his first year in office.

The International Year of Youth: Dialogue and Mutual Understanding (12 August 2010–11 August 2011) was celebrated worldwide through a variety of events, conferences and initiatives. Its aim was to promote communication across generations, cultures, religions and civilizations, championing the ideals of peace, respect for human rights and solidarity. The UN system collaborated on youth-related activities at all levels in order to implement the World Programme of Action for Youth. Seventeen UN entities working for youth development made efforts to strengthen the implementation of HIV programmes, support policies improving job creation and seek protection for disadvantaged adolescent girls.

The Secretary-General submitted two reports on the follow-up to the 2002 Second World Assembly on Ageing, one focusing on national efforts and the other reviewing the status of the social situation, well-being, participation in development and rights of older persons worldwide. The United Nations continued to implement the 2002 Madrid International Plan of Action on Ageing, and the Secretary-General reported on the implementation of the Plan, mechanisms to improve it and modalities for its review. In July, the Economic and Social Council made recommendations to Member States, the international community and UN system organizations on further implementation of the Plan. In December, the General Assembly established an open-ended working group to strengthen the protection of the human rights of older persons.

Children

Follow-up to 2002 General Assembly special session on children

In response to General Assembly resolution 59/261 [YUN 2004, p. 779], the Secretary-General in August submitted his eighth report [A/65/226] on the follow-up to the Assembly's twenty-seventh special session on children [YUN 2002, p. 1168], in which he assessed the steps taken in 2009 to achieve the commitments set out in the document "A world fit for children", adopted at the special session by resolution S-27/2 [ibid., p. 1169]. The report highlighted the gaps and the strategic shift necessary to meet unmet goals. Failure to achieve the goals would undermine efforts to attain by 2015 the Millennium Development Goals (MDGs), most of which related to children. The Secretary-General outlined progress and room for growth in the document's four major areas: promoting healthy lives; providing quality education; protecting against abuse, exploitation and violence; and combating HIV/AIDS.

In the area of health, deaths in children under the age of five declined, but neonatal mortality reduction had been far less successful. Progress was achieved in reducing child mortality, attributable to increased scale-up of specific interventions including measles immunization, insecticide-treated mosquito nets and vitamin A supplementation. There had been mixed progress on MDG 5 to reduce maternal mortality by three quarters by 2015. The food and financial crisis had provided an opportunity to highlight nutrition in the global discourse. While greater access to safe drinking water had been provided, huge urban/rural disparities remained.

Regarding education, gender disparities declined; however, inequalities and multiple forms of exclusion related to poverty, conflict, natural disaster, urban/rural disparities, disability, HIV/AIDS, ethnicity, religion and caste were persistent and often hidden in many countries. While significant progress was made in achieving education in emergencies and post-crisis situations, the impact of the global economic crisis on education was of major concern.

With respect to the protection of children against abuse, exploitation and violence, positive trends were evident as countries began to map and assess their child protection systems, comprehensively support families and provide alternative care of children. The approval of the United Nations Guidelines for the

Alternative Care of Children without Parental Care [YUN 2009, p. 1161] had given extra impetus to develop standards of care and provide technical recommendations to improve care in a number of countries. In 2009, the first Special Representative of the Secretary-General on violence against children was appointed [YUN 2009, p. 735]. That same year, several UN entities and their partners launched a major global initiative on preventing sexual violence against girls.

Although the number of newly HIV-infected persons had decreased since 1996, HIV/AIDS remained globally the leading cause of death for women of reproductive age. Some 70 per cent of people in need of antiretroviral treatment did not have access to it, and only 30 per cent of young males and 19 per cent of young females in developing countries had accurate knowledge of HIV. In sub-Saharan Africa, the area of major concern, an estimated 14.1 million minors had lost one or both parents to AIDS by 2008.

The Secretary-General recommended the adoption of strategies, policies and programmes that would accelerate progress, with a focus on the most vulnerable, underserved children and the poorest communities; and pointed out that equity-focused strategies, such as community-based treatment of the main childhood illnesses and cash transfers for children affected by HIV/AIDS, had proven effective.

On 21 December, the General Assembly took note of the report by **resolution 65/197** on "Rights of the child" (see p. 647).

By Assembly **resolution 65/1** of 22 September (see p. 815), Heads of State and Government affirmed their engagement to achieve the MDGs, including Goal 2 on achieving universal primary education, Goal 4 on reducing child mortality, and Goal 5 on improving maternal health.

The Moscow Framework for Action and Cooperation—adopted at the World Conference on Early Childhood Care and Education, convened by the United Nations Educational, Scientific and Cultural Organization (UNESCO) (Moscow, 27–29 September)—called on Governments to mobilize stronger commitment to early childhood care and education; reinforce effective programme delivery; and encourage mutual cooperation and exchange.

United Nations Children's Fund

In 2010, the United Nations Children's Fund (UNICEF) remained committed to achieving the MDGs [YUN 2000, p. 51] and the goals contained in the document "A world fit for children", adopted by the General Assembly in resolution S-27/2 [YUN 2002, p. 1169]. It performed essential functions as the only multilateral institution entrusted solely with advancing children's rights, and strove to make progress in reducing inequities as the gap between rich and

poor children widened, even in countries that showed overall progress towards meeting the MDGs. In line with its 2006–2009 medium-term strategic plan (MTSP) [YUN 2005, p. 1284], extended by two years by the Executive Board in 2009 [YUN 2009, p. 1173], UNICEF focused its work on five priority areas: young child survival and development; basic education and gender equality; HIV/AIDS and children; child protection; preventing and responding to violence, exploitation and abuse; and policy advocacy and partnerships for children's rights.

The annual UNICEF flagship publication, *The State of the World's Children 2010* [Sales No. E.10.XX.1], focused on child rights to mark the twentieth anniversary of the Convention on the Rights of the Child, adopted by the General Assembly in resolution 44/25 [YUN 1989, p. 560]. The report examined the Convention's evolution, progress achieved on child rights, remaining challenges, and actions to be taken to ensure that its promise became a reality for all children. The Convention was the most widely ratified international human rights treaty in history. The era of the Convention had seen marked advances in child survival and development, expanded efforts to protect children, and a growing recognition of the importance of empowering children to participate in their own development and protection. Challenges for the advancement of child rights included climate change, the financial crisis and population shifts. The report called for the strengthening and enforcement of laws in favour of child rights.

In 2010, UNICEF cooperated with 150 countries, areas and territories: 44 in sub-Saharan Africa, 35 in Latin America and the Caribbean, 35 in Asia, 16 in the Middle East and North Africa, and 20 in Central and Eastern Europe and the Commonwealth of Independent States. The bulk of UNICEF's programme assistance expenditures went to sub-Saharan Africa and to initiatives for child survival and development.

UNICEF operations in 2010 were described in the *UNICEF Annual Report 2010*, the UNICEF annual report to the Economic and Social Council [E/2011/6] and the annual report of the Executive Director on progress and achievements against the Fund's extended 2006–2013 MTSP [E/ICEF/2011/9].

The UNICEF Executive Board held its first regular session of 2010 (12–14 January), its annual session (1–4 June) and its second regular session (7–9 September), all in New York [E/2010/34/Rev.1], during which it adopted 21 decisions.

By **decision 2010/251** of 23 July, the Economic and Social Council took note of the report of the UNICEF Executive Board on its first regular session [E/2010/34 (Part I)] and the addendum to the report on the joint meeting of the Executive Boards of UNICEF, the United Nations Development Programme

(UNDP)/United Nations Population Fund (UNFPA) and the World Food Programme (WFP) [E/2010/34 (Part I)/Add.1]; the extract from the Board's report on its annual session of 2010 [E/2010/L.7]; and the annual report of UNICEF to the Economic and Social Council covering the year 2009 [E/2010/6-E/ICEF/2010/3], which the Fund's Executive Board had taken note of on 14 January [E/2010/34/Rev.1 (dec. 2010/1)].

On 9 September [dec. 2010/11], the Executive Board adopted the programme of work for its 2011 sessions [E/ICEF/2010/16].

New Executive Director. Following consultations with the UNICEF Executive Board, the Secretary-General on 16 March announced the appointment of Anthony Lake (United States) as the agency's new Executive Director, and expressed his gratitude to Ann Veneman (United States) for her commitment in leading UNICEF for five years [SG/A/1226].

Programme policies

In his annual report to the Economic and Social Council, covering 2010 [E/2011/6-E/ICEF/2011/3], the UNICEF Executive Director provided an analysis of achievements against the MTSP for 2006–2013 to promote sustained and equitable results for children and women. The report focused on the issues emphasized in General Assembly resolution 62/208 [YUN 2007, p. 877], including capacity development, South-South cooperation and gender mainstreaming. It also reviewed funding for operational activities for development; strategic partnerships; contributions to national capacity development and development effectiveness; coherence, effectiveness and relevance of operational activities; evaluation of operational activities; and follow-up to international conferences.

Medium-term strategic plan (2006–2013)

The Executive Director, in his annual report on progress and achievements against the MTSP (2006–2013) [E/ICEF/2011/9], took stock of changes in the global context affecting children; reviewed progress made towards achieving the MDGs; elaborated on strategic shifts in the MTSP; and presented results in each focus area of the plan—young child survival and development; basic education and gender equality; HIV/AIDS and children; child protection from violence, exploitation and abuse; and policy advocacy and partnerships for children's rights. The report also covered humanitarian action, supporting and cross-cutting strategies, and the Fund's organizational performance in 2010.

The report stated that, with the deadline to achieve the MDGs only five years away, there were widening disparities in achievement of developmental goals among regions and among groups within countries. Children

and families who were poor and living in rural and in some cases low-income urban areas faced disadvantages affecting their survival, nutrition and access to education and basic services. That led UNICEF and many partners to refocus on the inclusion of the poorest families and most vulnerable communities in meeting the MDGs by 2015. In 2010, UNICEF entered into partnership with the United Nations Global Compact and Save the Children to develop child rights and business principles. The year saw the start of a push to increase the attention paid by UNICEF to the rights of children with disabilities as part of its refocus on equity and a more systematic reflection of the principles of the Convention on the Rights of Persons with Disabilities [YUN 2006, p. 785] across all MTSP focus areas. The Fund sought to become more strategic and coherent in its approach to developing and maintaining partnerships at all levels, including with non-governmental organizations (NGOs) and its more than 600 corporate partners and donors.

Updated annexes to the MTSP were published in March [E/ICEF/2010/10]. Those included the revised results framework, the integrated monitoring and evaluation framework and key performance indicators for the MTSP.

On 4 June [E/2010/34/Rev.1 (dec. 2010/6)], the Board endorsed the general conclusion of the in-depth review of the MTSP, including the adjustments envisaged for the remaining period, and requested UNICEF to include in its annual report concrete steps to build on lessons learned and recommendations for future directions.

Medium-term financial plan (2010–2013)

At its second regular session, the Executive Board considered the MTSP planned financial estimates for the period 2010–2013 [E/ICEF/2010/AB/L.7]. Income decreases of 1 per cent for 2010 and 7 per cent for 2011 were expected. Growth was expected to resume in the following years. UNICEF recommended that the Board approve the framework of planned financial estimates for 2010–2013. It also recommended approval of the preparation of programme expenditure submissions to the Board of up to \$1,190 million from regular resources in 2011, subject to the availability of resources and the continued validity of those planned financial estimates. UNICEF recommended the suspension of the annual transfer of \$30 million to the after-service health insurance reserve for 2010 and 2011 due to the reduction in projected income from the global recession.

The Board authorized those actions on 9 September [dec. 2010/19], and requested UNICEF to continue making annual transfers to the after-service health insurance reserve if end-of-year unexpended balances for regular resources so permitted.

Programme matters

In June, the United Republic of Tanzania submitted to the Executive Board's annual session a draft resolution [E/ICEF/2010/CRP.17] by which it requested to present a draft common country programme document to the Executive Boards of UNDP/UNFPA, UNICEF and WFP. On 4 June [dec. 2010/9], the Executive Board decided to consider the document on an exceptional basis.

The UNICEF secretariat, at the annual session in June, informed the Board [E/ICEF/2010/P/L.15] of the one-year extensions of country programmes approved by the Executive Director for Albania, Bangladesh, Cape Verde, Chad, Ghana, Guyana, Kyrgyzstan, Mauritania, Oman, Peru, the Russian Federation, South Africa, Ukraine and Viet Nam. It also presented the reasons for the proposed two-year extensions of the country programmes for Nepal, Namibia, Pakistan and Sierra Leone as well as the second one-year extensions for Chile and Iran, and requested the Board to approve them. On 4 June [dec. 2010/10], the Board took note of the one-year extensions of the country programmes approved by the Executive Director, and approved the two-year extensions as well as the second one-year extensions for those States.

The Executive Board on 9 September [dec. 2010/14], on the recommendation of the Executive Director, approved a five-year extension of the cooperation with the PolioPlus programme of Rotary International for the period 2011 to 2015, urging all parties involved to increase coordination and efforts towards polio eradication. On the same day, the Vaccine Independence Initiative was extended [dec. 2010/15] for the period 2011 to 2015 for an amount of up to \$10 million, subject to availability of specific-purpose contributions.

Joint programming

The joint meeting of the Executive Boards of UNICEF, UNDP/UNFPA and WFP (New York, 15 and 18 January) discussed the strengthening of country-level response to gender-based violence; climate change and development; food security and safety nets in the context of the recovery from the economic and financial crisis; and stocktaking on the MDGs.

Regarding the country programme document for Tanzania (see above), the Boards were told that a single business plan—a United Nations Development Assistance Plan—would be developed for 2011–2015, capturing the entire range of UN activities in the country, resulting in a more coherent strategy. A common country programme document would be presented to the Executive Boards in 2011.

UNDP, UNFPA and UNICEF presented a road map [E/ICEF/2010/AB/L.10] to an integrated budget from 2014 onwards, in response to requests from their

Executive Boards in 2009. Taking note of the joint report on 9 September [dec. 2010/20], the Executive Board endorsed the proposed cost definitions and classifications of activities and associated costs for application effective in the 2012–2013 biennium, with amendments. UNICEF, UNDP and UNFPA were requested to reflect the new classifications in their financial statements and annual financial reviews presented in 2013 and onwards, and to work towards presenting a single integrated budget for each organization starting in 2014.

Programmes by region

In 2010 [E/ICEF/2011/9], UNICEF programme assistance expenditure totalled \$3,355 million, of which \$1,760 million (52.5 per cent) went to sub-Saharan Africa, \$890 million (26.5 per cent) to Asia, \$313 million (9.3 per cent) to the Americas and the Caribbean, \$141 million (4.2 per cent) to the Middle East and North Africa, \$99 million (3.0 per cent) to Central and Eastern Europe and the Commonwealth of Independent States, and \$152 million (4.2 per cent) to interregional programmes. Approximately 51 per cent was spent in least developed countries and 61 per cent in countries with high or very high child mortality rates.

In September [E/2010/34/Rev.1], the Executive Board had before it the summaries of the midterm reviews of country programmes in Eastern and Southern Africa [E/ICEF/2010/P/L.16 & Corr.1], West and Central Africa [E/ICEF/2010/P/L.17], Latin America and the Caribbean [E/ICEF/2010/P/L.18], East Asia and the Pacific [E/ICEF/2010/P/L.19], South Asia [E/ICEF/2010/P/L.20], Central and Eastern Europe and the Commonwealth of Independent States [E/ICEF/2010/P/L.21], and the Middle East and North Africa [E/ICEF/2010/P/L.26]. The reports reviewed progress made, resources used, constraints faced, and adjustments made in country programmes.

Field visits

In a joint field visit to Rwanda (20–30 March) [DP-FPA/2010/CRP.1-E/ICEF/2010/CRP.12], a delegation of Executive Board members met with Government officials and development partners, noting that remarkable progress had been made since the 1994 genocide, especially concerning the MDGs. However, it found many challenges due to the country's complex past and its status as a least developed country. The delegation observed operations and programmes, gaining insight into issues including inter-agency collaboration and coordination, donor coordination and partnerships with civil society and the private sector. It noted that the target on gender equality in primary and secondary education had been achieved and that a gender-based violence desk, created with support from UNDP, UNFPA, UNICEF and the United

Nations Development Fund for Women, provided a legal framework and tools to protect girls and women.

Executive Board Bureau members visited China (5–11 April) [E/ICEF/2010/CRP.11] to gain a first-hand understanding of UNICEF work at the country level and demonstrate concrete examples of UNICEF co-operation with the Government and other partners, including the UN country team. They held meetings in Beijing with the UNICEF country office, senior-level government counterparts, members of the UN country team and key donors, and conducted a field trip to the Ningxia Hui Autonomous Region, visiting UNICEF projects. The delegation took note of the key issues facing children and women in the country. While China's achievements in child health and education were notable, the income disparities and the achievements of the MDGs were uneven. Participants noted the positive impact of the maternal and child health-care model developed with UNICEF support, as well as the pilot projects for the care of women and children affected by AIDS and the UNICEF-supported "Campaign on Children, Young People and AIDS". China had achieved MDG Goal 2 on universal primary education for both boys and girls, and basic education was free. The delegation noted the strategic role UNICEF had played in developing norms and standards, and appreciated its focus on the most vulnerable groups and most disadvantaged geographical areas. It also appreciated the cooperation between UNICEF and the Government in achieving the MDGs and observed that the Government was open to ideas and willing to commit resources for programmes and projects that would have a positive impact on children's lives.

Executive Board members visited Tajikistan (18–26 April) [E/ICEF/2010/CRP.13] to better understand the challenges faced by children and women in the country. They conducted meetings in Dushanbe and the Rasht Valley and Khuroson district, where UNICEF-supported projects had been established in response to natural disasters. Children under 18 made up 43.4 per cent of Tajikistan's population of 7.7 million, more than half of whom lived below the poverty line of \$40 per month. Challenges included high infant and under-five mortality rates, a rise in the maternal mortality ratio and child malnutrition. UNICEF focused on the promotion of infant and young child survival, feeding and care practices and the prevention of micronutrient deficiencies. The delegation noted that only 21 per cent of Tajiks had access to improved sanitation facilities. The girls' enrolment rate had decreased and dropout rates were high due to a lack of interest in school, lack of money for school clothes and children's work at home or in the fields. Early marriage was another challenge. The UNICEF-supported education programme sought to address gender disparity and other inequities and to

promote early learning models. UNICEF Tajikistan's high degree of preparedness was noted when it reacted promptly to a wild polio outbreak during the Board's visit.

Programmes by sector

In 2010, UNICEF programme assistance expenditure, which was linked to the five focus areas established in 2005 under the 2006–2009 MTSP [YUN 2005, p. 1284], totalled \$3,355 million, a 14 per cent increase over 2009. The largest share of expenditure, \$1,705 million (50.8 per cent), went to young child survival and development, followed by basic education and gender equality (\$696 million, or 20.7 per cent), policy advocacy and partnerships for children's rights (\$367 million, or 10.9 per cent), child protection from violence, exploitation and abuse (\$325 million, or 9.7 per cent) and HIV/AIDS and children (\$188 million, or 5.6 per cent). Some \$74 million (2.2 per cent) was expended in other areas. Programme support, management and administration and other costs amounted to an additional \$276 million.

Young child survival and development

In 2010, maternal, newborn and child health continued to rise in the global agenda. The Secretary-General's Global Strategy for Women's and Children's Health, launched in September, received significant commitments. While progress in achieving MDG Goal 4 on reducing child mortality had been made, it was not yet sufficient to meet the Goal in sub-Saharan Africa, South Asia and the Pacific. The Fund procured more than 2.3 billion doses of vaccines in 2010 and continued to fight undernutrition, for example, by providing therapeutic foods for about one million malnourished children and by leading the Inter-Agency Standing Committee Global Nutrition Cluster. UNICEF supplied an estimated 293 million children with vitamin A capsules, and procured 41 million treatments for malaria and 7.3 million malaria rapid diagnostic tests.

To improve maternal health and achieve MDG Goal 5, UNICEF collaborated with the World Health Organization, UNFPA and the World Bank to develop and update estimates of maternal mortality using statistical modelling for countries where no reliable data existed. Regarding Goal 7 on environmental sustainability, sanitation and water for all, a global partnership of developing countries, donors, multilateral agencies and civil society was launched. An additional 3.8 million households gained access to improved sources of drinking water in 2010, and sanitation facilities were improved in 2.4 million households. Following the earthquake in Haiti (see p. 320), a mass immunization campaign targeted measles, diphtheria, pertussis

and tetanus, as well as the re-establishment of maternal and child health-care services. In response to the floods in Pakistan (see p. 933), a major immunization campaign against measles and polio was conducted along with vitamin A supplementation.

Basic education and gender equality

In 2010, access to pre-primary education remained at low levels, especially in sub-Saharan Africa where it reached around 19 per cent compared to a global rate of 44 per cent. MDG 2, on achieving universal primary education, might not be reached by 2015; there had been progress at national levels, however, deep-rooted inequalities were a major barrier to universal primary education. In poor communities, UNICEF distributed learning and teaching materials that were based on active learning, focused on equity and incorporated new curricula. With support from UNICEF, 80 programme countries had adopted quality standards for primary education based on “child-friendly schools” or similar models by 2010, compared with 43 in 2005. UNICEF supported training on quality standards for such schools in 20 countries.

Sixty-three countries participated in the UNICEF-led Early Learning and Development Standards approach, which provided quality standards to monitor the school and developmental readiness of young children. UNICEF’s “Getting Ready for School: A Child-to-Child Approach” pilot programme [YUN 2008, p. 1292] increased age-appropriate entry into schools and improved school readiness among participating children. In 2010, UNICEF and the United Nations Educational, Scientific and Cultural Organization (UNESCO) launched a Global Initiative on Out-of-School Children that aimed to introduce a more systematic approach to the challenge of out-of-school children and to guide education sector reforms. The Fund also promoted the establishment of a protective learning environment for children, especially girls, as an integral part of quality education.

HIV/AIDS and children

AIDS remained a main cause of under-five mortality in countries with high HIV prevalence, and correct knowledge about HIV among young men and women was still low, at 34 per cent globally. The global *Unite for Children, Unite against AIDS* campaign [YUN 2005, p. 1290] highlighted the needs and rights of children affected by HIV. UNICEF and the Joint United Nations Programme on HIV/AIDS (UNAIDS) had established as a joint priority the elimination of mother-to-child transmission (MTCT), and a new global initiative to eliminate MTCT by 2015 was launched during the year. Along with the Global Fund to Fight AIDS, Tuberculosis and Malaria, UNICEF and other UN entities focused efforts on 20 highly affected countries,

mobilizing about \$70 million in funds. UNICEF’s procurement of HIV commodities in 2010 totalled \$101 million, providing antiretroviral drugs, rapid tests for HIV and sexually transmitted infections and HIV diagnostics. Slightly more infants were receiving antiretroviral drugs to prevent the acquisition of HIV from their mothers, but early infant diagnosis was still limited. UNICEF helped countries to devise appropriate HIV testing policies for pregnant women, which led to the testing of an estimated 26 per cent of pregnant women in low- and middle-income countries.

In November, UNICEF published *Children and AIDS: Fifth Stocktaking Report* [Sales No. E.10.XX.9], which examined data, trends and progress, pointed out disparities in access, coverage and outcomes, and called for actions to benefit the millions of affected children, women and families.

UNAIDS programme coordination

At its second regular session in September [E/2010/34/Rev.1], the Executive Board considered an oral report on the UNICEF follow-up to the UNAIDS Programme Coordinating Board meetings. Delegates focused on UNICEF collaboration with UNAIDS to eliminate MTCT, the empowering of women in combating HIV/AIDS, and greater coherence in fighting the epidemic.

Child protection from violence, exploitation and abuse

Strengthening of child protection systems was a major focus across all regions. With UNICEF support, social welfare and justice systems were strengthened in an estimated 131 programme countries. Progress was made in aligning national policies with international standards for alternative care, and more countries conducted analyses of key child protection issues.

A global framework to measure and monitor armed violence, which included child-specific indicators, was developed, and UNICEF, together with Save the Children, established the inter-organizational Child Protection Monitoring and Evaluation Reference Group to improve data collection methodologies and coordination. The protection of children affected by armed conflict was emphasized, with reintegration support provided to 28,000 children affected by armed conflict and 11,400 boys and girls associated with armed forces and armed groups.

The role of child labour in undermining progress on the MDGs was recognized for the first time in the outcome document of the General Assembly High-level Plenary Meeting on the MDGs (see **resolution 65/1**, p. 815). The Road Map towards the Elimination of the Worst Forms of Child Labour by 2016 identified 10 countries where UNICEF and the International Labour Organization (ILO) would strengthen collaboration.

Policy advocacy and partnerships for children's rights

In 2010, UNICEF supported countries in collecting and analysing household-level data for monitoring the situation of children and women and the MDGs. Global databases on children and women were updated throughout the year to provide a stronger understanding of inequalities. Sector-specific reports were published on mortality, children and AIDS, and water and sanitation. UNICEF worked to harmonize data among partners, and the UNICEF-supported DevInfo—a database for monitoring human development—had over 120 adaptations available.

In-depth research was carried out to analyse the situation of children's and women's rights in 81 countries. The UNICEF Innocenti Research Centre continued to analyse global trends affecting children; in 2010, its flagship report focused on children left behind in wealthy countries.

The Child Poverty Network grew to become the second-largest UNICEF knowledge network, with over 1,000 members from 150 countries. Six countries joined the Global Initiative on Child Poverty and Disparities, bringing the number of participating countries to 52. Thirteen national reports were completed.

In over 80 countries, UNICEF supported national partners in their development and review of poverty reduction and national development strategies, with a focus on identifying policies and programmes to address systemic bottlenecks and social barriers facing the most disadvantaged. A policy advocacy toolkit was published and an e-learning course, "Social policy for child rights with equity", was updated.

Due to the limited capacity of UNICEF, Governments and other partners, only a few countries had developed policies, laws, strategies and frameworks that promoted child and adolescent participation. It was, however, being institutionalized through the "child-friendly cities" in Eastern Europe; middle-income countries were encouraging participation in secondary schools; and the least developed countries were focusing on traditional avenues of child participation such as the media and child parliaments.

Humanitarian action

In 2010, UNICEF responded to 290 humanitarian situations in 98 countries. In the aftermath of the earthquake in Haiti and the floods in Pakistan, the organization mounted its two largest and most complex humanitarian responses since the 2004 Indian Ocean tsunami. The value of the goods procured doubled in 2010 compared to the years 2008 and 2009 combined. Local and international emergency procurement stood at \$195 million, of which more than half went to the responses in Haiti and Pakistan.

In April, UNICEF revised its Core Commitments for Children in Humanitarian Action [YUN 2003, p. 1205]. To strengthen accountability and learning from major 2010 humanitarian experiences, the Fund contributed to inter-agency real-time evaluations of the Haiti and Pakistan responses, commissioned an independent review and led an internal learning exercise regarding its Haiti response.

Organizational matters*Evaluation system*

In accordance with UNICEF evaluation policy [YUN 2008, p. 1287] and relevant Executive Board decisions, UNICEF in July submitted an annual report [E/ICEF/2010/18] on the evaluation function and major evaluations in UNICEF. The report reviewed global developments in evaluation and the state of the evaluation function in UNICEF at country, regional and global levels, outlining progress in strengthening the decentralized evaluation function, which reflected the decentralized nature of the organization. The report summarized major evaluations conducted. Country offices carried out about 250 evaluations per year. As requested by the Board, UNICEF increased its efforts to strengthen national evaluation capacities and, in cooperation with development partners, provided support to Governments in enhancing national evaluation systems.

Taking note of the report on 9 September [dec. 2010/16], the Board encouraged the Fund to improve the integration of cross-cutting areas in evaluation methodologies and urged it to strengthen the capacity of the evaluation function at all levels.

Gender policy

In response to an Executive Board decision [YUN 2009, p. 1175], UNICEF reported to the Board [E/ICEF/2010/11] on progress in implementing the management response to the gender policy evaluation. The report described how UNICEF had used the conclusions and lessons learned from the evaluation to strengthen organizational performance and effectiveness. UNICEF had enacted strategic shifts in promoting gender equality as a foundation strategy of the MTSP 2006–2013. A Global Consultation held in early 2010 led to the development of a three-year strategic priority action plan to guide those efforts and tackle remaining challenges. A matrix highlighting progress [E/ICEF/2010/12] was also presented to the Board.

Taking note of the report on 4 June [dec. 2010/7], the Executive Board welcomed the efforts made to improve training and disseminate practical operational guidance to staff in all focus areas. It requested UNICEF to improve the identification, definition and achievement of gender equality results at the country level, and to report on progress in 2011.

Human resources

In follow-up to a Board decision [YUN 2007, p. 1219], UNICEF reported [E/ICEF/2010/AB/L.9] on progress made in human resource management since 2007. The report detailed staffing profiles, structures and recent trends; described the strategic workforce planning taking place to ensure a consistent supply of talent as well as appropriate human resource frameworks and processes; and described actions to address those and other challenges.

Taking note of the report on 9 September [dec. 2010/21], the Executive Board urged UNICEF management to accelerate progress in addressing human resources gaps while reflecting diversity and gender equality; requested UNICEF to address the challenges of staff recruitment, immediate deployment and retention; and urged the Fund to stimulate a more active rotation within the organization and mobility among UN entities. The Executive Director was requested to report in 2011 on progress made.

Ethics Office

Following the establishment of the Ethics Office in 2007, UNICEF in July submitted the first report on its activities [E/ICEF/2010/17], covering the period from 15 August 2008 to 31 December 2009. The report reviewed matters brought to the attention of the Office as well as systematic ethics issues found within the organization. In total, 1,240 requests were received, asking for support on financial disclosure, ethics advice, protection against retaliation and training.

Taking note of the report on 9 September [dec. 2010/18], the Executive Board requested the Fund to keep it informed of progress in achieving the Ethics Office action plan. The Office was encouraged to enhance its briefings, training and counselling services, and to report annually to the Board.

JIU reports

In January, the Executive Board had before it a UNICEF report [E/ICEF/2010/4] on recommendations of the Joint Inspection Unit (JIU). The report summarized JIU reports and notes prepared from September 2008 through August 2009, comments on pertinent recommendations, and the implementation status of JIU recommendations. During that period, JIU issued five reports and five notes of interest to UNICEF.

In December [E/ICEF/2011/4], UNICEF presented its response to seven JIU reports issued between September 2009 and August 2010 for consideration at the Board's first regular session in 2011.

Organizational review

In follow-up to a Board decision [YUN 2007, p. 1220], UNICEF submitted an update [E/ICEF/2010/13] on pro-

gress on the implementation and impact of measures taken in response to the organizational review of the Fund [YUN 2006, p. 1378].

Finances

In 2010, UNICEF income totalled \$3,682 million, a 13 per cent increase compared to 2009, mainly due to the emergency responses for Haiti and Pakistan. Although the task of raising resources proved challenging because of the global economic downturn, total income exceeded the financial plan for 2010 by \$457 million. UNICEF derived its income mainly from Governments, which contributed \$2,083 million (56.6 per cent), and from the private sector and NGOs, which contributed \$1,188 million (32.2 per cent). The balance came from inter-organizational arrangements, with contributions of \$356 million (9.7 per cent), and other sources, with contributions of \$55 million (1.5 per cent). Total expenditure increased by 11 per cent compared with 2009 and amounted to \$3,653 million—\$243 million (7 per cent) more than planned. Expenditure on programme assistance amounted to \$3,355 million, while combined expenditure on programme support (\$176 million), management and administration (\$77 million) and centrally shared security costs (\$23 million) amounted to \$276 million.

Budget appropriations

At the Board's first regular session [E/ICEF/2010/P/L.1 & Corr.1], the Fund recommended approving additional regular resources for 10 approved country programmes extended by a 2009 decision [YUN 2009, p. 1183]. The Board approved the requested amount of \$57,137,000 on 14 January [dec. 2010/2].

Following up on its 2009 decision [YUN 2009, p. 1181] on the biennial support budget for 2010–2011, the Board on 14 January [dec. 2010/5] welcomed the joint UNDP/UNFPA/UNICEF information note on the road map to an integrated budget; urged UNICEF to adhere to the proposed time frames and inform the Board of progress; and decided to include the update of the results matrix of the biennial support budget for 2010–2011 [E/ICEF/2010/CRP.3] in the biennial support budget.

In June, the Executive Board had before it 13 draft country programme documents for approval. On 4 June [dec. 2010/8], it approved the aggregate indicative budgets for those programmes, amounting to the following totals of regular and other resources, respectively, by region: Central and Eastern Europe and the Commonwealth of Independent States: \$20,015,000 and \$130,500,000; East Asia and the Pacific: \$179,785,000 and \$400,842,000; Eastern and Southern Africa: \$3,755,000 and \$31,750,000;

Middle East and North Africa: \$19,936,000 and \$226,085,000.

In July [E/ICEF/2010/P/L.29], UNICEF requested additional regular resources in the amount of \$340,230,086 for 47 approved country programmes which—as a result of the modified system for the allocation of regular resources and global regular resources available for programmes—required resources beyond the levels originally approved. The Board approved that request on 9 September [dec. 2010/13].

Also on 9 September [dec. 2010/12], the Board approved the aggregate indicative budget for six country programmes for the period 2011–2015. The authorized budget amounted to the following totals for regular and other resources, respectively, by region: Eastern and Southern Africa: \$85,120,000 and \$364,765,000; West and Central Africa: \$75,745,000 and \$87,800,000; the Americas and the Caribbean: \$3,750,000 and \$6,250,000; East Asia and the Pacific: \$27,700,000 and \$127,500,000; South Asia: \$3,750,000 and \$3,480,000.

Resource mobilization

In 2010, UNICEF continued to collaborate with Governments and the private sector to mobilize regular and other resources. Although the number of contributing Governments decreased to 82, compared with 102 in 2009, public sector contributions increased to \$2,440 million. Private sector contributions, comprising income from UNICEF National Committees, individual donors, foundations and NGOs, increased from \$916 million in 2009 to \$1,187 million.

Regular resources amounted to \$965 million, which was less than planned due to the global economic downturn. The Japan Committee for UNICEF was the largest donor to regular resources, contributing \$148.2 million.

Thematic funding, which supported the achievement of the five MTSP focus areas by allowing long-term planning, sustainability and savings in transaction costs for both UNICEF and donors, increased by 5 per cent over 2009 to \$241 million. Young child survival and development funding increased to \$32.6 million.

Income for humanitarian assistance rose by 54 per cent, attributed to donor response to two high-profile natural disasters, amounting to \$1,023 million. The Fund requested funding for 61 emergency situations and sought \$1.8 billion for its humanitarian interventions.

Private Fundraising and Partnerships

In January, the Executive Board had before it a report on the 2010 Private Fundraising and Partnerships (PFP) workplan and proposed budget [E/ICEF/2010/AB/L.1], according to which PFP in 2010 would generate a projected sum of \$761.4 million in

net consolidated income, of which \$360.6 million would be for regular resources and \$400.8 million for other resources. That would be achieved with expenditures of \$125.3 million.

On 14 January [dec. 2010/3], the Executive Board approved budgeted expenditures of \$125.3 million for the 2010 PFP work plan. It authorized UNICEF to increase expenditures up to \$130.2 million, should the proceeds from fundraising or card and gift sales increase, and to reduce expenditures to the extent necessary, should net proceeds decrease. The Board authorized UNICEF to redeploy resources among the various budget lines up to a maximum of 10 per cent of the approved amounts, and, when necessary, to spend an additional amount between Board sessions up to the amount caused by currency fluctuations, to implement the 2010 approved workplan. The Board also renewed investment funds, with \$25.6 million established for 2010. It authorized UNICEF to incur expenditures in the 2010 fiscal period related to the cost of goods delivered (production and purchase of raw materials, cards and other products) for the 2011 fiscal year up to \$27.7 million, as indicated in the PFP medium-term plan. It approved an interim one-month allocation for January 2011 in the amount of \$12.6 million, to be absorbed in the annual PFP budget for 2011, as well as the PFP medium-term plan for 2011–2014.

According to a report on private fundraising issued in July [E/ICEF/2010/AB/L.4], PFP's net income in 2009 amounted to \$775.2 million, a decrease of \$38 million (4.7 per cent) compared with 2008. That included private fundraising and sales of UNICEF cards and gifts.

Audits

In the annual report to the Executive Board on internal audit activities in 2009 [E/ICEF/2010/AB/L.5 & Corr.1], the Office of Internal Audit (OIA) stated that it had revised the methodology used to audit country offices to focus on high-level risks within three main functional areas: governance and risk management, management of programmes, and operations management. The report noted that 27 country office audits, 7 headquarters, systems audits and summary reports and 2 joint UN audits were completed in 2009. Forty-one per cent of country offices audited in 2009 were rated overall satisfactory and 41 per cent partially satisfactory. OIA issued 403 audit observations to country offices in 2009; 220 of those cases remained open as at 31 March. High-risk observations remained at 13 per cent of the total number of risks.

Taking note of the report and the UNICEF management response to it [E/ICEF/2010/AB/L.6], the Executive Board on 9 September [dec. 2010/17] welcomed the increase in completed audits. The Board requested that UNICEF management address the follow-up and implementation of internal audit observations

and recommendations, especially in high-risk areas. It called on UNICEF to address systemic weaknesses and requested it to develop clear guidelines, targets and indicators to promote greater efficiency in country offices and to report back to the Board on any efficiency savings made.

Recovery policy

At its first regular session, the Executive Board considered a report [E/ICEF/2010/AB/L.3] on the implementation of the UNICEF cost recovery policy, submitted in response to a 2006 decision [YUN 2006, p. 1376]. The report covered the 2006–2007 biennium, during which cost recovery amounted to \$225 million. The cost recovery rates endorsed by the Board in 2006 had furthered progress towards simplification, harmonization and fiscal prudence.

Taking note of the report on 14 January [dec. 2010/4], the Board recommended including cost recovery in the road map to an integrated UNDP, UNFPA and UNICEF budget.

International Public Sector Accounting Standards

In response to a Board decision [YUN 2009, p. 1174], the Fund submitted two reports to the Board's first and second regular sessions [E/ICEF/2010/AB/L.2, E/ICEF/2010/AB/L.8], respectively, on progress made in implementing the International Public Sector Accounting Standards. As an annual financial statement would replace interim and biennial ones by 2012, UNICEF had increased financial reporting requirements to develop a better understanding of data collection requirements and to build capacity across the organization. The Fund acknowledged the important role of senior management in leading the change, the critical partnership with external auditors and advisors, the requirement to use resources efficiently, and the need to communicate the changes and their impact to internal and external stakeholders.

Youth

International Year of Youth

The General Assembly, by resolution 64/134 [YUN 2009, p. 1187] declared 2010 the International Year of Youth: Dialogue and Mutual Understanding, to commence on 12 August, International Youth Day [YUN 1999, p. 1123]. The Assembly welcomed the holding of a World Youth Conference in León, Mexico (25–27 August).

Report of Secretary-General. In response to General Assembly resolution 64/134 [YUN 2009, p. 1187], the Secretary-General reported [A/66/129] on key activities and initiatives undertaken by Member

States, civil society organizations, UN entities, individuals and communities in support of the International Year of Youth: Dialogue and Mutual Understanding. The Year promoted communication across generations, cultures, religions and civilizations. Supporters aimed to utilize it as a catalyst for the full implementation of the World Programme of Action for Youth [YUN 1995, p. 1210], to increase young people's participation in society and to broaden their access to opportunities. The Year's launch on 12 August was celebrated in all regions, with Member States, civil society groups and UN entities organizing more than 350 events, including conferences, forums, competitions, concerts and youth summits. Member State initiatives included the national Youth Month in Jamaica and "The Youth are the Law" programme in Serbia. The Year spurred Governments to focus on youth-related programmes targeting broader national development priorities, such as youth unemployment, climate change and discrimination. At the regional level, the African Union made youth issues a priority. Events at the international level included the fifth World Youth Congress (Istanbul, Turkey, 31 July–13 August), the World Youth Conference (see below) and the Youth Olympic Games (Singapore, 14–26 August).

The report noted the important role civil society played in the success of the Year, as it provided input through initiatives such as the European Youth Forum (Berlin, Germany, 9–15 August) and the eleventh edition of the University on Youth and Development (Molina, Spain, 12–19 September). Activities and initiatives organized by UN entities included the United Nations Inter-Agency Network on Youth Development, which developed the United Nations Framework Approach for the Year (see p. 1193). On behalf of the Network, the focal point on youth within the UN Division for Social Policy and Development coordinated all activities related to the Year, including its launch, social media coverage and the distribution of publications. The UN Department of Public Information carried out publicity activities, while the regional commissions supported the Year by launching activities, adopting declarations and holding events. Among the UN specialized agencies, the Food and Agriculture Organization of the United Nations, ILO, UNESCO and UNICEF undertook advocacy initiatives focused on youth participation at the global level, trained and equipped environmental youth corps at the country level and launched various events and projects.

The Secretary-General recommended strengthening partnerships with and among young people, youth organizations, academia, civil society organizations, the private sector, the media and the UN system; promoting a culture of dialogue and mutual understanding among and with youth; and develop-

ing a youth-centred global development agenda in partnership with relevant stakeholders.

World Youth Conference. On 10 December [A/65/690-E/2011/11], Mexico transmitted the Guanajuato Declaration adopted at the World Youth Conference held in León, Mexico, from 25 to 27 August. The Conference was supported by various UN agencies, funds and programmes and attended by more than 3,000 young people from 135 countries. The Declaration covered a broad range of issues, including public policies and investment, poverty and hunger, education, employment, sustainable development and participation.

World Programme of Action for Youth

In 2010, UN policies and programmes on youth continued to focus on efforts to implement the World Programme of Action for Youth to the Year 2000 and Beyond, adopted by the General Assembly in resolution 50/81 [YUN 1995, p. 1211] and covering 10 priority issues for youth: education, employment, hunger and poverty, health, environment, drug abuse, juvenile delinquency, leisure-time activities, girls and young women, and participation in society and decision-making. In resolution 60/2 [YUN 2005, p. 1296], the Assembly added five additional priority areas: the mixed impact of globalization on young women and men; the use of and access to information and communication technologies; the increase in the incidence of HIV infection among young people and the impact of the epidemic on their lives; the involvement of young people in armed conflict, both as victims and as perpetrators; and the importance of addressing intergenerational issues in an ageing society.

Report of Secretary-General. In accordance with a request by the Commission for Social Development [YUN 2009, p. 1185], the Secretary-General in November submitted a report [A/66/61-E/2011/3] on the mechanisms for coordination and collaboration of UN entities in their work related to youth. The Secretary-General provided examples of effective UN system collaboration on youth at the global, regional and country levels and discussed steps to strengthen and increase coordination. The United Nations Inter-Agency Network on Youth Development, established in 2010, was the main mechanism of cooperation on matters related to youth development within the UN system, bringing together 17 entities working in the field of youth. In early 2010, it developed the United Nations Framework Approach for the International Year of Youth to guide collective efforts during the year. The focus was on increasing commitment and investment in youth, increasing youth participation and partnerships, and increasing intercultural understanding among youth. The Inter-Agency Network organized the Year's global launch on 12 August at UN Headquarters, which was supported by joint

events of several entities and UN information centres worldwide. Also in 2010, the Executive Committee on Economic and Social Affairs established a working group of its social development cluster to work on joint research initiatives on youth development. Other examples of institutionalized inter-agency collaboration included UNAIDS and the Youth Employment Network [YUN 2001, p. 1100], a partnership of the United Nations, ILO and the World Bank. At the global level, the United Nations Adolescent Girls Task Force pledged to intensify efforts to fulfil the human rights of adolescent girls in the areas of education, health, prevention of violence and leadership development. The report also provided examples of youth-related inter-agency cooperation on climate change and sustainable development, education in emergencies and the protection of children in the tourism sector.

The Secretary-General recommended a further increase of coordination and collaboration within the UN system, the adoption and implementation of regional inter-agency action plans in order to support Member States' efforts to develop youth policies, and the development of mechanisms for youth participation in UN inter-agency initiatives on youth development.

Communication. On 23 September [A/65/393], Uzbekistan transmitted to the General Assembly a survey on the attitude towards life, morality and social values of youth in Uzbekistan.

Ageing persons

Follow-up to Second World Assembly on Ageing (2002)

Reports of Secretary-General. In response to General Assembly resolution 64/132 [YUN 2009, p. 1189], the Secretary-General in July submitted to the General Assembly a report [A/65/158] providing an assessment of national implementation of the Madrid International Plan of Action on Ageing, 2002 [YUN 2002, p. 1194], adopted at the Second World Assembly on Ageing [ibid., p. 1193]. He reviewed national efforts to establish ageing-specific policies and programmes and to integrate ageing concerns into national development plans, as well as activities of the UN system in support of ageing-related policies. Although countries had established national plans and policies on ageing and integrated ageing into their national development plans, the extent to which that had been done varied considerably. National ageing policies were recently adopted in Mauritius, Morocco, Slovakia and Turkey. Antigua and Barbuda, Australia, China, France, Mauritius, Morocco, Nepal, Serbia and Tunisia reported initiatives to improve access to affordable housing and promote "ageing in place". Afghanistan, China, Ecuador, Indonesia,

Mauritius, Nepal, the Philippines and Viet Nam instituted social allowance initiatives for older persons. There was a need to provide training to health-care professionals, caregivers, community service providers and budget and finance specialists, all of whom must be equipped to focus on the needs of the older population. Building human resource capacity also involved nurturing the potential of older persons themselves, whose experience, skills and wisdom could be enhanced through volunteer opportunities. Encouraging older and young persons to volunteer together could be a way of building intergenerational solidarity. Member States had taken initiatives to promote positive and realistic images of older persons, including activities recognizing their value, worth and achievements. Regarding partnership-building, a number of Governments coordinated their efforts with NGOs working on behalf of ageing people and provided financial assistance for their work. To incorporate the human rights concerns of older persons, countries implemented policies, amended constitutions, adopted legislation, developed programmes and established national policies.

A topic that was slowly gaining attention among policymakers was elder abuse and neglect. Such abuse cut across all social, economic and national borders, with most victims being women and most perpetrators being family members. Heeding the call from civil society organizations, NGOs and UN entities, Governments had strengthened legislation to protect older persons against abuse.

Most developed countries had implemented policies providing for respite care for caregivers, informational seminars on caregiving, home health aids and, in some cases, a monthly stipend. Institutionalized care was available in most Member States. To supplement care for the elderly, countries had created community care centres and nutrition and feeding programmes. Regarding international cooperation to advance the implementation of the Madrid Plan, the UN Secretariat and UN bodies worked with Member States to build capacity, enact policies and legislation, raise awareness, provide training, and strengthen research and data collection. Activities included conferences on the human rights of older persons, data collection improvement and specific country programmes.

The Secretary-General recommended that Member States identify key priority areas for the remainder of the first decade of implementation; make the Plan an integral part of the development agenda; forge partnerships with organizations of older persons, academia, research foundations, community-based organizations and the private sector; and invest greater efforts in research and analysis to better inform policies on ageing.

Also in response to General Assembly resolution 64/132 [YUN 2009, p. 1189], the Secretary-General in July provided an overview [A/65/157] of the status of the

social situation, well-being, participation in development and rights of older persons worldwide. More than 760 million people were aged 60 years and over, and their number was growing. The proportion of older persons living alone had also risen. Women accounted for the majority of older persons, especially those aged 80 and above. Ageing persons accounted for more than 31 million international migrants by mid-2010. There had been an increase in the average pensionable age during the last decade, and a significant increase in life expectancy in most countries. The contribution of older persons reached beyond their economic activities and extended into their roles in families and the community. Nonetheless, older persons were faced with negative perceptions and stereotypes which could hinder their integration and participation in society. Since the Second World Assembly on Ageing [YUN 2002, p. 1193], several government initiatives had emerged in order to create forums for participation of older persons. A growing awareness of the significance of active ageing was noted, yet the literacy and educational attainments of older populations were far below those of the general population, contributing to their exclusion from full participation in society and development. Although two human rights instruments explicitly referred to age: the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families [YUN 1990, p. 594] and the Convention on the Rights of Persons with Disabilities [YUN 2006, p. 785], NGOs and other stakeholders maintained that a new international instrument to protect the rights of older persons was required.

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third (Social, Humanitarian and Cultural) Committee [A/65/448], adopted **resolution 65/182** without vote [agenda item 27 (d)].

Follow-up to the Second World Assembly on Ageing

The General Assembly,

Recalling its resolution 57/167 of 18 December 2002, in which it endorsed the Political Declaration and the Madrid International Plan of Action on Ageing, 2002, its resolution 58/134 of 22 December 2003, in which it took note, inter alia, of the road map for the implementation of the Madrid Plan of Action, and its resolutions 60/135 of 16 December 2005, 61/142 of 19 December 2006, 62/130 of 18 December 2007, 63/151 of 18 December 2008 and 64/132 of 18 December 2009,

Recognizing that, in many parts of the world, awareness of the Madrid Plan of Action remains limited or non-existent, which limits the scope of implementation efforts,

Taking note of the reports of the Secretary-General on the follow-up to the Second World Assembly on Ageing as well as the current status of the social situation, well-being, participation in development and rights of older persons,

1. *Reaffirms* the Political Declaration and the Madrid International Plan of Action on Ageing, 2002;
2. *Encourages* Governments to pay greater attention to building capacity to eradicate poverty among older persons, in particular older women, by mainstreaming ageing issues into poverty eradication strategies and national development plans, and to include both ageing-specific policies and ageing-mainstreaming efforts in their national strategies;
3. *Encourages* Member States to strengthen their efforts to develop national capacity to address their national implementation priorities identified during the review and appraisal of the Madrid Plan of Action, and invites Member States that have not done so to consider a step-by-step approach to developing capacity that includes the setting of national priorities, the strengthening of institutional mechanisms, research, data collection and analysis and the training of necessary personnel in the field of ageing;
4. *Also encourages* Member States to overcome obstacles to the implementation of the Madrid Plan of Action by devising strategies that take into account the entirety of the human life-course and foster intergenerational solidarity in order to increase the likelihood of greater success in the years ahead;
5. *Further encourages* Member States to place particular emphasis on choosing national priorities that are realistic, sustainable and feasible and have the greatest likelihood of being achieved in the years ahead and to develop targets and indicators to measure progress in the implementation process;
6. *Encourages* all Member States to further implement the Madrid Plan of Action as an integral part of their national development plans and poverty eradication strategies;
7. *Invites* Member States to identify key priority areas for the remainder of the first decade of implementation of the Madrid Plan of Action, including empowering older persons and promoting their rights, raising awareness of ageing issues and building national capacity on ageing;
8. *Recommends* that Member States increase awareness-raising of the Madrid Plan of Action, including by strengthening networks of national focal points on ageing, working with the regional commissions and enlisting the help of the Department of Public Information of the Secretariat to seek increased attention for ageing issues;
9. *Encourages* Governments that have not done so to designate focal points for handling follow-up of national plans of action on ageing;
10. *Invites* Governments to conduct their ageing-related policies through inclusive and participatory consultations with relevant stakeholders and social development partners, in the interest of developing effective policies creating national policy ownership and consensus-building;
11. *Calls upon* Governments to ensure, as appropriate, conditions that enable families and communities to provide care and protection to persons as they age, and to evaluate improvement in the health status of older persons, including on a gender-specific basis, and to reduce disability and mortality;
12. *Encourages* Governments to continue their efforts to implement the Madrid Plan of Action and to mainstream the concerns of older persons into their policy agendas, bearing in mind the crucial importance of family intergenerational interdependence, solidarity and reciprocity for social development and the realization of all human rights for older persons, and to prevent age discrimination and provide social integration;

13. *Recognizes* the importance of strengthening inter-generational partnerships and solidarity among generations, and in this regard calls upon Member States to promote opportunities for voluntary, constructive and regular interaction between young people and older generations in the family, the workplace and society at large;

14. *Invites* Member States to ensure that older persons have access to information about their rights so as to enable them to participate fully and justly in their societies and to claim full enjoyment of all human rights;

15. *Calls upon* Member States to develop their national capacity for monitoring and enforcing the rights of older persons, in consultation with all sectors of society, including organizations of older persons through, inter alia, national institutions for the promotion and protection of human rights where applicable;

16. *Also calls upon* Member States to strengthen and incorporate a gender perspective into all policy actions on ageing, as well as to eliminate and address discrimination on the basis of age and gender, and recommends that Member States engage with all sectors of society, including women's groups and organizations of older persons, in changing negative stereotypes about older persons, in particular older women, and promote positive images of older persons;

17. *Further calls upon* Member States to address the well-being and adequate health care of older persons, as well as any cases of neglect, abuse and violence against older persons, by designing more effective prevention strategies and stronger laws and policies to address these problems and their underlying factors;

18. *Calls upon* Member States to take concrete measures to further protect and assist older persons in emergency situations, in accordance with the Madrid Plan of Action;

19. *Stresses* that, in order to complement national development efforts, enhanced international cooperation is essential to support developing countries in implementing the Madrid Plan of Action, while recognizing the importance of assistance and the provision of financial assistance;

20. *Encourages* the international community to enhance international cooperation to support national efforts to eradicate poverty, in keeping with internationally agreed goals, in order to achieve sustainable social and economic support for older persons;

21. *Also encourages* the international community to support national efforts to forge stronger partnerships with civil society, including organizations of older persons, academia, research foundations, community-based organizations, including caregivers, and the private sector, in an effort to help to build capacity on ageing issues;

22. *Encourages* the international community and the relevant agencies of the United Nations system, within their respective mandates, to support national efforts to provide funding for research and data-collection initiatives on ageing in order to better understand the challenges and opportunities presented by population ageing and to provide policymakers with more accurate and more specific information on gender and ageing;

23. *Recognizes* the important role of various international and regional organizations that deal with training, capacity-building, policy design and monitoring at the national and regional levels in promoting and facilitating the implementation of the Madrid Plan of Action, and acknowledges the work that is undertaken in various parts of the world, as

well as regional initiatives, and institutes such as the International Institute on Ageing in Malta and the European Centre for Social Welfare Policy and Research in Vienna;

24. *Recommends* that Member States reaffirm the role of United Nations focal points on ageing, increase technical co-operation efforts, expand the role of the regional commissions on ageing issues and provide added resources for those efforts, facilitate the coordination of national and international non-governmental organizations on ageing and enhance cooperation with academia on a research agenda on ageing;

25. *Reiterates* the need for additional capacity-building at the national level in order to promote and facilitate further implementation of the Madrid Plan of Action, as well as the results of its first review and appraisal cycle, and in that connection encourages Governments to support the United Nations Trust Fund for Ageing to enable the Department of Economic and Social Affairs of the Secretariat to provide expanded assistance to countries, upon their request;

26. *Requests* the United Nations system to strengthen its capacity to support, in an efficient and coordinated manner, national implementation of the Madrid Plan of Action, where appropriate;

27. *Recommends* that ongoing efforts to achieve the internationally agreed development goals, including those contained in the United Nations Millennium Declaration, take into account the situation of older persons;

28. *Decides* to establish an open-ended working group, open to all States Members of the United Nations, for the purpose of strengthening the protection of the human rights of older persons by considering the existing international framework of the human rights of older persons and identifying possible gaps and how best to address them, including by considering, as appropriate, the feasibility of further instruments and measures, and requests the Secretary-General to provide all necessary support within existing resources for the duration of its mandate;

29. *Also decides* that the open-ended working group shall:

(a) Meet at United Nations Headquarters in New York;

(b) Decide on its calendar and programme of work by consensus at an organizational meeting early in 2011;

30. *Invites* States and relevant bodies and organizations of the United Nations system, including relevant human rights mandate holders and treaty bodies and the regional commissions, as well as intergovernmental and relevant non-governmental organizations with an interest in the matter, to make contributions to the work entrusted to the open-ended working group, as appropriate;

31. *Requests* the Secretary-General to submit to the General Assembly at its sixty-sixth session a report on the implementation of the present resolution, including the situation of the rights of older persons in all regions of the world.

Implementation of Madrid Plan of Action

Report of Secretary-General. In response to a request of the Commission for Social Development [YUN 2009, p. 1188], the Secretary-General submitted a report [E/CN.5/2010/4] to the Commission's forty-eighth session (3–12 February) that presented the priorities of Member States for the coming years, set out their views on mechanisms for improving the implementation of the Madrid Plan of Action [YUN

2002, p. 1194] and outlined options for future modalities for the review and appraisal process. Common priorities in all regions included establishing sustainable systems of social protection, encouraging the participation of older persons in the labour market, meeting the demand for quality and accessible health care, and guaranteeing the rights and participation of older persons in society. Member States and Permanent Observers had submitted 55 replies on how to improve the implementation of the Plan of Action. Those indicated continued support for the 11 central themes and the framework contained in the Plan of Action, including the importance of intergenerational interdependence and solidarity, and the full realization of all human rights and fundamental freedoms of older persons. The Secretary-General pointed out that the second cycle of review and appraisal would need to start soon, and proposed that the Commission for Social Development, at its forty-eighth (2010) session, decide the timing, modalities and theme for the second review, which would likely conclude with a global review exercise at the Commission's fiftieth (2012) session. He proposed a calendar, as well as the theme "Empowerment, protection and promotion of human rights for older persons", for consideration by Member States.

Commission for Social Development action.

At its forty-eighth regular session (New York, 3–12 February) [E/2010/26], the Commission adopted a draft resolution entitled "Future implementation of the Madrid International Plan of Action on Ageing, 2002" and recommended it to the Economic and Social Council for adoption.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 22 July [meeting 45], the Economic and Social Council, on the recommendation of the Commission for Social Development [E/2010/26], adopted **resolution 2010/14** without vote [agenda item 14 (b)].

Future implementation of the Madrid International Plan of Action on Ageing, 2002

The Economic and Social Council,

Recalling that, in the Madrid International Plan of Action on Ageing, 2002, adopted by the Second World Assembly on Ageing, held in Madrid from 8 to 12 April 2002, the systematic review of its implementation by Member States was requested as being essential for its success in improving the quality of life of older persons,

Recalling also that the Economic and Social Council, in its resolution 2003/14 of 21 July 2003, invited Governments, the United Nations system and civil society to participate in a "bottom-up" approach to the review and appraisal of the Madrid Plan of Action,

Bearing in mind that, in its resolution 42/1 of 13 February 2004, the Commission for Social Development decided to undertake the review and appraisal of the Madrid Plan of Action every five years,

Recognizing the need to incorporate a gender perspective in all measures concerning older persons,

Taking note with appreciation of the report of the Secretary-General, which was based on the results of the first review and appraisal of the Madrid Plan of Action,

1. *Calls upon* Member States to continue to participate effectively in the implementation of the Madrid International Plan of Action on Ageing, 2002, inter alia, through national strategies and policies and by improving data collection and sharing ideas, information and good practices, bearing in mind the report of the Secretary-General containing the strategic framework for future implementation of the Madrid Plan of Action;

2. *Encourages* Member States to continue their efforts to mainstream ageing into their policy agendas, bearing in mind the crucial importance of family, intergenerational interdependence, solidarity and reciprocity for social development and the realization of all human rights for older persons, and to prevent age discrimination and provide social integration;

3. *Urges* Member States to consider including in their national strategies, inter alia, policy implementation approaches, such as empowerment and participation, gender equality, awareness-raising and capacity development, and essential policy implementation tools such as evidence-based policymaking, mainstreaming, participatory approaches and indicators;

4. *Calls upon* Member States to adopt appropriate measures, including, if necessary, legislative measures to promote and protect the rights of older persons and measures aimed at providing economic and social security and health care, while mainstreaming a gender perspective, full participation of older persons in the decision-making processes affecting their lives and ageing with dignity;

5. *Also calls upon* Member States to take concrete measures to further protect and assist older persons in emergency situations, in accordance with the Madrid Plan of Action;

6. *Encourages* Member States to promote the development of regional and subregional networks of experts and practitioners from Governments, non-governmental organizations, academia and the private sector in order to increase the potential for policy action on ageing;

7. *Invites* Member States to continue reviewing their national capacity for policy development concerning older persons and demographic ageing, with a view to implementing appropriate measures to enhance their national capacity in this area of policy development, as necessary;

8. *Recommends* that Member States strengthen their networks of national focal points on ageing, work with the regional commissions to exchange information on best practices and undertake a range of awareness-raising activities, including enlisting the assistance of the Department of Public Information of the Secretariat to expand media coverage on ageing issues;

9. *Invites* Member States and all other major national and international stakeholders to continue their cooperation with the Department of Economic and Social Affairs of the Secretariat, as the United Nations global focal point on ageing, in further implementing the Madrid Plan of Action;

10. *Encourages* Member States to consider how best the international framework of norms and standards can ensure the full enjoyment of the rights of older persons, including, as appropriate, the possibility of instituting new policies, instruments or measures to further improve the situation of older persons;

11. *Recognizes* the important role of various international and regional organizations that deal with training, capacity-building, policy design and monitoring at the national and regional levels in promoting and facilitating the implementation of the Madrid Plan of Action;

12. *Acknowledges* the essential contributions of the United Nations regional commissions to the implementation, review and appraisal of the Madrid Plan of Action, including the organization of regional review and appraisal meetings and the preparation of their outcome documents, and calls upon the Secretary-General to strengthen the work of the regional commissions, including their focal points on ageing, to enable them to continue their regional implementation activities;

13. *Encourages* the international community, including international and bilateral donors, to enhance international cooperation, in keeping with internationally agreed goals, to support national efforts to eradicate poverty in order to ensure sustainable social and economic support for older persons, including by strengthening their national capacity in the area of policy development and implementation with regard to older persons, while bearing in mind that countries have the primary responsibility for their own economic and social development;

14. *Encourages* the international community and the relevant organizations of the United Nations system, within their respective mandates, to support national and regional efforts, to provide funding for research and data-collection initiatives on ageing in order to better understand the challenges and opportunities presented by population ageing and to provide policymakers with more accurate and specific information on ageing and gender, for example, for policy planning, monitoring and evaluation;

15. *Decides* that the procedure for the second review and appraisal of the Madrid Plan of Action shall follow the set procedure of the first review and appraisal exercise and shall include preparatory activities at the national and regional levels, including those conducted by the regional commissions, to conclude in 2012;

16. *Decides also* to conduct the second global review and appraisal of the Madrid Plan of Action in 2013 at the fifty-first session of the Commission for Social Development;

17. *Endorses* the theme "Full implementation of the Madrid International Plan of Action on Ageing: social situation, well-being and dignity, development and the full realization of all human rights for older persons" for the second review and appraisal exercise, and encourages Member States to work on awareness-raising on this theme;

18. *Requests* the Secretary-General to submit to the Commission at its forty-ninth session a report on the implementation of the present resolution.

Refugees and displaced persons

In 2010, the number of people of concern to the Office of the United Nations High Commissioner for Refugees (UNHCR) decreased to 33.9 million, from 36.5 million in 2009, including 10.6 million refugees, of which 7.2 million were living in a protracted situation. The number of stateless persons stood at 3.5 million, compared with 6.6 million in 2009. The reduction was a result of methodological changes for counting stateless persons, with the actual number of stateless persons estimated to be closer to 12 million. The number of internally displaced persons (IDPs) reached an estimated 27.5 million, with some 14.7 million receiving UNHCR protection and assistance. The estimated number of returned refugees was 197,600, the lowest in 20 years. In contrast, the number of returned IDPs was 2.9 million, the highest in almost 15 years.

Sub-Saharan Africa hosted 10 million people of concern, and efforts to keep them safe from violence, rape and exploitation were critical in all operations. In central and south Somalia, continued political turmoil, violence and a severe drought displaced tens of thousands of people within the country and across its borders. Positive developments included the return of some 42,000 refugees and nearly 1 million IDPs, mostly in the Central Africa and Great Lakes region. Some 9,250 Congolese repatriated from Zambia during the year, bringing organized returns from that country to a close. Some 162,000 Burundian refugees were naturalized in the United Republic of Tanzania. The General Assembly in December took action on assistance to refugees, returnees and displaced persons in Africa.

In the Americas, which hosted 4.6 million people of concern, UNHCR focused on reinforcing protection mechanisms, finding comprehensive solutions and enhancing partnerships.

The Asia-Pacific region hosted 10.8 million people of concern, with UNHCR activities centring on safeguarding protection and asylum space, finding solutions for protracted refugee situations, ensuring protection and durable solutions for IDPs, and protecting stateless persons.

The Middle East and North Africa hosted and produced large numbers of refugees and IDPs, as well as a large stateless population of approximately 4.5 million people. The protection space remained weak, and the absence of national asylum systems hampered the Office's ability to carry out its mandate.

Some 274,000 people applied for asylum in Europe, which hosted 4 million people of concern. UNHCR priorities were to ensure respect for the principles of international protection, strengthen assistance and durable solutions, and mobilize support for UNHCR global efforts to protect and assist people of concern.

In pursuit of durable solutions for refugees, UNHCR efforts focused on voluntary repatriation, local integration and resettlement. A number of voluntary repatriation operations took place, with 197,600 refugees returning home, primarily to Afghanistan, the Democratic Republic of the Congo and Iraq. The Office assisted many refugees in different countries to prepare for local integration, including through education and self-reliance projects and by providing legal assistance. The number of countries with regular resettlement programmes expanded to 25, with Bulgaria, Hungary, Paraguay and Spain establishing new programmes, and Japan and Romania starting pilot programmes.

The Executive Committee in October adopted a conclusion on refugees with disabilities and other persons with disabilities protected and assisted by UNHCR. In December, UNHCR marked its sixtieth anniversary.

Office of the United Nations High Commissioner for Refugees

Programme policy

Executive Committee

At its sixty-first session (Geneva, 4–8 October) [A/65/12/Add.1], the Executive Committee of the UNHCR Programme met to review and approve the Office's programmes and budget, advise on international protection and discuss other issues with UNHCR and its intergovernmental and non-governmental partners. The Committee adopted a conclusion on refugees with disabilities and other persons with disabilities protected and assisted by UNHCR, in which it called upon States, UNHCR and relevant partners to protect and assist refugees, and other persons with disabilities against all forms of discrimination, provide support in addressing their needs and raise awareness on disability issues. It requested UNHCR to include disability awareness in

its policy guidelines and training programmes, and to provide Member States with periodic updates on the follow-up to the conclusion.

In other actions, the Committee adopted decisions on the programme of work of the Standing Committee in 2011, observer participation in the Standing Committee's 2010–2011 meetings, administrative, financial and programme matters and the provisional agenda of its sixty-second (2011) session. On 15 February, the Committee held an extraordinary meeting [A/AC.96/1082] of its sixty-first session, at which it elected a new chairperson.

In his opening statement to the Committee [A/AC.96/SR.639], the High Commissioner discussed the main challenges and global trends affecting the work of UNHCR, as well as the Office's internal reform measures. The year 2009 had been the worst in two decades for voluntary repatriation of refugees with approximately 250,000 returning home, representing about one quarter of the annual average for the previous 10 years. Changes were occurring in the peacekeeping environment, with UN and regional peacekeeping missions often deployed amid ongoing violence and internal conflicts. Civilians and humanitarian workers were being targeted, as distinctions between the military and non-military spheres had become blurred. UNHCR insisted on the need to preserve the autonomy of humanitarian space; respect for the principles of independence, impartiality and neutrality was the best guarantor of the security of humanitarian staff. At the same time, a number of States had signalled a growing discomfort with peacekeeping operations in their territories, and concerns about sovereignty were increasingly translated into the rejection of international presence. Against such a backdrop, clarity and consistency were essential for the future of peacekeeping and peacebuilding.

Protracted conflicts were creating a number of quasi-permanent, global refugee populations. Host countries such as Pakistan and Iran, where most Afghan refugees resided, continued to demonstrate extraordinary generosity, identifying protection needs and providing education and sustainable livelihoods for refugees. Elsewhere, Afghan refugees were to be found across 69 countries. Somali refugees were also found in many parts of the world, notably in Ethiopia, Djibouti, Kenya and Yemen. Some had even been deported to Mogadishu, where they had been subjected to security crackdowns and racist attacks and risked being targeted for recruitment by parties to the conflict. The High Commissioner called on countries to provide refugees with protection in line with relevant eligibility guidelines, and urged States to refrain from enforcing returns to Mogadishu. He also stated that the burden for hosting refugees in protracted situations was borne disproportionately by the devel-

oping world. That burden, combined with the impact of the global financial and economic crisis, had put the resources of host countries and host communities under serious strain.

Even after repatriation, refugee-affected areas often required rehabilitation. The Office's efforts with its partners to rehabilitate affected land needed to be expanded, and increased international solidarity and burden-sharing was needed. Resettlement was a tangible example of effective burden-sharing, with 12 new countries establishing resettlement programmes since 2008. Transit facilities had been established in the Philippines, Romania and Slovakia. Nevertheless, a huge gap remained between resettlement needs and capacity. Given the critical importance of resettlement as a protection tool and a strategic instrument to combat long-term refugee situations, the High Commissioner appealed to countries to establish or expand resettlement programmes.

With regard to internal reform, the High Commissioner stated that UNHCR had increased its operations by over 60 per cent since 2005, using approximately the same number of staff worldwide. Savings in staff costs meant that critical gaps in the areas of sexual and gender-based violence, malaria, malnutrition, reproductive health and water and sanitation could be addressed. Most of the initiatives on human resources policy had been implemented, and the Office was establishing a fully independent advisory and audit committee to replace the Oversight Committee.

In 2010 and beyond, priorities in the development of UNHCR capacity would focus on protection, emergency preparedness and response. With more refugees living in cities than camps, efforts to reach those populations were also increasing. Regarding the needs of displaced populations, the fundamental objective was to mobilize emergency personnel and dispatch the first relief items within 72 hours. The quick succession of crises in Kyrgyzstan and Pakistan in 2010, together with contingency stockpiling for situations in the East and the Horn of Africa, had underlined the importance of being able to respond to more than one emergency simultaneously.

The High Commissioner noted the forthcoming anniversaries in 2011 of the 1951 Convention relating to the Status of Refugees [YUN 1951, p. 520] and the 1961 Convention on the Reduction of Statelessness [YUN 1961, p. 533]. He hoped that States would take the opportunity to pledge concrete actions to reinforce international protection, provide durable solutions, resolve refugee situations and define approaches to new challenges. The commemorations would also provide a platform for increasing public understanding of and support for forcibly displaced and stateless people.

Appointment. On 22 April, the General Assembly, by **decision 64/419**, re-elected António Manuel de Oliveira Guterres as United Nations High Commissioner for Refugees for a five-year period beginning on 15 June.

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third (Social, Humanitarian and Cultural) Committee [A/65/450], adopted **resolution 65/194** without vote [agenda item 61].

Office of the United Nations High Commissioner for Refugees

The General Assembly,

Having considered the report of the United Nations High Commissioner for Refugees on the activities of his Office and the report of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees on the work of its sixty-first session and the conclusions and decisions contained therein,

Recalling its previous annual resolutions on the work of the Office of the United Nations High Commissioner for Refugees since its establishment by the General Assembly,

Expressing its appreciation, in the year which marks the sixtieth anniversary of the Office of the High Commissioner, for the leadership shown by the High Commissioner, commending the staff and implementing partners of the Office for the competent, courageous and dedicated manner in which they discharge their responsibilities, and underlining its strong condemnation of all forms of violence to which humanitarian personnel and United Nations and associated personnel are increasingly exposed,

1. *Endorses* the report of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees on the work of its sixty-first session;

2. *Welcomes* the important work undertaken by the Office of the United Nations High Commissioner for Refugees and its Executive Committee in the course of the year, which is aimed at strengthening the international protection regime and at assisting Governments in meeting their protection responsibilities;

3. *Also welcomes* the adoption by the Executive Committee of the conclusion on protracted refugee situations and the conclusion on refugees with disabilities and other persons with disabilities protected and assisted by the Office of the High Commissioner;

4. *Reaffirms* the 1951 Convention relating to the Status of Refugees and the 1967 Protocol thereto as the foundation of the international refugee protection regime, recognizes the importance of their full and effective application by States parties and the values they embody, notes with satisfaction that one hundred and forty-seven States are now parties to one instrument or to both, encourages States not parties to consider acceding to those instruments, underlines, in particular, the importance of full respect for the principle of non-refoulement, and recognizes that a number of States not parties to the international refugee instruments have shown a generous approach to hosting refugees;

5. *Notes* that sixty-five States are now parties to the 1954 Convention relating to the Status of Stateless Persons

and that thirty-seven States are parties to the 1961 Convention on the Reduction of Statelessness, encourages States that have not done so to give consideration to acceding to those instruments, notes the work of the High Commissioner in regard to identifying stateless persons, preventing and reducing statelessness and protecting stateless persons, and urges the Office of the High Commissioner to continue to work in this area in accordance with relevant General Assembly resolutions and Executive Committee conclusions;

6. *Welcomes* the initiative of the United Nations High Commissioner for Refugees to facilitate, in consultation with States, the convening of an intergovernmental event at the ministerial level on the occasion of the sixtieth anniversary of the 1951 Convention and the fiftieth anniversary of the 1961 Convention;

7. *Re-emphasizes* that the protection of refugees is primarily the responsibility of States, whose full and effective cooperation, action and political resolve are required to enable the Office of the High Commissioner to fulfil its mandated functions, and strongly emphasizes, in this context, the importance of active international solidarity and burden- and responsibility-sharing;

8. *Also re-emphasizes* that prevention and reduction of statelessness are primarily the responsibility of States, in appropriate cooperation with the international community;

9. *Further re-emphasizes* that protection of and assistance to internally displaced persons are primarily the responsibility of States, in appropriate cooperation with the international community;

10. *Encourages* the Office of the High Commissioner to pursue its efforts to strengthen its capacity to respond adequately to emergencies and thereby ensure a more predictable response to inter-agency commitments in case of emergency;

11. *Takes note* of the current activities of the Office of the High Commissioner related to protection of and assistance to internally displaced persons, including in the context of inter-agency arrangements in this field, emphasizes that such activities should be consistent with relevant General Assembly resolutions and should not undermine the refugee mandate of the Office and the institution of asylum, and encourages the High Commissioner to continue his dialogue with States on the role of his Office in this regard;

12. *Encourages* the Office of the High Commissioner to work in partnership and in full cooperation with relevant national authorities, United Nations offices and agencies, international and intergovernmental organizations, regional organizations and non-governmental organizations to contribute to the continued development of humanitarian response capacities at all levels, and recalls the role of the Office as the cluster lead for protection, camp coordination and management, and emergency shelter in complex emergencies;

13. *Also encourages* the Office of the High Commissioner, among other relevant United Nations and other relevant intergovernmental organizations and humanitarian and development actors, to continue to work with the Office for the Coordination of Humanitarian Affairs of the Secretariat to enhance the coordination, effectiveness and efficiency of humanitarian assistance and to contribute, in consultation with States, as appropriate, to mak-

ing further progress towards common humanitarian needs assessments, as stated, among other important issues, in General Assembly resolution 64/76 of 7 December 2009 on the strengthening of the coordination of emergency humanitarian assistance of the United Nations;

14. *Further encourages* the Office of the High Commissioner to engage in and implement in full the objectives of the Delivering as One initiative;

15. *Notes with appreciation* the progress made in the implementation of the process of structural and management change, including the global needs assessment initiative, undertaken by the Office of the High Commissioner, and encourages the Office to consolidate the various aspects of the reform process, including the results-based management and accountability framework and strategy, and to focus on continuous improvement in order to enable a more efficient response to the needs of beneficiaries and to ensure the effective and transparent use of its resources;

16. *Strongly condemns* attacks on refugees, asylum-seekers and internally displaced persons as well as acts that pose a threat to their personal security and well-being, and calls upon all States concerned and, where applicable, parties involved in an armed conflict to take all measures necessary to ensure respect for human rights and international humanitarian law;

17. *Expresses deep concern* about the increasing number of attacks against humanitarian aid workers and convoys and, in particular, the loss of life of humanitarian personnel working in the most difficult and challenging conditions in order to assist those in need;

18. *Emphasizes* the need for States to ensure that perpetrators of attacks committed on their territory against humanitarian personnel and United Nations and associated personnel do not operate with impunity and that the perpetrators of such acts are promptly brought to justice as provided for by national laws and obligations under international law;

19. *Deplores* the refoulement and unlawful expulsion of refugees and asylum-seekers, and calls upon all States concerned to ensure respect for the relevant principles of refugee protection and human rights;

20. *Emphasizes* that international protection of refugees is a dynamic and action-oriented function that is at the core of the mandate of the Office of the High Commissioner and that it includes, in cooperation with States and other partners, the promotion and facilitation of, inter alia, the admission, reception and treatment of refugees in accordance with internationally agreed standards and the ensuring of durable, protection-oriented solutions, bearing in mind the particular needs of vulnerable groups and paying special attention to those with specific needs, and notes in this context that the delivery of international protection is a staff-intensive service that requires adequate staff with the appropriate expertise, especially at the field level;

21. *Affirms* the importance of age, gender and diversity mainstreaming in analysing protection needs and in ensuring the participation of refugees and other persons of concern to the Office of the High Commissioner, as appropriate, in the planning and implementation of programmes of the Office and State policies, and also affirms the importance of according priority to addressing discrimination, gender inequality and the problem of sexual and gender-

based violence, recognizing the importance of addressing the protection needs of women and children in particular;

22. *Strongly reaffirms* the fundamental importance and the purely humanitarian and non-political character of the function of the Office of the High Commissioner of providing international protection to refugees and seeking permanent solutions to refugee problems, and recalls that those solutions include voluntary repatriation and, where appropriate and feasible, local integration and resettlement in a third country, while reaffirming that voluntary repatriation, supported, as necessary, by rehabilitation and development assistance to facilitate sustainable reintegration, remains the preferred solution;

23. *Expresses concern* about the particular difficulties faced by the millions of refugees in protracted situations, and emphasizes the need to redouble international efforts and cooperation to find practical and comprehensive approaches to resolving their plight and to realize durable solutions for them, consistent with international law and relevant General Assembly resolutions;

24. *Recognizes* the importance of achieving durable solutions to refugee problems and, in particular, the need to address in this process the root causes of refugee movements in order to avert new flows of refugees;

25. *Welcomes* the initiative of the High Commissioner to convene, in Geneva on 8 and 9 December 2010, the fourth Dialogue on Protection Challenges, on the theme "Protection gaps and responses";

26. *Recalls* the important role of effective partnerships and coordination in meeting the needs of refugees and in finding durable solutions to their situations, welcomes the efforts under way, in cooperation with countries hosting refugees and countries of origin, including their respective local communities, relevant United Nations agencies, international and intergovernmental organizations, regional organizations, as appropriate, non-governmental organizations and development actors, to promote a framework for durable solutions, particularly in protracted refugee situations, which includes an approach to sustainable and timely return that encompasses repatriation, reintegration, rehabilitation and reconstruction activities, and encourages States, in cooperation with relevant United Nations agencies, international and intergovernmental organizations, regional organizations, non-governmental organizations and development actors, to support, inter alia, through the allocation of funds, the implementation of such a framework to facilitate an effective transition from relief to development;

27. *Recognizes* that no solution to displacement can be durable unless it is sustainable, and therefore encourages the Office of the High Commissioner to support the sustainability of return and reintegration;

28. *Welcomes* the progress that has been achieved in increasing the number of refugees resettled and the number of States offering opportunities for resettlement, as well as the contribution that those States make to durable solutions for refugees, and invites interested States, the Office of the High Commissioner and other relevant partners to make use of the Multilateral Framework of Understandings on Resettlement, where appropriate and feasible;

29. *Notes with appreciation* the activities undertaken by States to strengthen the regional initiatives that facilitate cooperative policies and approaches on refugees, and

encourages States to continue their efforts to address, in a comprehensive manner, the needs of the people who require international protection in their respective regions, including the support provided for host communities that receive large numbers of persons who require international protection;

30. *Notes* the importance of States and the Office of the High Commissioner discussing and clarifying the role of the Office in mixed migratory flows, in order to better address protection needs in the context of mixed migratory flows, including by safeguarding access to asylum for those in need of international protection, and notes the readiness of the High Commissioner, consistent with his mandate, to assist States in fulfilling their protection responsibilities in this regard;

31. *Emphasizes* the obligation of all States to accept the return of their nationals, calls upon States to facilitate the return of their nationals who have been determined not to be in need of international protection, and affirms the need for the return of persons to be undertaken in a safe and humane manner and with full respect for their human rights and dignity, irrespective of the status of the persons concerned;

32. *Expresses deep concern* about the challenges posed by climate change and environmental degradation to the protection activities of the Office of the High Commissioner and the assistance it provides to vulnerable populations of concern across the globe, particularly in the least developed countries, and urges the Office to continue to address such challenges in its work, within its mandate, and in consultation with national authorities and in cooperation with competent agencies in its operations;

33. *Notes* the positive efforts undertaken by the Government of Iraq to ensure the return and reintegration of Iraqi citizens displaced in and from Iraq, as well as the measures taken by host countries in the region in support of the displaced from Iraq, recognizes the serious impact of the displacement on the social and economic situation in the countries of the region, and in that context calls upon the international community to act in a targeted and coordinated manner to provide protection and increased assistance to the persons displaced in order to enable the countries in the region to strengthen their capacity to respond to the needs in partnership with the Office of the High Commissioner, other United Nations agencies, the International Red Cross and Red Crescent Movement and non-governmental organizations;

34. *Urges* all States and relevant non-governmental and other organizations, in conjunction with the Office of the High Commissioner, in a spirit of international solidarity and burden- and responsibility-sharing, to cooperate and to mobilize resources with a view to enhancing the capacity of and reducing the heavy burden borne by host countries, in particular those that have received large numbers of refugees and asylum-seekers, and calls upon the Office to continue to play its catalytic role in mobilizing assistance from the international community to address the root causes as well as the economic, environmental and social impact of large-scale refugee populations in developing countries, in particular the least developed countries, and countries with economies in transition;

35. *Expresses deep concern* about the existing and potential challenges posed by the world financial and economic crisis to the activities of the Office of the High Commissioner;

36. *Calls upon* the Office of the High Commissioner to further explore ways and means to broaden its donor base, so as to achieve greater burden-sharing by reinforcing cooperation with governmental donors, non-governmental donors and the private sector;

37. *Recognizes* that adequate and timely resources are essential for the Office of the High Commissioner to continue to fulfil the mandate conferred upon it through its statute and by subsequent General Assembly resolutions on refugees and other persons of concern, recalls its resolutions 58/153 of 22 December 2003, 58/270 of 23 December 2003, 59/170 of 20 December 2004, 60/129 of 16 December 2005, 61/137 of 19 December 2006, 62/124 of 18 December 2007, 63/148 of 18 December 2008 and 64/127 of 18 December 2009 concerning, inter alia, the implementation of paragraph 20 of the statute of the Office, and urges Governments and other donors to respond promptly to annual and supplementary appeals issued by the Office for requirements under its programmes;

38. *Requests* the High Commissioner to report on his activities to the General Assembly at its sixty-sixth session.

Enlargement of Executive Committee

On 22 July, the Economic and Social Council, by **decision 2010/246**, noted the requests of Bulgaria [E/2010/86], Cameroon [E/2010/94], Croatia [E/2010/87], Togo [E/2010/95] and Turkmenistan [E/2010/96] to enlarge the membership of the Executive Committee, and recommended that the Assembly decide on enlarging the membership from 79 to 84 States. On 10 November, by **decision 2010/263**, the Council noted a request by the Congo [E/2010/103], and recommended that the General Assembly decide on enlarging the membership to 85 States.

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third Committee [A/65/450], adopted **resolution 65/192** without vote [agenda item 61].

Enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees

The General Assembly,

Taking note of Economic and Social Council decisions 2010/246 of 22 July 2010 and 2010/263 of 10 November 2010 concerning the enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees,

Taking note also of the request regarding the enlargement of the Executive Committee contained in the note verbale dated 9 September 2009 from the Permanent Mission of Cameroon to the United Nations addressed to the

Secretary-General, the note verbale dated 23 October 2009 from the Permanent Mission of Togo to the United Nations addressed to the Secretariat, the note verbale dated 27 October 2009 from the Permanent Mission of Bulgaria to the United Nations addressed to the Secretary-General, the letter dated 9 February 2010 from the Permanent Representative of Turkmenistan to the United Nations addressed to the Secretary-General, the letter dated 19 May 2010 from the Permanent Representative of Croatia to the United Nations addressed to the Secretary-General and the note verbale dated 12 July 2010 from the Permanent Mission of the Congo to the United Nations addressed to the Secretary-General,

1. *Decides* to increase the number of members of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees from seventy-nine to eighty-five States;

2. *Requests* the Economic and Social Council to elect the additional members at its resumed organizational session for 2011.

Standing Committee

The Standing Committee held three meetings in 2010 (2–4 March [A/AC.96/1084]; 22–24 June [A/AC.96/1092]; and 21 September [A/AC.96/1093]), during which it considered issues relating to UNHCR programme budgets and funding; international protection; regional activities and global programmes; programme/protection policy; coordination; management, financial control, administrative oversight and human resources; governance; and consultations. The Committee adopted decisions regarding programme budgets and funding in 2010 and the UNHCR Programme in the United Nations proposed strategic framework for the period 2012–2013. The Committee's work was summarized in an October Secretariat note [A/AC.96/1094].

In October [A/65/12/Add.1], the Executive Committee requested the Standing Committee to report on its work to the sixty-second (2011) session of the Executive Committee. It also approved applications by States and intergovernmental and international organizations to participate as observers in Standing Committee meetings in 2010 and 2011.

Refugee protection and assistance

In his annual report covering 2010 [A/66/12], the High Commissioner stated that 43.7 million people were forcibly displaced by conflict and persecution worldwide, the highest number in 15 years. The report reviewed the major challenges faced by States and UNHCR in protecting and assisting persons of concern, including sexual and gender-based violence; the rise in global irregular migration; the failure to respect the universal principle of non-refoulement; and the dramatic rise in deaths of asylum seekers and migrants at sea.

Global trends, such as demographic pressure and food, water and energy insecurity were affecting displacement and migration patterns. International and national security agendas and the rise of terrorist attacks had led to restrictive measures and policies against asylum seekers and refugees. As a result, the denial of access to territory remained a challenge. During the year, UNHCR focused on implementing the 10-Point Plan of Action on Refugee Protection and Mixed Migration [YUN 2006, p. 1394]; developing measures to protect asylum seekers at sea; contributing to international efforts to prevent and combat trafficking in people; promoting the development of protection-sensitive migration policies; responding to the international protection needs of unaccompanied minors in mixed movements; and exploring opportunities to increase protection space for refugees and asylum seekers, such as regional free movement arrangements and labour migration schemes.

With regard to statelessness, despite increased momentum in efforts to prevent and reduce statelessness, progress had been slow, with up to 12 million people remaining stateless. The number of statelessness situations in which UNHCR undertook an operational response increased. The Office's new four-pillar budget structure, which included a separate budget for statelessness, allowed field offices to establish distinct programmes to ensure that responding to statelessness was given priority in relevant operations. Furthermore, a growing number of UNHCR operations had set objectives relating to statelessness.

The report also reviewed UNHCR activities on the safety and security of staff and populations of concern; emergency preparedness and response; and assuring basic needs and essential services for people of concern, including health services, targeted interventions to protect women and girls, education, and livelihood opportunities based on sound environmental management.

In a June note on international protection [A/AC.96/1085], the High Commissioner reviewed the major trends affecting refugee protection, including the shrinking of humanitarian space; challenges to the protection space; increasing urbanization; and ensuring protection in mixed migration flows. He noted that addressing contemporary forms of displacement and statelessness was becoming more complex. Insecurity and instability, often compounded by dire social conditions, poor governance, and food, water and economic crises, had complicated protection responses and solutions to displacement. Delivering protection required ensuring the basic rights and freedoms of persons of concern; combating racism and various forms of violence against individuals; protecting privacy and human dignity; securing fundamental needs; and ensuring early identification of those

in need of protection. Also required were sufficient humanitarian space, strong and effective partnerships, and sustained commitment to the development and implementation of protection responses and solutions.

The High Commissioner noted that while the realities of conflict, violence and persecution continued to cause displacement, new forms and causes of displacement were emerging, such as natural disasters. Weather-related occurrences, ecological damage, climate change and declining resources would increasingly affect patterns of displacement. Mobility could not be obstructed, as people would move internally and across borders to seek safety, stability and prosperity. The challenge was not to prevent movement, but to better manage the many sensitive issues at stake. He noted that greater solidarity with forcibly displaced persons was most likely when underpinned by solidarity among States, and it was timely to re-engage in discussion on burden-sharing and responsibility-sharing. Forced displacement, statelessness and complex migratory movements would remain prominent global issues requiring decisive protection responses.

Dialogue on protection challenges. The fourth High Commissioner's Dialogue on Protection Challenges (Geneva, 8–9 December), on the theme "Protection Gaps and Responses", focused on international cooperation, burden-sharing and regional approaches; implementation and normative gaps; and issues relating to statelessness. Participants highlighted the need for fair asylum procedures and protection-sensitive migration policies and border management systems. The High Commissioner noted that, in follow-up to the Dialogue, UNHCR was developing a common framework on international cooperation and burden-sharing.

Standing Committee reports. In May, the UNHCR Standing Committee issued reports on protection capacity and delivery [EC/61/SC/CRP.12] and implementation of the Agenda for Protection [YUN 2002, p. 1205] [EC/61/SC/INF/1].

Populations of concern

According to the High Commissioner's annual report [A/66/12], the global population of concern at the end of 2010 was 33.9 million, a decrease from 36.5 million in 2009. Of that figure, some 10.6 million were refugees, which represented an increase from the 10.4 million refugees in 2009, mostly as a result of the deterioration of the situation in Somalia (see p. 276). The number of people displaced within their own country as a result of conflict reached an estimated 27.5 million, with some 14.7 million of them benefiting from UNHCR protection and assistance. The latter constituted a decrease of almost 1 million

compared with 2009, mainly due to the return of internally displaced persons (IDPs) in Pakistan and the Democratic Republic of the Congo (DRC) during 2010. The number of stateless persons identified by UNHCR stood at 3.5 million, compared with 6.6 million in 2009. The reduction was a result of methodological changes for counting stateless persons, with the actual number of stateless persons estimated to be closer to 12 million.

The High Commissioner noted that the prevailing political situation in a number of countries had uprooted millions and prevented the return of refugees and IDPs. The estimated number of returned refugees was 197,600, the lowest in 20 years. In contrast, the number of returned IDPs was 2.9 million, the highest in almost 15 years.

During 2010, at least 845,800 individual claims for asylum or refugee status were submitted to Governments or UNHCR in 166 countries or territories, representing an 11 per cent decrease compared with 2009 (948,400). Zimbabweans accounted for the majority of claims submitted in 2010; most of the remaining applications came from asylum seekers originating in Afghanistan, Colombia, the DRC, Myanmar, Serbia (and Kosovo) and Somalia.

Protection issues

Age, gender and diversity

In June, the Standing Committee [A/AC.96/1092] considered a document [EC/61/SC/CRP.14] on the implementation of the UNHCR age, gender and diversity mainstreaming (AGDM) strategy [YUN 2004, p. 1205]. The document reviewed the measures taken to implement the strategy, including conducting regular participatory assessments with persons of concern; identifying where targeted actions were required to address inequalities and support the empowerment and protection of discriminated groups; mainstreaming age, gender and diversity analysis into UNHCR activities and programmes; and holding senior managers accountable for mainstreaming and targeted action through an AGDM accountability framework. UNHCR remained committed to AGDM and was developing the final phase of its strategy to enhance that initiative. The High Commissioner in April had called for a time-bound, corporate plan of action to fully realize AGDM, with a focus on strengthening accountability; expanding the capacity of staff and partners; strengthening monitoring and evaluation; prioritizing AGDM in resource allocation; enhancing and developing policies and guidelines; renewing energy, commitment and leadership at every level of management; and enhancing and expanding partnerships.

At the Standing Committee meeting, delegates supported the focus on AGDM, calling for institutionalization of the approach in all aspects of the Office's work. They called for a timeline with concrete plans, as well as a policy paper to ensure that AGDM was a long-term priority. UNHCR was encouraged to allocate sufficient resources to those efforts, and to provide updates on progress to the Executive Committee.

Children

In June, the Standing Committee [A/AC.96/1092] considered a report [EC/61/SC/CRP.13] on the international protection of children of concern, which reviewed protection risks and challenges; UNHCR strategic directions; and progress made in protecting and assisting children of concern. Almost half of the 34.4 million people of concern to UNHCR were children. When forcibly displaced from their homes, children were at greater risk of being exposed to violence, exploitation, abuse and neglect. Poor socio-economic conditions, limited opportunities for post-primary education and livelihoods, and the disruption of family roles increased the risks of child labour, abuse, trafficking, gender-based violence and recruitment by armed groups. The movement of unaccompanied and separated children as part of mixed migration flows was a growing challenge. Gaps persisted in the area of individual documentation, with less than 50 per cent of newborn refugees in camps and urban areas being issued with birth certificates. UNHCR efforts built upon the 2007 Executive Committee conclusion on children at risk [YUN 2007, p. 1234], which called on States to establish and implement child protection systems. The Office focused on integrating child protection concerns into its policies and programmes; moving towards a "systems approach" that comprehensively addressed the protection needs of children; enhancing child protection through quality education and a safe learning environment; and strengthening cooperation with UN system entities, national authorities and NGOs.

At the Standing Committee meeting, delegations noted the need for safe access to education, increased prevention and response for sexual and gender-based violence, better systems for monitoring trafficking, and birth registration as a key component of child protection and durable solution strategies. Delegations encouraged UNHCR to develop partnerships, build an in-house capacity for child protection and share best practices with Governments.

Resettlement

In June [A/AC.96/1092], the Standing Committee had before it a progress report [EC/61/SC/CRP.11] on resettlement. The report reviewed UNHCR resettlement

activities and measures implemented by the Office to strengthen and expand the use of resettlement as a protection tool and durable solution. It noted the challenge of addressing the gap between resettlement places and existing needs, with an estimated 747,000 persons in need of resettlement. In response, the Office was encouraging more countries to establish resettlement programmes or to consider UNHCR submissions; working with established resettlement countries to increase their intake of UNHCR-identified refugees; and prioritizing responses to resettlement needs and submissions, in light of the limited places available. With regard to the strategic use of resettlement, UNHCR sought to ensure that 10 per cent of its overall resettlement submissions were for women and girls at risk, in support of the Executive Committee conclusion [YUN 2006, p. 1397]. UNHCR continued to draw the attention of resettlement countries to the needs in priority protracted refugee situations, in line with the Executive Committee conclusion [YUN 2009, p. 1193]. With regard to the effective management of resettlement, UNHCR would continue to support resettlement countries in their efforts to accelerate procedures for emergency resettlement. The Office integrated anti-fraud mechanisms into various operations; strengthened its identification methods and prioritization of the most vulnerable refugees in need of resettlement; and strengthened partnerships with NGOs.

The Standing Committee echoed UNHCR concern regarding the gap between resettlement needs and availability. Delegations stressed that resettlement should remain an integral part of a comprehensive solutions strategy, and encouraged the Office to ensure that the refugees submitted for resettlement were those most in need. As for the refolement of refugees who had already been accepted by resettlement countries, delegations called for improved dialogue between UNHCR and concerned States, as well as increased flexibility on the part of host Governments to permit resettlement countries to carry out their programmes.

Protracted situations and durable solutions

According to the High Commissioner's annual report [A/66/12], the number of refugees considered by UNHCR to be in a protracted situation stood at 7.2 million at the end of 2010. Strategic solutions pursued in various countries included voluntary repatriation and local integration for Angolan, Liberian and Rwandan refugees; livelihood strategies, voluntary repatriation and resettlement for urban-based refugees in Baku, Azerbaijan; and efforts to implement the Government of Pakistan's Management and Repatriation Strategy for Afghan refugees.

Durable solutions remained focused on voluntary repatriation, local integration and resettlement. Major voluntary repatriation operations took place in 2010, with 197,600 refugees returning home, primarily to Afghanistan, Iraq and the DRC. Local integration was often the preferred option for refugees who had developed social or economic ties with their host communities, with naturalization in the country of asylum offering the most secure legal status. Throughout the year, UNHCR assisted many refugees in different countries to prepare for local integration, including through education and self-reliance projects and by providing legal assistance. The Office sought to regularize the presence of Liberian and Sierra Leonean refugees who had stayed in their respective countries of asylum for more than 15 years. Discussions on local integration continued in Latin America through the Cities of Solidarity forum, as well as in Europe with assistance from the European Commission.

In 2010, the number of countries with regular resettlement programmes expanded to 25. Bulgaria, Hungary, Paraguay and Spain established new programmes, and Japan and Romania started pilot programmes. The Office submitted some 108,000 refugees for resettlement, the main beneficiaries being refugees from Iraq (26,700), Myanmar (24,400) and Bhutan (20,600). Nine per cent of submissions were for women and girls at risk—the highest percentage achieved in the past five years. The largest numbers of refugees were resettled to the United States (54,077), Canada (6,706), Australia (5,636), Sweden (1,789) and Norway (1,088).

Despite those positive developments, the number of resettlement places offered left a large gap in meeting resettlement needs. With regard to emergency response, the three emergency transit facilities in the Philippines, Romania and Slovakia continued to play a key role in evacuating refugees in emergency situations. In addition, UNHCR launched the Global Resettlement Solidarity Initiative to gather support for additional resettlement places for non-Libyan refugees fleeing the Libyan Arab Jamahiriya to Tunisia and Egypt.

International instruments

In 2010, the number of parties to the 1951 Convention relating to the Status of Refugees [YUN 1951, p. 520] remained at 144, while the number of parties to its 1967 Protocol [YUN 1967, p. 477] rose to 145 with the accession of Monaco. The number of States parties to the 1954 Convention relating to the Status of Stateless Persons [YUN 1954, p. 416] remained at 65, and the number of States parties to the 1961 Convention on the Reduction of Statelessness [YUN 1961, p. 533] remained at 37.

Regional activities

Africa

In 2010, the total population of concern to UNHCR in Africa, excluding North Africa, decreased from 10.2 million in 2009 to 9.9 million. The total comprised some 2.2 million refugees, 42,100 returned refugees, 311,000 asylum seekers, 6.2 million IDPs who were protected or assisted by UNHCR, and 21,000 stateless persons, as well as 164,000 persons of concern.

According to the UNHCR *Global Report 2010*, the Office's operations in Africa sought to promote a favourable protection environment; ensure fair, efficient and non-discriminatory treatment; create safe and secure environments for all people of concern; address basic needs and provide essential services; and redouble the search for durable solutions. UNHCR recognized the extraordinary contribution made to its programmes by the Governments and people of refugee-hosting countries. Efforts to keep people of concern safe from violence, rape and exploitation were critical in all operations.

Report of Secretary-General. Pursuant to General Assembly resolution 64/129 [YUN 2009, p. 1207], the Secretary-General in August submitted a report [A/65/324] on UN assistance to refugees, returnees and displaced persons in Africa, covering 2009 and the first half of 2010.

In East Africa and the Horn of Africa, insecurity and the political situation in Somalia and the Sudan dominated humanitarian work. The Sudan remained at the centre of the largest humanitarian operation in Africa, as well as the third-largest refugee-producing country on the continent. The protracted refugee situation in eastern Sudan, which began some 40 years earlier, was the oldest in Africa. In an effort to bring closure to that situation, UNHCR increased self-reliance activities, including access to land for refugees. In Somalia, Africa's largest refugee-producing country, security and humanitarian conditions in the southern and central areas steadily deteriorated, aggravated by severe drought, poverty, food insecurity and periodic heavy flooding.

The Central Africa and Great Lakes region suffered economic hardship and conflict, creating new displacement within countries and across borders. Nearly 21,000 IDPs returned to their places of origin in Chad, despite the precarious security situation and a lack of basic services. In the Central African Republic, clashes between Government and rebel forces continued, while in the DRC, military operations and human rights violations by armed groups led to a high level of internal displacement.

South Africa remained the main destination for asylum seekers worldwide, most of them coming

from Zimbabwe. The Government, UN organizations, NGOs and civil society worked together to prevent intolerance of foreigners, including through awareness-raising. In West Africa, many refugees had been in exile for a protracted period, with a majority living in urban areas.

The Secretary-General recommended that the authorities and national and international organizations create an environment capable of sustaining return or local integration through access to basic public services, legal and personal documentation, and livelihood or income-generating opportunities. He called upon all African Union (AU) member States to sign and ratify the AU Convention for the Protection and Assistance of Internally Displaced Persons in Africa [YUN 2009, p. 1207]. States should consider acceding to the conventions on statelessness, and parties to conflict should facilitate access by humanitarian organizations to affected civilian populations and ensure the security of humanitarian workers.

By subregion, UNHCR spent \$279.6 million in Central Africa and the Great Lakes, where there were more than 3.9 million people of concern. In East Africa and the Horn of Africa, \$298.9 million was spent on more than 4.9 million people of concern, while in West Africa \$52.1 million was spent on 717,640 people of concern. In Southern Africa, where 340,520 people were of concern, UNHCR expended \$44.7 million.

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third Committee [A/65/450], adopted **resolution 65/193** without vote [agenda item 61].

Assistance to refugees, returnees and displaced persons in Africa

The General Assembly,

Recalling the Organization of African Unity Convention governing the specific aspects of refugee problems in Africa of 1969 and the African Charter on Human and Peoples' Rights,

Reaffirming that the 1951 Convention relating to the Status of Refugees, together with the 1967 Protocol thereto, as complemented by the Organization of African Unity Convention of 1969, remains the foundation of the international refugee protection regime in Africa,

Recognizing the particular vulnerability of women and children among refugees and other persons of concern, including exposure to discrimination and sexual and physical abuse, and in this regard acknowledging the importance of preventing and responding to sexual and gender-based violence,

Acknowledging the efforts of Member States, the United Nations High Commissioner for Refugees and other stakeholders in improving the situation of refugees, and express-

ing grave concern about the deteriorating living conditions in many refugee camps in Africa,

Recognizing that refugees, internally displaced persons and, in particular, women and children are at an increased risk of exposure to HIV/AIDS, malaria and other infectious diseases,

Welcoming the adoption and the ongoing ratification process of the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa, which marks a significant step towards strengthening the national and regional normative framework for the protection of and assistance to internally displaced persons,

Noting with appreciation the Pact on Security, Stability and Development in the Great Lakes Region, adopted by the International Conference on the Great Lakes Region in 2006, and its instruments, in particular two of the protocols to the Pact which are relevant to the protection of displaced persons, namely, the Protocol on the Protection of and Assistance to Internally Displaced Persons and the Protocol on the Property Rights of Returning Persons,

Recognizing that host States have the primary responsibility for the protection of and assistance to refugees on their territory, and the need to redouble efforts to develop and implement comprehensive durable solution strategies, in appropriate cooperation with the international community, and burden- and responsibility-sharing,

Emphasizing that States have the primary responsibility to provide protection and assistance to internally displaced persons within their jurisdiction, as well as to address the root causes of the displacement problem in appropriate cooperation with the international community,

1. *Takes note* of the reports of the Secretary-General and the United Nations High Commissioner for Refugees;

2. *Calls upon* African Member States that have not yet signed or ratified the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa to consider doing so as early as possible in order to ensure its early entry into force and implementation;

3. *Notes* the need for African Member States to address resolutely the root causes of all forms of forced displacement in Africa and to foster peace, stability and prosperity throughout the African continent so as to forestall flows of refugees;

4. *Notes with great concern* that, despite all of the efforts made so far by the United Nations, the African Union and others, the situation of refugees and displaced persons in Africa remains precarious, and calls upon States and other parties to armed conflict to observe scrupulously the letter and spirit of international humanitarian law, bearing in mind that armed conflict is one of the principal causes of forced displacement in Africa;

5. *Welcomes* decision EX.CL/Dec.558(XVII) on the situation of refugees, returnees and internally displaced persons in Africa, adopted by the Executive Council of the African Union at its seventeenth ordinary session, held in Kampala from 19 to 23 July 2010;

6. *Expresses its appreciation*, in the year which marks the sixtieth anniversary of the Office of the United Nations High Commissioner for Refugees, for the leadership shown by the Office, and commends the Office for its ongoing efforts, with the support of the international community, to assist African countries of asylum, including by provid-

ing support to vulnerable local host communities, and to respond to the protection and assistance needs of refugees, returnees and displaced persons in Africa;

7. *Notes with appreciation* the initiatives taken by the African Union, the Subcommittee on Refugees, Returnees and Internally Displaced Persons of its Permanent Representatives Committee, and the African Commission on Human and Peoples' Rights, in particular the role of its Special Rapporteur on Refugees, Asylum-Seekers, Migrants and Internally Displaced Persons in Africa, to ensure the protection of and assistance to refugees, returnees and displaced persons in Africa;

8. *Welcomes* the adoption by the Executive Committee of the Programme of the United Nations High Commissioner for Refugees of the conclusion on protracted refugee situations, at the extraordinary meeting of 8 December 2009 of its sixty-first session, and the conclusion on refugees with disabilities and other persons with disabilities protected and assisted by the Office of the High Commissioner, at its sixty-first session, held from 4 to 8 October 2010;

9. *Acknowledges* the important contribution of the age, gender and diversity mainstreaming strategy in identifying, through a participatory approach, the protection risks faced by the different members of the refugee community, in particular the non-discriminatory treatment and protection of refugee women and refugee children and minority groups of refugees;

10. *Affirms* that children, because of their age, social status and physical and mental development, are often more vulnerable than adults in situations of forced displacement, recognizes that forced displacement, return to post-conflict situations, integration in new societies, protracted situations of displacement and statelessness can increase child protection risks, taking into account the particular vulnerability of refugee children to forcible exposure to the risks of physical and psychological injury, exploitation and death in connection with armed conflict, and acknowledges that wider environmental factors and individual risk factors, particularly when combined, may generate different protection needs;

11. *Recognizes* that no solution to displacement can be durable unless it is sustainable, and therefore encourages the Office of the High Commissioner to support the sustainability of return and reintegration;

12. *Also recognizes* the importance of early registration and effective registration systems and censuses as a tool of protection and as a means to the quantification and assessment of needs for the provision and distribution of humanitarian assistance and to implement appropriate durable solutions;

13. *Recalls* the conclusion on registration of refugees and asylum-seekers adopted by the Executive Committee of the Programme of the High Commissioner at its fifty-second session, notes the many forms of harassment faced by refugees and asylum-seekers who remain without any form of documentation attesting to their status, recalls the responsibility of States to register refugees on their territories and, as appropriate, the responsibility of the Office of the High Commissioner or mandated international bodies to do so, reiterates in this context the central role that early and effective registration and documentation can play, guided by protection considerations, in enhancing protection and supporting efforts to find durable solutions,

and calls upon the Office, as appropriate, to help States to conduct this procedure should they be unable to register refugees on their territory;

14. *Calls upon* the international community, including States and the Office of the High Commissioner and other relevant United Nations organizations, within their respective mandates, to take concrete action to meet the protection and assistance needs of refugees, returnees and displaced persons and to contribute generously to projects and programmes aimed at alleviating their plight, facilitating durable solutions for refugees and displaced persons and supporting vulnerable local host communities;

15. *Reaffirms* the importance of timely and adequate assistance and protection for refugees, returnees and displaced persons, also reaffirms that assistance and protection are mutually reinforcing and that inadequate material assistance and food shortages undermine protection, notes the importance of a rights- and community-based approach in engaging constructively with individual refugees, returnees and displaced persons and their communities so as to achieve fair and equitable access to food and other forms of material assistance, and expresses concern in regard to situations in which minimum standards of assistance are not met, including those in which adequate needs assessments have yet to be undertaken;

16. *Also reaffirms* that respect by States for their protection responsibilities towards refugees is strengthened by international solidarity involving all members of the international community and that the refugee protection regime is enhanced through committed international cooperation in a spirit of solidarity and burden- and responsibility-sharing among all States;

17. *Further reaffirms* that host States have the primary responsibility to ensure the civilian and humanitarian character of asylum, calls upon States, in cooperation with international organizations, within their mandates, to take all measures necessary to ensure respect for the principles of refugee protection and, in particular, to ensure that the civilian and humanitarian nature of refugee camps is not compromised by the presence or the activities of armed elements or used for purposes that are incompatible with their civilian character, and encourages the High Commissioner to continue efforts, in consultation with States and other relevant actors, to ensure the civilian and humanitarian character of camps;

18. *Condemns* all acts that pose a threat to the personal security and well-being of refugees and asylum-seekers, such as refoulement, unlawful expulsion and physical attacks, calls upon States of refuge, in cooperation with international organizations, where appropriate, to take all measures necessary to ensure respect for the principles of refugee protection, including the humane treatment of asylum-seekers, notes with interest that the High Commissioner has continued to take steps to encourage the development of measures to better ensure the civilian and humanitarian character of asylum, and encourages the High Commissioner to continue those efforts, in consultation with States and other relevant actors;

19. *Deplores* the continuing violence and insecurity which constitute an ongoing threat to the safety and security of staff members of the Office of the High Commissioner and other humanitarian organizations and an

obstacle to the effective fulfilment of the mandate of the Office and the ability of its implementing partners and other humanitarian personnel to discharge their respective humanitarian functions, urges States, parties to conflict and all other relevant actors to take all measures necessary to protect activities related to humanitarian assistance, prevent attacks on and kidnapping of national and international humanitarian workers and ensure the safety and security of the personnel and property of the Office and that of all humanitarian organizations discharging functions mandated by the Office, and calls upon States to investigate fully any crime committed against humanitarian personnel and bring to justice the persons responsible for such crimes;

20. *Calls upon* the Office of the High Commissioner, the African Union, subregional organizations and all African States, in conjunction with agencies of the United Nations system, intergovernmental and non-governmental organizations and the international community, to strengthen and revitalize existing partnerships and forge new ones in support of the protection system for refugees, asylum-seekers and internally displaced persons;

21. *Calls upon* the Office of the High Commissioner, the international community and other entities concerned to intensify their support to African Governments through appropriate capacity-building activities, including training of relevant officers, disseminating information about refugee instruments and principles, providing financial, technical and advisory services to accelerate the enactment or amendment and implementation of legislation relating to refugees, strengthening emergency response and enhancing capacities for the coordination of humanitarian activities, in particular those Governments that have received large numbers of refugees and asylum-seekers;

22. *Reaffirms* the right of return and the principle of voluntary repatriation, appeals to countries of origin and countries of asylum to create conditions that are conducive to voluntary repatriation, and recognizes that, while voluntary repatriation remains the pre-eminent solution, local integration and third-country resettlement, where appropriate and feasible, are also viable options for dealing with the situation of African refugees who, owing to prevailing circumstances in their respective countries of origin, are unable to return home;

23. *Also reaffirms* that voluntary repatriation should not necessarily be conditioned on the accomplishment of political solutions in the country of origin in order not to impede the exercise of the refugees' right to return, recognizes that the voluntary repatriation and reintegration process is normally guided by the conditions in the country of origin, in particular that voluntary repatriation can be accomplished in conditions of safety and dignity, and urges the High Commissioner to promote sustainable return through the development of durable and lasting solutions, particularly in protracted refugee situations;

24. *Calls upon* the international donor community to provide financial and material assistance that allows for the implementation of community-based development programmes that benefit both refugees and host communities, as appropriate, in agreement with host countries and consistent with humanitarian objectives;

25. *Appeals* to the international community to respond positively, in the spirit of solidarity and burden-

and responsibility-sharing, to the third-country resettlement needs of African refugees, notes in this regard the importance of using resettlement strategically, as part of situation-specific comprehensive responses to refugee situations, and to this end encourages States, the Office of the High Commissioner and other relevant partners to make full use of the Multilateral Framework of Understandings on Resettlement, where appropriate;

26. *Calls upon* the international donor community to provide material and financial assistance for the implementation of programmes intended for the rehabilitation of the environment and infrastructure affected by refugees in countries of asylum as well as internally displaced persons, where appropriate;

27. *Urges* the international community, in the spirit of international solidarity and burden-sharing, to continue to fund generously the refugee programmes of the Office of the High Commissioner and, taking into account the substantially increased needs of programmes in Africa, inter alia, as a result of repatriation possibilities, to ensure that Africa receives a fair and equitable share of the resources designated for refugees;

28. *Encourages* the Office of the High Commissioner and interested States to identify protracted refugee situations which might lend themselves to resolution through the development of specific, multilateral, comprehensive and practical approaches to resolving such refugee situations, including the improvement of international burden- and responsibility-sharing and the realization of durable solutions, within a multilateral context;

29. *Expresses grave concern* about the plight of internally displaced persons in Africa, notes the efforts of African States in strengthening the regional mechanisms for the protection of and assistance to internally displaced persons, calls upon States to take concrete action to pre-empt internal displacement and to meet the protection and assistance needs of internally displaced persons, recalls in that regard the Guiding Principles on Internal Displacement, takes note of the current activities of the Office of the High Commissioner related to the protection of and assistance to internally displaced persons, including in the context of inter-agency arrangements in this field, emphasizes that such activities should be consistent with relevant General Assembly resolutions and should not undermine the refugee mandate of the Office and the institution of asylum, and encourages the High Commissioner to continue his dialogue with States on the role of his Office in this regard;

30. *Invites* the Representative of the Secretary-General on the human rights of internally displaced persons to continue his ongoing dialogue with Member States and the intergovernmental and non-governmental organizations concerned, in accordance with his mandate, and to include information thereon in his reports to the Human Rights Council and the General Assembly;

31. *Requests* the Secretary-General to submit a comprehensive report on assistance to refugees, returnees and displaced persons in Africa to the General Assembly at its sixty-sixth session, taking fully into account the efforts expended by countries of asylum, under the item entitled "Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions".

The Americas

UNHCR activities in the Americas focused on reinforcing protection mechanisms, finding comprehensive solutions and enhancing partnerships. Cross-border initiatives and border monitoring activities were implemented throughout the region, despite protection staff being challenged by threats to security and generalized violence.

In North America, UNHCR welcomed the introduction in Canada of the Balanced Refugee Reform Act, which established a Refugee Appeal Division to provide for appeals by claimants; and reform of detention practices and the application of new parole guidelines in the United States. In Central America, gang-related violence continued to generate forced internal and external displacement, especially in El Salvador, Guatemala and Honduras, and there were serious incidents of violence against migrants in Mexico. In the Caribbean, the earthquake in Haiti (see p. 320) highlighted the need for protection in the context of natural disasters. With its newly established office in Santo Domingo, Dominican Republic, UNHCR initiated an immediate response to the earthquake, deploying two emergency teams to provide protection assistance. UNHCR supported the protection cluster led by the Office of the High Commissioner for Human Rights and implemented quick-impact projects along the border with the Dominican Republic.

In Latin America, displacement from Colombia towards Ecuador and Venezuela continued, making protection in border areas a priority. UNHCR continued to help Colombia strengthen its protection response to its protracted IDP situation, and worked with Governments in neighbouring countries to ensure access by people of concern to protection and comprehensive solutions. At an international meeting in November, 18 Latin American States adopted the landmark Brasilia Declaration on the Protection of Refugees and Stateless Persons in the Americas. The Declaration called for the protection of refugees and victims of trafficking and promoted accession to the international instruments on statelessness.

The year saw the incorporation of refugee protection into the legal systems of all countries in Latin America. Mexico's new Refugee Act and Chile's Law for the Protection of Refugees incorporated refugee definitions as provided in the 1984 Cartagena Declaration on Refugees. Argentina introduced a humanitarian visa for victims of natural disasters as part of the National Migration Law, and the right to asylum was enshrined in the Constitution of the Dominican Republic. Despite the region's strong refugee legislation, implementation of effective refugee protection remained a challenge.

On the finding of comprehensive solutions, the UNHCR *Global Report 2010* noted that more than two

thirds of the refugee population in Latin America resided in urban areas, where competition for employment, housing and basic services was high. Under the framework of the Mexico Plan of Action [YUN 2004, p. 1210], participatory assessments and the establishment of legal and social assistance centres in the region proved valuable in linking refugees and asylum seekers to national social services. Resettlement programmes in Argentina, Brazil, Canada, Chile, Paraguay, the United States and Uruguay remained indispensable in protecting people of concern. In 2010, some 66,000 refugees were resettled in the Americas, mostly in the United States and Canada. In order to combat xenophobia and racism directed at asylum seekers and refugees in Latin America, UNHCR developed a sensitization campaign to increase empathy with those populations.

In 2010, total UNHCR expenditure in the Americas was \$63.0 million for a population of concern of 4.6 million.

Asia and the Pacific

According to the UNHCR *Global Report 2010*, the Asia/Pacific region hosted more than 3.7 million refugees. UNHCR activities during the year centred on safeguarding protection and asylum space, including in mixed-migration contexts and urban settings; finding solutions for protracted refugee situations; ensuring protection and durable solutions for IDPs; reducing and preventing statelessness; and protecting stateless persons.

In Central Asia, inter-communal violence in the southern part of Kyrgyzstan forcibly displaced more than 375,000 people. UNHCR mobilized an emergency response operation, building 1,780 emergency transitional shelters for more than 13,400 returnees. In Turkmenistan, the Government endorsed a landmark action plan and national strategy to address statelessness.

In South-West Asia, Pakistan and Iran hosted 2.9 million registered Afghan refugees, including some who had been displaced for more than 30 years. In 2010, some 113,000 Afghan refugees in Pakistan and Iran returned voluntarily to Afghanistan with UNHCR assistance, representing the largest voluntary repatriation movement worldwide in that year. In Pakistan, the Office assisted the Government to develop the Management and Repatriation Strategy for Afghan Refugees, a major step in addressing the needs of Afghan refugees in the country. The floods in Pakistan, the worst in the country's history, had a devastating impact on over 20 million people, including refugees, IDPs who had already been displaced by previous hostilities, and local communities. UNHCR led the protection cluster and collaborated with partners to offer almost 2 million people emer-

gency shelter and non-food items. In Iran, UNHCR advocated for an environment conducive to the continued stay of refugees in the country, while pursuing durable solutions for more than 1 million Afghan refugees. The Office noted the Government's efforts to regularize the stay of Afghan refugees, including regular registration, the issuance of temporary work permits and access to subsidized health insurance.

In Southern Asia, more than 200,000 IDPs uprooted during the last phase of Sri Lanka's civil war returned home by the end of 2010. While humanitarian needs remained, the country was steadily moving towards the early recovery and development phase. The Office's protection monitoring and interventions continued to promote the safety and basic rights of returnees. UNHCR continued to seek durable solutions for refugees from Bhutan in Nepal, while some 14,800 of them left Nepal for a third country in 2010 as part of a large-scale resettlement operation that began in 2007. In December, Nepal endorsed the UNHCR proposal on camp consolidation, as well as the introduction of a community-based development programme in refugee-affected and hosting areas in the country's eastern districts. In India, UNHCR improved outreach and protection for urban refugees and asylum seekers through various channels, including a women's protection centre, participatory assessments and community focal point meetings.

In South-East Asia, UNHCR strove to improve the protection space for people of concern. The Office sought to engage States in a regional approach to asylum management, including ensuring access to asylum and the principle of non-refoulement, harmonizing procedures and addressing onward movements. UNHCR and the Philippines co-hosted a workshop on refugee protection within the context of mixed migration, which concluded with an agreement to cooperate on a regional approach to refugees and irregular movements. In the Philippines, UNHCR initiated its engagement with the protracted IDP situation at the invitation of the Government, establishing a presence in Mindanao to address the protection needs of populations displaced by conflict. The Office continued to lead the protection cluster for IDPs affected by typhoons in 2009 [YUN 2009, p. 1212], and implemented more than 30 quick-impact projects aimed at helping returnees restart their livelihoods. In Viet Nam, significant advances were made towards reducing statelessness through the naturalization of former Cambodian refugees, many of whom had been residing in the country since the 1970s without legal status. The Office worked with the Thailand National Human Rights Commission to hold a regional expert round table on statelessness and the protection of stateless people in South-East Asia, contributing to interest among members of the Association of South-east Asian Nations Intergovernmental Human Rights

Commission in addressing statelessness. A notable development was the resettlement of a first group of refugees in Thailand in two newly established resettlement countries, the Czech Republic and Japan.

In 2010, total UNHCR expenditure in Asia and the Pacific was \$379.9 million for a population of concern of 10.8 million.

Middle East and North Africa

According to the UNHCR *Global Report 2010*, most refugees, IDPs and stateless people in the Middle East resided in urban areas, where they were forced to compete with local populations for resources, adding to the socio-economic burdens of host countries. Despite those complex circumstances, most host States were generous in their treatment of refugees and asylum seekers. The region continued to be affected by the displacement of millions of Iraqis, including some 1.3 million IDPs inside Iraq and nearly 200,000 registered refugees in neighbouring countries. The presence of large numbers of Iraqi refugees in the Syrian Arab Republic and Jordan continued to strain the economies and social structures of those countries. While the number of Iraqi refugees registered with UNHCR had decreased, tremendous needs still existed, particularly for the most vulnerable. In Iraq, UNHCR made considerable progress in monitoring protection and intervening to resolve protection issues, and worked with non-government partners, the authorities and other agencies on joint activities. Through its network of Protection and Assistance Centres (PACs) and mobile teams, UNHCR and its partners in Iraq monitored protection, provided legal assistance, and made interventions and referrals on behalf of people of concern. The PACs assisted more than 16,000 cases involving IDPs, refugees and returnees. Resettlement remained an important response to the Iraqi refugee situation, and by the end of the year, 100,000 Iraqi refugees had been submitted for resettlement and another 60,000 had departed for resettlement countries.

In Yemen, some 90 per cent of IDPs were registered by the end of 2010, a sharp rise from 26 per cent at the beginning of the year. The situation in the north remained fragile, despite a ceasefire signed in February between the Government and the al-Houthi rebels; nearly 300,000 Yemeni civilians remained internally displaced, uprooted by sectarian conflict and often living in dire circumstances. Furthermore, some 53,000 Somalis fleeing violence in their country, and others seeking better economic opportunities, arrived on Yemen's shores in 2010.

In Egypt, some 39,700 refugees and asylum seekers, the majority from the Sudan, were registered with UNHCR. The Office carried out registration, provision of documentation and refugee status determination, and provided assistance to people of concern.

With Cairo selected as one of five pilot cities for the UNHCR new urban refugee policy, the Office reviewed its health-care, education and livelihood strategies as part of policy implementation.

In North Africa, large mixed-migration flows moving through the region, particularly from sub-Saharan countries, had a significant impact on the protection climate. The lack of national asylum systems, coupled with the absence of durable solutions and limited livelihood opportunities, compounded the problems faced by refugees and asylum seekers. UNHCR provided protection and assistance to people of concern, continued its efforts to enlarge the protection space and to pursue durable solutions, and took a more active stance on the return of rejected asylum cases.

In April, Libya suspended UNHCR operations in the country. Under the umbrella of the United Nations Resident Coordinator's Office, limited activities were carried out for refugees and asylum seekers already registered with UNHCR. While high-level discussions allowed the Office to resume some activities by June, a cooperation agreement formalizing the UNHCR presence in the country had not been concluded at year's end.

In a positive development, Algeria expressed interest in working with UNHCR to put in place a national asylum law, establishing an inter-ministerial drafting committee. The situation of Sahrawi refugees in the Tindouf camps in Algeria remained unresolved in the absence of a political solution to the long-standing conflict over the status of Western Sahara. Owing to a disagreement between the parties, UNHCR from March was unable to conduct family visits for Sahrawi refugees and their families in Western Sahara, and the Office continued to work with the parties to resolve the issue. During the year, the Office reoriented its assistance programme for the refugees to focus on their long-term welfare, particularly regarding health, nutrition and education. In consultation with the Sahrawi refugee leaders, UNHCR developed a strategy to address protection needs in the camps. Progress was achieved in the voluntary repatriation of Mauritanian refugees from Senegal, with 20,400 refugees repatriated since the operation began in 2008.

Total UNHCR expenditure in North Africa and the Middle East in 2010 was \$318.4 million, for a population of concern of 4.5 million.

Europe

In 2010, UNHCR was confronted by diverse situations in the nearly 50 European countries where it worked, including mature and developing asylum systems; protracted situations involving refugees and IDPs; return and reintegration operations; and chal-

lenges related to statelessness. During the year, some 274,000 people applied for asylum in Europe, with the top five countries of origin of applicants being Afghanistan, Iraq, the Russian Federation, Serbia (including Kosovo) and Somalia. While the institutions of asylum continued to benefit from strong support, protection space was under pressure due to growing anti-foreigner sentiment in some countries, the economic crisis and security concerns.

In Eastern Europe, countries continued to host several hundred thousand displaced persons, mostly in the southern Caucasus. Over 4,000 people sought asylum in Eastern Europe in 2010; however, the refugee recognition rate remained low, with only 1,500 asylum seekers recognized by the authorities. While many countries had introduced new asylum legislation, or were in the process of doing so, there were cases where practices and procedures did not meet international standards. As a result, the Office increasingly intervened on behalf of individuals or groups to ensure access to territory, procedures and appeal processes, with the aim to support individuals and help policymakers and Governments improve systems. UNHCR profiled and consulted nearly 5,000 refugees to strengthen their local-integration prospects. Belarus, Moldova and Ukraine strengthened their efforts to integrate refugees locally through initiatives that included language classes, vocational training, business grants and housing support. In Ukraine, where a prolonged Government transition limited the effectiveness of the asylum authority, UNHCR provided legal and material assistance to people of concern, and solutions to people in need of international protection. Azerbaijan allowed the development of small livelihood initiatives for refugees, helping them to become more self-reliant. Statelessness remained a concern, with UNHCR estimating that some 120,000 people were stateless in Eastern Europe. The Office assisted countries to identify stateless people and those at risk of statelessness, and encouraged them to introduce a centralized, fair and efficient procedure for determining statelessness.

In South-Eastern Europe, UNHCR focused on sustainable durable solutions for the remaining refugees and IDPs, the development of asylum systems in line with international and European Union (EU) standards, and a reduction in statelessness. The year was one of the most successful for UNHCR in its efforts to find durable solutions for refugees, returnees and IDPs. The political momentum created by Croatia's EU accession process brought new opportunities for addressing issues of concern. In March, Serbia, with the co-sponsorship of Bosnia and Herzegovina, Croatia and Montenegro, organized the International Conference on Durable Solutions for Refugees and Displaced Persons in Belgrade. The conference addressed outstanding issues hindering the achievement of du-

able solutions for those displaced during the conflicts of the 1990s. Following the conference, UNHCR played an important role in the exchange of data on refugees between Croatia and Serbia, resulting in the deregistration of some 12,500 refugees. After years of UNHCR advocacy, the Parliament of Bosnia and Herzegovina adopted the Revised Strategy for the Implementation of Annex VII (the Agreement on Refugees and Displaced Persons) of the Dayton Peace Agreement [YUN 1995, p. 544], opening prospects for durable solutions for IDPs in the country. With UNHCR support, more than 3,000 people in South-Eastern Europe found housing and improved their self-reliance, while 6,700 people received training and help to engage in small-scale income-generating activities. Some 2,500 people were assisted to repatriate voluntarily, mainly to Kosovo, and about 30,000 received legal assistance and support in obtaining the necessary documents to ensure access to basic rights.

In Central Europe, the Office worked to improve the quality of national asylum procedures through the Further Developing Asylum Quality project in Bulgaria, Hungary, Poland, Slovakia and Romania. The Central European countries expanded cooperation with UNHCR in implementing new and existing border-monitoring agreements, allowing the Office to help build the capacity of border guards to administer asylum procedures. More than 750 people, representing a variety of government counterparts and NGO partners, participated in UNHCR-led training in the subregion, with topics including protection at borders, the interviewing of children, and responses to sexual and gender-based violence.

Northern, Western and Southern Europe continued to receive most of the asylum applications in the industrialized world, with nearly 248,000 claims in 2010. There was a marked increase in applications in France, Germany and Sweden, and the number of unaccompanied and separated children, particularly from Afghanistan, remained significant. The management of mixed migration at both land and sea borders, together with restrictive asylum legislation and practices, continued to be of concern. The border between Greece and Turkey, the main entry point for migrants and asylum seekers into the EU, received much attention. UNHCR supported Greece in its asylum reform efforts by helping to draft legislation and supporting the establishment of a new independent asylum service. The Office set up a dedicated team in Athens to provide support for the initiative. UNHCR engaged with Governments and the EU border agency FRONTEX to address mixed migration movements, and for the first time was invited to participate in a FRONTEX operation to prevent the trafficking of unaccompanied children at airports.

In 2010, UNHCR expenditure in Europe was \$124.8 million for a population of concern of 4.1 million.

Policy development and cooperation

Partnerships and coordination

According to the High Commissioner's annual report [A/66/12], UNHCR in 2010 worked with a wide spectrum of partners to protect and assist populations under its care in a more effective and comprehensive way. NGOs made up the largest group among UNHCR partners, with the Office channelling 28 per cent of its total expenditures during the year through 687 NGOs (153 international and 534 national). The Office worked to strengthen national NGOs by providing capacity-building opportunities, and continued to count on standby arrangements with international NGOs and the UN Volunteers programme for the deployment of staff in emergencies. Maintaining strong bilateral relations with key UN agencies remained a priority, particularly in the context of the Inter-Agency Standing Committee. UNHCR sought new ways to work within the humanitarian system to strengthen coordination and improve operations as part of the inter-agency cluster approach [YUN 2006, p. 1057], including through the development of a training module for staff working in the clusters led or co-led by the Office. During the year, UNHCR and the World Food Programme revised their memorandum of understanding to reflect new methods of providing food assistance and improved nutrition interventions, and agreed to strengthen cooperation in a number of areas including joint assessment missions and food security in urban areas.

The Office continued to bolster partnerships with regional organizations in support of various issues, including protection in the context of mixed migration movements; the protection of refugees, IDPs and stateless people; the impact of the global financial crisis on refugees and migrants; countering smuggling and trafficking in persons; and advancing humanitarian objectives. UNHCR reinforced its corporate partnerships with more than 60 companies, focusing on increasing awareness and providing support for displaced populations through employee giving schemes, marketing campaigns, special projects, in-kind donations and cash grants. The Office's Goodwill Ambassadors played an essential role in increasing public awareness and support for people of concern.

In September [A/AC.96/1093], the Standing Committee had before it a conference paper [EC/61/SC/CRP.26] on coordination and strategic partnerships. The document reviewed key areas where the Office was working to strengthen common strategies and joint efforts with other humanitarian actors, particularly in support of humanitarian reform and coordination, national-level partnerships, accountability towards populations affected by forced displacement and improved management and operations practices.

Delegations encouraged UNHCR to pursue its engagement in bilateral and multilateral partnerships by building long-term strategies and solid relationships with other actors, notably host Governments and national NGOs.

Evaluation activities

In October, the Executive Committee had before it a July report [A/AC.96/1090] that reviewed the activities of the UNHCR Policy Development and Evaluation Service (PDES) from mid-2009 to mid-2010. The Service pursued an integrated programme of policy development, evaluation, research and publications, focusing its work on urban areas; protracted refugee situations; return and reintegration; humanitarian space; mixed migration; age, gender and diversity; natural disasters; and protection issues.

The Service undertook evaluations of the implementation of the High Commissioner's Special Initiative on Protracted Refugee Situations, as well as a review of the use of microfinance programmes in protracted refugee situations. PDES undertook various projects on the theme of humanitarian space, including a global review of UNHCR experience in safeguarding humanitarian space, an analysis of the Office's engagement with integrated UN missions, and a case study of humanitarian space challenges in Somalia. On mixed migration, PDES completed reviews of the Office's role in Morocco and southern Africa, continuing a series of reviews that began in 2009 [YUN 2009, p. 1197]. The Service completed a major independent evaluation of the implementation of the Office's Age, Gender and Diversity Mainstreaming strategy, and published a paper on the issue of sexual orientation and asylum. PDES commissioned an independent evaluation of the UNHCR role in natural disasters, and published a paper presenting initial empirical evidence on the links between climate change, natural disasters and displacement in Africa. A number of PDES projects had a protection dimension, including an analysis of the relationship between the protection of refugees and IDPs and the "Responsibility to protect" concept; an examination of the relationship between the UNHCR mandate and the "Protection of civilians" initiative; and a review of the Office's response to State border closures in situations of mass refugee influx.

The report concluded that PDES had grown in capacity and output since its establishment in 2006, and the challenge was now to strengthen the utilization and impact of its work. Particular attention should be given to staff rotation, the limited number of UNHCR personnel with evaluation expertise, and growing demand for PDES to participate in inter-agency evaluation initiatives.

Inspections

The High Commissioner noted [A/66/12] that the Inspector General's Office (IGO) continued to focus on its core functions of inspecting the quality management of UNHCR operations; investigating allegations of misconduct by UNHCR personnel; and conducting ad hoc inquiries into attacks on UNHCR personnel and operations, as well as other incidents. The Office had nearly completed implementation of all recommendations of the European Anti-Fraud Office's independent panel review of IGO in 2008 [YUN 2008, p. 1309], and continued to implement the road map established in 2009 to strengthen its capacity to implement those recommendations [YUN 2009, p. 1197]. As recommended in the review, IGO was examining methods for working with implementing partners to investigate allegations of wrongdoing by third parties. IGO had recommended that until sufficient capacity was built up, its investigations be limited to allegations involving major financial loss, criminal misconduct, and those that could undermine UNHCR reputation, including sexual exploitation and abuse. Joint missions conducted with relevant implementing partners would serve to build capacity, as well as improve communication and information-sharing with those partners.

In October, the Executive Committee had before it a July report [A/AC.96/1089] covering IGO activities between July 2009 and June 2010. Since its report to the Committee's sixtieth session [YUN 2009, p. 1198], IGO had conducted 11 standard inspections of headquarters units and field locations. In January, the Office began implementing a revised inspection strategy to improve the delivery of the inspection function, which focused on using a risk-based approach, narrowing the scope of inspections, refining inspection tools, and increasing training. During the reporting period, IGO registered 814 complaints, including 504 from refugees and other persons protected and assisted by UNHCR. By June 2010, there were 114 ongoing investigations. A later report [A/AC.96/1102], outlining IGO activities undertaken in the second half of 2010, stated that IGO in September submitted to the High Commissioner a report on an ad hoc inquiry into possible financial mismanagement in a UNHCR Country Representation.

OIOS activities. The United Nations Office of Internal Oversight Services (OIOS) provided the internal audit function for UNHCR. In July, OIOS submitted to the Executive Committee a report [A/AC.96/1088] on its internal audit of UNHCR for the period from 1 July 2009 to 30 June 2010, which reviewed its audits in the areas of planning and reporting, organization and staffing, cooperation and coordination, and advisory services. OIOS issued 30 audit reports during the reporting period, generating 323 recom-

recommendations regarding strategic management and governance; programme and project management; supply chain management; financial management; human resources management; information technology management; safety and security; and conference and documents management. The report noted that 58 recommendations issued prior to 1 July 2008 had not been implemented. A later OIOS report [A/AC.96/1101 & Corr.1] submitted to the Executive Committee reviewed its internal audit of UNHCR from 1 July 2010 to 30 June 2011.

Financial and administrative questions

In 2010 [A/66/12], UNHCR for the first time planned and implemented programmes under a new budget structure [YUN 2009, p. 1199] based on comprehensive needs assessment and within the results-based management framework. The budget amounted to \$3,288.7 million, including an initial approved budget of \$3,007.3 million and \$281.4 million for nine supplementary budgets created during the course of 2010. Those budgets were created in response to unforeseen refugee and IDP situations requiring emergency interventions in the Central African Republic, the Congo, Haiti, Kenya, Kyrgyzstan, Pakistan, Somalia and Yemen.

With ongoing support from traditional donors, including the private sector, the Office received \$1.86 billion in voluntary contributions, an increase of almost \$150 million from 2009. Nevertheless, those contributions covered only 57 per cent of requirements, leaving many needs unmet. Refugees were also sustained by the resources and support of host communities and countries. At the beginning of 2010, developing countries hosted some 8.3 million refugees, equivalent to 80 per cent of the global refugee population. Just under a quarter of that number was found in the 50 least developed countries. Pakistan remained the number one refugee-hosting country, followed by Iran.

Revised Biennial Programme Budget 2010–2011. In August [A/AC.96/1087], the High Commissioner presented the revised budgetary requirements for the 2010–2011 biennium for consideration and adoption by the Executive Committee. Compared with the approved 2010 and 2011 budgets of \$3,007.3 million and \$2,780.0 million respectively [YUN 2009, p. 1199], revised needs for these two years stood at \$3,150.6 million and \$3,320.8 million, respectively. The report reviewed general budgetary issues and the Office's progress in results-based budgeting and the related *Focus* software [ibid., p. 1200], as well as in global needs assessment (GNA) (see p. 1216). The revised budget included an amount of \$3.1 million related to the introduction of the In-

ternational Public Sector Accounting Standards (IPSAS) [YUN 2006, p. 1583], following the decision to delay that introduction until 2012. In October [A/AC.96/1087/Add.2], the High Commissioner submitted revised 2011 requirements for the Pakistan operation.

In an October decision [A/65/12/Add.1], the Executive Committee approved the 2010 supplementary budgets amounting to \$281.4 million, bringing total revised requirements for 2010 to \$3,288.7 million. It also approved the revised 2011 programme budget, which amounted to \$3,288.8 million, including the UN regular budget contribution and an operational reserve of \$219.3 million. Those provisions, together with \$12.0 million for Junior Professional Officers and \$20.0 million for the "New or additional activities—mandate-related" reserve, brought total requirements for 2011 to \$3,320.8 million. The Committee also requested the High Commissioner to respond flexibly and efficiently to the needs indicated under the revised 2010–2011 biennial programme budget, and authorized him to create supplementary budgets and issue special appeals in the case of new emergency needs that could not be fully met from the operational reserve.

The Advisory Committee on Administrative and Budgetary Questions (ACABQ) in September [A/AC.96/1087/Add.1 & Corr.1] responded to the report on the revised biennial programme budget as well as to the documents relating to UNHCR accounts for the year ended 31 December 2009 (see below). The Committee noted that the revised 2010–2011 biennial budget document was based on the findings of the comprehensive needs assessment and plans formulated to respond to those needs. It noted that the proposed increase for the 2011 annual budget was considerably higher compared with the initial budget. The level of requirements for 2011 had increased in many operations, as funding received in early 2010 had not permitted field offices to address all the needs in their respective plans. The Committee recognized that the system of budgeting based on the GNA was new and still in development, observing that the estimated contributions for 2010 indicated a shortfall of \$1,235.4 million as compared with the budgeted levels. It would be necessary to monitor whether the functioning of the new budgeting system met UNHCR operational requirements. With regard to results-based management, ACABQ requested additional information on the status of integration of the UNHCR enterprise resource planning software and the results-based management software. Since UNHCR was one of the first UN entities to implement results-based management, the Committee encouraged the Office to share its experiences with other UN system entities in the context of the Chief Executives Board for Coordination.

Accounts (2009)

The audited financial statements of voluntary funds administered by UNHCR for the year ending 31 December 2009 [A/65/5/Add.5] showed a total expenditure of \$1,796 million and total income of \$1,803 million, with a negative reserve balance of \$159.9 million.

The Board of Auditors made several recommendations based on the findings of its audit. The Board continued to review UNHCR efforts to prepare for the transition to IPSAS, recommending that the Office intensify the efforts of the relevant working groups in order to comply with the target of full implementation in 2012. It also recommended that the Office adopt its revised financial rules [YUN 2009, p. 1193] in conjunction with the entry into force of IPSAS. The Board noted that as at 31 December 2009, end-of-service liabilities, including after-service health insurance, had reached \$446.9 million. While the Standing Committee in June had studied three alternatives for funding the liabilities, the Board expressed concern that no decision had been made at the time of the audit, and recommended that UNHCR set up specific funding for those liabilities. With respect to the outposting of administrative and support functions to the Global Service Centre in Budapest [YUN 2007, p. 1242], UNHCR had not acquired the means for measuring changes in the quality of service provided. The Board recommended that, before each structural reform, the Office establish detailed objectives, indicators and expected impact on management. The Board also expressed concern at the risk of unreported instalments disbursed to implementing partners, which totalled \$265.3 million in 2009. It recommended that UNHCR improve the rate of timely justification of advances granted to implementing partners.

In September [A/AC.96/1086/Add.1], the High Commissioner described measures taken or proposed in response to the Board's recommendations.

In October [A/65/498], ACABQ noted that its report [A/AC.96/1087/Add.1] to the UNHCR Executive Committee (see p. 1198) contained a number of comments relating to the Board's report. ACABQ intended to revisit the Board's recommendations during its review of the biennial budgets of other UN entities for the next fiscal period.

Management and administrative change

At the June meeting [A/AC.96/1092] of the Standing Committee, the Deputy High Commissioner introduced an update [EC/61/SC/CRP.17] on the Office's structural and management change process

launched in 2006 [YUN 2006, p. 1392]. The process had moved to its implementation phase, with the gradual integration of new planning, budgeting and management tools and structures into UNHCR operations. Following the roll-out of the planning and management software *Focus* [YUN 2006, p. 1393], all UNHCR offices had planned their operations using the new application. That process was underpinned by the introduction of a new budget structure based on a global needs assessment, which outlined the full range of the Office's budgetary requirements (see below). Noting that human resources management was crucial to results-based management, the High Commissioner was introducing a revised policy for assignments, postings and promotions of international staff. On operational support, UNHCR conducted its first emergency training workshop for senior managers and reorganized its supply management functions to improve delivery of relief items and supply chain solutions. The strengthening of the Division of Information Services and Technology was under way to provide a high-performing service corresponding to UNHCR needs. Efforts to strengthen the organization's managerial framework included the completion in May of the Global Management Accountability Framework and the restructuring of the Inspector General's Office as part of a drive towards results-based management.

Global needs assessment

In March [A/AC.96/1084], the Standing Committee discussed the global needs assessment (GNA) introduced in 2009 [YUN 2009, p. 1201]. A February document [EC/61/SC/CRP.4] on the theme outlined the challenges of prioritizing objectives and implementing a phased approach to activities, highlighted the utility of the Global Strategic Priorities (GSPs) and described operational priorities set by UNHCR field offices. Following the Office's 2009 commitment to present the full range of its budgetary needs as determined in the GNA, the UNHCR 2010 financial requirements were based on the comprehensive needs of people of concern. UNHCR field offices had been instructed to prioritize interventions that delivered life-saving assistance; ensured key protection activities; improved access to education and livelihoods in protracted displacement situations; strengthened protection capacity in situations of mixed migration; improved response to urban refugee situations; ensured emergency preparedness and response; and facilitated durable solutions. While UNHCR regional bureaux played a key role in setting strategic direction at the regional level, the prioritization process was largely field-based, reflecting the UNHCR move to increase decision-making and authority at the point of delivery.

The introduction of the GSps represented the Office's endeavour to present a consolidated view of the most pressing global challenges on which the Office would focus during the 2010–2011 biennium. Priority objectives for field operations included a favourable protection environment; fair protection processes and documentation; security from violence and exploitation; basic needs and essential services; community participation and self-management; and durable solutions. Regarding 2010 plans and initial targets, each regional office and country operation had prepared a detailed plan of activities to be implemented as of January 2010.

At the meeting, the Director of the Office's Division of Programme Support and Management stated that the introduction of GNA had increased the significance of making careful choices and prioritizing activities. Delegations noted the importance for UNHCR to clearly explain global needs, how prioritization was done, and what needs would not be met.

Staff security

At the June meeting of the Standing Committee [A/AC.96/1092], the Director of the Division of Emergency, Security and Supply presented an overview on staff safety and security issues, including refugee security [EC/61/SC/CRP.16], which reviewed the UNHCR security management plan of action and strategy for implementation. Following the review of security preparedness in 2009 [YUN 2009, p. 1202], UNHCR was undertaking measures to enhance security management, particularly regarding field support, staffing, information gathering and analysis, training, and oversight and headquarters processes.

The support provided by field safety advisors (FSAs) to staff and managers included direct assistance to operations at the point of programme delivery; security risk assessments; technical advice, inter-agency and liaison work; training; and capacity-building. Identifying and hiring qualified FSAs remained a critical and labour-intensive task, with the Office redoubling its recruitment efforts and instituting a more complete vetting process. On information gathering and analysis, the document noted the need to better comprehend the complex environments in which staff operated and the emerging threats, as well as the importance of obtaining more comprehensive security-related information. UNHCR worked to provide adapted training for staff in high-risk operations; update and multiply opportunities for staff to undergo UNHCR security training; enrol a greater number of representatives and heads of office in the security management learning programme; and provide expert training for FSAs. UNHCR was also working to increase the role of the Field Safety Section in reviewing and evaluating security management efforts, particularly through conducting regular reviews of high-risk operations through the Security Steering Committee [YUN 2009, p. 1202] and other processes; achieving full compliance with minimum operating security standards (MOSS); and ensuring that security budgeting reflected needs and practice.

At the meeting, delegations expressed support for the comprehensive approach and concrete measures taken on security management. Several delegations requested further information on the Office's strategy to achieve full MOSS compliance worldwide, and stressed the importance of sharing information with other humanitarian actors.

Health, food and nutrition

In 2010, the United Nations continued its determined efforts to eradicate hunger and to achieve health and proper nutrition for all.

The General Assembly reaffirmed its commitment to fight the HIV/AIDS pandemic, which was a major cause of childhood illness and death and the leading cause of death among women between the ages of 15 and 49. The Assembly decided to convene a high-level meeting in 2011 to review the global response to HIV/AIDS, which, according to the Joint United Nations Programme on HIV/AIDS, began to cause fewer deaths or new infections. At the end of 2010, an estimated 34 million people were living with HIV worldwide, and about \$15 billion was available for the AIDS response.

The Assembly also decided to convene a high-level meeting in 2011 on the prevention and control of non-communicable diseases, including cardiovascular diseases, cancers, chronic respiratory diseases and diabetes, which caused more than 60 per cent of deaths worldwide. The Assembly considered the lack of access to basic sanitation services that affected 2.6 billion people and called upon Member States to promote the mobilization of financial, technological, and human resources to improve the delivery of those services. The Assembly also considered road traffic deaths and injuries and proclaimed 2011–2020 as the Decade of Action for Road Safety. Recognizing the role of agriculture in eradicating poverty, which in its extreme form affected more than 1 billion people, the Assembly called for a coordinated follow-up to the 2009 World Summit on Food Security.

The World Food Programme provided 5.7 million metric tons of food to 109.2 million people in 75 countries. The UN System Standing Committee on Nutrition began administrative reforms to facilitate closer relationships with the Economic and Social Council and the Committee on World Food Security. The United Nations University carried out several activities to address hunger and malnutrition.

The Economic and Social Council discussed the harm wrought by tobacco consumption, which caused more than 5 million deaths each year, and called upon Member States to include tobacco control in their efforts to improve maternal and child health.

The World Health Organization (WHO) advocated for the implementation of the Framework Convention on Tobacco Control, whose membership increased to 171 States plus the European Union. WHO also followed up on efforts to fight malaria, which caused

800,000 deaths each year. In May, more than 2,800 delegates convened at the World Health Assembly to discuss global public health issues.

Health

AIDS prevention and control

Implementation of the Declaration of Commitment on HIV/AIDS

Report of Secretary-General. In April, the Secretary-General submitted a report [A/64/735] on progress made in implementing the 2001 Declaration of Commitment on HIV/AIDS [YUN 2001, p. 1126] and the 2006 Political Declaration on HIV/AIDS [YUN 2006, p. 1411]. The report described the extent of the epidemic, identified weaknesses and shortcomings in the context of efforts to combat the disease, and urged action to reverse the epidemic. The report noted the achievements of the global effort to make prevention, treatment, care and support accessible to all: new infections decreased by 17 per cent from 2001 to 2008, and antiretroviral medications to prevent mother-to-child transmission were given to 45 per cent of pregnant women in 2008, compared with 10 per cent in 2004, resulting in an estimated 60,000 at-risk babies being born HIV-free. However, many countries were not on track to meet their global commitments. The epidemic continued to outpace the response: for every two people starting antiretroviral therapy, five were newly infected. HIV remained the leading cause of death among women between the ages of 15 and 49 worldwide. In areas of high prevalence, HIV was a major cause of childhood illness and death. Men who had sex with men, injecting drug users and sex workers continued to face stigmatization and discrimination. Highlighting the complementarity of the AIDS response and the Millennium Development Goals (MDGs) [YUN 2000, p. 51], the report stated that only a dramatic acceleration of international efforts would make the MDG on halting and reversing the HIV epidemic by 2015 attainable, and called for renewed commitments to achieve universal access to prevention, treatment, care and support. The report called for national consultations to review progress in reaching country targets for universal access; collaborative research to build the evidence base for maximizing synergies between HIV programmes and other health

efforts; intensified efforts to prevent new infections; adequate planning for increased demand for anti-retroviral therapies; and the discussion, at the September 2010 high-level meeting of the General Assembly, of the interlinkages between the Declaration of Commitment, the Political Declaration and the MDGs.

Taking note of the Secretary-General's report on 9 June (**decision 64/557**), the General Assembly decided to undertake consultations to determine the modalities and organizational arrangements for the 2011 comprehensive HIV/AIDS review no later than December 2010. It decided to include the item "Implementation of the Declaration of Commitment on HIV/AIDS and the Political Declaration on HIV/AIDS" in the provisional agenda of its sixty-fifth (2010) session.

On 21 December, the Assembly adopted **resolution 65/197** (see p. 647) on the rights of the child, by which it called upon States to prevent mother-to-child transmission of HIV and to address the impact of HIV/AIDS on children.

GENERAL ASSEMBLY ACTION

On 20 December [meeting 69], the Assembly adopted **resolution 65/180** [draft: A/65/L.49] without vote [agenda item 10].

Organization of the 2011 comprehensive review of the progress achieved in realizing the Declaration of Commitment on HIV/AIDS and the Political Declaration on HIV/AIDS

The General Assembly,

Reaffirming its commitment to the Declaration of Commitment on HIV/AIDS, in which it decided, inter alia, to devote sufficient time and at least one full day of the annual session of the General Assembly to reviewing and debating a report of the Secretary-General,

Reaffirming also its commitment to the Political Declaration on HIV/AIDS, in which it decided, inter alia, to undertake comprehensive reviews in 2008 and 2011, within the annual reviews of the General Assembly, of the progress achieved in realizing the Declaration of Commitment and the Political Declaration,

Recalling the HIV/AIDS-related goals and commitments contained in the United Nations Millennium Declaration, in the 2005 World Summit Outcome and in the outcome document of the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals,

Emphasizing the significance of the comprehensive review in 2011 which will mark three decades of the HIV/AIDS pandemic, the ten-year review of the Declaration of Commitment on HIV/AIDS and its time-bound measurable goals and targets, and the five-year review of the Political Declaration on HIV/AIDS with the goal of achieving universal access to comprehensive HIV prevention, treatment, care and support by 2010, while bearing in mind the fact that these goals and targets will expire at the end of 2010 and the urgent need to renew the political will for, and to continue fulfilling our commitments to, the global response to HIV/AIDS,

1. *Decides* to convene a high-level meeting from 8 to 10 June 2011, which will undertake a comprehensive review of the progress achieved in realizing the Declaration of Commitment on HIV/AIDS and the Political Declaration on HIV/AIDS, including successes, best practices, lessons learned, obstacles and gaps, challenges and opportunities, and recommendations to guide and monitor the HIV/AIDS response beyond 2010, including concrete strategies for action, as well as promote the continued commitment and engagement of leaders in a comprehensive global response to HIV/AIDS;

2. *Also decides* that the organizational arrangements for the high-level meeting should be as follows:

(a) The high-level meeting shall comprise plenary meetings and up to five thematic panel discussions;

(b) The opening plenary meeting shall feature statements by the President of the General Assembly, the Secretary-General, the Executive Director of the Joint United Nations Programme on HIV/AIDS, a person openly living with HIV and an eminent person actively engaged in the response to HIV/AIDS;

(c) The Chairs of the panel discussions shall present summaries of the discussions to the closing plenary meeting;

3. *Invites* Member States and observers to be represented at the highest level at the high-level meeting;

4. *Encourages* Member States to include in their national delegations to the high-level meeting parliamentarians, representatives of civil society, including non-governmental organizations and organizations and networks representing people living with HIV, women, young persons, orphans, community organizations, faith-based organizations and the private sector;

5. *Decides* that the Holy See, in its capacity as Observer State, and Palestine, in its capacity as observer, shall participate in the high-level meeting;

6. *Invites* the United Nations system, including programmes, funds, specialized agencies and regional commissions, the Special Envoys of the Secretary-General for HIV/AIDS and the Special Envoy of the Secretary-General to Stop Tuberculosis, as well as the Global Fund to Fight AIDS, Tuberculosis and Malaria, to participate in the high-level meeting, as appropriate, and urges them to consider initiatives in support of the preparatory process and the meeting;

7. *Encourages* other stakeholders, including the International Drug Purchase Facility, UNITAID, and the Partnership for Maternal, Newborn and Child Health, to contribute, as appropriate, to the high-level meeting;

8. *Invites* the Inter-Parliamentary Union to contribute to the high-level meeting;

9. *Requests* the President of the General Assembly to organize, no later than in April 2011, an informal interactive civil society hearing with the active participation of people living with HIV and broader civil society, and attended by representatives of Member States, the Observer State and observers, non-governmental organizations in consultative status with the Economic and Social Council, invited civil society organizations and the private sector, as part of the preparatory process for the high-level meeting;

10. *Decides* that the President of the General Assembly shall preside over the informal interactive hearing with representatives of non-governmental organizations, civil society organizations and the private sector, and requests the President to prepare a summary of the hearing, issued as a document of the Assembly prior to the high-level meeting;

11. *Encourages* Member States to actively participate in the hearing at the ambassadorial level to facilitate interaction between Member States and representatives of non-governmental organizations, civil society organizations and the private sector;

12. *Invites* intergovernmental organizations and entities that have observer status with the General Assembly, non-governmental organizations in consultative status with the Economic and Social Council, and non-governmental members of the Programme Coordinating Board of the Joint Programme to participate in the high-level meeting, as appropriate;

13. *Decides* that representatives of non-governmental organizations in consultative status with the Economic and Social Council, civil society organizations and the private sector, one from each grouping, selected during the informal interactive hearing, may also be included in the list of speakers for the plenary meetings of the high-level meeting, in consultation with the President of the General Assembly;

14. *Requests* the President of the General Assembly, following appropriate consultations with Member States, to draw up, no later than 31 March 2011, a list of other relevant civil society representatives, in particular associations of people living with HIV, non-governmental organizations, including organizations of women and young people, girls and boys and men, faith-based organizations and the private sector, especially pharmaceutical companies and representatives of labour, including on the basis of the recommendations of the Joint Programme and taking into account the principle of equitable geographical representation, and to submit the list to Member States for consideration on a no-objection basis for a final decision by the Assembly on participation in the high-level meeting, including panel discussions;

15. *Decides* that the arrangements outlined in paragraph 14 above shall not be considered a precedent for other similar events;

16. *Requests* the President of the General Assembly, with support from the Joint Programme and in consultation with Member States, to finalize the organizational arrangements for the high-level meeting, including the identification of a person openly living with HIV and an eminent person actively engaged in the response to HIV/AIDS to speak at the opening plenary meeting, the identification of themes and finalization of the panel discussions, and the arrangements for the informal interactive hearing with civil society;

17. *Requests* the Joint Programme to continue facilitating, to the extent possible, inclusive consultations at the country and regional levels, with the participation of relevant stakeholders, including Governments, non-governmental organizations, civil society and the private sector, to review progress made towards universal access to HIV prevention, treatment, care and support, as well as opportunities to address gaps, obstacles and challenges;

18. *Requests* the Secretary-General to submit a comprehensive and analytical report, at least six weeks prior to its consideration by the General Assembly, on progress achieved and challenges remaining in realizing the commitments set out in the Declaration of Commitment and the Political Declaration, as well as recommendations for sustainable ways to overcome those challenges, taking into consideration the outcomes and findings of the aforementioned universal access review consultations;

19. *Requests* the President of the General Assembly to hold timely, open, transparent and inclusive consultations with all Member States, with a view to adopting a concise and action-oriented declaration, as an outcome of the high-level meeting to be agreed by Member States, that reaffirms and builds on the Declaration of Commitment and the Political Declaration to guide and monitor the HIV/AIDS response beyond 2010, giving due consideration to the report of the Secretary-General and other inputs to the preparatory process for the high-level meeting.

On 24 December, the General Assembly decided that the agenda item on the implementation of the Declaration of Commitment on HIV/AIDS and the Political Declaration on HIV/AIDS would remain for consideration during its resumed sixty-fifth (2011) session (**decision 65/544**).

Joint UN Programme on HIV/AIDS

The Joint United Nations Programme on HIV/AIDS (UNAIDS) continued to advocate global action to fight HIV/AIDS. In 2010, UNAIDS had ten cosponsors: the International Labour Organization; the United Nations Development Programme; the United Nations Educational, Scientific and Cultural Organization; the United Nations Children's Fund (UNICEF); the Office of the United Nations High Commissioner for Refugees; the United Nations Office on Drugs and Crime; the World Health Organization (WHO); the World Food Programme (WFP); the United Nations Population Fund (UNFPA); and the World Bank.

Report on the global AIDS epidemic

On 23 November, UNAIDS published the 2010 edition of its *Report on the Global AIDS Epidemic*. The report, based on data from 182 countries, showed that progress was being made toward achieving universal access to HIV prevention, treatment, care and support. It stated that the spread of HIV had been halted and reversed, in line with MDG 6. Since the 1990s, the number of new infections had been decreasing, but remained high. The report estimated that 2.6 million new infections occurred in 2009. There were 1.8 million AIDS-related deaths, lower than the 2.1 million deaths in 2004, due to the significant scale-up of antiretroviral therapy. As a result, the number of people living with HIV increased from 32.8 million in 2008 to 33.3 million in 2009. The report cited promising results from the use of a tenofovir-based microbicide gel, which had been found to reduce HIV infections by 39 per cent, as well as herpes simplex virus-2 infections by 51 per cent, in women between the ages of 18 and 40. The report noted that the growth in investment for the AIDS response had flattened in 2009 for the first time: \$15.9 billion was available for the AIDS response in 2009, \$10 billion short of what was needed in 2010.

UNAIDS activities

In 2010, UNAIDS provided technical support to more than 60 countries to scale up HIV treatment programmes, including the development and adaptation of national treatment guidelines, the implementation of strategies to monitor and address adverse events, and strategic approaches to improve clinical management.

Research breakthroughs occurred in 2010, with clinical trials demonstrating the partial efficacy of a vaginal microbicide and pre-exposure antiretroviral prophylaxis, expanding the toolkit of interventions to prevent new infections. Two studies in sub-Saharan Africa suggested that conditional cash transfers reduced young people's risk of HIV infection by alleviating economic vulnerability. Enhanced understanding of HIV interventions led to the revision of international guidelines for antiretroviral therapy for HIV infection in adults and adolescents, and antiretroviral drugs for treating pregnant women and preventing infection in infants. More than 15 countries benefited from UNAIDS-supported studies on modes of transmission, which provided critical information to enable more accurate and timely use of scarce resources. In 2010, 182 countries reported data on progress in their HIV response, summarized in the UNAIDS *Report on the Global AIDS Epidemic 2010*. For the first time, UNAIDS produced AIDS scorecards on key indicators of national progress, enabling countries to compare results.

Efforts to increase the number of circumcised adult males in 13 high-priority countries with high prevalence of HIV and low prevalence of male circumcision led to an estimated 400,000 men circumcised in nine priority countries in 2010. The percentage of countries reporting the existence of laws and regulations protecting people living with HIV from discrimination increased from 56 per cent in 2006 to 71 per cent in 2010.

UNAIDS provided advocacy and technical support in more than 40 countries to promote gender equality in the context of HIV. It generated a framework for integrating gender in national monitoring and evaluation systems, and provided guidance on creating gender indicators for national responses. It also provided technical support for HIV policies and programmes affecting young people in more than 60 countries. With the leadership of the International Labour Organization, at least 32 countries received UNAIDS support to strengthen workplace HIV prevention, treatment, care and support.

In partnership with the Ecumenical Advocacy Alliance, Cordaid and the International Network of Religious Leaders Living with and Affected by HIV, UNAIDS hosted a summit of religious leaders on the response to HIV (Den Dolder, Netherlands, 22–23 March). At the meeting, some 40 religious leaders explored opportunities to promote universal

access to HIV prevention, treatment, care and support in their communities and speak out against stigma and discrimination.

At the High-level Plenary Meeting of the General Assembly on the MDGs in September, UNAIDS organized a high-profile session with China, Ethiopia, Nigeria and South Africa to galvanize the attention of world leaders to the UNAIDS initiative “AIDS plus MDGs”.

UNAIDS remained an important source of technical support. In 2010, technical support facilities in five regions provided 14,700 days of technical assistance in 67 countries. UN partners completed an additional five national technical support plans.

A new international labour standard on HIV and AIDS was adopted at the annual International Labour Conference on 17 June. The HIV and AIDS Recommendation, 2010 (No. 200) called for the development, adoption and implementation of national workplace policies on HIV and AIDS and the world of work, including universal access to prevention, treatment, care and support measures.

Programme Coordinating Board. The UNAIDS Programme Coordinating Board (PCB) at its twenty-fifth meeting (Geneva, 8–10 December 2009) [UNAIDS/PCB(25)/09.29] discussed the report, conclusions and recommendations of the Second Independent Evaluation (SIE) of UNAIDS. The evaluation assessed UNAIDS for the period from 2002 to 2008 [UNAIDS/PCB(25)/09.18]. It concluded that UNAIDS remained highly relevant; that UNAIDS was successful in working towards global leadership and political and social mobilization; that it was mostly successful in advocating greater political commitment at the country and global levels; and that it was partly successful in promoting and achieving global consensus in policy and programmes and in strengthening country capacities. It further concluded that UNAIDS needed a leaner secretariat, better governance and a clearer direction in the light of the evolving epidemic and changing aid architecture. According to SIE, the UNAIDS cosponsors saw the following benefits from their membership in UNAIDS: the availability of funds through the unified budget and workplan; the role of the UNAIDS secretariat and the UNAIDS Executive Director in maintaining HIV as a high-profile issue; greater awareness of global issues and trends; and a visible role and access to a wide range of expertise and networks. PCB agreed with 21 recommendations of SIE and created a follow-up task force on governance. PCB subsequently made additional recommendations based on the report of the task force [UNAIDS/PCB(26)/10.8]. PCB also discussed the impact of the global financial and economic crisis on the AIDS response; a survey-based assessment anticipated a deterioration in funding, severely affecting HIV prevention.

At its twenty-sixth meeting (22–24 June 2010) [UNAIDS/PCB(26)/10.15], PCB endorsed a new vision for UNAIDS that called for efforts to achieve “zero new infections, zero AIDS-related deaths and zero discrimination”, as well as a comprehensive strategy for 2011–2015 that outlined policy and programmatic approaches to advance progress in each of the three pillars of the UNAIDS vision. PCB discussed the importance of linking sexual reproductive health services and HIV/AIDS interventions; financial and implementation reports for 2008–2009 and an update on the 2010–2011 unified budget and workplan; reducing HIV transmission among men having sex with men and transgender individuals; and the gender-sensitivity of AIDS responses. Regarding SIE, PCB considered a progress report on its implementation and the report of the follow-up task force on governance.

At its twenty-seventh meeting (6–8 December) [UNAIDS/PCB(27)/10.27], PCB adopted the UNAIDS 2011–2015 Strategy: *Getting to Zero*, an agenda for the global AIDS response to revolutionize HIV prevention, catalyse the next phase of treatment, care and support, and advance human rights and gender equality. The Strategy sought to improve efficiency to reduce new infections; expand access to treatment; reduce stigma and discrimination; facilitate strategic partnerships; support country ownership; engage emerging economies; facilitate South-South cooperation; and usher in a new approach to financing the response. The meeting also discussed SIE implementation; the report of the follow-up task force; gender-sensitivity of AIDS responses; AIDS, security and humanitarian responses; and universal access.

Non-communicable diseases

The General Assembly considered a draft resolution calling for the convening of a high-level meeting of the Assembly in 2011 on the prevention and control of non-communicable diseases.

GENERAL ASSEMBLY ACTION

On 13 May [meeting 86], the General Assembly adopted **resolution 64/265** [draft: A/64/L.52 & Add.1] without vote [agenda item 114].

Prevention and control of non-communicable diseases

The General Assembly,

Recalling the United Nations Millennium Declaration and the 2005 World Summit Outcome, as well as the outcomes of the major United Nations conferences and summits in the economic, social and related fields, in particular the health-related development goals set out therein,

Recalling also all its resolutions related to global public health, including those related to global health and foreign policy,

Recalling further its resolution 61/225 of 20 December 2006 in which it decided to designate and observe 14 November as World Diabetes Day,

Reaffirming the ministerial declaration of the 2009 high-level segment of the Economic and Social Council, on the theme “Implementing the internationally agreed goals and commitments in regard to global public health”,

Noting with appreciation all relevant resolutions and decisions adopted by the World Health Assembly on the prevention and control of non-communicable diseases, and underlining the importance for Member States to continue addressing key risk factors for non-communicable diseases through the implementation of the 2008–2013 Action Plan for the Global Strategy for the Prevention and Control of Non-communicable Diseases, the World Health Organization Framework Convention on Tobacco Control, the Global Strategy on Diet, Physical Activity and Health, and the evidence-based strategies and interventions to reduce the public health problems caused by the harmful use of alcohol,

Noting that the conditions in which people live and their lifestyles influence their health and quality of life and that the most prominent non-communicable diseases are linked to common risk factors, namely, tobacco use, alcohol abuse, an unhealthy diet, physical inactivity and environmental carcinogens, being aware that these risk factors have economic, social, gender, political, behavioural and environmental determinants, and in this regard stressing the need for a multisectoral response to combat non-communicable diseases,

Underscoring the need for concerted action and a coordinated response at the national, regional and global levels in order to adequately address the developmental and other challenges posed by non-communicable diseases, in particular the four most prominent non-communicable diseases, namely, cardiovascular diseases, cancers, chronic respiratory diseases and diabetes,

Taking note with appreciation of the declaration of the Heads of State and Government of the Caribbean Community, entitled “Uniting to stop the epidemic of chronic non-communicable diseases”, adopted in September 2007,

Taking note with appreciation also of the statement of the Commonwealth Heads of Government on action to combat non-communicable diseases, adopted in November 2009,

Taking note of all the regional initiatives undertaken on the prevention and control of non-communicable diseases,

Taking note with appreciation of the initiative of the Government of the Russian Federation to organize an international ministerial conference on non-communicable diseases in Moscow in June 2011,

Noting with concern that for millions of people throughout the world, the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, including access to medicines, still remains a distant goal and that, in many cases, especially for those living in poverty, this goal is becoming increasingly remote,

Underscoring the fact that global health is also a long-term developmental objective which is local, national, regional and international in scope and requires sustained attention, commitment and closer international cooperation, and in this regard reaffirming the need to further strengthen international cooperation in the area of public

health, inter alia, through the exchange of best practices aimed at building the capacity of public health systems, providing financial assistance, the production of and increased access to affordable, safe, effective and high-quality medicines, the training, recruitment and retention of public health personnel, the development of infrastructure and the transfer of technology,

Reaffirming the commitment to strengthening national health systems that deliver equitable health outcomes as the basis of a comprehensive approach, with appropriate attention to, inter alia, health financing, including appropriate budgetary allocations, the health workforce, the procurement and distribution of medicines and vaccines, infrastructure, information systems, which include monitoring of non-communicable diseases and their determinants, service delivery and political will in leadership and governance,

Emphasizing that the United Nations system has an important responsibility to assist Governments in the follow-up to and full implementation of agreements and commitments reached at the major United Nations conferences and summits, especially those focusing on health-related issues,

Recognizing the leading role of the World Health Organization as the primary specialized agency for health, including its roles and functions with regard to health policy in accordance with its mandate, and welcoming its efforts, in cooperation with Member States, the United Nations system, the Bretton Woods institutions, the private sector and civil society, and the mass media, in the promotion of public health at all levels,

Recognizing also the enormous human suffering caused by non-communicable diseases, such as cardiovascular diseases, cancers, chronic respiratory diseases and diabetes, and the threat they pose to the economies of many Member States, leading to increasing inequalities between countries and populations, thereby threatening the achievement of the internationally agreed development goals, including the Millennium Development Goals,

Noting the call to consider integrating indicators to monitor the magnitude, the trend and the socio-economic impact of non-communicable diseases into the Millennium Development Goals monitoring system,

Recognizing the lack of sufficient statistical data on non-communicable diseases, particularly in developing countries, and the need for the development and wide utilization of a set of standardized indicators for data collection and information on trends in respect of non-communicable diseases and their risk factors at the global, regional and national levels,

Convinced of the urgent need to undertake multilateral efforts at the highest political level to address the rising prevalence, morbidity and mortality of non-communicable diseases worldwide and to raise the priority accorded to non-communicable diseases in development cooperation by enhancing such cooperation in this regard,

1. *Decides* to convene a high-level meeting of the General Assembly in September 2011, with the participation of Heads of State and Government, on the prevention and control of non-communicable diseases;

2. *Also decides* to hold consultations on the scope, modalities, format and organization of the high-level meeting of the General Assembly on the prevention and control of

non-communicable diseases, with a view to concluding consultations, preferably before the end of 2010;

3. *Encourages* Member States to include in their discussions at the high-level plenary meeting of the sixty-fifth session of the General Assembly on the review of the Millennium Development Goals, to be held in September 2010, the rising incidence and the socio-economic impact of the high prevalence of non-communicable diseases worldwide;

4. *Requests* the Secretary-General to submit a report to the General Assembly at its sixty-fifth session, in collaboration with Member States, the World Health Organization and the relevant funds, programmes and specialized agencies of the United Nations system, on the global status of non-communicable diseases, with a particular focus on the developmental challenges faced by developing countries.

WHO report. In September, the Secretary-General transmitted a report of the WHO Director General on the global status of non-communicable diseases [A/65/362]. The report stated that non-communicable diseases—principally cardiovascular diseases, diabetes, cancer and chronic respiratory disease—caused 35 million deaths in 2005, representing more than 60 per cent of all deaths globally; 80 per cent of those deaths from non-communicable diseases occurred in low- and middle-income countries. The report projected a 17 per cent increase in deaths due to those diseases over the next 10 years, 24 per cent of which would occur in Africa. It identified population ageing, unplanned urbanization, globalization of trade and marketing, and the prevalence of unhealthy lifestyle patterns as the drivers of the diseases. Because of their links to poverty and their effects on productivity and health-care costs, those diseases were seen as a global macroeconomic and developmental challenge, and their prevention and health-care interventions as excellent economic investments. Affordable solutions to prevent and control the diseases included reducing exposure to common risk factors such as tobacco use, unhealthy diets, physical inactivity and the harmful use of alcohol, as well as better access to health care. The report recommended that WHO member States map and monitor the diseases and analyse their social, economic and political determinants to provide guidance for policy, legislative and financial measures; reduce the exposure of individuals and populations to the risks associated with those diseases; provide choices for and encourage healthful lifestyles; and strengthen health care for people with the diseases.

GENERAL ASSEMBLY ACTION

On 24 December [meeting 73], the General Assembly adopted **resolution 65/238** [draft: A/65/L.50] without vote [agenda item 115].

**Scope, modalities, format and organization
of the High-level Meeting of the General Assembly
on the Prevention and Control
of Non-communicable Diseases**

The General Assembly,

Recalling its resolution 64/265 of 13 May 2010, in which it decided to convene a high-level meeting of the General Assembly in September 2011, with the participation of Heads of State and Government, on the prevention and control of non-communicable diseases,

Recalling also the outcome document of the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals, and the commitment contained therein to undertake concerted action and a coordinated response at the national, regional and global levels in order to adequately address the developmental and other challenges posed by non-communicable diseases, namely cardiovascular diseases, cancers, chronic respiratory diseases and diabetes, and to work towards a successful high-level meeting of the General Assembly in 2011,

Recognizing the primary role and responsibility of Governments in responding to the challenge of non-communicable diseases and the essential need for the efforts and engagement of all sectors of society to generate an effective response,

Recognizing also the important role of the international community and international cooperation in assisting Member States, particularly developing countries, and in complementing national efforts to generate an effective response to non-communicable diseases,

Recalling its resolution 65/95 of 9 December 2010 on global health and foreign policy,

1. *Decides* that the High-level Meeting of the General Assembly on the Prevention and Control of Non-communicable Diseases shall be held on 19 and 20 September 2011 in New York;

2. *Also decides* that the High-level Meeting shall address the prevention and control of non-communicable diseases worldwide, with a particular focus on developmental and other challenges and social and economic impacts, particularly for developing countries;

3. *Reiterates* its decision to hold the High-level Meeting with the participation of Heads of State and Government, and encourages all Member States to be represented at that level;

4. *Decides* that the organizational arrangements of the High-level Meeting and the round tables shall be as follows:

(a) Formal plenary meetings, to be held on 19 September 2011, chaired by the President of the General Assembly and featuring opening statements by the President of the Assembly, the Secretary-General, the Director-General of the World Health Organization and a representative of civil society who will be chosen from non-governmental organizations with consultative status with the Economic and Social Council and in consultation with Member States; and a closing plenary meeting to be held on 20 September 2011, comprising the presentation of summaries of the round tables and the adoption of a concise action-oriented outcome document;

(b) Three round tables, with round tables 1 and 2 taking place concurrently with the plenary meetings on 19 September 2011, and round table 3 taking place on 20 September 2011;

(c) Thematic round tables which will address the following themes:

- Round table 1: The rising incidence, developmental and other challenges and the social and economic impact of non-communicable diseases and their risk factors;
- Round table 2: Strengthening national capacities, as well as appropriate policies, to address prevention and control of non-communicable diseases;
- Round table 3: Fostering international cooperation, as well as coordination, to address non-communicable diseases;

(d) In order to promote interactive and substantive discussions, participation in each round table will include Member States, observers, and representatives of entities of the United Nations system, civil society and the private sector; a list of speakers will not be maintained in this regard;

5. *Requests* the President of the General Assembly, in consultation with Member States, to finalize the organizational arrangements of the meetings, including the list of speakers of the plenary meetings to be held on 19 September 2011, taking account of the length of the meetings, the identification of the civil society representative to speak at the opening plenary meeting, the assignment of Member States and participants to round tables, and the identification of Chairs for the round tables, taking into account the level of representation as well as equitable geographical representation and the format of the informal interactive hearing;

6. *Encourages* Member States to consider, as appropriate and where relevant, including in their national delegations to the High-level Meeting parliamentarians, representatives of civil society, including non-governmental organizations, academia and networks working on the control and prevention of non-communicable diseases;

7. *Decides* that the High-level Meeting shall result in a concise action-oriented outcome document, and requests the President of the General Assembly to produce a draft text in consultation with Member States based on their inputs, as well as inputs from the preparatory process and evidence-based inputs, where relevant, and convene informal consultations at an appropriate date in order to enable sufficient consideration and agreement by Member States prior to the High-level Meeting;

8. *Also decides* that the report of the Secretary-General, in collaboration with Member States, the World Health Organization and the relevant funds, programmes and specialized agencies of the United Nations system, on the global status of non-communicable diseases, with a particular focus on the developmental challenges faced by developing countries, requested by the General Assembly in resolution 64/265, shall be submitted no later than May 2011 and shall serve as an input to the preparatory process for the High-level Meeting;

9. *Invites* the World Health Organization, with the support and active participation of regional commissions and other relevant agencies and entities, to continue to hold regional multisectoral consultations, as appropriate, which will serve to provide inputs to the preparations for the High-level Meeting, as well as to the Meeting itself;

10. *Requests* the President of the General Assembly to organize, no later than June 2011 and in consultation with representatives of non-governmental organizations in

consultative status with the Economic and Social Council, civil society organizations, the private sector and academia, an informal interactive hearing with non-governmental organizations, civil society organizations, the private sector and academia to provide an input to the preparatory process for the High-level Meeting;

11. *Decides* that the President of the General Assembly shall preside over the above-mentioned informal interactive hearing, and requests the President to prepare a summary of the hearing, to be issued as a document of the Assembly prior to the High-level Meeting;

12. *Invites* the Inter-Parliamentary Union to contribute to the High-level Meeting;

13. *Invites* the Holy See, in its capacity as observer State, and Palestine, in its capacity as observer, to participate in the preparatory activities and in the High-level Meeting;

14. *Invites* United Nations funds and programmes, the specialized agencies, in particular the World Health Organization, regional commissions, the Bretton Woods institutions, the World Trade Organization, the regional development banks, the United Nations Conference on Trade and Development and intergovernmental organizations and entities having observer status in the General Assembly to participate in the preparatory activities and in the High-level Meeting, in accordance with the rules of procedure as established by the Assembly;

15. *Decides* that the President of the General Assembly shall consult with representatives of non-governmental organizations in consultative status with the Economic and Social Council, civil society organizations, the private sector and academia, and with Member States, as appropriate, on the list of representatives of non-governmental organizations, civil society organizations, the private sector and academia, taking into account, to the extent possible, the principle of equitable geographical representation, and submit the list to Member States for consideration and for a final decision by the Assembly on participation in the High-level Meeting, including the round tables.

Water and sanitation

On 28 July, the General Assembly adopted **resolution 64/292** (see p. 743), which recognized the right to safe and clean drinking water and sanitation as a human right and called upon States and international organizations to provide financial resources, capacity-building and technology transfer.

GENERAL ASSEMBLY ACTION

On 20 December [meeting 69], the General Assembly, on the recommendation of the Second (Economic and Financial) Committee [A/65/436/Add.1], adopted **resolution 65/153** [agenda item 20 (a)].

Follow-up to the International Year of Sanitation, 2008

The General Assembly,

Reaffirming the commitment to implement Agenda 21, the Programme for the Further Implementation of Agenda 21, the Plan of Implementation of the World Summit on

Sustainable Development (“Johannesburg Plan of Implementation”), including the time-bound goals and targets, and the other internationally agreed development goals, including the Millennium Development Goals,

Recalling the 2005 World Summit Outcome,

Recalling also its resolution 61/192 of 20 December 2006 on the International Year of Sanitation, 2008,

Recalling further the outcome document of the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals and the commitments made therein,

Recalling Human Rights Council resolutions 7/22 of 28 March 2008, 12/8 of 1 October 2009 and 15/9 of 30 September 2010 on human rights and access to safe drinking water and sanitation,

Reaffirming the need to continue to increase sustainable access to safe drinking water and basic sanitation by prioritizing integrated water and sanitation strategies, which include the restoration, upgrading and maintenance of infrastructure, including water pipelines and sewage networks, as well as promoting integrated water management in national planning and exploring innovative ways of improving the tracking and monitoring of water quality,

Reaffirming also the necessity to take into account sanitation in complementarity with water, in conjunction with the International Decade for Action, “Water for Life”, 2005–2015,

Taking note of the report of the Secretary-General on the International Year of Sanitation, 2008,

Appreciating the ongoing work in the United Nations system and the work of other intergovernmental organizations on sanitation,

Noting the holding of the fifth World Water Forum in Istanbul, Turkey, from 16 to 22 March 2009, and noting also that the sixth World Water Forum will be held in Marseille, France, in March 2012,

Noting with appreciation the contribution made by the Advisory Board on Water and Sanitation, and noting its recent work on the Hashimoto Action Plan II,

Deeply concerned by the slow and insufficient progress in providing access to basic sanitation services, as evidenced by the 2010 report of the World Health Organization and the United Nations Children’s Fund, in which it was noted that 2.6 billion people continue to lack basic sanitation, and conscious of the impact of the lack of sanitation on people’s health, poverty reduction, economic and social development and the environment, in particular water resources,

Convinced that progress through action at the national and local levels in developing countries can be achieved through the active commitment of all Member States, with the support of the international community,

Noting the efforts of the Sanitation and Water for All partnership, and acknowledging the successes achieved through the community-led total sanitation approach, particularly in the context of hygiene promotion, behavioural change and sanitation progress,

Noting also regional efforts in the field of sanitation, such as the African Ministers’ Council on Water and those within the framework of the New Partnership for Africa’s Development,

1. *Calls upon* all Member States to support the global effort to realize “Sustainable sanitation: the five-year drive to 2015” by redoubling efforts to close the sanitation gap

through scaled-up ground-level action, supported by strong political will, increased community participation and improved hygiene, in accordance with national development strategies, by promoting the mobilization and provision of adequate financial and technological resources, technical know-how and capacity-building for developing countries and by developing appropriate human resources in order to improve hygiene and to increase the coverage of basic sanitation, especially for the poor;

2. *Encourages* all States, as well as the United Nations system and all other relevant stakeholders, to take advantage of "Sustainable sanitation: the five-year drive to 2015" as a platform on which to build political will and promote action at all levels, while increasing awareness of the urgent need to reach the goal set out in the Johannesburg Plan of Implementation to halve by 2015 the proportion of people without access to basic sanitation;

3. *Invites* all Member States to increase political prioritization, to promote evidence-based decision-making and to support strong national planning processes in order to better target funding for basic sanitation and drinking water to achieve the internationally agreed targets set out in the United Nations Millennium Declaration and the Johannesburg Plan of Implementation, including halving by 2015 the proportion of people who are unable to reach or afford safe drinking water and who do not have access to basic sanitation;

4. *Notes* the efforts of countries that are participating in all relevant voluntary initiatives related to water and sanitation, including the Sanitation and Water for All partnership, to share their experience with interested Member States;

5. *Urges* all Member States, the United Nations system and all other relevant stakeholders to encourage behavioural change together with policies for increasing access to sanitation among the poor, complemented by a call to end open defecation as an extremely harmful practice for public health, and encourages Member States to further strengthen investments in sanitation and hygiene education;

6. *Encourages* all Member States, as well as the United Nations system and international organizations and other stakeholders, to approach the sanitation issue in a much broader context and to encompass all its aspects, including hygiene promotion, provision of basic sanitation services, sewerage, and wastewater treatment and reuse in the context of integrated water management.

Tobacco

At the end of 2010, 171 States and the European Union were parties to the WHO Framework Convention on Tobacco Control, which was adopted by the World Health Assembly in 2003 [YUN 2003, p. 1251] and entered into force in 2005.

The Conference of the Parties to the Convention, at its fourth session (Punta del Este, Uruguay, 15–20 November) [FCTC/COP/4/REC/1], issued a declaration urging the United Nations Ad Hoc Interagency Task Force on Tobacco Control to support coordination for strengthening implementation of the Convention within the UN system, also stressing the need to dis-

cuss tobacco control during the United Nations 2011 summit on non-communicable diseases. The Conference adopted implementation guidelines for articles 9 (regulation of the contents of tobacco products), 10 (regulation of tobacco product disclosures), 12 (education, communication, training and public awareness) and 14 (demand reduction measures concerning tobacco dependence and cessation). It requested the working group on economically sustainable alternatives to tobacco growing to continue its work and to report to the fifth session of the Conference. It also requested the Convention secretariat to report on electronic cigarettes and other smokeless tobacco products and nicotine delivery systems. The Conference extended the mandate of the Intergovernmental Negotiating Body on a Protocol on Illicit Trade in Tobacco Products and requested it to submit the text of the draft protocol to the Conference's fifth session. It also established an expert group on cross-border advertising, promotion and sponsorship of tobacco products, as well as a working group for elaborating guidelines for implementation of article 6 (price and tax measures to reduce the demand for tobacco).

Intergovernmental Negotiating Body on a Protocol on Illicit Trade in Tobacco Products. The Chairperson of the Intergovernmental Negotiating Body on a Protocol on Illicit Trade in Tobacco Products submitted a report [FCTC/COP/4/4] to the fourth session of the Conference of the Parties. The Negotiating Body held its fourth session (Geneva, 14–21 March), attended by 141 States parties, 10 States non-parties, three intergovernmental organizations, and eight non-governmental organizations (NGOs) accredited as observers. Participants recommended that the draft protocol [FCTC/COP/INB-IT/4/7] be considered by the Conference of the Parties at its fourth session.

Ad Hoc Inter-Agency Task Force

In May, the Secretary-General submitted to the Economic and Social Council a report on progress made by the Ad Hoc Inter-Agency Task Force on Tobacco Control [E/2010/55 & Corr.1], which met on 18 and 19 February in New York, in implementing multisectoral collaboration on tobacco or health. The report described tobacco consumption and progress made in the implementation of measures for reducing demand. According to the report, tobacco use killed more than 5 million people worldwide each year; the number was expected to increase to more than 8 million by 2030, almost 80 per cent of which would occur in developing countries. Only Panama had instituted a new advertising ban since 2008, while progress in tobacco taxation was slow, with nearly 94 per cent of the world's population living in countries where taxes amounted to less than 75 per cent of the price of a pack of cigarettes. Progress was made in implement-

ing the demand reduction measures set out in the WHO Framework Convention on Tobacco Control; however, less than 10 per cent of the world population was covered by any one of the measures, and more needed to be done in terms of tobacco control.

The report reviewed the implementation of the Convention and examined areas for inter-agency collaboration. It highlighted the problems related to the disposal of 5 trillion non-biodegradable cigarette filters, containing carcinogenic and radioactive chemicals, into the environment every year. Regarding the implementation of General Assembly resolution 63/8 [YUN 2008, p. 1334], which prohibited smoking inside the United Nations, positive feedback and support was provided by Member States and UN staff members. The report recommended strengthening inter-agency support for the integration of tobacco control, as well as the preparation of a technical document on the environmental impact of discarded cigarette filters.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 22 July [meeting 45], the Economic and Social Council adopted **resolution 2010/8** [draft: E/2010/L.26 & E/2010/SR.45] without vote [agenda item 7 (g)].

Tobacco use and maternal and child health

The Economic and Social Council,

Taking note of the report of the Secretary-General on the Ad Hoc Inter-Agency Task Force on Tobacco Control, in which the need for a multisectoral and inter-agency response to the tobacco epidemic at the country and international levels is emphasized,

Recognizing the adverse impact of tobacco use on public health, as well as its social, economic and environmental consequences, including for efforts towards poverty eradication,

Considering the serious consequences of tobacco use for maternal and child health,

Recalling the preamble to the World Health Organization Framework Convention on Tobacco Control, and recognizing the increase in tobacco use among women and young girls as well as the devastating impact of exposure to tobacco smoke,

Acknowledging the effectiveness of tobacco control measures for the improvement of health,

Emphasizing the importance of protecting the well-being of women and their children,

1. *Urges* Member States to consider the importance of tobacco control in improving maternal and child health as part of their public health policies and in their development cooperation programmes;

2. *Recognizes* the importance of promoting tobacco control policies that include children, young people and the family;

3. *Calls upon* Member States to include tobacco control in their efforts to improve public health, including maternal and child health, and reduce child mortality, through the protection of children and pregnant women from tobacco use and exposure to tobacco smoke;

4. *Calls upon* all relevant United Nations funds, programmes and specialized agencies to work together to promote the reduction of tobacco use among women, in particular women of reproductive age, and those around them;

5. *Requests* the Secretary-General, in consultation with and with the support of the World Health Organization, to convene a meeting of the Ad Hoc Inter-Agency Task Force on Tobacco Control, in accordance with paragraph 50 (b) of the report of the Secretary-General, to discuss further strengthening of the multisectoral and inter-agency response to the global tobacco epidemic and to report thereon to the Economic and Social Council;

6. *Also requests* the Secretary-General to submit to the Council at its substantive session of 2012 a report on the work of the Task Force.

Malaria

Roll Back Malaria initiative

The Secretary-General in August transmitted to the General Assembly the WHO report entitled “2001–2010: Decade to Roll Back Malaria in Developing Countries, Particularly in Africa” [A/65/210], which highlighted progress made in achieving goals for the control of malaria set by resolution 62/180 [YUN 2007, p. 1268]. The report stated that malaria control efforts had attracted political attention and financial support. Annual funding commitments increased from less than \$0.2 billion in 2000 to \$1.6 billion in 2009 as a result of the establishment of the Global Fund to Fight AIDS, Tuberculosis and Malaria in 2002 [YUN 2002, p. 1217] and commitments by the United States, the World Bank and other agencies. Disbursements to malaria-endemic countries rose from \$35 million in 2000 to nearly \$1.5 billion in 2009. The increased funding allowed measurable reductions in the incidence of malaria. An increased percentage of African households (31 per cent) were estimated to own at least one insecticide-treated net in 2008, compared to 17 per cent in 2006. More than half of households in 13 high-burden African countries had insecticide-treated nets. The number of such nets delivered to sub-Saharan African countries rose from 5.6 million in 2004 to 88.5 million in 2009; a further 70 million nets were delivered in the first half of 2010. An analysis of malaria control scale-up in 35 African countries found that it had saved more than 560,000 lives between 2000 and 2009, and that more than one third of the affected countries had documented reductions of over 50 per cent. In high-burden African countries that had achieved high coverage with bed nets and treatment programmes, recorded cases of and deaths due to malaria had fallen by 50 per cent. That suggested that the MDG targets on reversing the incidence of malaria [YUN 2000, p. 51] could be met with adequate coverage and key interventions.

The use of artemisinin combination therapies increased compared with 2006, but remained low in most African countries. Parasite resistance to anti-malarial medicines and mosquito resistance to insecticides posed major threats to the achievement of global malaria control.

On 24 December, the General Assembly decided that the agenda item “2001–2010: Decade to Roll Back Malaria in Developing Countries, Particularly in Africa” would remain for consideration during its resumed sixty-fifth (2011) session (**decision 65/544**).

Global public health

The sixty-third session of the World Health Assembly (Geneva, 17–21 May) [WHA63/2010/REC/1], attended by more than 2,800 delegates, adopted resolutions on issues such as viral hepatitis; international recruitment of health personnel; food safety; availability, safety and quality of blood products; human organ and tissue transplantation; and a strategy to reduce the harmful use of alcohol. It also discussed non-communicable disease control, public health, innovation and intellectual property, global eradication of measles, treatment and prevention of pneumonia, and counterfeit medical products.

Coordination segment of the Economic and Social Council

The coordination segment of the substantive session of the Economic and Social Council (New York, 6–8 and 23 July) [A/65/3/Rev.1] discussed the role of the UN system in promoting the implementation of the ministerial declaration adopted by the Council in 2009 [YUN 2009, p. 1227], entitled “Implementing the internationally agreed goals and commitments in regard to global public health”. The Council held panel discussions on the themes “Towards a United Nations comprehensive policy response to global health challenges” and “Coordinating efforts for achieving the health-related Millennium Development Goals”.

The Council considered the report of the Secretary-General on the implementation of internationally agreed development goals and commitments in regard to global public health [E/2010/85], which assessed the efforts of the UN system to implement the ministerial declaration in a coordinated manner, analysed UN country-level experiences to promote health, and recommended steps to promote the coordinated implementation of the ministerial declaration.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 23 July [meeting 46], the Economic and Social Council adopted **resolution 2010/24** [draft: E/2010/L.13] without vote [agenda item 4].

The role of the United Nations system in implementing the ministerial declaration on the internationally agreed goals and commitments in regard to global public health adopted at the high-level segment of the substantive session of 2009 of the Economic and Social Council

The Economic and Social Council,

Recalling the United Nations Millennium Declaration and the 2005 World Summit Outcome,

Recalling also the ministerial declaration of the high-level segment of its substantive session of 2009,

Recalling further its resolutions 2009/28 and 2009/29 of 31 July 2009, adopted at the coordination segment of its substantive session of 2009, as well as other relevant resolutions,

Recognizing the leading role of the World Health Organization as the primary specialized agency for health, including its roles and functions with regard to health policy in accordance with its mandate, and recalling the relevant resolutions adopted by the World Health Assembly,

Recognizing also that everyone has the right to the enjoyment of the highest attainable standard of physical and mental health,

Recognizing further that global public health, including effective and sustainable health systems, is central to achieving all of the Millennium Development Goals and requires a combination of public health policies and other intersectoral actions, including in the areas of gender equality, education, nutrition, safe drinking water, hygiene, sanitation, sustainable urbanization and rural development,

Recognizing that the internationally agreed development goals, including the Millennium Development Goals, are interlinked, expressing its concern that progress in achieving some of them is lagging, and reiterating its commitment to continuing to reinvigorate and strengthen the global partnership for development as a vital element for achieving these goals, in particular the health-related goals,

1. *Takes note* of the report of the Secretary-General entitled “Theme of the coordination segment: implementing the internationally agreed development goals and commitments in regard to global public health”;

2. *Welcomes* the increasing focus on advancing maternal and child health, in particular newborn health, and recognizes that coordination of strategies between different health services and programmes across the continuum of care, based on the values and principles of primary health care, in particular equity, solidarity, social justice, universal access to services, multisectoral actions, transparency, accountability, community participation and empowerment, enhances maternal and child health, in particular newborn health, and strengthens the overall robustness of health systems;

3. *Stresses* the importance of strengthening health systems and improving coordinated health-care service delivery as they relate to the Millennium Development Goals, in particular Goals 4, 5 and 6, and invites the General Assembly to take this into consideration in the context of the High-level Plenary Meeting of the Assembly on the Millennium Development Goals, to be held from 20 to 22 September 2010, building on the ministerial declaration of 2009;

4. *Takes note* of the Social Protection Floor Initiative of the United Nations System Chief Executives Board for Coordination, led by the International Labour Organization and the World Health Organization;

5. *Welcomes* the adoption by the Sixty-third World Health Assembly of the World Health Organization Global Code of Practice on the International Recruitment of Health Personnel, and also welcomes its contributions to national, bilateral, regional and international responses to the challenges of the migration of health personnel and the strengthening of health systems and to the achievement of the Millennium Development Goals;

6. *Urges* the World Health Organization and other relevant entities of the United Nations system to continue to assist countries in adopting multisectoral approaches in relation to health issues, as appropriate, and to support country-led efforts to integrate health into national sectoral policies in such areas as agriculture, the environment, transport, trade, taxation, education, gender equality, social planning and development, urban planning, mass media and food and pharmaceutical production;

7. *Requests* relevant entities of the United Nations system to support efforts by Member States to strengthen health systems in order to deliver equitable health outcomes, including through the promotion of:

(a) Additional and/or sustained investments to strengthen health infrastructure, training and retention policies for a skilled workforce, the procurement and distribution of medicines, vaccines, medical products and technologies, service delivery and information systems, especially at the level of primary health care;

(b) An enabling environment for the achievement of universal access to health and health-care services based on equitable and sustainable systems of financing, and extended social protection, in particular for the poor and people in vulnerable situations, with adequate attention paid to preventive health and health-care services;

(c) Improved governance and high-quality leadership, including at the local and community levels;

(d) Fiscal and administrative devolution, as appropriate, in order to improve governance, performance and accountability in the health sector;

(e) Decent work, including decent working conditions for health workers, essential for improving the quality of and access to health services;

(f) Appropriate incentive policies for the training, recruitment and retention of health workers in order to increase universal access to health services, including in remote and rural areas, and avert a global shortage and an imbalance in the distribution of health workers, in particular a shortage of such workers in Africa, stressing the challenges facing developing countries in this regard;

(g) Strengthened epidemiological surveillance and health information management systems and coordinated communication in order to increase health emergency preparedness;

(h) A strengthened role for civil society and the private sector in national processes and integrated delivery systems, where appropriate, in order to further escalate efforts;

(i) The strengthened sharing of experience, best practices and lessons learned among Member States, at the regional, intraregional and subregional levels, on

policy options, strategies and initiatives in support of public health;

(j) Improved coordination of international cooperation efforts at the country level with national Governments, through such initiatives as the International Health Partnership, designed to provide a framework within which development partners can mobilize more effectively behind robust, more cost-effective and inclusive national health plans, and more flexible and predictable resources;

8. *Invites* the United Nations system to place gender equality at the centre of the response to global health goals with a view to increasing the impact of health policies and maximizing the quality of services, in particular for the poor and people living in vulnerable situations;

9. *Reaffirms* that gender equality and the empowerment of women cannot be achieved without promoting and protecting the right of women to enjoy the highest attainable standard of physical and mental health, including sexual and reproductive health, and encourages the United Nations system to assist Member States in meeting their commitments in this regard, including the commitments relating to sexual and reproductive health, and in promoting and protecting all human rights in this context, and to promote universal access to reproductive health, including by integrating family planning, sexual health and health-care services in national strategies and programmes;

10. *Invites* the World Health Organization, the United Nations Population Fund, the United Nations Children's Fund and the Joint United Nations Programme on HIV/AIDS to make special efforts to invest in family planning and maternal and child health, in particular newborn health, building on ongoing efforts of the relevant United Nations funds and programmes and the specialized agencies, including the Global Consensus on Maternal, Newborn and Child Health of 2009 and the Global Strategy for Infant and Young Child Feeding of the World Health Organization and the United Nations Children's Fund;

11. *Requests* the United Nations system to continue coordinated action to respond to communicable diseases, in particular HIV/AIDS, malaria and tuberculosis, as prioritized by the Millennium Development Goals, including through the secretariat and co-sponsors of the Joint United Nations Programme on HIV/AIDS, as well as to increase action to respond to those diseases, which contribute significantly to child mortality;

12. *Encourages* all relevant United Nations funds and programmes and the specialized agencies to join in the fight against non-communicable diseases, which threaten socioeconomic development and present overwhelming challenges to national health systems, including through the World Health Organization Global Non-communicable Disease Network, and to promote coordinated United Nations system-wide support for low- and middle-income countries in combating those diseases;

13. *Calls upon* the United Nations system to support strategies to address the impact that working conditions can have on health status, health equity and general well-being and to improve employment and working conditions at the global, national and local levels, in particular to reduce exposure to work-related physical and psychosocial hazards, in order to help to reduce the negative health effects of the environment in which people work;

14. *Invites* the United Nations system to support and participate in, as appropriate, the activities being envisaged for the implementation of the Decade of Action for Road Safety 2011–2020, proclaimed by the General Assembly in its resolution 64/255 of 2 March 2010;

15. *Encourages* United Nations funds and programmes and the specialized agencies, as appropriate within their respective mandates, to further develop and draw maximum benefit from partnerships with a wide range of relevant actors, including the private sector and civil society, and to continue to foster relations with global health partnerships, such as the Global Fund to Fight AIDS, Tuberculosis and Malaria, the GAVI Alliance and the International Drug Purchase Facility, UNITAID, in order to gain from the capacity of those partnerships to mobilize different players;

16. *Calls upon* United Nations funds and programmes and the specialized agencies, as appropriate, to intensify their efforts to eliminate hunger and to secure food for all, and reaffirms their need for assured and sustained funding and increased investments to expand and enhance their efforts dedicated to fighting hunger and malnutrition;

17. *Calls upon* the Joint United Nations Programme on HIV/AIDS to continue to support middle- and low-income countries affected by specific challenges in their fight against HIV/AIDS and to continue the review and optimization of the division of labour among agencies regarding technical cooperation at the country level in order to prevent overlap and thereby promote a more effective response to HIV/AIDS;

18. *Calls upon* the United Nations system to support efforts to fulfil existing official development assistance commitments, including with regard to the health sector, and highlights the need for Member States to ensure that sufficient and increasing equitable domestic resources are programmed for the health sector to achieve better health outcomes;

19. *Welcomes* the various initiatives taken by the international community in support of efforts regarding global public health, and calls upon the United Nations to build on those efforts to promote global public health;

20. *Notes* the efforts of the Secretary-General to improve the health of women and children, including with regard to a joint action plan;

21. *Welcomes* the ongoing efforts to develop a health systems funding platform by the Global Fund to Fight AIDS, Tuberculosis and Malaria, the GAVI Alliance and the World Bank, facilitated by the World Health Organization, and encourages partnerships with Member States, the private sector, civil society and other relevant stakeholders in the utilization of the platform;

22. *Encourages* the efforts of the World Health Organization, the World Intellectual Property Organization and the World Trade Organization to implement the Global Strategy and Plan of Action on Public Health, Innovation and Intellectual Property, endorsed by the Sixty-second World Health Assembly;

23. *Urges* the United Nations system, in particular the World Intellectual Property Organization, the United Nations Industrial Development Organization, the United Nations Development Programme, the United Nations Conference on Trade and Development and the World Health Organization, to support the efforts of Member

States to build national capacity to ensure compliance with their obligations and their right to utilize, to the full, the provisions contained in the World Trade Organization Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement), the Doha Declaration on the TRIPS Agreement and Public Health and the decision of the General Council of the World Trade Organization of 30 August 2003 on the implementation of paragraph 6 of the Doha Declaration on the TRIPS Agreement and Public Health;

24. *Stresses* the need for international cooperation and assistance, in particular external funding, to be more sustainable and predictable, better aligned with national priorities and channelled to recipient countries in ways that strengthen national health systems, underlines the importance of improving the effectiveness of aid, and calls upon the United Nations system to provide support in this regard;

25. *Encourages* the United Nations system to explore new, voluntary and innovative financing models in the health sector as supplementary to, and not as a substitute for, traditional sources of finance, and takes into consideration the work and recommendations of the Leading Group on Innovative Financing for Development, as well as the findings of the High-level Task Force on Innovative International Financing for Health Systems.

General Assembly High-level Meeting on the MDGs. By **resolution 65/1** of 22 September (see p. 815), Heads of State and Government committed themselves to promoting global public health for all to achieve the MDGs.

Global health and foreign policy

Pursuant to General Assembly resolution 64/108 [YUN 2009, p. 1227], the Secretary-General in October transmitted to the Assembly a report on global health and foreign policy [A/65/399] prepared in collaboration with the WHO Director General and after consultations with Member States. The report highlighted the foreign policy importance of global health issues, emphasized the need for a more rigorous understanding of their relationship, and stressed the need for more coherence between foreign and health policies within Member States.

Communication. On 14 October [A/65/538], Brazil and Norway transmitted to the Assembly the Ministerial Declaration adopted on 22 September by the Ministers for Foreign Affairs of Brazil, Norway, Thailand, Senegal and Indonesia, the Minister of Health of South Africa and the Director for Global Public Goods at the Directorate-General for Globalization, Development and Partnerships of France, who met on the margins of the High-level Plenary Meeting of the General Assembly on the MDGs to take stock of the achievements of the Foreign Policy and Global Health Initiative and to look at the way ahead.

GENERAL ASSEMBLY ACTION

On 9 December [meeting 61], the General Assembly adopted **resolution 65/95** [draft: A/65/L.27 & Add.1] without vote [agenda item 124].

Global health and foreign policy

The General Assembly,

Recalling its resolutions 63/33 of 26 November 2008 and 64/108 of 10 December 2009,

Recalling also the outcomes of the major United Nations conferences and summits in the economic, social and related fields, especially those related to global health,

Welcoming the outcome document of the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals, including the section entitled "Promoting global public health for all to achieve the Millennium Development Goals",

Welcoming also the launching of the Secretary-General's Global Strategy for Women's and Children's Health, which aims at supporting national plans and strategies in health matters, including for the reduction of maternal and child mortality,

Welcoming further the establishment of the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women),

Recalling its resolution 64/265 of 13 May 2010 on the prevention and control of non-communicable diseases, and welcoming the decision to convene a high-level meeting of the General Assembly in September 2011, with the participation of Heads of State and Government, on the prevention and control of non-communicable diseases,

Welcoming the plans to hold in 2011 the Second Global Forum on Human Resources for Health, in Bangkok from 25 to 29 January, during the Prince Mahidol Award Conference, the World Health Organization World Conference on Social Determinants of Health, in Rio de Janeiro, Brazil, from 19 to 21 October, and the first Global Ministerial Conference on Healthy Lifestyles and Non-communicable Diseases, in Moscow on 28 and 29 April, and for the General Assembly, also in 2011, to undertake a comprehensive HIV/AIDS review,

Acknowledging the emergence of a growing worldwide movement in support of universal access to health care as a means to promote and protect the right of every human being to the enjoyment of the highest attainable standard of physical and mental health,

Reaffirming the commitment to fully and effectively implement the Beijing Platform for Action, the Programme of Action of the International Conference on Population and Development and the outcomes of their review conferences, including the commitments relating to sexual and reproductive health and the promotion and protection of all human rights in this context,

Acknowledging that inequities in access to health care can increase during times of crisis and that special efforts should be made to maintain public health and primary health-care functions during these periods,

Stressing the importance of aid targeted to the health sector as a complement to domestic financing, as well as of innovative sources of financing and North-South cooperation in support of national plans and strategies aimed at strengthening national health systems,

Calling for the fulfilment of all existing official development assistance-related commitments,

Acknowledging the various national, regional and sub-regional initiatives to enhance South-South cooperation, particularly in the field of health, and that South-South cooperation is not a substitute for, but rather a complement to North-South cooperation,

Reiterating the willingness of Member States to cooperate in health issues and in promoting universal access to medicines that are safe, affordable, effective and of good quality, and to continue efforts to increase global vaccine production capacity in order to increase availability of and achieve equity in the access to vaccines in situations of pandemics,

Reaffirming the right to use, to the fullest extent, the provisions contained in the World Trade Organization Agreement on Trade-related Aspects of Intellectual Property Rights (TRIPS Agreement), the Doha Declaration on the TRIPS Agreement and Public Health, the decision of the General Council of the World Trade Organization of 30 August 2003 on the implementation of paragraph 6 of the Doha Declaration and, when formal acceptance procedures are completed, the amendments to article 31 of the TRIPS Agreement, as proposed by the General Council of the World Trade Organization in its decision of 6 December 2005, which provide flexibilities for the protection of public health, and in particular to promote access to medicines for all, encouraging the provision of assistance to developing countries in this regard, and calling for a broad and timely acceptance of the amendments to article 31 of the TRIPS Agreement,

Acknowledging the need to improve research and development in neglected tropical diseases, and welcoming in this regard the first World Health Organization report on neglected tropical diseases,

Welcoming the adoption by the sixty-third World Health Assembly of the World Health Organization Global Code of Practice on the International Recruitment of Health Personnel as a guide to respond to the concerns over the lack of and imbalanced distribution of health workers within countries and throughout the world, in particular the shortage in Africa, and the retention of health personnel, in a manner that strengthens the health systems of developing countries, countries with economies in transition and small island developing States,

Noting with appreciation the adoption by the World Health Assembly on 21 May 2010 of its resolution 63.15 on the monitoring of the achievement of the health-related Millennium Development Goals, as well as its resolution 63.19, in which it requests the preparation of a World Health Organization HIV/AIDS strategy for 2011–2015, to be submitted to the sixty-fourth World Health Assembly,

Recognizing that mental health problems are of major importance to all societies and are significant contributors to the burden of disease and the loss of quality of life, and have huge economic and social costs, and welcoming the 2010 report of the World Health Organization on mental health and development,

Noting the role of the Foreign Policy and Global Health Initiative in promoting synergy between foreign policy and global health, as well as the contribution of the Oslo Ministerial Declaration, which was reaffirmed, with renewed actions and commitments, by the ministerial declaration of 22 September 2010,

1. *Notes with appreciation* the report of the Secretary-General and the recommendations contained therein;

2. *Calls for* more attention to health as an important policy issue on the international agenda;

3. *Encourages* Member States to consider the close relationship between foreign policy and global health and to recognize that global health challenges require concerted and sustained efforts in order to further promote a global policy environment supportive of global health;

4. *Recognizes* that, despite some progress made, challenges in global health, including major inequities and vulnerabilities within and among countries and regions, still remain and demand persistent attention;

5. *Acknowledges* that progress in global health is dependent primarily on national policies and actions and on international cooperation and partnerships, which could help to respond to major global challenges and crises;

6. *Underscores* the urgency of strengthening health systems by improving basic infrastructures, human and technical resources and the provision of health facilities, and of ensuring the accessibility, affordability and quality of health-care services as well as sustainable access to safe drinking water and basic sanitation;

7. *Stresses* the importance of achieving the health-related Millennium Development Goals, especially with the objective of eradicating poverty and ensuring socioeconomic development;

8. *Underlines* the importance of realizing the right of everyone to education as an integral part of a healthy society, and in this context reaffirms that access to primary education for all constitutes one of the most effective means to promote public health and basic sanitation and to prevent diseases;

9. *Acknowledges* that gender equality, the empowerment of women, the full enjoyment by women of all human rights and the eradication of poverty are essential to economic and social development;

10. *Underlines* the central role of the global partnership for development and the importance of Goal 8 in achieving the Millennium Development Goals, and recognizes that without substantial international support, several of the Goals are likely to be missed in many developing countries by 2015;

11. *Reiterates* that each country has primary responsibility for its own economic and social development and that the role of national policies, domestic resources and development strategies cannot be overemphasized;

12. *Stresses* the need to strengthen health systems so that they deliver equitable health outcomes as a basis for a comprehensive approach to achieving Millennium Development Goals 4, 5 and 6, underlining the need to build sustainable national health systems and strengthen national capacities through attention to, inter alia, service delivery, health systems financing, including appropriate budgetary allocations, the health workforce, health information systems, the procurement and distribution of medicines, vaccines and technologies, sexual and reproductive health care and political will in leadership and governance;

13. *Acknowledges* the need to further address the issue of governance for global health as health is increasingly being challenged by new realities of an interdependent world;

14. *Acknowledges also* the need to make the global health architecture more effective, efficient and responsive,

in order to, inter alia, bring more coherence to the delivery of health outcomes and enhance health equity;

15. *Reaffirms* the central role of the United Nations system in meeting the challenges of global health in a changing environment and the need to enhance the visibility of health issues in the different United Nations forums;

16. *Recognizes* the leading role of the World Health Organization as the primary specialized agency for health, including its roles and functions with regard to health policy in accordance with its mandate;

17. *Stresses* the continued need for coordination and coherence at national and international levels to enhance the effectiveness of health initiatives and partnerships;

18. *Urges* Member States to continue to consider health issues in the formulation of foreign policy;

19. *Encourages* Member States, the United Nations system, academic institutions and networks to further increase their capacity for the training of diplomats and health officials, in particular those from developing countries, on global health and foreign policy, by developing best practices and guidelines for training and open-source information, and educational and training resources for this purpose;

20. *Requests* the Secretary-General, in close collaboration with the Director-General of the World Health Organization and with other relevant multilateral institutions, as appropriate, to give high priority to generating and collecting comparable and reliable data on health-worker migration, distribution and coverage within the framework of the World Health Organization Global Code of Practice on the International Recruitment of Health Personnel;

21. *Also requests* the Secretary-General, in close collaboration with the Director-General of the World Health Organization, with the participation of relevant programmes, funds and specialized agencies of the United Nations system, and in consultation with Member States, to submit a report to the General Assembly at its sixty-sixth session, under the item entitled "Global health and foreign policy", which, inter alia:

(a) Reflects on ways to improve the coordination, coherence and effectiveness of governance for global health;

(b) Discusses the role of the State and other stakeholders in improving the coordination, coherence and effectiveness of governance for global health;

(c) Presents recommendations on enhancing the coordination of policies addressing the social determinants of health.

Women's health

Maternal health

As a contribution to the preparations for the high-level meeting of the General Assembly on the MDGs, the Netherlands, on 16 March, transmitted the "Addis Call to Urgent Action for Maternal Health" [A/64/725], adopted by the High-level Meeting on Maternal Health (Addis Ababa, Ethiopia, 26 October 2009). The meeting, organized by the Netherlands and UNFPA, called for access to modern contraception, investment in adolescent health, education and livelihoods, and the strengthening of health systems for women.

The General Assembly, on 21 December, adopted **resolution 65/188** (see p. 1141) supporting efforts to end obstetric fistula, a fatal but preventable childbirth injury that affected impoverished women and girls in rural and remote areas of the developing world.

Road safety

The General Assembly considered a draft resolution on improving global road safety as well as a WHO report on the issue [YUN 2009, p. 1229], and proclaimed the Decade of Action for Road Safety, 2011–2020.

GENERAL ASSEMBLY ACTION

On 2 March [meeting 74], the General Assembly adopted **resolution 64/255** [draft: A/64/L.44/Rev.1 & Add.1] without vote [agenda item 46].

Improving global road safety

The General Assembly,

Recalling its resolutions 57/309 of 22 May 2003, 58/9 of 5 November 2003, 58/289 of 14 April 2004, 60/5 of 26 October 2005 and 62/244 of 31 March 2008 on improving global road safety,

Having considered the note by the Secretary-General transmitting the report on improving global road safety and the recommendations contained therein,

Recognizing the tremendous global burden of mortality resulting from road traffic crashes, as well as the twenty to fifty million people who incur each year non-fatal road traffic injuries, many of whom are left with lifelong disabilities,

Noting that this major public health problem has a broad range of social and economic consequences which, if unaddressed, may affect the sustainable development of countries and hinder progress towards the Millennium Development Goals,

Underlining the importance for Member States to continue using the *World Report on Road Traffic Injury Prevention* as a framework for road safety efforts and implementing its recommendations, as appropriate, by paying particular attention to the main risk factors identified, including the non-use of safety belts and child restraints, the non-use of helmets, driving under the influence of alcohol and drugs, inappropriate and excessive speed and the lack of appropriate infrastructure, by strengthening road safety management and by paying particular attention also to the needs of vulnerable road users, such as pedestrians, cyclists and motorcyclists, and users of unsafe public transport, as well as by improving post-crash care for victims of road crashes,

Commending the World Health Organization for its role in implementing the mandate conferred upon it by the General Assembly to work in close cooperation with the United Nations regional commissions to coordinate road safety issues within the United Nations system, and commending also the progress of the United Nations Road Safety Collaboration as a consultative mechanism whose members provide Governments and civil society with good practice guidelines to support action to tackle the major road safety risk factors and support their implementation,

Recognizing the work of the United Nations regional commissions and their subsidiary bodies in increasing their road safety activities and advocating increased political commitment to road safety, and in this context welcoming the conclusions and recommendations of the project “Improving global road safety: setting regional and national road traffic casualty reduction targets”, implemented by the United Nations regional commissions to assist low- and middle-income countries in setting and achieving road traffic casualty reduction targets,

Acknowledging the Ministerial Declaration on Violence and Injury Prevention in the Americas signed by the Ministers of Health of the Americas during the Ministerial Meeting on Violence and Injury Prevention in the Americas, held in Mérida, Mexico, on 14 March 2008, the Doha Declaration and other outcomes of the workshop on building the Arab Mashreq road safety partnership organized by the Economic and Social Commission for Western Asia in Doha on 21 and 22 October 2008, the conclusions and recommendations of the Economic Commission for Europe conference on the theme “Improving Road Traffic Safety in South-Eastern Europe: Setting Regional and National Road Traffic Casualty Reduction Targets”, held in Halkida, Greece, on 25 and 26 June 2009, the workshop on setting regional and national road traffic casualty reduction targets in the Economic and Social Commission for Western Asia region organized by the Commission, in collaboration with the United Arab Emirates National Authority for Transportation, in Abu Dhabi on 16 and 17 June 2009, the conference on the theme “Make Roads Safe Africa” organized by the Economic Commission for Africa in Dar es Salaam, United Republic of Tanzania, on 8 July 2009, the Ministerial Declaration on Improving Road Safety in Asia and the Pacific, adopted at the Ministerial Conference on Transport organized by the Economic and Social Commission for Asia and the Pacific in Busan, Republic of Korea, from 6 to 11 November 2006, and the recommendations of the Expert Group Meeting on Improving Road Safety organized by the Economic and Social Commission for Asia and the Pacific in Bangkok from 2 to 4 September 2009, noting, in particular, the usefulness of compiling guidelines outlining best practices in road safety improvement in the region, as well as the outcomes of expert group meetings on improving road safety organized by the Economic and Social Commission for Asia and the Pacific in 2008 and 2009,

Acknowledging also a number of other important international efforts on road safety, including the report of the International Transport Forum of the Organization for Economic Cooperation and Development entitled *Towards Zero: Ambitious Road Safety Targets and the Safe System Approach*, the International Conference on Road Safety at Work, held in Washington, D.C., from 16 to 18 February 2009, and the conference on the theme “Road Safety at Work”, held in Dublin on 15 June 2009, which highlighted the importance of fleet safety and the important role of the private sector in addressing driving behaviour concerns among their workers,

Noting all national and regional initiatives to raise awareness of road safety issues,

Noting also the important role of the World Bank Global Road Safety Facility as a funding mechanism to support capacity-building and provide technical support for road safety and as a means to increase the resources needed to

address road safety in low- and middle-income countries, acknowledging the increase in funding to support national, regional and global road safety work, and welcoming, in particular, the financial assistance given to the World Health Organization and the Global Road Safety Facility by all donors, including the Governments of Australia, the Netherlands and Sweden, and by Bloomberg Philanthropies and the FIA Foundation for the Automobile and Society,

Noting further the work of the International Organization for Standardization to develop standards for road traffic safety management systems,

Taking note of the report of the Commission for Global Road Safety entitled *Make Roads Safe: A Decade of Action for Road Safety*, which links road safety with sustainable development and calls for a decade of action on road safety, and taking note also of the “Make Roads Safe” campaign as a global tool for increasing awareness and advocating increased funding for road safety,

Recognizing the World Health Organization publication entitled *Global Status Report on Road Safety: Time for Action*, which provides the first assessment of the road safety situation at the global level and highlights the fact that half of all road traffic deaths are among vulnerable road users, as well as the relatively low proportion of the countries in the world that have comprehensive legislation on key road safety risk factors,

Welcoming the joint statement by the World Bank and the six leading multilateral development banks, namely, the African Development Bank, the Asian Development Bank, the European Bank for Reconstruction and Development, the European Investment Bank, the Inter-American Development Bank and the Islamic Development Bank, in which they undertook to cooperate on increasing the road safety component of their infrastructure programmes through better coordination of their investments and through the application of safety audits and assessments of road infrastructure projects,

Expressing its concern at the continued increase in road traffic fatalities and injuries worldwide, in particular in low- and middle-income countries, bearing in mind that the fatality rate within the road system is considerably higher than the fatality rate within other transport systems, even in high-income countries,

Recognizing the efforts made by some low- and middle-income countries to implement best practices, to set ambitious targets and to monitor road traffic fatalities,

Reaffirming the need to further strengthen international cooperation and knowledge-sharing in road safety, taking into account the needs of low- and middle-income countries,

Recognizing that a solution to the global road safety crisis can be achieved only through multisectoral collaboration and partnerships among all concerned in both the public and the private sectors, with the involvement of civil society,

Recognizing also the role of research in informing policy-based decisions on road safety and in monitoring and evaluating the effect of interventions, as well as the need for more research to address the emerging issue of distractions in traffic as a risk factor for road traffic crashes,

Acknowledging the leading role of Oman in drawing the attention of the international community to the global road safety crisis,

Commending the Government of the Russian Federation for hosting the first Global Ministerial Conference on Road Safety, held in Moscow on 19 and 20 November 2009, which brought together delegations of ministers and representatives dealing with transport, health, education, safety and related traffic law enforcement issues and which culminated in a declaration inviting the General Assembly to declare a decade of action for road safety,

1. *Welcomes* the declaration adopted at the first Global Ministerial Conference on Road Safety, held in Moscow on 19 and 20 November 2009;

2. *Proclaims* the period 2011–2020 as the Decade of Action for Road Safety, with a goal to stabilize and then reduce the forecast level of road traffic fatalities around the world by increasing activities conducted at the national, regional and global levels;

3. *Requests* the World Health Organization and the United Nations regional commissions, in cooperation with other partners in the United Nations Road Safety Collaboration and other stakeholders, to prepare a plan of action of the Decade as a guiding document to support the implementation of its objectives;

4. *Reaffirms* the importance of addressing global road safety issues and the need to further strengthen international cooperation, taking into account the needs of low- and middle-income countries, including those of the least developed countries and African countries, by building capacity in the field of road safety and by providing financial and technical support for their efforts;

5. *Acknowledges* that multilateral technical and financial assistance in support of capacity-building for enhancing road safety should be provided in a predictable and timely manner without unwarranted conditionalities, considering that there is no one-size-fits-all formula and considering also the specific situation of each country based on its needs and priorities;

6. *Calls upon* Member States to implement road safety activities, particularly in the areas of road safety management, road infrastructure, vehicle safety, road user behaviour, including distractions in traffic, road safety education and post-crash care, including rehabilitation for people with disabilities, based on the plan of action;

7. *Invites* all Member States to set their own national road traffic casualty reduction targets to be achieved by the end of the Decade, in line with the plan of action;

8. *Calls for* the inclusion within the plan of action of activities that pay attention to the needs of all road users, in particular pedestrians, cyclists and other vulnerable road users in low- and middle-income countries, through support for appropriate legislation and policy and infrastructure and by increasing sustainable means of transport, and in this regard invites international financial institutions and regional development banks to assist developing countries in building sustainable mass transportation systems with a view to reducing road traffic accidents;

9. *Also calls for* joint multisectoral action to increase the proportion of countries with comprehensive legislation on key risk factors for road traffic injuries, including the non-use of seat belts and child restraints and helmets, drink-driving and speed, from the 15 per cent identified in the *Global Status Report on Road Safety: Time for Action* to over 50 per cent by the end of the Decade, and encourages

Member States to strengthen their enforcement of existing road safety legislation on these risk factors;

10. *Encourages* Governments, public and private corporations, non-governmental organizations and multilateral organizations to take action, as appropriate, to discourage distractions in traffic, including texting while driving, which lead to increased morbidity and mortality owing to road crashes;

11. *Invites* Governments to take a leading role in implementing the activities of the Decade, while fostering a multisectoral collaboration of efforts that includes academia, the private sector, professional associations, non-governmental organizations and civil society, including national Red Cross and Red Crescent Societies, victims' organizations and youth organizations, and the media;

12. *Invites* Member States, international organizations, development banks and funding agencies, foundations, professional associations and private sector companies to consider providing adequate and additional funding to activities relating to the Decade;

13. *Requests* the United Nations Road Safety Collaboration to continue its role of informal consultative mechanism, including for the implementation of activities relating to the Decade;

14. *Invites* the World Health Organization and the United Nations regional commissions, in cooperation with other partners in the United Nations Road Safety Collaboration, to organize the second United Nations Global Road Safety Week to launch the Decade;

15. *Encourages* Member States to continue to strengthen their commitment to road safety, including by observing the World Day of Remembrance for Road Traffic Victims on the third Sunday of November every year;

16. *Also encourages* Member States to become contracting parties to and to implement the United Nations road safety-related legal instruments, as well as to adhere to the Convention on the Rights of Persons with Disabilities;

17. *Invites* the World Health Organization and the United Nations regional commissions to coordinate regular monitoring, within the framework of the United Nations Road Safety Collaboration, of global progress towards meeting the targets identified in the plan of action and to develop global status reports on road safety and other appropriate monitoring tools;

18. *Invites* Member States and the international community to integrate road safety into other international agendas, such as those on development, environment and urbanization;

19. *Acknowledges* the importance of midterm and final reviews of the progress achieved over the Decade, and invites interested Member States, in consultation with the United Nations Road Safety Collaboration, to organize international, regional and national meetings to assess the implementation of the Decade;

20. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "Global road safety crisis", and requests the Secretary-General to report to the General Assembly at that session on the progress made in the attainment of the objectives of the Decade.

Food and agriculture

Food aid

World Food Programme

The Executive Board of the World Food Programme (WFP) held its first (8–11 February), annual (7–11 June) and second (8–11 November) sessions in Rome, during which it decided on organizational and programme matters and approved a number of projects. On 10 November, the Board approved its 2011–2012 biennial programme of work [WFP/EB.2/2010/11].

The Economic and Social Council, by **decision 2010/251** of 23 July, took note of the report of the Executive Board [E/2010/36] on its first and second regular sessions and annual session of 2009. The Council also took note of the 2009 WFP annual report transmitted by the Secretary-General in March [E/2010/14].

WFP activities

According to the WFP annual performance report for 2010 [WFP/EB.A/2011/4], WFP assisted 109.2 million people in 75 countries with food and with livelihood and nutrition support. It provided 5.7 million metric tons of food, or 66 per cent of global food aid. Women and children accounted for 82 per cent of beneficiaries. WFP assisted 8.5 million children to protect them from irreversible mental and physical damage caused by malnutrition. Response to natural disasters—373 were recorded by the United Nations International Strategy for Disaster Reduction—consumed 20 per cent of WFP aid. WFP led several UN clusters and mobilized additional experienced staff to help manage operations to assist people affected by the earthquake in Haiti, the drought in Niger and the floods in Pakistan. WFP also gave assistance to people in several countries in transition, such as the Sudan, the Democratic Republic of the Congo, Chad and Nepal. WFP devised a new security management structure in response to abductions, hostage-taking, intimidation and harassment of its staff. In line with the 2008–2013 strategic plan [YUN 2008, p. 1342], WFP moved from food aid to food assistance. It used cash and voucher transfers to distribute aid, as well as new means such as scratch cards, electronic vouchers, smart cards and mobile telephones. WFP procured \$1.25 billion worth of food aid from developing countries using cash contributions. WFP implemented the Purchase for Progress initiative [YUN 2009, p. 1230], which allowed local procurement of food aid and realized savings of \$22.6 million in import costs since 2009; the Renewed Efforts Against Child Hunger initiative, which provided a platform for government-led work on reducing chronic mal-

nutrition; and the Scaling-Up Nutrition framework, a country-led global effort to advance health and development through improved nutrition.

Administrative and financial matters

WFP improved administrative practices and implemented information technology initiatives, more robust risk-management processes and performance-based plans. Outstanding internal audit recommendations were reduced by 45 per cent, as more than 400 recommendations were implemented. WFP allocated 94 per cent of multilateral resources for development to the poorest countries. WFP advance financing mechanisms for loan programmes, which amounted to \$586.2 million, assisted 59 country offices, supported corporate services, and enabled country offices and regional bureaux to request funds in anticipation of confirmation of forecast income to ensure timely delivery of food and avoid pipeline breaks. Despite increased food and fuel costs, WFP managed to reduce the average annual cost per beneficiary by 3 per cent to \$33.70, or \$2.80 per month. One-third (32 per cent) of WFP projects were part of joint UN programmes.

Resources and financing

Despite the difficult economic environment, confirmed contribution revenue totalled \$4.129 billion. A significant portion—\$143 million—came from the private sector. In-kind contributions were estimated at \$115 million.

Food security

Food and Agriculture Organization of the United Nations

In 2010, the Food and Agriculture Organization of the United Nations (FAO) continued to address the world food crisis. FAO and WFP issued the report *The State of Food Insecurity in the World: Addressing Food Insecurity in Protracted Crises*, which found that the number of hungry people remained unacceptably high despite recent gains that pushed the figure below 1 billion. FAO organized the international technical conference on “Agricultural biotechnologies in developing countries” (Guadalajara, Mexico, 1–4 March), which took stock of the application of biotechnologies across the food and agricultural sectors in developing countries to face the challenges of food insecurity, climate change and natural resource degradation. FAO co-organized the Global Conference on Aquaculture (Phuket, Thailand, 22–25 September), which brought together over 650 delegates from 69 countries to assess the status of aquaculture development, consider opportunities and challenges, and build a consensus on advancing aquaculture as a sustainable and competitive food production sector.

Committee on World Food Security. By a note issued in April [A/65/73-E/2010/51], the Secretary-General transmitted to the General Assembly and the Economic and Social Council a report on the reform of the Committee on World Food Security. The report explained the key features of the reform: a composition that would seek to achieve a balance between inclusiveness and effectiveness, the addition of intersessional activities, the establishment of a high-level panel of experts on food security and nutrition, and improved linkages between the Committee and the regional and country levels. Progress made in implementing the reform included the establishment of new working methods, an extended Bureau and an advisory group.

The Economic and Social Council took note of the Secretary-General’s note on 23 July (**decision 2010/255**).

The Committee on World Food Security, at its thirty-sixth session (Rome, 11–14 and 16 October) [CL 140/5], called for action on key issues related to food security and nutrition, such as land tenure and international investment in agriculture, food price volatility and addressing food insecurity in protracted crises.

The FAO Council, at its one hundred and fortieth session (Rome, 29 November–3 December) [CL 140/REP], endorsed the report of the thirty-sixth session of the Committee on World Food Security as well as its 2010–2011 programme of work and budget [CFS:2010/5 Rev.1], and expressed support for a Bureau-led process to review and prepare the proposed programme of work and budget 2012–2013. The Council expressed support for the development of a results-based framework for the Committee in the form of a multi-year programme of work to help monitor progress and to align the Committee’s budget and activities with those of FAO, WFP and the International Fund for Agricultural Development.

Agriculture development and food security

Report of Secretary-General. Pursuant to General Assembly resolution 64/224 [YUN 2009, p. 1232], the Secretary-General in August issued a report on agriculture development and food security [A/65/253], which stated that food insecurity persisted in 29 countries and that more than 1 billion people—one sixth of the world population—remained hungry or undernourished. The difficult agriculture and food security situation was attributed to the price increases of basic staples that resulted from the 2008 food crisis. While the average food price index for 2009 was 17 per cent lower than that of 2008, prices remained 11 per cent higher than in 2007. Many countries experienced drops in trade and financial inflows, export

earnings, foreign investment, receipts of development aid, remittances from their citizens living abroad, and income from taxes. Sub-Saharan Africa experienced double-digit price increases. In response to the crisis, the 22 UN bodies comprising the High-level Task Force on the Global Food Security Crisis committed more than \$2 billion of their own funds and mobilized over \$6 billion to alleviate the impact of soaring food prices in more than 90 countries. They improved donor coordination, aid alignment and harmonization; supported smallholder farmer food production, benefiting about 5 per cent of the world's 2 billion smallholder farming families; and provided guidance and financial resources to 15 Governments in their fiscal and tax policy responses to limit the impact of price rises on inflation. The L'Aquila Food Security Initiative pledged \$20 billion towards efforts to partner with vulnerable countries to help them develop and implement their own food security strategies. The Global Agriculture and Food Security Programme, established at the World Bank in April, held \$950 million in secure pledges to help countries ensure growth and sustainability of smallholder farms. The World Bank's Global Food Crisis Support Programme, a \$2 billion initiative, and the European Union Food Security Facility, which pledged 1 billion euros to projects worldwide, helped to improve the mobilization of official development assistance.

GENERAL ASSEMBLY ACTION

On 20 December [meeting 69], the General Assembly, on the recommendation of the Second Committee [A/65/442] adopted **resolution 65/178** without vote [agenda item 26].

Agriculture development and food security

The General Assembly,

Recalling the Declaration of the World Summit on Food Security, particularly the Five Rome Principles for Sustainable Global Food Security,

Recalling also the Rio Declaration on Environment and Development, Agenda 21, the Programme for the Further Implementation of Agenda 21, the Johannesburg Declaration on Sustainable Development and the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"), the Monterrey Consensus of the International Conference on Financing for Development, the 2005 World Summit Outcome, the Doha Declaration on Financing for Development: outcome document of the Follow-up International Conference on Financing for Development to Review the Implementation of the Monterrey Consensus and the outcome document of the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals,

Recognizing the importance of the implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or

Desertification, Particularly in Africa, and the ten-year strategic plan and framework to enhance the implementation of the Convention (2008–2018),

Recalling the Rome Declaration on World Food Security and Plan of Action of the World Food Summit, the Declaration of the World Food Summit: five years later, including the goal of achieving food security for all through an ongoing effort to eradicate hunger in all countries, with an immediate view to reducing by half the number of undernourished people by no later than 2015, as well as the commitment to achieving the Millennium Development Goals,

Reaffirming the goal set out in paragraph 19 of the United Nations Millennium Declaration to halve, by 2015, the proportion of the world's people whose income is less than one dollar a day and the proportion of people who suffer from hunger,

Welcoming the outcome of the seventeenth session of the Commission on Sustainable Development, on the thematic cluster of issues on agriculture, rural development, land, drought, desertification and Africa,

Noting with appreciation the work undertaken by relevant international bodies and organizations, including the Food and Agriculture Organization of the United Nations, the International Fund for Agricultural Development and the World Food Programme, on agriculture development and on enhancing food security and nutrition,

Acknowledging the work undertaken by the High-level Task Force on the Global Food Security Crisis,

Welcoming the outcome of the thirty-sixth session of the Committee on World Food Security,

Noting the ongoing process of developing principles for responsible agricultural investment that respects rights, livelihoods and resources, as well as the inclusive process for the development of voluntary guidelines on the responsible governance of tenure of land and other natural resources,

Noting also the holding of the Global Conference on Agricultural Research for Development in Montpellier, France, from 28 to 31 March 2010,

Recognizing the importance of an enabling international and national environment to increase and sustain investment in the agriculture sector of developing countries and to create a more level playing field in agriculture through greater market access, a substantial reduction in trade-distorting domestic support and the parallel elimination of all forms of export subsidies and disciplines on all export measures with equivalent effect in accordance with the mandate from the Doha Work Programme of the World Trade Organization,

Recognizing also the important role played by indigenous peoples and local communities, and their knowledge and practices, in the preservation, conservation and sustainable use of traditional crops and biodiversity for present and future generations as an important contribution to food security,

Recognizing further the importance and positive role of smallholder farmers, including women, cooperatives and indigenous and local communities in developing countries in the implementation of development goals in such fields as employment policy, social integration, regional and rural development, agriculture and environmental protection,

Recognizing that agriculture plays a crucial role in addressing the needs of a growing global population and

is inextricably linked to poverty eradication, especially in developing countries, and stressing that integrated and sustainable agriculture and rural development approaches are therefore essential to achieving enhanced food security in an environmentally sustainable way,

Reaffirming the right of everyone to have access to safe, sufficient and nutritious food, consistent with the right to adequate food and the fundamental right of everyone to be free from hunger, so as to be able to fully develop and maintain his or her physical and mental capacities,

Stressing the importance of the preservation of the natural resource base for food security,

Expressing concern that the number of people living in extreme poverty and hunger surpasses one billion, which is an unacceptable blight on the lives, livelihoods and dignity of many of the world's people, mostly in developing countries, and noting that the effects of long-standing underinvestment in food security, agriculture and rural development have recently been further exacerbated by the food, financial and economic crises, among other factors,

Reiterating that the multiple and complex causes of the global food crisis and its consequences require a comprehensive and coordinated response in the short, medium and long terms by national Governments and the international community, and remaining concerned that volatile food prices and the ongoing effects of the global food crisis pose a serious challenge to the fight against poverty and hunger and to the efforts of developing countries to attain food security and to achieve the objective of reducing by half the number of undernourished people by no later than 2015, as well as other internationally agreed development goals, including the Millennium Development Goals,

Remaining deeply concerned that domestic prices and price volatility remain high and that poorer people are particularly affected by fluctuations in the price of food as well as in the cost of inputs and transport,

1. *Takes note* of the report of the Secretary-General;

2. *Welcomes* the note by the Chair of the Committee on World Food Security on the reform of the Committee and on progress made towards implementation of the reform, and urges Member States to strongly support the reform process and the aims and endeavours of the Committee;

3. *Reiterates* the need to adequately and urgently address agriculture development and food security in the context of national, regional and international development policies;

4. *Also reiterates* the importance of developing countries determining their own food security strategies, that food security is a national responsibility and that any plans for addressing food security challenges and the eradication of poverty in relation to food security must be nationally articulated, designed, owned and led and built on consultation with all key stakeholders at the national level, and urges Member States to make food security a high priority and to reflect this in their national programmes and budgets;

5. *Reaffirms* the importance of adopting forward-looking economic policies that lead to sustained, inclusive and equitable economic growth and sustainable development and which increase employment opportunities, promote agriculture development and reduce poverty;

6. *Recognizes* that a sense of urgency and a commitment to solving the global food crisis have served as

catalysts for strengthening international coordination and governance for food security, through the Global Partnership for Agriculture, Food Security and Nutrition, of which the Committee on World Food Security is a central component, and reiterates that it is essential to enhance global governance, building on existing institutions and fostering effective partnerships;

7. *Welcomes* the strengthening of cooperation between the Food and Agriculture Organization of the United Nations, the International Fund for Agricultural Development, the World Food Programme and all other relevant entities of the United Nations system and other intergovernmental organizations, the international financial institutions and international trade, financial and economic institutions, in accordance with their respective mandates, in order to increase their effectiveness, as well as the strengthening of cooperation with non-governmental organizations and the private sector in promoting and strengthening efforts towards agriculture development and food security;

8. *Recognizes* the need to support a comprehensive and coordinated response in order to address the multiple and complex causes of the global food crisis, including the adoption of political, economic, social, financial and technical solutions in the short, medium and long terms by national Governments and the international community, including for mitigating the impact on developing countries of the high volatility of food prices and other agriculture commodity prices, and also recognizes that the relevant United Nations organizations have an important role to play in this regard;

9. *Underlines* the importance of enhancing synergies between agriculture, biodiversity, food security and development policies and strategies at the national, regional and international levels, including by prioritizing and mainstreaming agriculture and food security into development policies;

10. *Stresses* the need to enhance agricultural production, productivity and sustainability, including through public and private investment, expanded access of smallholder farmers to markets, credit, inputs and land, improved land-use planning, crop diversification and commercialization, sound water management, including efficient irrigation, water harvesting and storage, the development of strong agriculture value chains and investment in rural infrastructure, in order to reach the poverty and hunger targets of the Millennium Development Goals;

11. *Also stresses* the need to promote at all levels a strong enabling environment for enhancing agricultural production, productivity and sustainability in developing countries, including through enhanced market access for developing countries, and supportive economic policies and institutions at the national and international levels;

12. *Recognizes* the role of indigenous communities and small farmers' traditional seed supply systems in developing countries in the conservation of biodiversity and food security, and urges Member States and international organizations to pursue complementary policies and strategies to strengthen farmer-based seed supply at the community level, as an important component of a competitive commercial seed industry;

13. *Also recognizes* the need for substantial additional investment and better policies in support of smallholder agriculture in order for many of the poorest countries to reach the poverty and hunger targets of the Millennium Development Goals;

14. *Further recognizes* the importance of agricultural investment, including foreign direct investment, through, inter alia, the private sector in enhancing agriculture development and food security as well as the need to promote responsible international investment in agriculture, and therefore calls for all investors to conduct agricultural practices in accordance with national legislation, taking into account national sovereignty over natural resources, environmental sustainability and the importance of promoting the well-being and improving the livelihood of local communities and indigenous peoples, as appropriate;

15. *Promotes* research for food and agriculture, including research to adapt to and mitigate climate change, and access to research results and technologies at the national, regional and international levels, including through the international research centres of the Consultative Group on International Agricultural Research, as well as other relevant international and regional research organizations;

16. *Encourages* expanded public investment and incentives for small-scale and marginalized producers, including women, in developing countries, in order to increase the production of a wide spectrum of traditional and other crops and livestock and to accelerate the transition to sustainable production;

17. *Stresses* the need to further promote the empowerment and participation of rural women as critical agents for enhancing agriculture and rural development and food security, ensuring their equal access to productive resources, land, financing, technologies, training and markets, and measures that ensure food security and nutrition for women;

18. *Recognizes* the consequences of the global food crisis on the achievement of the Millennium Development Goals in developing countries, especially in Africa, and calls for an integrated response by African countries and the international community, working in partnership to support integrated and sustainable agriculture and rural development approaches;

19. *Also recognizes* the need for Africa to embark on a green revolution to help to boost agricultural productivity, food production and regional food security, welcomes the strong leadership shown by African countries in undertaking initiatives to address the challenges of sustainable agriculture development and to achieve food security, such as the Comprehensive Africa Agriculture Development Programme of the New Partnership for Africa's Development, that can provide a framework through which support for agriculture and food security can be coordinated, and calls upon the international community to support Africa in the implementation of the various programmes under the New Partnership for Africa's Development;

20. *Acknowledges*, in this regard, national and regional efforts by developing countries to implement long-term policies and measures that contribute to agriculture development and food security;

21. *Recognizes* that North-South cooperation, South-South cooperation and triangular cooperation are useful instruments for increasing the capacities of developing countries, sharing experiences on the aforementioned agricultural activities and addressing related economic and social issues;

22. *Encourages* relevant United Nations funds, programmes and agencies and the Special Unit for South-South Cooperation, within their mandates, as well as regions and subregions, to support existing and new South-South cooperation initiatives that contribute to agriculture development and food security;

23. *Stresses* the need to make special efforts to meet the nutritional needs of women, children, older persons and persons with disabilities, as well as those living in vulnerable situations, through targeted and effective programming;

24. *Encourages* efforts at all levels to establish and strengthen social protection measures and programmes, including national social safety nets and protection programmes for the needy and vulnerable, such as food and cash for work, cash transfer and voucher programmes, school feeding programmes and mother-and-child nutrition programmes;

25. *Notes* the challenges faced by indigenous peoples in the context of food security, and in this regard calls upon States to take special actions to combat the root causes of the disproportionately high level of hunger and malnutrition among indigenous peoples;

26. *Calls for* international, regional and national efforts to increase the ability of the agricultural sector to predict, prevent and address the impacts of climate change and extreme weather events, especially floods and droughts, on agricultural production and food systems, as well as to enhance the ability of that sector to regain livelihoods and food production;

27. *Urges* Member States and international organizations to pursue policies and strategies that improve the functioning of domestic, regional and international markets and ensure equitable access for all, especially small-holder and women farmers in developing countries, notes the importance of non-trade-distorting special measures that are consistent with World Trade Organization rules aimed at creating incentives for smallholder farmers in developing countries to enable them to increase their productivity and to compete on a more equal footing on world food markets, and urges Member States to refrain from taking measures that are inconsistent with the rules of the World Trade Organization and that have adverse impacts on global, regional and national food security;

28. *Stresses* that a universal, rules-based, open, non-discriminatory and equitable multilateral trading system will promote agriculture and rural development in developing countries and contribute to world food security, and urges national, regional and international strategies to promote the participation of farmers, especially small-holder farmers, including women, in community, domestic, regional and international markets;

29. *Calls upon* Member States and the World Trade Organization to take measures to promote trade policies that would be capable of promoting further trade in agriculture products, identifying the obstacles to trade which have the most serious impact on the world's poor and contributing to supporting small-scale and marginalized producers in developing countries;

30. *Recognizes* the urgency of, and reaffirms its commitment to, reaching an early and successful conclusion of the Doha Round of World Trade Organization nego-

tiations with a balanced, ambitious, comprehensive and development-oriented outcome as a key action to improve food security;

31. *Welcomes* the commitments made at the Group of Eight Summit held in L'Aquila, Italy, from 8 to 10 July 2009, to act with the scale and urgency needed to achieve sustainable global food security, and calls for the timely realization of the commitments made by the countries represented at L'Aquila towards the goal of mobilizing 20 billion United States dollars over three years through this coordinated, comprehensive strategy focused on sustainable agriculture development;

32. *Calls for* delivery on the commitments made to achieve global food security and the provision of adequate and predictable resources through bilateral and multilateral channels, including the financial and policy commitments set out in the Aquila Food Security Initiative;

33. *Encourages* international, regional and national efforts to strengthen the capacity of developing countries, in particular their small-scale producers, in order to enhance the productivity and nutritional quality of food crops and to promote sustainable practices in pre-harvest and post-harvest agricultural activities;

34. *Underlines* the importance of promoting the creation and development of small and medium-sized enterprises as a strategy for achieving agriculture development and food security, economic dynamism and poverty eradication, including through the mobilization of resources to enable small-scale producers and cooperatives to compete effectively in the market, on equal terms with other forms of enterprise, in order to strengthen their positive role and to increase their potential to act as vehicles for building or increasing the number of small and medium-sized enterprises;

35. *Requests* the Secretary-General to continue to ensure that a coordinated follow-up to the World Summit on Food Security is undertaken at the field level in the context of the resident coordinator system, taking into account the coordinated follow-up to major international conferences of the United Nations;

36. *Invites* the Chair of the Committee on World Food Security to report, as part of the Committee's report to the General Assembly at its sixty-sixth session, through the Economic and Social Council, on the implementation of the reform of, and on progress made towards achieving the vision of, the Committee;

37. *Requests* the Secretary-General to report to the General Assembly at its sixty-sixth session on developments related to issues highlighted in the present resolution and on progress in the implementation of the outcome of the World Summit on Food Security;

38. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "Agriculture development and food security", to be allocated to the Second Committee.

Nutrition

Standing Committee on Nutrition

The UN System Standing Committee on Nutrition convened representatives of all key nutrition stakeholders at FAO in Rome on 14 and 15 December to start the process of organizing the 2011 Nutrition Partners' Meeting and to provide updates on the reform of the Committee and the implementation of the Scaling-Up Nutrition framework. Participants agreed on the need for reforming the Committee, re-establishing the reporting line to the Economic and Social Council, improving linkages with the Committee on World Food Security, and granting observer status to NGOs, civil society organizations, research communities, international financial institutions and the business sector.

UNU activities

The United Nations University (UNU) Food and Nutrition Programme for Human and Social Development (UNU-FNP) (Ithaca, New York, United States) continued to generate and provide access to new information about food and nutrition to facilitate its grassroots application. According to the report of the UNU Council on the work of the University in 2010 [E/2011/129], UNU activities related to nutrition included the Saving Lives project, undertaken jointly by UNU-FNP, Cornell University, UNICEF and the International Food Policy Research Institute, which estimated the number of lives being saved by public health interventions. The project assessed how many more lives could be saved and the proportion of deaths that could be prevented by developing better health technology and by ensuring better delivery and use of available technologies. The study found that health and nutrition interventions saved 3.67 million lives, or 30 per cent of the children that would die in their absence. The UNICEF/UNU NutritionWorks carried out by Cornell NutritionWorks sought to design an electronic learning course for capacity-building focused on preventing undernutrition in infants and young children. Cornell University Press and UNU published *The African Food System and its Interactions with Human Health and Nutrition* as part of its Africa series. UNU-FNP continued its involvement with the quarterly *Food and Nutrition Bulletin*, which promoted multidisciplinary efforts to alleviate hunger and malnutrition in the developing world.

International drug control

In 2010, the United Nations, through the Commission on Narcotic Drugs, the International Narcotics Control Board (INCB) and the United Nations Office on Drugs and Crime (UNODC), continued to strengthen international cooperation in countering the world drug problem. According to UNODC, about 230 million people, or 5 per cent of the world's adult population, were estimated to have used an illicit drug at least once in 2010. Problem drug users numbered about 27 million.

UNODC provided technical assistance, legal advice and research to the main UN policymaking bodies in drug control, and assisted Member States in developing domestic legislation on drugs and in implementing the international drug control conventions. During the year, activities were carried out in areas such as supply and demand reduction; sustainable livelihoods, with particular emphasis on illicit drug crop monitoring, cultivation and poverty eradication; data collection, research and trend analysis; scientific and forensic support to Member States, national laboratories and intergovernmental bodies; regional policy and programming initiatives; strengthening of partnerships within the UN system and with civil society; and follow-up to the 2009 Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem.

The Commission on Narcotic Drugs—the main UN policymaking body dealing with drug control—held its fifty-third session in March, during which it recommended one resolution and two decisions for adoption by the Economic and Social Council and adopted 15 resolutions on topics such as regional and international cooperation, illicit drug use prevention, alternative development and emerging trends in drug abuse.

INCB reviewed the issue of drug-related corruption, which was undermining international efforts to eliminate problems related to controlled drugs. It discussed the challenges facing the international community in applying the three major international drug control conventions, how Governments were responding to them and what actions Governments should take. The Board continued to oversee the implementation of the conventions, analyse the drug situation worldwide and draw the attention of Governments to weaknesses in national control and treaty compliance, making recommendations for improvements at the national and international levels.

In February, the Security Council noted with concern the serious threats posed by drug trafficking and transnational organized crime to international security. It called upon Member States to increase international and regional cooperation, as well as their cooperation with UNODC and INCB, in order to counter the illicit production of, demand for and trafficking in drugs, and to identify emerging trends in drug trafficking.

In July, the Economic and Social Council welcomed the progress made by UNODC in developing an integrated programme approach comprising thematic and regional programmes. In December, the General Assembly called upon States to take the measures necessary to implement the actions and attain the goals and targets set out in the 2009 Political Declaration and Plan of Action. It reaffirmed that countering the world drug problem was a common and shared responsibility, and undertook to promote bilateral, regional and international cooperation aimed at countering the world drug problem more effectively.

UN action to combat drug abuse

UN Office on Drugs and Crime

The United Nations Office on Drugs and Crime (UNODC) addressed the interrelated issues of drug control, crime prevention and international terrorism in the context of sustainable development and human security (see also PART THREE, Chapter IX). The Organization's drug programme continued to be implemented in accordance with General Assembly resolution 45/179 [YUN 1990, p. 874]. The Office was responsible for coordinating all UN drug control activities and was the repository of technical expertise in international drug control for the UN Secretariat. It acted on behalf of the Secretary-General in fulfilling his responsibilities under the terms of international treaties and resolutions relating to drug control, and provided services to the General Assembly, the Economic and Social Council, and committees and conferences dealing with drug control matters.

The UNODC Executive Director described the Office's 2010 activities in a report to the Commission on Narcotic Drugs and to the Commission on Crime Prevention and Criminal Justice [E/CN.7/2011/3-

E/CN.15/2011/3]. Activities were carried out in the areas of supply reduction; demand reduction, rehabilitation and health protection; sustainable livelihoods, with particular emphasis on illicit drug crop monitoring, cultivation and poverty eradication; follow-up to the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem [YUN 2009, p. 1237]; data collection, research and trend analysis; scientific and forensic support to Member States, national laboratories and intergovernmental bodies; regional policy and programming initiatives; and strengthening of partnerships within the UN system, as well as with civil society.

During the year, the Office published: *World Drug Report 2010* [Sales No. E.10.XI.13]; *Afghanistan Cannabis Survey 2009*; *Drug Use in Afghanistan: 2009 Survey*; *Afghanistan Opium Survey 2010: Summary Findings*; *Afghanistan Opium Winter Rapid Assessment 2010*; *Female Drug Use in Pakistan: Mapping Estimates, Ethnographic Results and Behavioural Assessment*; *Colombia: Coca cultivation survey 2009*; *South-East Asia Opium Survey 2010: Lao People's Democratic Republic, Myanmar*; and *Patterns and Trends of Amphetamine-Type Stimulants and Other Drugs: Asia and the Pacific*.

New Executive Director. On 9 July [SG/A/1251], the Secretary-General announced the appointment of Yuri Fedotov (Russian Federation) as the new Executive Director of UNODC, succeeding Antonio Maria Costa, who had led the Office since 2002.

Administrative, budgetary and programmatic questions

In response to a request by the Commission on Narcotic Drugs [YUN 2009, p. 1252], a Secretariat note of 8 February [E/CN.7/2010/16-E/CN.15/2010/16] described the activities from December 2009 to February 2010 of the standing open-ended intergovernmental working group on improving the governance and financial situation of UNODC [ibid., p. 1253]. A further Secretariat note of 2 November [E/CN.7/2010/23-E/CN.15/2010/21] described the working group's activities from February to October 2010. The group's discussions centred on the development and implementation of thematic and regional programmes, measures to improve the governing role of the Commission on Narcotic Drugs and the Commission on Crime Prevention and Criminal Justice, the evaluation function of UNODC and measures to improve funding for the Office.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 22 July [meeting 45], the Economic and Social Council, on the recommendation of the Commission on Crime Prevention and Criminal Justice [E/2010/30], adopted **resolution 2010/20** without vote [agenda item 14 (c)].

Support for the development and implementation of an integrated approach to programme development at the United Nations Office on Drugs and Crime

The Economic and Social Council,

Recalling General Assembly resolution 63/197 of 18 December 2008 entitled "International cooperation against the world drug problem" and resolution 64/179 of 18 December 2009 entitled "Strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity",

Recalling also the strategy for the period 2008–2011 for the United Nations Office on Drugs and Crime, which provides a clear framework for the work of the Office,

Recalling further its resolution 2009/23 of 30 July 2009 entitled "Support for the development and implementation of the regional programmes of the United Nations Office on Drugs and Crime",

1. *Welcomes* the report on regional programmes and the progress made in developing an integrated programme approach, comprising thematic and regional programmes for the delivery of the normative and technical assistance mandates of the United Nations Office on Drugs and Crime;

2. *Expresses its appreciation* for the increased national ownership and participation that the regional programmes have garnered, and encourages Member States in other subregions to engage with the United Nations Office on Drugs and Crime in the preparation of similar, subregional programmes;

3. *Encourages* Member States to support the regional and thematic programmes of the United Nations Office on Drugs and Crime through unearmarked voluntary contributions, whenever possible, and thereby to support national ownership and regional prioritization;

4. *Welcomes* the advances in the implementation of the Santo Domingo Pact and Managua Mechanism inter-regional initiative;

5. *Looks forward* to the results of the implementation of the regional programmes for East Asia and the Pacific, South-Eastern Europe, Central America and the Caribbean, and East Africa;

6. *Welcomes* the holding in Cairo, from 27 to 29 April 2010, of the regional expert meeting on drug control, crime prevention and criminal justice reform in the Arab States organized by the League of Arab States in partnership with the United Nations Office on Drugs and Crime and with the support of the Government of Egypt in order to prepare a regional programme for the period 2011–2015;

7. *Requests* the United Nations Office on Drugs and Crime to continue with the development of regional programmes in 2010;

8. *Notes* the increased coherence of the regional and thematic programmes, with a view to achieving the simplification of implementation modalities;

9. *Supports* the work of the United Nations Office on Drugs and Crime in leading the development of the integrated programme approach;

10. *Encourages* Member States, where appropriate, to draw on the technical assistance activities outlined in the regional programmes of the United Nations Office on

Drugs and Crime and to use the regional programmes as a vehicle to increase regional cooperation for thematic strategies;

11. *Encourages* bilateral and multilateral aid agencies and financial institutions to continue to support the implementation of regional programmes of the United Nations Office on Drugs and Crime;

12. *Requests* the Executive Director of the United Nations Office on Drugs and Crime to continue giving high priority and support to the implementation of the integrated programme approach through the promotion of the regional and thematic programmes, and to report on progress made in such implementation to the Commission on Crime Prevention and Criminal Justice at its twentieth session, in the first half of 2011, and to share the report with the Commission on Narcotic Drugs at its fifty-fourth session.

Pursuant to Economic and Social Council resolutions 2010/17 (see p. 1102) and 2010/21 (see p. 1243) and General Assembly resolution 65/227 (see p. 1244), the UNODC Executive Director in December reported [E/CN.7/2011/6-E/CN.15/2011/6] on the implementation of the regional programmes of UNODC. In 2009 and 2010, UNODC developed programmes for East Asia and the Pacific, East Africa, Central America and the Caribbean, South-Eastern Europe, West Africa and the Arab States. The Executive Director noted that the regional programme approach aimed at ensuring full ownership by partner countries through alignment with regional and national policies and priorities; an integrated framework for transferring expertise; a move from a project-based approach to a programme approach; and close cooperation with other UN entities and multilateral partners. The first generation of UNODC regional programmes had represented a transitional period for the Office, and current challenges included the integration of a large number of countries into the new framework, funding mechanisms and donor reporting and administrative and financial system support.

Realignment of UNODC functions

In response to a request by the Commission on Narcotic Drugs [YUN 2009, p. 1253], the UNODC Executive Director in January reported [E/CN.7/2010/13-E/CN.15/2010/13] on the changes required to the strategic framework and their implications for UNODC and for the allocation of resources to the subprogrammes of the programme of work, and on the establishment of an independent evaluation unit and the sustainability of the UNODC Strategic Planning Unit. The report stated that, following consultations with Member States and staff, UNODC had undertaken a realignment of the Division for Operations and the Division for Treaty Affairs to enable the pooling of expertise under common thematic areas, and to better allocate the responsibilities of staff members. The realignment of functions was part of the operationalization

of the thematic and regional programme approach, to be reflected in the proposed strategic framework for 2012–2013.

By **resolution 2010/17** of 22 July (see p. 1102), the Economic and Social Council welcomed the measures taken to develop a thematic and regional programme approach to the programme of work of UNODC, and noted the efficiency gains anticipated as a result of the proposed realignment.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 22 July [meeting 45], the Economic and Social Council, on the recommendation of the Commission on Narcotic Drugs [E/2010/28], adopted **resolution 2010/21** without vote [agenda item 14 (d)].

Realignment of the functions of the United Nations Office on Drugs and Crime and changes to the strategic framework

The Economic and Social Council

Recommends to the General Assembly the adoption of the following draft resolution:

“The General Assembly,

“Recalling section XVI, paragraph 2, of its resolution 46/185 C of 20 December 1991, in which it entrusted certain administrative and financial functions to the Commission on Narcotic Drugs,

“Recalling also Commission on Narcotic Drugs resolution 52/14 of 2 December 2009,

“Recalling further the report of the Advisory Committee on Administrative and Budgetary Questions on the consolidated budget for the biennium 2010–2011 for the United Nations Office on Drugs and Crime,

“Having regard to the report of the Executive Director of the United Nations Office on Drugs and Crime on the changes required to the strategic framework and their implications for the Office and for the allocation of resources to the subprogrammes of the programme of work, and on the establishment of an independent evaluation unit and the sustainability of the Strategic Planning Unit of the Office,

“Recalling its resolution 64/243 of 24 December 2009 entitled ‘Questions relating to the proposed programme budget for the biennium 2010–2011’, in paragraph 85 of which it expressed concern regarding the overall financial situation of the United Nations Office on Drugs and Crime and requested the Secretary-General to submit proposals in his proposed programme budget for the biennium 2012–2013 to ensure that the Office has sufficient resources to carry out its mandate,

“1. Takes note of the report of the Executive Director of the United Nations Office on Drugs and Crime on the changes required to the strategic framework and their implications for the Office and for the allocation of resources to the subprogrammes of the programme of work, and on the establishment of an independent evaluation unit and the sustainability of the Strategic Planning Unit of the Office, and welcomes the measures taken to develop a thematic and regional programme approach to the programme of work of the Office;

"2. *Notes* the anticipated efficiency gains resulting from the proposed realignment, which responds, in particular, to recommendations made by the Office of Internal Oversight Services of the Secretariat, and looks forward to seeing those efficiency gains reflected in the budget for the biennium 2012–2013 for the United Nations Office on Drugs and Crime;

"3. *Also notes* that the realignment will not require any change to the strategic framework for the period 2010–2011 and that the thematic and regional programme approach will be reflected in the proposed strategic framework for the period 2012–2013;

"4. *Further notes* that the proposed realignment will contribute to the improvement of the technical assistance programmes and activities of the United Nations Office on Drugs and Crime;

"5. *Notes* that the proposed realignment will not diminish the current status of any of the activities promoted by the United Nations Office on Drugs and Crime;

"6. *Recalls* that, in Commission on Narcotic Drugs resolution 52/14, the Commission decided that the consolidated budget for the biennium 2010–2011 for the United Nations Office on Drugs and Crime should contain adequate provisions for the establishment of a sustainable, effective and operationally independent evaluation unit, and urges the Secretariat to swiftly implement that decision and commence with the re-establishment of the independent evaluation unit with out further delay;

"7. *Requests* the Executive Director of the United Nations Office on Drugs and Crime to ensure the sustainability of the Strategic Planning Unit, consistent with the importance of its functions;

"8. *Notes* that the reinstatement of the post of Chief of the Policy Analysis and Research Branch at the United Nations Office on Drugs and Crime, at the D-1 level, should be considered only after sufficient funding has been made available for the independent evaluation unit and the Strategic Planning Unit;

"9. *Also notes*, in the preceding context, the realignment of the Division for Treaty Affairs and the Division for Operations of the United Nations Office on Drugs and Crime, and encourages the realignment as an important step in the process of continuous improvement of the Office;

"10. *Highlights* the importance of providing legal assistance for drug control and crime prevention and the need to link the provision of such assistance to the work of the Integrated Programme and Oversight Branch of the United Nations Office on Drugs and Crime;

"11. *Notes with concern* the financial situation of the United Nations Office on Drugs and Crime;

"12. *Urges* the Executive Director of the United Nations Office on Drugs and Crime to ensure that the Office submits to the Secretary-General a proposed programme budget for the biennium 2012–2013 that appropriately reflects the financial needs of the Office;

"13. *Requests* the Secretary-General, in his proposed programme budget for the biennium 2012–2013, to devote due attention to the resource requirements for meeting the mandates entrusted to the United Nations Office on Drugs and Crime, taking into account the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strat-

egy to Counter the World Drug Problem, with particular focus on under-resourced areas;

"14. *Requests* the Executive Director of the United Nations Office on Drugs and Crime to report to the Commission on Narcotic Drugs at its fifty-fourth session on the implementation of the realignment of the Division for Treaty Affairs and the Division for Operations."

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third (Social, Humanitarian and Cultural) Committee [A/65/457], adopted **resolution 65/227** without vote [agenda items 105 & 106].

Realignment of the functions of the United Nations Office on Drugs and Crime and changes to the strategic framework

The General Assembly,

Recalling section XI, paragraph 1, of its resolution 61/252 of 22 December 2006 and section XVI, paragraph 2, of its resolution 46/185 C of 20 December 1991, in which it entrusted certain administrative and financial functions to the Commission on Crime Prevention and Criminal Justice and the Commission on Narcotic Drugs,

Recalling also Commission on Crime Prevention and Criminal Justice resolution 18/6 of 3 December 2009 and Commission on Narcotic Drugs resolution 52/14 of 2 December 2009,

Recalling further the report of the Advisory Committee on Administrative and Budgetary Questions on the consolidated budget for the biennium 2010–2011 for the United Nations Office on Drugs and Crime,

Having regard to the report of the Executive Director of the United Nations Office on Drugs and Crime on the changes required to the strategic framework and their implications for the Office and for the allocation of resources to the subprogrammes of the programme of work, and on the establishment of an independent evaluation unit and the sustainability of the Strategic Planning Unit of the Office,

Recalling its resolution 64/243 of 24 December 2009 entitled "Questions relating to the proposed programme budget for the biennium 2010–2011", in paragraph 85 of which it expressed concern regarding the overall financial situation of the United Nations Office on Drugs and Crime and requested the Secretary-General to submit proposals in his proposed programme budget for the biennium 2012–2013 to ensure that the Office has sufficient resources to carry out its mandate,

1. *Takes note* of the report of the Executive Director of the United Nations Office on Drugs and Crime on the changes required to the strategic framework and their implications for the Office and for the allocation of resources to the subprogrammes of the programme of work, and on the establishment of an independent evaluation unit and the sustainability of the Strategic Planning Unit of the Office, and welcomes the measures taken to develop a thematic and regional programme approach to the programme of work of the Office;

2. *Notes* the anticipated efficiency gains resulting from the proposed realignment, which responds, in particular, to recommendations made by the Office of Internal Over-

sight Services of the Secretariat, and looks forward to seeing those efficiency gains reflected in the budget for the biennium 2012–2013 for the United Nations Office on Drugs and Crime;

3. *Also notes* that the realignment will not require any change to the strategic framework for the period 2010–2011 and that the thematic and regional programme approach will be reflected in the proposed strategic framework for the period 2012–2013;

4. *Further notes* that the proposed realignment will contribute to improving the technical assistance programmes and activities of the United Nations Office on Drugs and Crime;

5. *Notes* that the proposed realignment will not diminish the current status of any of the activities promoted by the United Nations Office on Drugs and Crime;

6. *Recalls* that, in Commission on Crime Prevention and Criminal Justice resolution 18/6 and Commission on Narcotic Drugs resolution 52/14, the Commissions decided that the consolidated budget for the biennium 2010–2011 for the United Nations Office on Drugs and Crime should contain adequate provisions for the establishment of a sustainable, effective and operationally independent evaluation unit, and urges the Secretariat to swiftly implement that decision and commence with the re-establishment of the independent evaluation unit without further delay;

7. *Requests* the Executive Director of the United Nations Office on Drugs and Crime to ensure the sustainability of the Strategic Planning Unit, consistent with the importance of its functions;

8. *Notes* that the reinstatement of the post of Chief of the Policy Analysis and Research Branch at the United Nations Office on Drugs and Crime, at the D-1 level, should be considered only after sufficient funding has been made available for the independent evaluation unit and the Strategic Planning Unit;

9. *Also notes*, in the preceding context, the realignment of the Division for Treaty Affairs and the Division for Operations of the United Nations Office on Drugs and Crime, and encourages it as an important step in the process of continuous improvement of the Office;

10. *Highlights* the importance of providing legal assistance for drug control and crime prevention and the need to link the provision of such assistance to the work of the Integrated Programme and Oversight Branch of the United Nations Office on Drugs and Crime;

11. *Notes with concern* the financial situation of the United Nations Office on Drugs and Crime;

12. *Urges* the Executive Director of the United Nations Office on Drugs and Crime to ensure that the Office submits to the Secretary-General a proposed programme budget for the biennium 2012–2013 that appropriately reflects the financial needs of the Office;

13. *Requests* the Secretary-General, in his proposed programme budget for the biennium 2012–2013, to devote due attention to the resource requirements for meeting the mandates entrusted to the United Nations Office on Drugs and Crime, taking into account the relevant crime prevention and criminal justice mandates and the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem, with particular focus on under-resourced areas;

14. *Requests* the Executive Director of the United Nations Office on Drugs and Crime to report to the Commission on Crime Prevention and Criminal Justice at its twentieth session and the Commission on Narcotic Drugs at its fifty-fourth session on the implementation of the realignment of the Division for Treaty Affairs and the Division for Operations.

Commission on Narcotic Drugs

At its fifty-third session (Vienna, 8–12 March) [E/2010/28], the Commission on Narcotic Drugs recommended one resolution and two decisions for adoption by the Economic and Social Council. It also adopted 15 resolutions and two decisions, which it brought to the attention of the Council. At its reconvened fifty-third session (Vienna, 2 December) [E/2010/28/Add.1], the Commission adopted one resolution, which it brought to the attention of the Council, and recommended one decision for adoption by the Council.

Following the closure of its reconvened fifty-third session on 2 December, the Commission opened its fifty-fourth session to elect the new chairperson and other bureau members.

By **decision 2010/244** of 22 July, the Economic and Social Council took note of the Commission's report on its fifty-third session and approved the provisional agenda and documentation for the fifty-fourth (2011) session.

By **decision 2010/258** of 23 July, the Council took note of the Commission's report on its reconvened fifty-second session [E/2009/28/Add.1].

In a March note by the Secretary-General [E/CN.7/2010/17], the Commission was invited to review, as part of the Secretary-General's proposed strategic framework for the 2012–2013 biennium, the proposed biennial programme plan on international drug control, crime and terrorism prevention and criminal justice [A/65/6 (Prog.13)], to be submitted to the Committee for Programme and Coordination at its fiftieth (2010) session (see p. 1413).

Drug demand reduction and drug abuse

The Commission on Narcotic Drugs had before it a Secretariat report [E/CN.7/2010/2] that reviewed the world situation with regard to drug abuse and the global demand for illicit drugs. Globally, cannabis remained the most consumed illicit drug. While cannabis use, particularly among young people, stabilized or declined in more established markets such as Western Europe, North America and Oceania, consumption increased in many developing countries, particularly in Africa. Similarly, while the consumption of opioids, cocaine and amphetamine-type stimulants (ATS) was stabilizing or decreasing in

high-income countries, the use of ATS was increasing in East and South-East Asia and in the Near and Middle East. The report noted that timely and objective information on drug use was not available in many countries, particularly in developing countries. The lack of sustainable drug information systems hindered the monitoring of emerging epidemics, the implementation of evidence-based responses and the ability to assess the effectiveness of those responses. The report concluded that reinvigorated international efforts were needed to support countries in submitting data on drug use, and that sustainable investments were needed to improve the collection and reporting of drug demand information.

Drug use prevention

On 12 March [E/2010/28 (res. 53/1)], the Commission urged Member States to continue their efforts to prevent drug use and to develop national policies, laws and practices that could be incorporated into national and community-based drug use prevention programmes. It also urged States to consider mobilizing relevant sectors of civil society, in conjunction with government entities, to work together in learning about, participating in and supporting effective drug use prevention programmes. States were urged to fund community-based drug use prevention efforts, and to develop, fund and implement media campaigns against drugs, as well as appropriate family-based drug use prevention programmes. The Commission requested UNODC to include community-based drug use prevention modules in its technical assistance and training programmes.

Also on 12 March [ibid. (res. 53/2)], the Commission urged States to develop an updated policy for the prevention of illicit drug use, and to increase public awareness of drug-related risks. States were urged to be aware that social exclusion contributed to drug abuse, and that it was important to attend to the basic well-being of individuals in order to effectively reduce illicit drug use. The Commission urged States to establish monitoring systems to identify emerging trends in drug use and to share information with other Member States and relevant stakeholders. It urged UNODC to gather national and international experiences on evidence-based prevention activities and instruments for the early identification of young people vulnerable to illicit drug use, and to facilitate the sharing among Member States of best practices in drug abuse prevention.

HIV/AIDS and other blood-borne viruses

The Commission had before it a report by the UNODC Executive Director [E/CN.7/2010/11], submitted in response to a Commission request [YUN

2006, p. 1456], which reviewed the global situation with regard to the prevalence of HIV/AIDS and other blood-borne diseases among drug users as well as the relevant activities implemented by UNODC in 2008 and 2009.

The report noted that an estimated 15.9 million people injected drugs worldwide, and that as many as 3 million drug users were infected with HIV. While it was difficult to estimate the extent to which drug users had access to key HIV prevention services, coverage was far from adequate in many countries with a high prevalence of injecting drug use. The HIV response in many countries was insufficiently grounded in evidence and failed to meet international legal obligations to promote, protect and respect human rights. The high degree of stigma attached to drug use further marginalized people with drug dependence problems, with female drug users especially vulnerable.

UNODC, a co-sponsor of the Joint United Nations Programme on HIV/AIDS (UNAIDS) and the lead agency for HIV and AIDS prevention and care among injecting drug users, including those in prison settings, focused on assisting States in developing HIV/AIDS policies and programmes; scaling up HIV prevention, treatment and care and the provision of support services; developing and disseminating tools, guidelines and best practices to address the needs of women and girls; carrying out legal and policy reviews; and building capacity among law enforcement officials.

UNODC continued to work closely with representatives of civil society, Governments and donors to address the coverage and quality of services among at-risk populations. Strategies for further action needed to ensure that States and civil society organizations could develop guidance and programme models to respond to the needs of drug users. Member States, civil society organizations and international agencies should pay more attention to certain groups of non-injecting drug users and their role in increasing the risk of contracting HIV, as well as to emerging epidemics of injecting drug use in many African countries.

The Commission also had before it a January note by the Secretariat [E/CN.7/2010/8], prepared pursuant to a Commission request [YUN 2008, p. 1372], on promoting coordination and alignment of decisions between the Commission on Narcotic Drugs and the Programme Coordinating Board of UNAIDS. The note outlined the outcomes of the twenty-fourth (Geneva, 22–24 June 2009) and twenty-fifth (Geneva, 8–10 December 2009) meetings of the Programme Coordinating Board. A further note by the Secretariat in December [E/CN.7/2011/10] outlined the outcomes of the Board's twenty-sixth (Geneva, 22–24 June 2010) and twenty-seventh (Geneva, 6–8 December 2010) meetings.

On 12 March [E/2010/28 (res. 53/9)], the Commission urged UNODC to work with relevant UN system

entities, particularly the World Health Organization (WHO), to intensify their support for Governments. UNODC was requested to expand its work with civil society groups to address the gap in access to services for people living with or affected by HIV, tackle the issues of stigmatization and discrimination and support the provision of prevention programmes and support services. Member States were called on to ensure that a wide range of evidence-based HIV prevention programmes was available in all countries, and were urged to remove obstacles to achieving the goal of universal access to HIV prevention, treatment, care and related support services. Member States were invited to participate fully in the XVIII International AIDS Conference (Vienna, 18–23 July) in order to share best practices and learn more about AIDS.

Drug-facilitated sexual assault

On 12 March [E/2010/28 (res. 53/7)], the Commission urged States to combat the new phenomenon of drug-facilitated sexual assault by raising public awareness thereof, and encouraged States to forward relevant experiences, information and research findings to INCB and UNODC. It urged States to establish awareness and sensitivity training programmes for social, medical and law enforcement professionals who assisted victims. The Commission urged relevant international organizations, including INCB, UNODC and WHO, to gather information on and further analyse drug-facilitated sexual assault or other criminal acts, with a view to developing common definitions and standards. States were urged to make recommendations about formulations to the pharmaceutical industries concerned, with a view to preventing the covert administration of medicines. The Secretary-General was requested to report to the Commission at its fifty-fifth (2012) session.

Measures to protect children and young people

On 12 March [E/2010/28 (res. 53/10)], the Commission invited States to develop, implement and evaluate evidence-based plans and strategies aimed at reinforcing the prevention of drug abuse at all levels of school education. UNODC was encouraged to gather information on successful programmes for preventing and reducing illicit drug use among children and young people, and to provide States with assistance. The UNODC Executive Director was requested to report to the Commission at its fifty-fourth (2011) session.

Synthetic cannabinoid receptor agonists

On 12 March [E/2010/28 (res. 53/11)], the Commission called upon Member States to pay particular attention to the widespread distribution of products

containing synthetic cannabinoid receptor agonists, and to consider adopting national legislation to control their use. The Commission requested INCB to continue to play a role in gathering from States information on synthetic cannabinoid receptor agonists, and in sharing that information with other States and WHO. UNODC was requested to share information on the issue with the WHO Expert Committee on Drug Dependence to increase its understanding and awareness.

Abuse of “poppers”

Noting that “poppers”—mixtures containing alkyl nitrites that were abused by inhaling—were not controlled under the international drug conventions, the Commission, on 12 March [E/2010/28 (res. 53/13)], invited States to share information on the abuse of such drugs with INCB and other interested parties, and to enhance public awareness of such abuse. It invited States to share information on best practices and lessons learned to counter the emerging trend.

Illicit cultivation, manufacture and trafficking

In response to Commission resolution 51/7 [YUN 2008, p. 1373], the UNODC Executive Director in January reported [E/CN.7/2010/14 & Corr.1] on assistance provided by Member States and UNODC to States affected by the transit of illicit drugs. The report covered international cooperation in the areas of border control, mutual legal assistance, law enforcement, information exchange and demand reduction.

UNODC provided support to States, especially developing countries and countries with economies in transition, through technical programmes delivered by its headquarters- and field office-based experts. Key developments included the inauguration of the Central Asia Regional Information and Coordination Centre [YUN 2009, p. 1249] in Almaty, Kazakhstan, on 9 December 2009; technical assistance provided to transit States through the partnership between UNODC and the World Customs Organization; the building of regional support networks; the upgrading of technical and professional skills in law enforcement and air border management; and the Mentor Programme offered by the UNODC Global Programme against Money-Laundering. The report included information provided by Member States on their implementation of Commission resolution 51/7, with responses received from Belarus, Bosnia and Herzegovina, Ecuador, Germany, Jordan, Lebanon, Malta, Morocco, Myanmar, the Russian Federation, Senegal, the Syrian Arab Republic, Togo and Tunisia.

The report recommended that Governments conclude bilateral cooperation agreements with neighbouring States and key trading partners; ensure that procedures for processing requests for

legal assistance were fast and efficient; ensure that law enforcement agencies had a prepared set of standard operating procedures to support controlled deliveries related to drug trafficking; strengthen their response to attempts to launder illicit drug profits in transit States through international co-operation; and support law enforcement authorities in cooperating with freight forwarders, port operators, shipping companies and trade associations in counter-narcotics initiatives.

Trends in illicit drug trafficking

A Secretariat report [E/CN.7/2011/4] reviewed the latest trends in illicit drug trafficking and production worldwide, focusing on seizure statistics for 2008–2009, and on cultivation and production for 2009–2010.

Cannabis continued to be the most widely produced, trafficked and consumed plant-based drug worldwide. In 2009, the amount of cannabis resin seized in Morocco reached a record high level, whereas the amount seized in Spain was reported to be the lowest since 1999. Global seizures of cannabis herb sustained the increasing trend of recent years, with the Americas continuing to report the largest amount of seized cannabis herb.

Afghanistan continued to account for the world's largest share of illicit opium poppy cultivation and production, as well as a substantial portion of global heroin manufacture. While the total area under illicit opium poppy cultivation remained stable in 2009–2010, opium production in Afghanistan was expected to decrease by 48 per cent in 2010 due to severe crop disease. In Myanmar, the world's second largest opium producer, opium poppy cultivation rose by 11 per cent. Global opiate seizures appeared to have stabilized in 2010. In 2009, Afghanistan, Iran and Pakistan accounted for the largest amount of opium, morphine and heroin seized worldwide.

Illicit coca bush cultivation in 2009 remained concentrated in Bolivia, Colombia and Peru. The area under cultivation decreased in Colombia, which was attributable largely to the success of the authorities in reducing such cultivation. While global cocaine seizures remained stable, the amount seized in source countries increased. Mexico continued to be used as a key transit country for smuggling cocaine into the United States.

Seizures of ATS remained stable, with the exception of methylenedioxymethamphetamine, commonly known as ecstasy, of which the amount seized worldwide continued to decrease or remain at a low level in 2009. The illicit manufacture of ATS continued in regions where it was well established, particularly East and South-East Asia, Europe, North America

and Oceania, but also showed signs of spreading to regions with little or no history of such manufacture, such as South America.

Measures against laundering of assets

On 12 March [E/2010/28 (res. 53/3)], the Commission invited Member States to review periodically their regulatory and institutional frameworks in order to optimize investigations into assets related to drug trafficking. States were invited to cooperate in identifying assets and property that might have been acquired through drug trafficking and to adopt such measures as might be necessary to enable confiscation. States were encouraged to undertake awareness-raising campaigns and training programmes aimed at law enforcement authorities and judicial officers, and invited to improve or institutionalize their mechanisms for the administration of property seized and confiscated in cases of drug trafficking and related offences.

Control of international trade in poppy seeds

On 12 March [E/2010/28 (res. 53/12)], the Commission requested INCB and UNODC to continue to assist Member States in ensuring the full implementation of article 22 of the 1961 Single Convention on Narcotic Drugs [YUN 1961, p. 382] on the prohibition of the illicit cultivation of the opium poppy. Member States were urged to inform INCB of suspicious transactions involving opium poppy seeds and seizures of poppy seeds derived from illicitly cultivated crops. States where opium poppy was illicitly cultivated were encouraged to cooperate with Governments of neighbouring countries to prevent the smuggling of poppy seeds.

Manufacture of narcotic drugs and psychotropic substances

On 12 March [E/2010/28 (res. 53/15)], the Commission invited Governments to continue contributing to the efforts of INCB so as to favour rapid identification of new patterns of diversion of substances used in the illicit manufacture of narcotic drugs and psychotropic substances. It called upon INCB to strengthen communication with Member States and to work with them in identifying opportunities for more effective control and monitoring of the trade in precursor chemicals, and urged States to continue to focus on the problem of the diversion of substances frequently used in the illicit manufacture of narcotic drugs and psychotropic substances.

Alternative development

In response to a Commission request [YUN 2009, p. 1255], the UNODC Executive Director in January submitted a report [E/CN.7/2010/7 & Corr.1] on promoting

best practices and lessons learned for the sustainability and integrity of alternative development programmes.

In 2009, UNODC continued to advocate for increased alternative development assistance to affected States, and to implement related field activities in Afghanistan, Bolivia, Colombia, the Lao People's Democratic Republic, Myanmar and Peru. Following the recommendations of the Political Declaration and Plan of Action on International Cooperation Towards an Integrated and Balanced Strategy to Counter the World Drug Problem [YUN 2009, p. 1237], UNODC had incorporated in its projects elements to measure the impact of alternative development interventions through human development indicators, in addition to the traditional illicit crop estimates.

The report highlighted efforts undertaken by Member States to strengthen technical assistance and co-operation, to facilitate access for alternative development products to national and international markets, and to exchange best practices and lessons learned.

The report concluded that the impact of development-oriented drug control interventions should not be measured solely by illicit crop estimates, but rather in combination with human development indicators. States, UNODC and the international financial institutions should strive to increase human, political and economic resources to broaden the coverage of alternative development programmes; ensure that knowledge, experience and lessons learned over the past 25 years of alternative development programmes were shared and disseminated; and increase efforts to assist affected States in exploring innovative ways to work together in research, policy formulation and the sharing of best practices.

Taking note of the report on 12 March [E/2010/28 (res. 53/6)], the Commission acknowledged that alternative development was an important component of viable and sustainable economic alternatives to the illicit cultivation of drug crops. The Commission recognized the role played by developing countries in sharing best practices and promoting cooperation on alternative development, and welcomed the proposal by Peru and Thailand to jointly host an international workshop in Thailand in November on best practices and lessons learned, in conjunction with an international conference on alternative development to be organized in collaboration with UNODC. The Commission invited Member States and relevant parties to participate in the workshop and conference, and requested the Secretariat to report on the outcome of the meetings at the Commission's fifty-fourth (2011) session.

A Secretariat note of 22 December [E/CN.7/2011/12] informed the Commission that the international workshop and conference on alternative development in Thailand had been rescheduled to a date to be determined in 2011.

Evaluation of drug analysis laboratories

The Commission had before it a report by the UNODC Executive Director [E/CN.7/2010/9], prepared pursuant to a Commission request [YUN 2009, p. 1255], which summarized the work of UNODC in engaging with Member States on the provision of quality assurance support to forensic laboratories.

According to the report, UNODC had put in place mechanisms to extend the international collaborative exercises—a proficiency-testing scheme for drug-testing laboratories—to more such laboratories. The exercises provided the means for laboratories to monitor and assess their performance on a global basis, as well as for UNODC to tailor its technical support and assistance to laboratories. UNODC had developed a web-based portal for the collaborative exercises, providing participating laboratories from 34 Member States with confidential evaluation reports and a repository of information and resources. The Office continued to reinforce its quality assurance programme, and to provide participating laboratories with essential resources such as drug reference standards and recommended analysis methods. UNODC manuals and guidelines assisted laboratories in operating to internationally accepted standards, and contributed to the promotion and harmonization of quality standards throughout the world.

The report also reviewed UNODC's work with regard to reference standards for drug analysis; import and export authorization for substances under international control; and the sustainability and financial implications of the quality assurance programme.

Member States recognized the important role of laboratories as part of the national drug control system and the value of laboratory results and data to criminal justice systems, law enforcement agencies, health authorities and policymakers. The report recommended that States encourage forensic laboratories to participate in proficiency testing schemes, and requested States to provide the financial and material support to participate in such schemes.

Cooperation against the world drug problem

Commission on Narcotic Drugs. On 9 March [E/2010/28], the Commission on Narcotic Drugs, at its fifty-third session, held a thematic debate on measures to enhance awareness of the different aspects of the world drug problem, including improving understanding of how to tackle the problem. The themes for deliberation included raising awareness about the risks of abusing drugs; measures to improve the understanding of drug addiction as a chronic but treat-

able multifactorial health disorder; regional and inter-regional cooperation; and the importance of research and the collection, reporting and analysis of data for raising awareness about the world drug problem.

Follow-up to Political Declaration and Plan of Action. On 10 March [E/2010/28], the Commission on Narcotic Drugs considered the follow-up to the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem [YUN 2009, p. 1237], adopted by Heads of State, ministers and government representatives from 132 States at the high-level segment of the fifty-second (2009) session of the Commission. Speakers welcomed the adoption of and expressed support for the Political Declaration and Plan of Action, observing that it maintained an integrated and balanced approach to drug supply and demand reduction and reflected the principle of shared responsibility. The impact of the world drug problem on the social, economic, health, political and governance aspects of society continued to be significant, and Member States had an obligation to continue to invest in drug control. Some speakers underlined the nexus between illicit drugs and criminal activities such as trafficking in firearms and precursors, the manufacture of synthetic drugs, money-laundering, corruption and the financing of terrorism. Several speakers reported on national drug control legislation adopted by their Governments, national drug control strategies and action plans promoting a balanced, multidisciplinary approach. A number of speakers reported on achievements in combating drug trafficking and money-laundering. Along with reporting on seizures of illicit drugs, speakers emphasized the importance of international cooperation in combating drug trafficking. Various speakers expressed the appreciation of their Governments for the assistance provided by UNODC and welcomed the establishment of the working group on the governance and finance of the Office (see p. 1241).

On 12 March [E/2010/28 (res. 53/8)], the Commission reaffirmed that the world drug problem remained a common and shared responsibility that required effective and increased international cooperation. States were urged to take measures at the national, regional and international levels to coordinate their actions and intensify their cooperation against drug trafficking and related criminal offences. The Commission called for increased technical and financial assistance to be provided to States, particularly those most directly affected by the illicit production of and trafficking in drugs, and requested the UNODC Executive Director to report to the Commission's fifty-fifth (2012) session.

Data collection. On 10 March [E/2010/28], the Commission considered ways to improve the collection, reporting and analysis of data to monitor the

implementation of the 2009 Political Declaration and Plan of Action. A Secretariat note [E/CN.7/2010/15 & Add.1 & Corr.1 & Add.2-4] provided information on the meeting of the intergovernmental expert group on data collection (Vienna, 12–15 January) [UNODC/CND/EG.1/2010/8], established pursuant to a Commission request [YUN 2009, p. 1237]. The expert group reviewed the data collection tools and processes and prepared a revised draft annual report questionnaire [E/CN.7/2010/19–22] for consideration and possible adoption by the Commission.

On 10 March [E/2010/28 (dec. 53/2)], the Commission decided to reconvene the expert group to finalize the data collection tool for adoption by the Commission at its reconvened fifty-third (2010) session. Pursuant to that decision, the expert group met in Vienna (11–13 October) [UNODC/CND/EG.1/2010/14], where it finalized and approved the draft annual report questionnaire for adoption by the Commission.

On 2 December [E/2010/28/Add.1 (res. 53/16)], the Commission adopted the annual report questionnaire as submitted by the expert group on data collection, and decided that the questionnaire should be periodically reviewed in order to have a flexible international instrument allowing the reporting of national and emerging drug situations. UNODC was requested to carry out such reviews and to assist States in developing their data collection and reporting capacities. The Commission requested that Member States return their completed questionnaire by 30 June each year, and that the UNODC Executive Director submit biennially a report on action taken by States to implement the Political Declaration and Plan of Action, the first of which should be examined by the Commission at its fifty-fifth (2012) session.

Security Council consideration. The Security Council met on 24 February [S/PV.6277] to consider the item "Threats to international peace and security" and to hear a briefing by the UNODC Executive Director. The Council had before it a concept paper [S/2010/94] prepared by France.

Observing that drug trafficking and organized crime had an impact on almost all UN activity, the Secretary-General called for a global and integrated response from the UN system and Member States. He pledged to work more closely with relevant components of the UN system to bring impending threats to the attention of the Council, and urged the Council to follow up on early warning with early action.

The UNODC Executive Director, Antonio Maria Costa, stated that globalization had created unprecedented opportunities for organized crime, particularly by powerful non-State criminal groups. States must respond to these transnational threats by strengthening national efforts and integrating them into a multilateral framework. That could be achieved

through attention to development, security, rule of law, health, knowledge- and intelligence-sharing, and anti-corruption measures, as well as a UN system-wide response.

SECURITY COUNCIL ACTION

On 24 February [meeting 6277], following consultations among Security Council members, the President made statement **S/PRST/2010/4** on behalf of the Council:

The Security Council reaffirms its primary responsibility for the maintenance of international peace and security, in accordance with the Charter of the United Nations.

The Council notes with concern the serious threats posed in some cases by drug trafficking and transnational organized crime to international security in different regions of the world. These transnational threats are a source of growing concern.

The Council, in this context, further notes with concern the increasing link, in some cases, between drug trafficking and the financing of terrorism, including through the use of proceeds derived from illicit cultivation of, production of and trafficking in narcotic drugs and their precursors, as well as illegal arms trafficking.

The Council notes that these transnational crimes may threaten the security of countries on its agenda, including post-conflict States, and expresses its intention to consider such threats, as appropriate.

The Council notes with concern that drug trafficking and transnational organized crime contribute to undermining the authority of States.

The Council notes that, in a globalized society, organized crime groups and networks, better equipped with new information and communications technologies, are becoming more diversified and connected in their illicit operations, which in some cases may aggravate threats to international security. In this context, the Council expresses concern at the increase in incidents of kidnapping and hostage-taking, in some areas of the world with a specific political context, with the aim of raising funds or gaining political concessions. The development of cybercrime is another source of particular concern.

The Council calls upon Member States to increase international and regional cooperation, on the basis of a common and shared responsibility, as well as their cooperation with the United Nations Office on Drugs and Crime and the International Narcotics Control Board, in order to counter the illicit production of, demand for and trafficking in drugs, and to identify emerging trends in drug trafficking. It welcomes relevant initiatives, such as the Paris Pact. The Council also encourages Member States to undertake further action and to consider, on the basis of concrete proposals by the United Nations Office on Drugs and Crime and the International Narcotics Control Board, through the Commission on Narcotic Drugs, possible new international initiatives aimed at strengthening the fight against illicit trafficking in chemical precursors.

The Council encourages the coordination of United Nations actions, including those of its agencies, funds and programmes, in order to enhance the effectiveness of appropriate international efforts.

The Council reaffirms and commends the important work of the United Nations Office on Drugs and Crime, in collaboration with other relevant entities of the United Nations.

The Council encourages States to strengthen international, regional and subregional cooperation to counter drug trafficking, transnational organized crime, terrorism and corruption and to investigate and prosecute, as appropriate, persons and entities responsible for these crimes, consistent with international law. Through compliance with their obligations under international law, including the relevant resolutions of the Council, Member States can help to strengthen international peace and security. The Council notes relevant international conventions, such as the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol, the Convention on Psychotropic Substances of 1971, the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, the United Nations Convention against Transnational Organized Crime of 2000 and the Protocols thereto, the United Nations Convention against Corruption of 2003 and the relevant international conventions and protocols related to terrorism.

The Council expresses its concern about the number of victims of acts of terrorism in various regions of the world. The Council further reiterates that acts, methods and practices of terrorism, as well as knowingly financing, planning and inciting terrorist acts, are contrary to the purposes and principles of the United Nations. The Council calls upon States to continue to condemn in the strongest terms all terrorist acts, irrespective of their motivation, whenever and by whomsoever committed, as well as the incitement of terrorism.

The Council invites the Secretary-General to consider these threats as a factor in conflict prevention strategies, conflict analysis, and integrated missions assessment and planning and to consider including in his reports, as appropriate, an analysis of the role played by these threats in situations on its agenda.

The Council welcomes further briefings, as necessary, on a more regular basis, by the Executive Director of the United Nations Office on Drugs and Crime.

Regional cooperation

A Secretariat report [E/CN.7/2011/5] described action taken by four of the regional subsidiary bodies of the Commission on Narcotic Drugs in 2010. Each body reviewed trends in drug trafficking and regional and subregional cooperation, addressed law enforcement issues and made recommendations.

The twentieth meeting of Heads of National Drug Law Enforcement Agencies (HONLEA), Africa (Nairobi, 13–17 September) [UNODC/HONLAF/20/6] made recommendations with regard to illicit drug trends in the region; developing effective responses to the investigation of drug trafficking and related crime offences; and drug trafficking and its corrupting influence on law enforcement. The body also recommended the adoption by the Commission of a resolution on measures to support African States. The twentieth meeting of

HONLEA, Latin America and the Caribbean (Lima, Peru, 4–7 October) [UNODC/HONLAC/20/6] made recommendations on targeting of drug trafficking by air; drug trafficking and corruption; and trafficking in synthetic drugs and control of precursors. The forty-fifth session of the Subcommission on Illicit Drug Traffic and Related Matters in the Near and Middle East (Damascus, Syrian Arab Republic, 8–12 November) [UNODC/SUBCOM/45/6] made recommendations on the ongoing threat from illicit opium production and trafficking in Afghanistan; meeting the challenge of effective border management; controlling precursor chemicals; and addressing the growing challenge of unregulated alternatives and the trafficking in, and illicit manufacture and use of, ATS in the Near and Middle East. The thirty-fourth meeting of HONLEA, Asia and the Pacific (Bangkok, Thailand, 30 November–3 December) [UNODC/HONLAP/34/6] made recommendations with regard to challenges to effective drug law enforcement; taking effective measures against synthetic drugs; and developing effective regional responses to illicit drug trafficking.

In 2010, the subsidiary bodies had before them a Secretariat note [UNODC/HONLAF/20/5; UNODC/HONLAC/20/5; UNODC/HONLAP/34/5; UNODC/SUBCOM/45/5] submitted pursuant to Economic and Social Council resolution 1992/28 [YUN 1992, p. 909], which reviewed the functioning of the subsidiary bodies based on an assessment undertaken in 2009 and 2010. Feedback was sought from Member States with a view to enhancing their contributions to combating illicit drug trafficking and related crime, and to identifying ways to ensure that meetings met the needs and expectations of participating countries. The majority of responding States considered that important elements of the HONLEA meetings were the opportunity to meet law enforcement authorities of other States; exchange information and learn from the experiences of others; develop bilateral, multilateral and regional cooperation; and highlight areas of concern. Respondents also considered that the meetings translated into improved international cooperation.

International cooperation

Report of Secretary-General. In response to General Assembly resolution 64/182 [YUN 2009, p. 1237], the Secretary-General in June issued a report [A/65/93] on international cooperation against the world drug problem. The report reviewed the world drug situation and the implementation of mandates given by the Commission on Narcotic Drugs and UNODC, including on drug abuse prevention; measures to prevent drug trafficking; alternative development; access to drug treatment and health care; the supply dimension; research, monitoring and analysis

of drug trends; and strengthening the drug programme of UNODC.

The Secretary-General stated that the world drug problem undermined sustainable development, political stability, democratic institutions and the health of individuals and communities. Drug abuse could be prevented, treated and controlled, and programmes for drug abuse prevention, treatment and rehabilitation should be based on scientific evidence and respect for human rights. The Secretary-General noted the threat posed by drug trafficking and organized crime to national security and even sovereignty, calling on Member States to give greater attention to security, justice, development assistance in vulnerable regions, information sharing and the rule of law. Member States should implement the UN drug control conventions and provide regular and adequate resources to UNODC.

GENERAL ASSEMBLY ACTION

On 21 December [meeting 71], the General Assembly, on the recommendation of the Third Committee [A/65/458], adopted **resolution 65/233** without vote [agenda item 106].

International cooperation against the world drug problem

The General Assembly,

Reaffirming the Political Declaration adopted by the General Assembly at its twentieth special session, the Declaration on the Guiding Principles of Drug Demand Reduction, the Action Plan on International Cooperation on the Eradication of Illicit Drug Crops and on Alternative Development, the Action Plan for the Implementation of the Declaration on the Guiding Principles of Drug Demand Reduction and the joint ministerial statement adopted at the ministerial segment of the forty-sixth session of the Commission on Narcotic Drugs,

Recalling the United Nations Millennium Declaration, the provisions of the 2005 World Summit Outcome addressing the world drug problem, the Political Declaration on HIV/AIDS and other relevant United Nations resolutions, including General Assembly resolution 64/182 of 18 December 2009 and those on regional and international cooperation to prevent the diversion and smuggling of precursors,

Recalling also that in its resolution 64/182 the General Assembly adopted the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem, as adopted by the Commission on Narcotic Drugs at the high-level segment of its fifty-second session, and called upon States to take the measures necessary to fully implement the actions set out therein, with a view to attaining, in a timely manner, their goals and targets,

Recalling further the adoption by the Economic and Social Council of its resolutions 2010/17 and 2010/21 of 22 July 2010 on the realignment of the functions of the United Nations Office on Drugs and Crime and changes to the strategic framework,

Welcoming the measures taken by the United Nations Office on Drugs and Crime to develop a thematic and regional programme approach to its activities,

Recalling all resolutions adopted by the Commission on Narcotic Drugs at its fifty-third session, especially on the strengthening of regional cooperation and including the resolution on achieving universal access to prevention, treatment, care and support for drug users and people living with or affected by HIV,

Welcoming the efforts made by Member States to comply with the provisions of the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol, the Convention on Psychotropic Substances of 1971 and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,

Gravely concerned that, despite continuing increased efforts by States, relevant organizations, civil society and non-governmental organizations, the world drug problem continues to constitute a serious threat to public health and safety and the well-being of humanity, in particular children and young people and their families, and to the national security and sovereignty of States, and that it undermines socio-economic and political stability and sustainable development,

Deeply concerned about the need to take all appropriate measures, including legislative, administrative, social and educational measures, to protect children against the illicit use of narcotic drugs and psychotropic substances as defined in the relevant treaties, and to prevent the use of children in the illicit production of and trafficking in such substances, and urging Governments to implement Commission on Narcotic Drugs resolution 53/10 of 12 March 2010,

Noting with grave concern the global increased abuse of certain drugs and the proliferation of new substances, as well as the increasing sophistication of the transnational organized crime groups engaged in their manufacture and distribution,

Noting with grave concern also the global increased abuse and manufacture of amphetamine-type stimulants as well as the proliferation of chemical precursors used in the illicit manufacture of narcotic drugs and psychotropic substances, and the emergence of new methods of diversion used by organized criminal groups,

Recognizing that the use of substances that are not controlled under the international drug control treaties and that may pose potential public-health risks has emerged in recent years in several regions of the world, and noting the increasing number of reports about the production of substances, most commonly herbal mixtures, containing synthetic cannabinoid receptor agonists that have psychoactive effects similar to those produced by cannabis,

Recognizing also that international cooperation in demand reduction and supply reduction has shown that positive results can be achieved through sustained and collective efforts, and expressing its appreciation for the initiatives at the regional and international levels in this regard,

Reaffirming that the world drug problem remains a common and shared responsibility that requires effective and increased international cooperation and demands an integrated, multidisciplinary, mutually reinforcing and balanced approach to supply and demand reduction strategies,

Recognizing the principal role of the Commission on Narcotic Drugs and its subsidiary bodies, together with

the International Narcotics Control Board, as the United Nations organs with prime responsibility for drug control matters, and recognizing also the need to promote and facilitate the effective implementation of and follow-up to the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem,

Reaffirming that countering the world drug problem in all its aspects requires a political commitment to reducing supply, as an integral component of a balanced and comprehensive drug control strategy, in accordance with the principles enshrined in the Political Declaration adopted by the General Assembly at its twentieth special session and the measures to enhance international cooperation to counter the world drug problem, including the Action Plan on International Cooperation on the Eradication of Illicit Drug Crops and on Alternative Development, also adopted at that session,

Reaffirming equally that reducing illicit drug use and its consequences requires a political commitment to efforts to reduce demand, which must be demonstrated by sustained widespread demand reduction initiatives that integrate a comprehensive public-health approach spanning the spectrum of prevention, education, early intervention, treatment, recovery support, rehabilitation and reintegration efforts, in accordance with the Declaration on the Guiding Principles of Drug Demand Reduction, adopted by the General Assembly at its twentieth special session,

Recalling the recommendations contained in its resolution 64/182 that the Economic and Social Council devote one of its high-level segments to a theme related to the world drug problem and that the General Assembly hold a special session to address the world drug problem,

Conscious of the need to raise public awareness of the risks and threats posed to all societies by the different aspects of the world drug problem,

1. *Calls upon* States to take, as appropriate, in a timely manner, the measures necessary to implement the actions and attain the goals and targets set out in the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem, adopted by the General Assembly at its sixty-fourth session;

2. *Reaffirms* that countering the world drug problem is a common and shared responsibility that must be addressed in a multilateral setting, requires an integrated and balanced approach and must be carried out in full conformity with the purposes and principles of the Charter of the United Nations and other provisions of international law, the Universal Declaration of Human Rights and the Vienna Declaration and Programme of Action on human rights, and, in particular, with full respect for the sovereignty and territorial integrity of States, for the principle of non-intervention in the internal affairs of States and for all human rights and fundamental freedoms, and on the basis of the principles of equal rights and mutual respect;

3. *Undertakes* to promote bilateral, regional and international cooperation, including through intelligence-sharing and cross-border cooperation, aimed at countering the world drug problem more effectively, in particular by encouraging and supporting such cooperation by those States most directly affected by illicit crop cultivation and

the illicit production, manufacture, transit, trafficking, distribution and abuse of narcotic drugs and psychotropic substances;

4. *Reiterates* the commitment of Member States to promoting, developing, reviewing or strengthening effective, comprehensive, integrated drug demand reduction programmes, based on scientific evidence and covering a range of measures, including primary prevention, early intervention, treatment, care, rehabilitation, social reintegration and related support services, aimed at promoting health and social well-being among individuals, families and communities and reducing the adverse consequences of drug abuse for individuals and society as a whole, taking into account the particular challenges posed by high-risk drug users, in full compliance with the three international drug control conventions and in accordance with national legislation, and commits Member States to investing increased resources in ensuring access to those interventions on a non-discriminatory basis, including in detention facilities, bearing in mind that those interventions should also consider vulnerabilities that undermine human development, such as poverty and social marginalization;

5. *Notes with great concern* the adverse consequences of drug abuse for individuals and society as a whole, reaffirms the commitment of all Member States to tackling those problems in the context of comprehensive, complementary and multisectoral drug demand reduction strategies, in particular such strategies targeting young people, also notes with great concern the alarming rise in the incidence of HIV/AIDS and other blood-borne diseases among injecting drug users, reaffirms the commitment of all Member States to working towards the goal of universal access to comprehensive prevention programmes and treatment, care and related support services, in full compliance with the international drug control conventions and in accordance with national legislation, taking into account all relevant General Assembly resolutions and, when applicable, the *WHO, UNODC, UNAIDS Technical Guide for Countries to Set Targets for Universal Access to HIV Prevention, Treatment and Care for Injecting Drug Users*, and requests the United Nations Office on Drugs and Crime to carry out its mandate in this area in close cooperation with relevant organizations and programmes of the United Nations system, such as the World Health Organization, the United Nations Development Programme and the Joint United Nations Programme on HIV/AIDS;

6. *Encourages* Member States to promote, in accordance with Commission on Narcotic Drugs resolution 53/4 of 12 March 2010, the adequate availability of internationally controlled licit drugs for medical and scientific purposes while preventing their diversion and abuse;

7. *Acknowledges* the continuing efforts made and the progress achieved in countering the world drug problem, notes with great concern the continuing illicit production of and trafficking in opium, the continuing illicit manufacture of and trafficking in cocaine, the increasing illicit production of and trafficking in cannabis, the ongoing global spread of the illicit manufacture of amphetamine-type stimulants and the increasing diversion of precursors, as well as the related distribution and use of illicit drugs, and stresses the need to strengthen and intensify joint efforts at the national, regional and international levels to tackle those global challenges in a more comprehensive

manner, in accordance with the principle of common and shared responsibility, including by means of enhanced and better-coordinated technical and financial assistance;

8. *Invites* Member States to take appropriate measures so as to strengthen international cooperation and the exchange of information regarding the identification of new routes and *modi operandi* of criminal organizations dedicated to the diversion or smuggling of substances frequently used in the illicit manufacture of narcotic drugs and psychotropic substances, in particular with respect to their trafficking via the Internet, and to continue to notify the International Narcotics Control Board of such information;

9. *Encourages* Member States to promote, in accordance with Commission on Narcotic Drugs resolution 53/11 of 12 March 2010, the sharing of information on the potential abuse of and trafficking in synthetic cannabinoid receptor agonists;

10. *Recognizes* the need to collect relevant data and information regarding international cooperation for countering the world drug problem at the national, bilateral, subregional, regional and international levels, and urges all Member States to support dialogue through the Commission on Narcotic Drugs in order to address this issue;

11. *Also recognizes* that:

(a) Sustainable crop control strategies targeting the illicit cultivation of crops used for the production of narcotic drugs and psychotropic substances require international cooperation based on the principle of shared responsibility and an integrated and balanced approach, taking into account the rule of law and, where appropriate, security concerns, with full respect for the sovereignty and territorial integrity of States, the principle of non-intervention in the internal affairs of States and all human rights and fundamental freedoms;

(b) Such crop control strategies include, *inter alia*, alternative development and, where appropriate, preventive alternative development programmes, eradication and law enforcement measures;

(c) Such crop control strategies should be in full conformity with article 14 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 and appropriately coordinated and phased in accordance with national policies in order to achieve the sustainable eradication of illicit crops, noting furthermore the need for Member States to undertake to increase long-term investment in such strategies, coordinated with other development measures, in order to contribute to the sustainability of social and economic development and poverty eradication in affected rural areas, taking due account of the traditional licit uses of crops where there is historical evidence of such use and giving due consideration to the protection of the environment;

12. *Further recognizes* the significant role played by developing countries with extensive expertise in alternative development in promoting best practices and lessons learned from such programmes, and invites them to continue sharing those best practices with States affected by illicit crop cultivation, including those emerging from conflict, with a view to using them, where appropriate, in accordance with the national specificities of each State;

13. *Urges* Member States to intensify their cooperation with and assistance to transit States affected by illicit drug trafficking, directly or through the competent regional and

international organizations, in accordance with article 10 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, and on the basis of the principle of shared responsibility and the need for all States to promote and implement measures to counter the drug problem in all its aspects with an integrated and balanced approach;

14. *Reiterates* the urgent need for Member States to strengthen international and regional cooperation in order to respond to the serious challenges posed by the increasing links between drug trafficking, money-laundering, corruption and other forms of organized crime, including trafficking in persons, smuggling of migrants, trafficking in firearms, cybercrime and, in some cases, terrorism and the financing of terrorism, and to the significant challenges faced by law enforcement and judicial authorities in responding to the ever-changing means used by transnational criminal organizations to avoid detection and prosecution;

15. *Reaffirms* the importance of the United Nations Office on Drugs and Crime and its regional offices in building capacity at the local level in the fight against transnational organized crime and drug trafficking, and urges the Office to consider regional vulnerabilities, projects and impact in the fight against drug trafficking, in particular in developing countries, when deciding to close and allocate offices, with a view to maintaining an effective level of support for national and regional efforts in combating the world drug problem;

16. *Urges* the United Nations Office on Drugs and Crime to increase collaboration with intergovernmental, international and relevant regional organizations involved in combating the world drug problem, as appropriate, in order to share best practices and scientific standards, and to maximize the benefits from their unique comparative advantage;

17. *Requests* the United Nations Office on Drugs and Crime, upon request, to continue providing technical assistance to Member States so as to enhance capacity in countering the world drug problem, including by carrying out training programmes to develop indicators and instruments for the collection and analysis of accurate, reliable and comparable data on all relevant aspects of the world drug problem and, where appropriate, enhance or develop new national indicators and instruments;

18. *Invites* the Commission on Narcotic Drugs, as the central policymaking body of the United Nations system on drug-related matters, to strengthen the capacity of the United Nations Office on Drugs and Crime to collect, analyse, use and disseminate accurate, reliable, objective and comparable data and to reflect such information in the *World Drug Report*;

19. *Encourages* the United Nations Office on Drugs and Crime to continue its efforts in supporting States to establish, upon request, operational frameworks essential for communication across national borders and in facilitating the exchange of information on and analysis of drug trafficking trends, with a view to increasing knowledge about the world drug problem at the national, regional and international levels, and recognizes the importance of integrating laboratories and providing scientific support to drug control frameworks and of treating quality analytical data as a primary source of information worldwide;

20. *Urges* all Governments to provide the fullest possible financial and political support to the United Nations

Office on Drugs and Crime by widening its donor base and increasing voluntary contributions, in particular general-purpose contributions, so as to enable it to continue, expand, improve and strengthen its operational and technical cooperation activities, within its mandates, in particular with a view to the full implementation of the Political Declaration adopted by the General Assembly at its twentieth special session and the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem adopted by the Commission on Narcotic Drugs at the high-level segment of its fifty-second session, as well as, where appropriate, relevant resolutions adopted by the Commission at that session, and recommends that a sufficient share of the regular budget of the United Nations continue to be allocated to the Office to enable it to carry out its mandates in a consistent and stable manner;

21. *Encourages* the Commission on Narcotic Drugs, as the principal policymaking organ of the United Nations on matters of international drug control and as the governing body of the drug programme of the United Nations Office on Drugs and Crime, and the International Narcotics Control Board to strengthen their useful work on the control of precursors and other chemicals used in the illicit manufacture of narcotic drugs and psychotropic substances;

22. *Urges* States that have not done so to consider ratifying or acceding to, and States parties to implement, as a matter of priority, all the provisions of the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol, the Convention on Psychotropic Substances of 1971, the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, the United Nations Convention against Transnational Organized Crime and the Protocols thereto and the United Nations Convention against Corruption;

23. *Takes note* of the resolutions adopted by the Commission on Narcotic Drugs at its fifty-third session, the *World Drug Report 2010* of the United Nations Office on Drugs and Crime and the most recent report of the International Narcotics Control Board, and calls upon States to strengthen international and regional cooperation to counter the threat to the international community caused by the illicit production of and trafficking in drugs, especially those in the opium group, as well as other aspects of the world drug problem, and to continue to take concerted measures, such as within the framework of the Paris Pact and other relevant international initiatives;

24. *Notes* that the International Narcotics Control Board needs sufficient resources to carry out all its mandates, reaffirms the importance of its work, encourages it to continue to carry out its work in accordance with its mandates, urges Member States to commit themselves in a common effort to assigning, where possible, adequate and sufficient budgetary resources to the Board, in accordance with Economic and Social Council resolution 1996/20 of 23 July 1996, emphasizes the need to maintain its capacity, inter alia, through the provision of appropriate means by the Secretary-General and adequate technical support from the United Nations Office on Drugs and Crime, and calls for enhanced cooperation and understanding between Member States and the Board to enable it to implement all its mandates under the international drug control conventions;

25. *Emphasizes* the important role played by civil society, in particular non-governmental organizations, in addressing the world drug problem, notes with appreciation their important contribution to the review process, and also notes that representatives of affected populations and civil society entities, where appropriate, should be enabled to play a participatory role in the formulation and implementation of drug demand and supply reduction policy;

26. *Encourages* the meetings of Heads of National Drug Law Enforcement Agencies and of the Subcommittee on Illicit Drug Traffic and Related Matters in the Near and Middle East of the Commission on Narcotic Drugs to continue to contribute to the strengthening of regional and international cooperation, and in this regard acknowledges the discussions conducted at the twentieth meeting of Heads of National Drug Law Enforcement Agencies, Latin America and the Caribbean, held in Lima from 4 to 7 October 2010;

27. *Welcomes* the ongoing efforts to strengthen regional cooperation in combating illicit trafficking in drugs and the diversion of precursor chemicals undertaken by the members of the Commonwealth of Independent States, the Shanghai Cooperation Organization, the Economic Cooperation Organization, the Collective Security Treaty Organization, the Eurasian Group on Combating Money-Laundering and Financing of Terrorism and other relevant subregional and regional organizations and initiatives, including the plan of action on combating terrorism, illicit drug trafficking and organized crime adopted at the special conference held under the auspices of the Shanghai Cooperation Organization in Moscow on 27 March 2009, the relevant decisions of the Shanghai Cooperation Organization summit, held in Tashkent on 10 and 11 June 2010, and the efforts undertaken within the framework of the permanent counter-narcotics mechanism "Channel";

28. *Acknowledges* other ongoing regional efforts to combat illicit trafficking in drugs and address the demand for illicit drugs, such as those of the Inter-American Drug Abuse Control Commission of the Organization of American States and those of the Association of Southeast Asian Nations Senior Officials on Drug Matters to combat illicit drug production, trafficking and use (workplan 2009–2015) with the aim of achieving a drug-free South-East Asia by 2015;

29. *Calls upon* the relevant United Nations agencies and entities and other international organizations, and invites international financial institutions, including regional development banks, to mainstream drug control issues into their programmes, and calls upon the United Nations Office on Drugs and Crime to maintain its leading role by providing relevant information and technical assistance;

30. *Takes note* of the report of the Secretary-General, and requests the Secretary-General to submit to the General Assembly at its sixty-sixth session a report on the implementation of the present resolution.

Conventions

International efforts to control narcotic drugs were governed by three global conventions: the 1961 Single Convention on Narcotic Drugs [YUN 1961, p. 382],

which, with some exceptions of detail, replaced earlier narcotics treaties and was amended by the 1972 Protocol [YUN 1972, p. 397] to strengthen the role of the International Narcotics Control Board (INCB); the 1971 Convention on Psychotropic Substances [YUN 1971, p. 380]; and the 1988 United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances [YUN 1988, p. 690].

As at 31 December, 183 States were parties to the 1961 Convention, as amended by the 1972 Protocol. Afghanistan and Chad continued to be parties to the Convention in its unamended form only.

The number of parties to the 1971 Convention remained at 183 as at 31 December.

At year's end, 184 States and the European Union (EU) were parties to the 1988 Convention. During the year, the Marshall Islands acceded to the treaty.

Commission action. In March [E/2010/28], the Commission on Narcotic Drugs reviewed implementation of the international drug control treaties. It had before it the INCB report covering its 2009 activities [YUN 2009, p. 1242]; the reports of the UNODC Executive Director on the activities of UNODC [E/CN.7/2010/3-E/CN.15/2010/3] (see p. 1103) and on the proposal concerning quality evaluation of the performance of drug analysis laboratories [E/CN.7/2010/9] (see p. 1249); a Secretariat note on changes in the scope of control of substances [E/CN.7/2010/12] (see below); the 2009 INCB technical report on the implementation of article 12 of the 1988 Convention, dealing with precursors and chemicals frequently used in the illicit manufacture of narcotic drugs and psychotropic substances [E/INCB/2009/4]; the report of the Competent National Authorities under the Treaties [ST/NAR.3/2009/1]; and a note by the UNODC Executive Director on drug control, crime prevention and criminal justice: a human rights perspective [E/CN.7/2010/CRP.6-E/CN.15/2010/CRP.1].

As recommended by the Secretariat [E/CN.7/2010/12], the Commission, on 8 March [E/2010/28 (dec. 53/1)], decided to transfer phenylacetic acid from Table II to Table I of the 1988 Convention.

On 12 March [E/2010/28 (res. 53/4)], the Commission decided to include in its agenda for its fifty-fourth (2011) session an item on the adequate availability of narcotic drugs and psychotropic substances for medical and scientific purposes. It called upon States to fulfil their reporting obligations to INCB and the Secretary-General concerning the use of internationally controlled substances for medical and scientific purposes, as well as the diversion of, trafficking in and abuse of those substances. The Commission invited INCB to include in its annual report for 2010 information on the consumption of narcotic drugs and psychotropic substances used for medical and scientific purposes

worldwide, including an analysis of impediments to their adequate availability and actions to be taken to overcome those impediments. UNODC was requested to continue its efforts to ensure the adequate availability of internationally controlled drugs for medical and scientific purposes, while continuing its activities to prevent their diversion and abuse.

INCB action. In its report covering 2010 [E/INCB/2010/1, Sales No. E.11.XI.1], INCB requested those States that were not parties to one or more of the international drug control treaties to accede to them without delay. With regard to treaty implementation and control measures, Governments were requested to furnish all statistical reports required under the conventions; encouraged to seek from the Board any information that would assist them in complying with their reporting obligations; and called upon to provide adequate resources to relevant authorities to ensure their compliance with all reporting obligations under the treaties. INCB called upon Governments to establish and provide annual estimates of national requirements for narcotic drugs and psychotropic substances for medical and scientific purposes. The Board requested Governments that were exempting certain preparations at the national level from some control measures foreseen in the 1971 Convention and had not yet notified the Secretary-General of those exemptions to do so without delay. Governments that had not yet done so were urged to introduce import and export authorizations for all psychotropic substances in Schedules III and IV of the 1971 Convention. INCB called upon Governments to report incidents involving the diversion or seizure of non-controlled substances used in the illicit manufacture of precursors, and to ensure timely submission of their annual requirements for certain precursors. Governments were requested to register for the online system for the exchange of pre-export notifications ("PEN Online") and to use the system regularly to enable timely communication regarding the legitimacy of shipments of precursors.

Pursuant to Commission resolution 53/4 (see above), INCB issued a supplement to its 2010 report on the availability of internationally controlled substances for medical and scientific requirements [E/INCB/2010/1/Supp.1, Sales No. E.11.XI.7], providing recommendations with regard to their availability and appropriate use, national control systems and prevention of diversion and abuse.

In 2010, the Board reviewed the drug control situation in Brazil, Mexico and Peru, as well as measures taken by those countries to implement the international drug control treaties. During the year, it sent missions to Armenia, Azerbaijan, Croatia, Gabon, Georgia, Guatemala, Israel, Lebanon, Morocco and Turkmenistan.

Proposed amendment to Convention

On 3 February [E/2010/7], pursuant to Economic and Social Council decision 2009/250 [YUN 2009, p. 1241], the Secretary-General transmitted to the Council a note of 28 January from Egypt, which stated that Egypt withdrew its objection to the proposal submitted by Bolivia to amend article 49 of the 1961 Single Convention on Narcotic Drugs. Bolivia had proposed to delete a provision on abolishing coca leaf chewing, an ancestral practice of the Andean indigenous peoples.

On 23 December [E/2011/7], the Secretary-General transmitted to the Council a note of 17 December from Colombia, which stated that Colombia rejected the proposed amendment.

International Narcotics Control Board

The 13-member International Narcotics Control Board (INCB) held its ninety-seventh (1–5 February), ninety-eighth (3–14 May) and ninety-ninth (27 October–12 November) sessions, all in Vienna.

In accordance with the tasks assigned to it under the international conventions, the Board monitored the implementation of the international drug control treaties and maintained a permanent dialogue with Governments. The information received from Governments was used to identify the enforcement of treaty provisions requiring them to limit to medical and scientific purposes the licit manufacture of, trade in and distribution and use of narcotic drugs and psychotropic substances. The Board, which was required by the treaties to report annually on the drug control situation worldwide, noted gaps and weaknesses in national control and treaty compliance and made recommendations for improvements at the national and international levels.

The Board's 2010 report [E/INCB/2010/1, Sales No. E.11.XI.1] focused on the issue of drug-related corruption, which was undermining international efforts to eliminate problems related to controlled drugs. Intimidation and corruption were the most effective tools used by organized criminal groups to counter the drug control efforts of law enforcement agencies, and the huge profits generated by the illicit drug trade enabled criminal groups to engage in corruption on a very large scale. The consequences of corruption could be pervasive and profound, threatening democracy and development and weakening the credibility of the criminal justice system and other social institutions. The most common type of corruption was bribery of public officials to influence the functions of government. Corruption also threatened police, customs and law enforcement agencies, military institutions, the judiciary and countries in post-conflict situations or with economies in transition.

The Board stated that several measures could be taken to prevent, detect and investigate drug-related corruption. The most important prevention measures were found in the United Nations Convention against Corruption [YUN 2003, p. 1126], which allowed for the establishment of independent bodies with legislative authority to promote good practices in preventing corruption. INCB recommended that Governments give greater attention to corruption prevention initiatives and to prioritizing strategies aimed at raising public awareness and preventing corruption and intimidation. Law enforcement, criminal justice and other agencies involved in drug control should adopt and enforce within their agencies a policy of absolute intolerance towards corruption and adopt measures to prevent drug-related corruption and misconduct within their ranks. There must be renewed national and international efforts to strengthen measures to counter money-laundering, and States should ratify and implement the United Nations Convention against Transnational Organized Crime [YUN 2000, p. 1048] and the Convention against Corruption.

The INCB report was supplemented by two technical reports: *Narcotic Drugs: Estimated World Requirements for 2011* [E/INCB/2010/2], and *Psychotropic Substances: Statistics for 2009* [E/INCB/2010/3]; one treaty-mandated report: *Precursors and Chemicals Frequently Used in the Illicit Manufacture of Narcotic Drugs and Psychotropic Substances* [E/INCB/2010/4]; and one special report: *Availability of Internationally Controlled Drugs: Ensuring Adequate Access for Medical and Scientific Purposes* [E/INCB/2010/1/Supp.1].

By **decision 2010/245** of 22 July, the Economic and Social Council took note of the INCB report for 2009 [E/INCB/2009/1, Sales No. E.10.XI.1].

World drug situation and control efforts

In its 2010 report [E/INCB/2010/1], INCB presented a regional analysis of world drug abuse trends and control efforts to keep Governments aware of situations that might endanger the objectives of international drug control treaties. The report provided information on major developments; regional cooperation; national legislation, policy and action; cultivation, production, manufacture and trafficking; and abuse and treatment for each region.

Africa

The threats posed by drug trafficking through Africa remained high on the agenda of the international community. The large-scale smuggling of cocaine appeared to have resumed in 2010, and East Africa was a major conduit for smuggling heroin from South-West

Asia into Europe and North America. The Board expressed concern over the increased abuse of almost all types of drugs in Africa, with cannabis being the main drug of abuse.

African Ministers and experts at the fourth session of the African Union Conference of Ministers for Drug Control and Crime Prevention (Addis Ababa, Ethiopia, 28 September–2 October) agreed to fight illicit cultivation and abuse of cannabis, address the control of precursor chemicals, and develop adequate monitoring and regulatory systems. African subregional economic communities played a key role in implementing the African Union Plan of Action on Drug Control and Crime Prevention, 2007–2012 [YUN 2007, p. 1286], while the League of Arab States adopted a five-year programme to improve drug and crime control in North Africa and the Middle East. Members of the Economic Community of West African States (ECOWAS) took action to implement the regional plan on drug trafficking, organized crime and drug abuse adopted in 2008 [YUN 2008, p. 1357].

West Africa

A report by the UNODC Executive Director [E/CN.7/2010/10], prepared pursuant to a Commission on Narcotic Drugs request [YUN 2008, p. 1358], reviewed the support provided by the international community to West African States and to ECOWAS in overcoming the challenges related to drug trafficking and organized crime. UNODC had been entrusted with translating the ECOWAS political declaration and regional action plan of 2008 into concrete programmes to be carried out by ECOWAS member States in partnership with the United Nations Office for West Africa, the Department of Peacekeeping Operations, the International Criminal Police Organization and the EU. Technical assistance to West Africa included regional initiatives on research and analysis; policymaking and partnerships; strategies to counter money-laundering and the financing of terrorism; post-conflict and peacebuilding assistance; law enforcement, counter-narcotics and forensics; transatlantic cooperation; and drug abuse and HIV/AIDS prevention. UNODC also implemented national integrated programmes against drug trafficking and organized crime in Cape Verde, Guinea-Bissau and Mali.

Americas

Central America and the Caribbean

The Central American and Caribbean region continued to be used as a transit area for the large-scale smuggling of illicit drugs, and the drug problem was exacerbated by endemic corruption, poverty, high unemployment and drug-related violence. The widespread destruction and loss of capacity of the Haitian

State following the earthquake in Haiti in January 2010 (see p. 320) gave rise to fears that the country might be increasingly used as a trans-shipment area for illicit drugs.

UNODC in March launched phase I of the Santo Domingo Pact and Managua Mechanism, an inter-regional programme aimed at promoting the establishment of information-gathering and policy-sharing initiatives and regional coordination of activities to combat drug trafficking and associated crime. Other regional initiatives included the adoption in May of the Hemispheric Drug Strategy by the Inter-American Drug Abuse Control Commission and the adoption in June of the Panama Declaration by member States of the Central American Integration System.

On 12 March [E/2010/28 (res. 53/14)], the Commission on Narcotic Drugs encouraged the implementation of the political declarations on drug trafficking, organized crime and terrorism adopted in 2009 in Santo Domingo, Dominican Republic [YUN 2009, p. 1244], and in Managua, Nicaragua [*ibid.*, p. 1084]. It requested UNODC to assist the Central American and Caribbean States in obtaining the resources necessary to effectively implement the Santo Domingo Pact and Managua Mechanism, and to provide periodic updates on the implementation of the resolution.

North America

North America continued to play a major role in illicit drug supply and demand. The number of drug-related deaths increased sharply in the United States, and there was increasing abuse of cannabis and prescription drugs containing controlled substances among youth. Mexico remained a major transit and source country for illicit drugs. Drug trafficking organizations responded to law enforcement measures in 2009 and 2010 by unleashing unprecedented violence, murdering a large number of persons, including law enforcement officials. Canada remained one of the world's primary source countries for illicitly manufactured synthetic drugs.

The Merida Initiative [YUN 2008, p. 1361] continued to be the focal point of regional cooperation to counter drug trafficking and related forms of organized crime. Mexico and the United States reaffirmed the goals and commitments of the Initiative at the meeting of the Merida Initiative High-level Consultative Group on Bilateral Cooperation against Transnational Organized Crime (Mexico City, March). Cooperation between the United States and Canada included joint law enforcement operations, information-sharing and collaboration using the Cross-Border Crime Forum, which brought together senior law enforcement and justice officials.

South America

In South America, criminal organizations traditionally involved in drug trafficking at the international level started to engage in such activities at the national level. The growing influence of cartels in politics posed a threat to security and development. In 2009, the decrease in total area under illicit coca bush cultivation, due to a significant reduction in cultivation in Colombia, was partly offset by an increase in Bolivia and Peru.

The European Commission approved the Cooperation Programme between Latin America and the EU on Anti-Drugs Policies. At a high-level meeting of heads of drug law enforcement agencies in West Africa and Latin America and the Caribbean (Bogotá, Colombia, 25–27 January), 24 bilateral agreements on joint investigations were signed. The Twelfth United Nations Congress on Crime Prevention and Criminal Justice (Salvador, Brazil, 12–19 April) (see p. 1094) adopted the Salvador Declaration on crime prevention and criminal justice systems.

The Economic and Social Council endorsed the Salvador Declaration by **resolution 2010/18** of 22 July (see p. 1095). It invited Governments to take into consideration the Declaration and the recommendations adopted at the Twelfth Congress when formulating legislation and policy directives.

Asia

East and South-East Asia

In East and South-East Asia, an upswing in opium poppy cultivation during the 2009 growing season threatened progress in reducing opium production. The increased trafficking in, illicit manufacture of and abuse of synthetic drugs was of paramount concern. Amphetamine-type stimulants (ATS), opioids and cannabis continued to be widely abused, and the risk of an HIV epidemic among the drug-injecting population was high.

Regionally, numerous joint operations led to several seizures of drugs and precursors and to the dismantling of clandestine laboratories. Association of Southeast Asian Nations (ASEAN) events included the eighteenth ASEAN-EU ministerial meeting (Madrid, 26 May), which reaffirmed a commitment to promoting cooperation to combat drug trafficking, and the twenty-third ASEAN-Australia Forum (Singapore, 19 March) on cooperative mechanisms for combating transnational organized crime.

South Asia

South Asia had become one of the main regions used by drug traffickers to obtain ephedrine and pseudoephedrine for the illicit manufacture of methamphetamine. Diversion into illicit channels of phar-

maceutical preparations containing substances under international control also continued to pose problems. In response to high rates of HIV infection reported among drug abusers, several countries introduced or expanded opioid substitution treatment programmes.

Several initiatives took place at the ministerial level in 2009 and 2010, including the twelfth ministerial meeting among States involved in the Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (Nay Pyi Taw, Myanmar, December 2009); the signing of an agreement between Bangladesh and India on combating international terrorism, organized crime and illicit drug trafficking (January 2010); and the third meeting of Ministers of the Interior of States members of the South Asian Association for Regional Cooperation (Islamabad, Pakistan, June) on possible measures to combat drug smuggling.

West Asia

In Afghanistan, illicit drug use increased across the country, with dramatic rises in the abuse of opium, heroin and other opiates. The southern Caucasus was increasingly being used as a transit area for consignments of opiates from Afghanistan, and INCB remained concerned about drug trafficking and abuse in Armenia, Azerbaijan and Georgia. The drug situation in the Middle East worsened, with HIV and hepatitis C infection rates increasing in the region.

Several regional initiatives with regard to Afghanistan took place in 2010, including the London Conference on Afghanistan (28 January), which welcomed the updating of the National Drug Control Strategy, the special conference on Afghanistan (Moscow, 27 March) and the international Kabul Conference (20 July). In Central Asia, Governments increased their cooperation in areas such as illicit drug supply and demand, precursor control, border management and countering the spread of HIV/AIDS. The Governments of 18 Arab countries worked with UNODC on a regional programme framework to address problems related to drugs and crime for the period 2011–2015, which was reviewed at a regional expert group meeting in April in Cairo, Egypt. The regional programme was endorsed on 8 December by the Council of the League of Arab States and launched by the UNODC Executive Director and the Secretary General of the League of Arab States.

In response to a request from the Commission on Narcotic Drugs [YUN 2009, p. 1249], the UNODC Executive Director submitted a report [E/CN.7/2010/6] on progress made by UNODC and Member States in 2009 on strengthening the law enforcement capacity of the main transit States neighbouring Afghanistan. The report reviewed progress made under the Paris Pact initiative [YUN 2003, p. 1263] and in line with the Rainbow Strategy [YUN 2008, p. 1365], which

translated the recommendations contained in the Paris Pact into operations for implementation on the ground and guided the work of UNODC field offices in Afghanistan and neighbouring countries. Highlights included the evaluation of phase two of the Paris Pact initiative, the formulation of a third phase of that initiative and the finalization of the UNODC regional programme for Afghanistan and neighbouring countries, endorsed at the meeting of the Group of Eight (Trieste, Italy, 25–27 June 2009). The report also provided information on the drug situation in Afghanistan; cooperation among Afghanistan, Iran and Pakistan, including the Triangular Initiative [YUN 2007, p. 1294]; and cooperation with Central Asian States, including through the Central Asian Regional Information and Coordination Centre (CARICC), inaugurated on 9 December 2009.

On 12 March [E/2010/28 (res. 53/5)], the Commission urged Member States and UNODC to provide technical assistance to support the Triangular Initiative and CARICC in their efforts to combat drug trafficking, including within the framework of the Paris Pact initiative and the Rainbow Strategy. It called upon States to make contributions to activities aimed at reducing illicit opium poppy cultivation in Afghanistan, and requested the UNODC Executive Director to report to the Commission at its forty-fourth (2011) session.

Communication. By a letter of 13 September to the Secretary-General [A/65/371-S/2010/479], the Russian Federation transmitted a Joint Statement by the Presidents of Afghanistan, Pakistan, the Russian Federation and Tajikistan, adopted during their second quadrilateral meeting (Sochi, Russian Federation, 18 August). The meeting discussed the development of regional cooperation, including combating the drug threat in an integrated manner.

Europe

In Europe, the trafficking of cannabis herb remained at a significant level, and the illicit cultivation of cannabis increased, especially indoors and on a large scale. Cocaine abuse was spreading from Western Europe into other parts of Europe, with the combined cocaine consumption of Western and Central Europe accounting for a quarter of global consumption. The illicit market for opiates in Europe was the largest in the world. The region also saw an increase in the variety of drugs being abused, including a growing range of substances not under international control.

As regards regional cooperation, in 2009 the EU and China signed a new agreement to enhance precursor control and coordination. The Collective Security Treaty Organization and the Federal Drug Control Service of the Russian Federation conducted two phases of the operation Channel 2009, which sought to build a system of enhanced collective se-

curity to prevent drug trafficking from Afghanistan and the entry of precursor chemicals into Central Asia and Afghanistan. At the sixth summit between Latin America, the Caribbean and the EU (Madrid, May 2010), States committed to strengthening the European Union-Andean Community High-Level Specialized Dialogue on Drugs.

Oceania

In Australia, traffickers were increasingly using the Internet to obtain precursor chemicals and equipment for illicit drug manufacture. In New Zealand, the Government's national action plan to tackle illicit manufacture of methamphetamine [YUN 2009, p. 1251] led to the identification of new trafficking trends, the seizure of precursor chemicals and the dismantling of clandestine laboratories.

INCB noted that many States of the region were not yet parties to international drug control treaties. In July, the Board held bilateral consultations with the Government of Papua New Guinea, urging it to take the steps necessary to become a party to the 1988 Convention. The Board also urged States to accede to the international drug control treaties and to strengthen national legislation and border control.

Regional meetings continued to play an important role in bringing countries together to address drug control issues, including the twenty-eighth annual meeting of the Pacific Islands Law Officers' Network (Samoa, December 2009); the Regional Security Committee of the Pacific Islands Forum (Fiji, June 2010); and the fifth meeting of the Pacific Drug and Alcohol Research Network (Vanuatu, July 2010).

Statistics

The United Nations continued in 2010 its work on various aspects of statistics, mainly through the Statistical Commission and the United Nations Statistics Division. In February, the Commission endorsed the technical content and strategic directions of a global strategy to improve agricultural statistics; adopted a workplan for obtaining international merchandise trade statistics; adopted a manual on statistics of international trade in services; expanded the International Comparison Programme; made plans for dissemination of the *System of National Accounts, 2008*; and endorsed improvements and initiatives in producing data on and monitoring the Millennium Development Goals.

On 3 June, the General Assembly decided to designate 20 October 2010 as World Statistics Day with the theme “Celebrating the many achievements of official statistics”, premised on the core values of service, integrity and professionalism. The Division organized promotional activities at the national, regional and international levels, including the launch of a dedicated website.

Statistical Commission

The Statistical Commission held its forty-first session in New York from 23 to 26 February [E/2010/24], in accordance with Economic and Social Council decision 2009/237 [YUN 2009, p. 1258]. Following discussions, the Commission brought to the attention of the Council its reports and decisions on: national quality assurance frameworks; agricultural statistics; international merchandise trade statistics; statistics of international trade in services; the International Comparison Programme; national accounts; environment statistics; environmental accounting; World Statistics Day 2010; global geographic information management; an inventory on Global Statistical Standards; development indicators; regional statistical development in Latin America and the Caribbean; and programme questions of the United Nations Statistics Division. The Commission also took note of 18 reports it had considered at the session [E/2010/24 (dec. 41/115)]. (See below under relevant topics.)

By **decision 2010/235** of 21 July, the Economic and Social Council took note of the Commission’s report on its forty-first session and approved the provisional agenda and documentation for its forty-second (2011) session.

Other reports. Other reports were issued in December 2010, to be addressed during the Commission’s 2011 session, covering the following subjects: World Statistics Day 2010 [E/CN.3/2011/2]; gender statistics [E/CN.3/2011/3 & E/CN.3/2011/4]; indicators on violence against women [E/CN.3/2011/5]; national accounts [E/CN.3/2011/6]; environmental-economic accounting [E/CN.3/2011/7]; energy statistics [E/CN.3/2011/8 & E/CN.3/2011/9]; integrated economic statistics [E/CN.3/2011/10]; short-term economic indicators [E/CN.3/2011/11]; the International Comparison Programme [E/CN.3/2011/12]; indicators for monitoring the Millennium Development Goals (MDGs) [E/CN.3/2011/13]; statistics of human development [E/CN.3/2011/14 & E/CN.3/2011/15]; concerns with regard to indicators released by UN agencies [E/CN.3/2011/16]; fundamental principles of official statistics [E/CN.3/2011/17]; statistical capacity-building [E/CN.3/2011/18 & E/CN.3/2011/19]; regional statistical development in Western Asia [E/CN.3/2011/20]; population and housing censuses [E/CN.3/2011/21]; health statistics [E/CN.3/2011/22]; education statistics [E/CN.3/2011/23]; agricultural statistics [E/CN.3/2011/24]; business registers [E/CN.3/2011/25]; tourism statistics [E/CN.3/2011/26]; price statistics [E/CN.3/2011/27]; environment statistics [E/CN.3/2011/28]; work of the Committee for Coordination of Statistical Activities [E/CN.3/2011/29]; global statistical standards [E/CN.3/2011/30]; standards on data and metadata exchange [E/CN.3/2011/31]; decisions of the General Assembly and the Economic and Social Council relevant to the Statistical Commission [E/CN.3/2011/32]; national quality assurance frameworks [E/CN.3/2011/33]; global geospatial information management [E/CN.3/2011/34]; measurement of economic performance and social progress [E/CN.3/2011/35]; and a draft multi-year programme of work for the Statistical Commission for 2011–2014 [E/CN.3/2011/36].

Economic statistics

National accounts

At its February session, the Statistical Commission considered the report of the Intersecretariat Working Group on National Accounts [E/CN.3/2010/8], which provided an update on the finalization of the *System of National Accounts, 2008* (2008 SNA). The

final English text was published online, and translation into Arabic, Chinese, French, Japanese, Korean, Portuguese, Russian and Spanish was arranged. The Working Group and advisory groups established by the regional commissions discussed implementation strategies at workshops, training courses and consultations. The Working Group pursued the development of standardized training material on the SNA and supporting classifications, statistical registers and basic economic statistics, and proposed the continuation of the Advisory Expert Group on National Accounts to support that work.

By a 26 February decision [E/2010/24 (dec. 41/106)], the Commission requested the Working Group to provide guidance on implementation of the 2008 SNA, taking into account the different national levels of statistical development. It welcomed the coordinated initiatives of the Statistics Division and the Statistical Offices of the European Communities (Eurostat) with Member States on the development of a data template of high-frequency and composite business cycle indicators and the initiatives of other international financial organizations, while taking into account the implementation of the 2008 SNA and existing dissemination frameworks. The Working Group was requested to assess whether those initiatives could be integrated into implementation of the 2008 SNA and to reassess the research agenda of the 2008 SNA in light of emerging issues. The Commission suggested that the Advisory Expert Group pay attention to the availability of basic and sectoral statistics, and adjustments based on national circumstances. It also suggested the formation of a Friends of the Chair group to study the impediments encountered in implementing the 1993 SNA.

International Comparison Programme

The Statistical Commission considered the Secretary-General's note [E/CN.3/2010/7] transmitting the World Bank report on preparations for the 2011 round of the International Comparison Programme (ICP), a statistical initiative to collect comparative price data and to estimate purchasing power parities (PPPs) of economies for converting currencies. The SNA was the reference framework for determining PPPs. According to the report, the ICP governance structure was put in place under the Global Manager, and the Global Office was established at the World Bank. The five main objectives of the 2011 ICP were to: broaden the Programme's scope, leveraging on the implementation of the 2005 round; address the specific needs of its users, both countries and regional and international organizations, as well as academia and the private sector; enhance its economic relevance by building on the 2005 round assets with methodological improvements and innovations; expand statistical capacity-building activities; and improve data

quality, reliability and programme transparency. The report set out a plan to enhance the robustness of PPP estimates through greater adherence to the SNA and the improvement of price survey methodologies, and to encourage additional research activities. While 146 countries participated in the 2005 round, the Programme was due to expand to approximately 170 participating countries.

On 26 February [dec. 41/105], the Commission approved the objectives and expansion proposed for the 2011 round by the World Bank. It expressed appreciation for the World Bank's willingness to host the coordination of the programme and to commit resources for its implementation, and urged the Global Office to enhance statistical capacity-building mechanisms.

The Global Office hosted a conference in Washington, D.C., on 18 October, bringing together ICP data users and producers to discuss new or underutilized applications of ICP data and methodologies.

Other economic statistics

International trade in services

The Statistical Commission considered a report of the inter-agency Task Force on Statistics of International Trade in Services on the revision of the *Manual on Statistics of International Trade in Services* for 2010 [E/CN.3/2010/6]. The report described the revision process and presented the new features of the revised manual, its relation to and alignment with other relevant statistical frameworks, the worldwide consultation process, and the proposed implementation programme and future work. The new *Manual* served a wide spectrum of statistical needs but emphasized the needs of the General Agreement on Trade in Services. It classified in detail services delivered through conventional trade between residents and non-residents and included a treatment of local delivery of services through foreign commercial presence. The report noted the revised *Manual's* alignment with the sixth edition of the *Balance of Payments Manual* of the International Monetary Fund (IMF), the SNA, and the *OECD Benchmark Definition of Foreign Direct Investment*.

On 26 February [dec. 41/104], the Commission adopted the *Manual* and endorsed the programme for its implementation. It urged the Task Force to focus on foreign affiliates statistics, tourism statistics, valuation and pricing, and research and development.

The Commission on 25 February [E/2010/24] took note of the report of the Voorburg Group on Services Statistics [E/CN.3/2010/23], which set out its vision and workplan for the period 2005–2009, governance, achievements and priorities in developing services statistics.

Finance statistics

The Statistical Commission [E/2010/24] considered and took note of the IMF report on the Inter-Agency Task Force on Finance Statistics [E/CN.3/2010/24] describing its activities since 2007. The activities included preparation of the *Public Sector Debt Guide*, the update of the *External Debt Guide* on issues emerging from the *Balance of Payments and International Investment Position Manual*, consultations on the dissemination of external debt data, capacity-building training activities for producing external debt data, and the establishment of the Task Force website. The report also set out its work programme, and noted that the next meeting of the Task Force was scheduled for 4 and 5 March at the headquarters of the World Bank in Washington, D.C.

Price indices and statistics

The Statistical Commission took note [E/2010/24] of the report of the Ottawa Group on Price Indexes [E/CN.3/2010/25] on its recent activities and the discussions at its May 2009 meeting (Neuchâtel, Switzerland), during which the problems of micro-level price measurement remained a topic. The Group acknowledged the achievement of the Intersecretariat Working Group on Price Statistics in producing manuals on price indices, including the new *Export and Import Price Index Manual*, and the exploratory work on a handbook on house price indices. Also discussed was the finalization of a handbook on compiling consumer price indices. The next meeting of the group was set for April or May 2011 in Wellington, New Zealand.

Environment statistics

On 24 and 26 February, the Statistical Commission discussed environment statistics, having before it the Secretary-General's report [E/CN.3/2010/9] containing the conclusions, recommendations, modalities and timetables for the Expert Group Meeting on the Framework for the Development of Environment Statistics (New York, 10–12 November 2009). The work concerned revising the 1984 *Framework for the Development of Environment Statistics* [Sales No. E.84.XVII.12] to encompass the development of a conceptual framework, and the plan to establish a core set of environment statistics for guiding countries with limited resources in developing such statistics. The report set out guiding principles for revision and proposed the inclusion of an objective; a target audience; scope and boundaries; main concepts and definitions; the relationship with the System of Environmental-Economic Accounting (SEEA); links to other frameworks and statistics, multilateral environmental agreements, global initiatives and statistical tools;

quality assurance and quality control standards; structure, dimensions, categories and components of the framework; spatial and temporal considerations; and reference to statistical standards and recommendations for detailed methodological and statistical guidance.

The Commission endorsed on 26 February [dec. 41/107] the Expert Group's programme of work for revising the 1984 *Framework* and the development of a core set of statistics. It asked the Statistics Division to develop a more realistic timetable, in consultation with countries and other stakeholders, and called for greater involvement by the Intersecretariat Working Group on Environment Statistics in developing the *Framework*. On 25 February [dec. 41/115], the Commission took note of the report of the Intersecretariat Working Group [E/CN.3/2010/10] on the possible revision of its mandate, its work in 2008–2009, and its 2010–2011 work programme.

Environmental-economic accounting

The Statistical Commission considered the report of the Committee of Experts on Environmental-Economic Accounting [E/CN.3/2010/11], which described the Committee's work on revising SEEA, drafting the International Recommendations for Water Statistics, implementation of the strategy for the SEEA for Water, and revising the Committee's mandate, governance structure, and terms of reference. The revised mandate would encompass environmental-economic statistics and supporting statistics, including those on energy. Climate change statistics would not be mentioned in its scope but would be presented as an example of where SEEA could be applied. The Committee described the progress it had made in the areas of physical flow accounting, monetary accounting, depletion of natural resources, and asset accounting.

In a February decision [dec. 41/108], the Commission agreed with the mandate and governance structure presented by the Committee of Experts; appreciated that priority was given to the timely revision of SEEA; adopted part I and endorsed part II of the International Recommendations for Water Statistics for implementation in countries; and requested the translation of the Recommendations into all official UN languages.

Industrial statistics

The Statistical Commission considered the report of the Secretary-General on industrial statistics [E/CN.3/2010/22]. The report described the revision of the *International Recommendations for the Index of Industrial Production*, last revised in 1950, which was presented to the Commission for approval. The revised

manual encompassed an expanded scope, which in the 1950 original *Index Numbers of Industrial Production* manual was limited to mining and quarrying, manufacturing, and electricity and gas. It also contained new recommendations for calculation methods, index weighting practices and linking and rebasing of index number series. The report described the work of the Expert Group on Industrial Statistics in guiding the revision of the *Recommendations*, as well as its technical cooperation activities and the data collection programme organized by the Statistics Division and the United Nations Industrial Development Organization.

On 25 February [dec. 41/115], the Commission took note of the report, adopted part I (recommendations) and endorsed part II (containing guidance) of the *International Recommendations for the Index of Industrial Production 2010*. The Commission recommended that Member States adhere to the practices of the *Recommendations*.

International trade statistics

The Statistical Commission considered the report of the Secretary-General on international merchandise trade statistics [E/CN.3/2010/5], which requested the adoption of the draft *International Merchandise Trade Statistics: Concepts and Definitions, 2010* (IMTS 2010). The report provided an overview of the draft recommendations proposed in IMTS 2010, which related to the scope of merchandise trade statistics; the use of the Standard International Trade Classification for analysis; valuation of specific categories of goods; recording of quantity data; recording a second partner country; the addition of mode of transport as a data dimension; the use of different data sources; the establishment of necessary institutional arrangements; data quality; metadata; data dissemination; and the linkage of trade and business statistics. The report summarized the Statistics Division's activities in revising the recommendations, including consultations with over 100 countries, the Expert Group on International Merchandise Trade Statistics, and the Inter-agency Task Force on International Merchandise Trade Statistics. The report also outlined an implementation programme, which included the update of the *International Merchandise Trade Statistics Compilers Manual*; the development of a knowledge base on international trade statistics; convening regional workshops for developing countries; enhancing the United Nations Commodity Trade Statistics Database (UN Comtrade); research in data compilation; and promoting cooperation in international forums.

The Commission [dec. 41/103] adopted IMTS 2010 and endorsed the programme for its implementation, including preparation of a revised *International Merchandise Trade Statistics Compilers Manual* and continuation of technical assistance activities. The

Commission requested the Expert Group and the Task Force to continue their work and focus on IMTS 2010 implementation. It also asked that greater attention be given to strengthening institutional arrangements in countries to ensure that proper national coordination mechanisms existed for compiling high-quality international merchandise trade statistics, and that cooperation with compilers of statistics on international trade in services, the balance of payments and national accounts be ensured. The Commission requested the Statistics Division to enhance the features and metadata of UN Comtrade, and advised giving consideration to emerging trade policy needs and globalization issues.

Integrated economic statistics

On 25 February [E/2010/24], the Statistical Commission took note of the report of the Friends of the Chair group on integrated economic statistics [E/CN.3/2010/27], which provided an update on its work in drafting guidelines for integrating the data produced by both centralized and decentralized statistical systems. The group met in Washington, D.C., from 7 to 9 December 2009 and was on track to complete the guidelines for consideration by the Commission at its forty-second (2011) session. The draft guidelines focused on consistency and coherence in economic statistics, from short-term indicators to national and international macroeconomic indicators. Conceptual, production and institutional issues were addressed, as were human resource and information technology issues. The guidelines used the SNA (see p. 1262) and other international manuals as a coordinating framework.

Agricultural statistics

The Secretary-General transmitted to the Statistical Commission a report by the Friends of the Chair on Agricultural Statistics [E/CN.3/2010/3] that described progress made in developing the Global Strategy to Improve Agricultural and Rural Statistics. The Global Strategy included a conceptual framework that broadened the scope of agricultural statistics to include aspects of fisheries, forestry and rural households; a minimum set of core data to be provided by countries; the integration of agriculture into national statistical systems; sustaining agriculture statistics through good governance; and an implementation plan. Among its recommendations for implementing the Global Strategy, the group called for establishing governance at the national level, improving statistical capacity through national strategies for developing statistics, coordinating resources provided by donor organizations, and supporting national advocacy efforts to improve agricultural statistics. The Global Strategy was aimed at providing national and international agricultural sta-

tistical systems with guidance on ways to meet policy-making and decision-making needs, and was expected to improve the capacity, quality and quantity of agricultural and rural data for users.

On 26 February [dec. 41/102], the Commission endorsed the technical content and directions of the Global Strategy, and urged the Food and Agriculture Organization of the United Nations (FAO) and the Friends of the Chair on Agricultural Statistics to expedite the development of an implementation plan that would include a technical assistance programme; an articulated training programme; a well-targeted research agenda; clear indications on funds management; and governance arrangements at the global, regional and national levels. The Commission requested the Friends of the Chair to report at its next (2011) session on progress in developing the implementation plan.

The Secretary-General also transmitted to the Commission the report of the Wye Group on Statistics on Rural Development and Agriculture Household Income [E/CN.3/2010/4 & Corr.1] on the outcome of its second annual meeting (Rome, 11–12 June 2009). The meeting convened 60 participants from 14 countries and 27 organizations. It discussed emerging issues, good practices and new statistical tools in rural statistics, and proposed updates and revisions for *Rural Households' Livelihood and Well-being: Statistics on Rural Development and Agriculture Household Income* [Sales No. E.07.II.E.14]. The Commission took note of the report at its February 2010 session [dec. 41/115].

Demographic and social statistics

Population and housing censuses

The Statistical Commission had before it the Secretary-General's report on population and housing censuses [E/CN.3/2010/17], which covered activities completed in the implementation of the 2010 World Programme on Population and Housing Censuses, including the monitoring of completed national censuses; the publication of international census guidelines, in particular the second revision of the *Principles and Recommendations for Population and Housing Censuses*; country-specific technical assistance; the development of CensusInfo, a census data dissemination software program; the hosting of training workshops; the publication of worldwide census-related activities on the Division's website; and the compilation and analysis of national census methodologies. By the end of 2009, some 78 countries or areas had undertaken a population and housing census for the 2010 round. Censuses were scheduled to be held in 63 countries in 2010 and 54 countries in 2011.

On 25 February [E/2010/24], the Commission took note of the report.

Development indicators

The Secretary-General transmitted to the Statistical Commission the report on development indicators issued by the Inter-Agency and Expert Group on the Millennium Development Goals Indicators [E/CN.3/2010/15]. The report assessed data availability to monitor progress towards the MDGs and the ability of countries to undertake their own national monitoring. The Group's work focused on improving data availability and quality for monitoring; capacity-building to strengthen national data production for monitoring; reconciling national and international data sets on MDGs; improving coordination of national MDG monitoring; training on MDG indicators and finalizing a manual on producing indicators at the national level; training on subnational data production and analysis for monitoring at the local level; and improving data coverage for MDG monitoring and reporting on data availability for their indicators.

To improve the coordination of MDG reporting and data exchange, the Group recommended the establishment of national MDG databases and agreed on the adoption of the Statistical Data and Metadata Exchange (SDMX) as the common data exchange platform. The Group also recommended establishing a central repository system on MDG indicators at the country level and making it available online; implementing SDMX in both national statistics offices and ministries; promoting national legislation to strengthen the coordination of statistical activities; establishing a focal point on MDGs at both the national and international levels; and monitoring progress at the local level.

On 26 February [dec. 41/112], the Commission endorsed the Group's initiatives to improve the coordination of data production and monitoring, as well as its work on resolving discrepancies between national and international sources. The Commission requested the Statistics Division to publish on its website an inventory of studies on such discrepancies. It expressed concern about the lack of full consultation, such as in expanding the Human Development Index, and regretted the lack of consultation with the Commission on revising the current Index. The Commission requested the Human Development Report Office to take note of the Commission's transparent procedures in developing statistical methodology on indices affecting countries, and requested the Commission's Bureau, with regional experts, to consult the Human Development Report Office on the methodologies and data used in the proposed revision of the Human Development Index and take appropriate decisions thereon. In view of the lack of consultation, the Commission would assess the methodology of the proposed Index, the appropriateness of the data used and the conclusions drawn, if so recommended by

the Bureau. The Commission further requested the Bureau and the Human Development Report Office to report on that consultation and the resulting recommendations.

Labour statistics

The Secretary-General transmitted to the Statistical Commission the report of the International Labour Organization (ILO) [E/CN.3/2010/18], which described the reorganization of ILO statistical activities to assist countries in producing quality and timely statistics on work. The report also described recent ILO statistical activities with regard to the development of measures of labour underutilization; labour statistics frameworks; occupational classifications; the harmonization of wage statistics; and the measurement of decent work through new indicators in several pilot countries. The establishment in May 2009 of the ILO Department of Statistics, reporting directly to the ILO Director-General, reflected the increased importance ILO accorded to labour statistics and was part of its efforts to reorganize its statistical activities. ILO invited the Commission to encourage donor agencies to support the production of surveys that monitored the jobs crisis, in particular, the programme to strengthen labour force and household surveys in Africa. The Commission was also invited to take note of the reasons for the postponement by ILO of the nineteenth International Conference of Labour Statisticians beyond 2011.

On 25 February [E/2010/24], the Commission took note of the report.

Informal sector statistics

On 25 February [dec. 41/115], the Commission took note of the report of the Delhi Group (Expert Group) on Informal Sector Statistics [E/CN.3/2010/26], transmitted to the Commission by the Secretary-General. The report summarized discussion relating to the drafts of the manual on surveys of informal sector and informal employment held during the tenth meeting of the Group (Geneva, 8–10 October 2007).

Disability statistics

The Commission had before it the report of the Washington Group on Disability Statistics [E/CN.3/2010/20] on its recent activities and 2010 workplan. The Group, composed of representatives of 116 countries and numerous international organizations, met annually with the aim of guiding the development of disability measures suitable for use in censuses, sample-based national surveys or other statistical formats for informing policy on the equalization of opportunities. Among its recent activities, the Group collaborated with the Economic Commis-

sion for Europe and other organizations in developing sets of questions for population surveys; organized and participated in regional workshops; undertook cognitive and field testing of short and extended sets of questions for use in censuses; provided technical assistance to national statistics offices; fostered international cooperation; and endorsed census questions on disability.

On 25 February [E/2010/24], the Commission took note of the report.

Statistics on crime and drugs

The Statistical Commission had before it the report of the United Nations Office on Drugs and Crime (UNODC) on its work on crime and drug statistics [E/CN.3/2010/19], which discussed the challenges faced in collecting, analysing and disseminating crime and drug statistics. For crime statistics, a lack of coordination between national statistical offices and data sources such as police offices, courts and prisons created difficulties, while for drug statistics, problems involving technical and financial resources and/or political will in many countries prevented full accounts of the extent of drug production and use. UNODC called for the Commission to re-engage in the debate on crime and drug statistics by advising UNODC on priority areas and regions where technical advice and assistance on crime and drug statistics were most needed; discussing the role of national statistical offices in coordinating crime and criminal justice statistics and implementing victimization surveys; guiding UNODC and relevant organizations in adopting standard indicators and methodology; and advising the Commission on Narcotic Drugs and the Commission on Crime Prevention and Criminal Justice in finalizing data-collection tools.

On 25 February [E/2010/24], the Commission took note of the report.

Cultural statistics

The Secretary-General transmitted to the Statistical Commission the report of the Institute for Statistics of the United Nations Educational, Scientific and Cultural Organization (UNESCO) [E/CN.3/2010/21] on the status of the 2009 revision of the UNESCO Framework for Cultural Statistics. The new Framework established a model for defining culture for statistical purposes, and served as a tool for organizing and collecting comparable cultural data. As a classification instrument, it applied taxonomies of activities, goods and services from recognized international standard classifications to cultural statistics. The Framework defined culture through the identification and measurement of behaviours and practices resulting from the beliefs and values of a society. All current relevant

international statistical classification systems and standards were included in the Framework in order to maximize data comparability and the potential for using existing surveys to measure culture. The Framework would be the basis for new methodologies, data collection and indicators developed by the Institute, as well as for UNESCO action in the field of culture.

On 25 February [E/2010/24], the Commission took note of the report.

Other statistical activities

International economic and social classifications

The Statistical Commission had before it the Secretary-General's report on UN system activities in the area of international economic and social classifications [E/CN.3/2010/31]. The report described the Statistics Division's technical assistance activities and its work on implementation tools for the revised International Standard Industrial Classification of All Economic Activities (ISIC) and Central Product Classification (CPC); online publication by ILO of the International Standard Classification of Occupations (ISCO-08); the UNESCO Institute for Statistics' establishment of a technical advisory panel to review the International Standard Classification of Education (ISCED); and the collaboration of FAO and the World Customs Organization in developing proposals for the Harmonized Commodity Description and Coding System. The report also summarized the outcome of the meeting of the Expert Group on International Economic and Social Classifications (1–4 September 2009), which discussed the implementation of ISIC, CPC, and ISCO-08; the revision of ISCED and the International Classification of Diseases; and the development of classifications of energy products, waste and time-use. The Expert Group also reviewed its mandate and work programme.

On 25 February [E/2010/24], the Commission took note of the report.

Information and communications technology statistics

The Statistical Commission had before it the report of the Partnership on Measuring Information and Communication Technologies (ICT) for Development [E/CN.3/2010/28] on its work in 2009. The Partnership refined its methodological work and assisted developing countries in strengthening their capacities to produce ICT data based on international standards; coordinated compilation and dissemination of indicators; and examined issues in measurement, such as measuring the impact of ICT and ICT in government. To improve data availability, the Partnership encour-

aged the inclusion of ICT statistics in national statistical plans, the use of the Partnership's capacity-building and training tools, and harmonizing methodologies based on standards developed by the Partnership to ensure international comparability of data.

Global geospatial information management

The Secretary-General transmitted to the Statistical Commission a report by the National Statistical and Geographical Institute of Brazil [E/CN.3/2010/13] on global geographic information management, which described ongoing initiatives to improve global coordination in the area of geographic information, and called for a global spatial data infrastructure and better integration of statistical and geographic information.

On 26 February [dec. 41/110], the Commission called on national statistical offices to participate in partnership with national authorities in developing national geographic information capacity in the context of spatial data infrastructures, focusing on improving statistical and geographic metadata compatibility. It requested the Secretary-General to submit to the Economic and Social Council a report outlining a global vision for geographic information management and exploring the possibility of creating a global forum. It also requested the Statistics Division to convene a meeting of an international expert group, consisting of statisticians and geographic information specialists, to address global geographic information management issues; and asked the Secretariat to report on the work of the expert group and the preparations for a possible global forum. (See also Economic and Social Council **decision 2010/240**, p. 1004.)

Statistics capacity-building

The Statistical Commission had before it a report of the Partnership in Statistics for Development in the Twenty-first Century (PARIS21) on statistical capacity-building [E/CN.3/2010/29]. The Partnership focused on assisting developing countries in developing statistics and indicators that would improve effectiveness in reducing poverty and achieving the MDGs. Annexed to the report was the Dakar Declaration on the Development of Statistics, which resulted from the PARIS21 Consortium meeting on the state of statistical development in developing countries (Dakar, Senegal, 16–18 November 2009). The Declaration called for actions by 2014 on strategy implementation, technical and financial resource mobilization, donor support coordination, meeting the needs of data users, and the development of statistical tools and methodologies. The report also reviewed the Partnership's 2009 activities in the areas of regional seminars and

assistance; advocacy; donor collaboration; a methodology for national strategies; implementing national strategies; and the implementation, with other partners, of two satellite programmes—the International Household Survey Network and the Accelerated Data Programme.

On 25 February [E/2010/24], the Commission took note of the report.

Regional statistical development

Latin America and the Caribbean

The Statistical Commission considered the report of the Economic Commission for Latin America and the Caribbean (ECLAC) on the development of official statistics in Latin America and the Caribbean [E/CN.3/2010/16 & Corr.1]. The report based its findings on statistical information for 33 countries and eight specific areas. It described the institutional organization of the national statistical systems and the main challenges for official statistics in the region. The report also examined the strategies proposed by the ECLAC Statistical Conference of the Americas and its working groups in such areas as censuses, institution-building, gender statistics, migration and remittances, national accounts, ICT, poverty and environmental statistics.

On 26 February [dec. 41/113], the Commission welcomed the report, noted the progress in regional cooperation facilitated by the Conference, and encouraged the Statistics Division to facilitate such interregional exchanges. It also noted the consultation issues raised by some regional countries, in particular the concerns expressed regarding the report, and requested ECLAC to prepare an updated and more comprehensive version. ECLAC was also asked to enhance its efforts towards greater regional cooperation.

Quality assurance frameworks

The Statistical Commission had before it the report of Statistics Canada on quality assurance frameworks [E/CN.3/2010/2]. The report reviewed quality assurance concepts, frameworks and tools, and described basic elements of national quality assurance frameworks and advocated their use by national statistical offices. It also put forward three illustrative proposals for a generic template for such a framework, which it suggested be accompanied by guidelines to assist national statistical offices in formulating their own frameworks. The report outlined a process for developing the generic template, as well as guidelines for adoption by the Commission at its forty-second session.

Having considered the report, the Commission, on 26 February [dec. 41/101], expressed appreciation to Statistics Canada for its work and emphasized the importance of the topic. It supported the development

of a quality assurance framework template that would focus on national statistical systems, using existing frameworks where possible, and that would be flexible enough to take national circumstances into consideration. It also supported the establishment of an expert group on quality assurance, and requested the Statistics Division to provide guidance and to upgrade its quality assurance website to include links to quality assurance tools and guidelines.

Follow-up to UN conferences and summits

The Statistical Commission had before it a note by the Secretary-General on decisions adopted in 2009 by the Economic and Social Council and the General Assembly that were relevant to the work of the Commission [E/CN.3/2010/32]. The note summarized actions taken and proposed by the Commission and the Statistics Division in response to the requests made by the Council.

The Commission took note of the report on 25 February [E/2010/24].

World Statistics Day

The Secretary-General issued to the Statistical Commission a report on World Statistics Day [E/CN.3/2010/12]. The Statistics Division proposed that the Day be celebrated on 20 October 2010 to raise awareness of the contributions of official statistics premised on the values of service, integrity and professionalism; and to highlight the cooperation of statisticians worldwide within the global statistical system.

On 26 February [dec. 41/109], the Commission endorsed the date for the first World Statistics Day and requested the cooperation of the Secretary-General in urging Governments to observe the occasion. The Commission also urged Member States to observe the occasion through various activities. It asked the Statistics Division to prepare a repository and resource kit on World Statistics Day activities and to make it available on a designated website, and to report to the Commission at its next (2011) session on experiences related to the Day.

GENERAL ASSEMBLY ACTION

On 3 June [meeting 90], the General Assembly adopted **resolution 64/267** [A/64/L.53 & Add.1] without vote [agenda item 48].

World Statistics Day

The General Assembly,

Recalling the report of the Secretary-General to the Statistical Commission at its forty-first session, as well as the Commission's decision 41/109, in which it endorsed the proposal to celebrate 20 October 2010 as World Statistics Day,

Recognizing the long history of official statistics and the facilitating role played by the United Nations since the creation in 1947 of the Statistical Commission, which was tasked with promoting the development of national statistics and improving their comparability, coordinating the statistical work of specialized agencies, developing central statistical services of the Secretariat, advising the organs of the United Nations on general questions relating to the collection, analysis and dissemination of statistical information and promoting the improvement of statistics and statistical methods generally,

Acknowledging the fundamental importance of sustainable national statistical capacity to produce reliable and timely statistics and indicators measuring a country's progress, which are an indispensable basis for informed policy decision-making and for monitoring the Millennium Development Goals at the national, regional and international levels,

Recalling Economic and Social Council resolution 2006/6 of 24 July 2006 entitled "Strengthening statistical capacity", in which the Council called upon Member States, the United Nations system, international agencies, donor countries and organizations to support national efforts in building and strengthening national statistical capacity, in particular of developing countries,

Recalling also the adoption of the Fundamental Principles of Official Statistics by the Statistical Commission at its special session in 1994 as a milestone in the codification and promotion of basic values in official statistics,

Noting that many Member States and some regions already celebrate official statistics through a variety of national and regional initiatives, such as designated months, weeks, days or events, and welcoming their support and willingness to coordinate such events under the auspices of the United Nations,

1. *Decides* to designate 20 October 2010 as World Statistics Day under the general theme "Celebrating the many achievements of official statistics" and the core values of service, integrity and professionalism;

2. *Invites* all Member States, organizations of the United Nations system and other international and regional organizations, as well as civil society, including non-governmental organizations, such as research institutions, media and all producers and users of official statistics, to observe World Statistics Day in an appropriate manner;

3. *Requests* the Secretary-General to take the necessary measures for the observance by the United Nations of World Statistics Day in 2010 and to bring the present resolution to the attention of all Member States and United Nations organizations;

4. *Also requests* the Secretary-General to report on the implementation of the present resolution and on the experiences of World Statistics Day to the Statistical Commission at its forty-second session.

Coordination and integration of statistical programmes

The Statistical Commission had before it the Secretary-General's report summarizing the work and conclusions of the Committee for the Coordination of Statistical Activities [E/CN.3/2010/30] at its thirteenth

(New York, 23 February 2009) and fourteenth (Bangkok, 9–11 September 2009) sessions. The Committee considered, among other issues, ways to improve the Partner Report on Support to Statistics—a reporting mechanism on statistical developments; future special events, such as a May conference on data quality for international organizations and a September special session on human capital; a possible network of statisticians in international organizations led by the Economic and Social Commission for Asia and the Pacific; governance of the global statistical system; modalities for data-sharing among international organizations; the use of non-official data in imputations or estimations by international organizations; the establishment of international standards for annual population statistics; quality assurance frameworks; the revised International Statistical Processes Assessment Checklist; SDMX standards and guidelines; a Web-based inventory of global statistical standards; and the integration of geographical information and statistical information. Annexed to the report was a description of modalities of data-sharing among international organizations adopted by the Committee.

Inventory of global statistical standards

The Commission considered the report of the National Institute of Statistics and Geography of Mexico [E/CN.3/2010/14], which offered the global statistical community the use of its inventory of international statistical standards. Mexico suggested that the database be translated and posted on the Statistics Division's website. It also suggested that a process of reviewing, validating and updating the database be established. In February [dec. 41/111], the Commission agreed with the proposal that the inventory database be posted on the Division's website for public access and use by countries and others for harmonization and as a reference tool for measuring compliance with international standards. It called on the Committee for the Coordination of Statistical Activities to propose a proper classification of the standards, facilitate its translation into other UN official languages, and report to the Commission on its progress in that regard.

Programme and institutional questions

The Commission, on 25 February [dec. 41/114], took note of the oral report by the Director of the Statistics Division concerning the Division's current activities, plans and priorities, in particular the proposed strategic framework for 2012–2013. The Commission considered its draft 2010–2013 multi-year programme of work [E/CN.3/2010/33], as orally revised, and approved the provisional agenda and documentation for its forty-second session, to be held in New York from 22 to 25 February 2011.

PART FOUR

Legal questions

International Court of Justice

In 2010, the International Court of Justice (ICJ) delivered three Judgments, made nine Orders, and had 17 contentious cases and one advisory procedure pending before it. In a 28 October address to the General Assembly, the ICJ President, Judge Hisashi Owada, noted that during the period from 1 August 2009 to 31 July 2010, the coverage of the cases that the Court was entrusted to deal with was broader in scope than ever before, with each case presenting distinct legal and factual elements. He added that the increased recourse by States to ICJ for the judicial settlement of their disputes testified to the growing consciousness among political leaders of those States of the importance of the rule of law in the international community.

Judicial work of the Court

During 2010, the Court delivered its Judgment on the merits in the cases concerning *Ahmadou Sadio Diallo (Guinea v. Democratic Republic of the Congo)*, *Pulp Mills on the River Uruguay (Argentina v. Uruguay)* and on the request for an advisory opinion on the question of the *Accordance with International Law of the Unilateral Declaration of Independence by the Provisional Institutions of Self-Government of Kosovo*.

During the year, the Court was seized of three new cases: *Whaling in the Antarctic (Australia v. Japan)*; *Proceedings jointly instituted by Burkina Faso and the Republic of Niger* also known as the *Frontier Dispute (Burkina Faso/Niger)*; and *Certain Activities carried out by Nicaragua in the Border Area (Costa Rica v. Nicaragua)*. It also received a request for an advisory opinion in the case *Judgment No. 2867 of the Administrative Tribunal of the International Labour Organization upon a complaint filed against the International Fund for Agricultural Development*.

The Court held public hearings in the cases concerning *Ahmadou Sadio Diallo (Guinea v. Democratic Republic of the Congo)*, *Territorial and Maritime Dispute (Nicaragua v. Colombia)*, and *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Georgia v. Russian Federation)*.

The Court or its President made Orders on the conduct of the proceedings in the cases concerning *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Croatia v. Serbia)*, *Maritime Dispute (Peru v. Chile)*, *Application of the*

Interim Accord of 13 September 1995 (The former Yugoslav Republic of Macedonia v. Greece), *Jurisdictional Immunities of the State (Germany v. Italy)*, *Jurisdiction and Enforcement of Judgments in Civil and Commercial Matters (Belgium v. Switzerland)*, *Aerial Herbicide Spraying (Ecuador v. Colombia)*, *Whaling in the Antarctic (Australia v. Japan)*, *Proceedings jointly instituted by Burkina Faso and the Republic of Niger (Burkina Faso/Niger)*, and *Certain Questions concerning Diplomatic Relations (Honduras v. Brazil)*.

In the cases concerning *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Croatia v. Serbia)*, *Territorial and Maritime Dispute (Nicaragua v. Colombia)*, *Maritime Dispute (Peru v. Chile)*, *Application of the Interim Accord of 13 September 1995 (The former Yugoslav Republic of Macedonia v. Greece)*, *Jurisdictional Immunities of the State (Germany v. Italy)*, *Jurisdiction and Enforcement of Judgments in Civil and Commercial Matters (Belgium v. Switzerland)* and *Aerial Herbicide Spraying (Ecuador v. Colombia)*, pleadings were submitted within the fixed time limits. While there were no new developments in the cases concerning *Gabcikovo-Nagymaros Project (Hungary/Slovakia)* [YUN 1998, p. 1186] and *Armed Activities on the Territory of the Congo (Democratic Republic of the Congo v. Uganda)* [YUN 1999, p. 1209], in both cases the Parties kept the Court informed of progress made in their respective negotiations.

The Congo and France mutually agreed to discontinue the proceedings against each other in the case *Certain Criminal Proceedings in France (Republic of the Congo v. France)*. In the case *Certain Questions concerning Diplomatic Relations (Honduras v. Brazil)*, Honduras informed the Court that it was withdrawing its Application and was discontinuing its proceedings against Brazil.

ICJ activities in 2010 were covered in two reports to the General Assembly, for the periods 1 August 2009 to 31 July 2010 [A/65/4] and 1 August 2010 to 31 July 2011 [A/66/4]. On 28 October, the Assembly took note of the 2009–2010 report (**decision 65/508**).

Contentious proceedings

Ahmadou Sadio Diallo (Guinea v. Democratic Republic of the Congo)

In 1998 [YUN 1998, p. 1190], Guinea instituted proceedings against the Democratic Republic of the Congo (DRC) by an “Application with a view to diplo-

matic protection”, in which it requested the Court to condemn the DRC for the grave breaches of international law perpetrated upon the person of a Guinean national, Ahmadou Sadio Diallo.

According to Guinea, Mr. Diallo, a businessman who had been a resident of the DRC for 32 years, was “unlawfully imprisoned by the authorities of that State” for two and a half months, “divested from his important investments, companies, bank accounts, movable and immovable properties, then expelled”. The expulsion took place on 2 February 1996, as a result of his attempts to recover sums owed to him by the DRC (especially by Gécamines, a State enterprise and mining monopoly) and by oil companies operating in that country (Zaire Shell, Zaire Mobil and Zaire Fina), by virtue of contracts concluded with businesses owned by him, namely Africom-Zaire and Africontainers-Zaire.

As a basis of the Court’s jurisdiction, Guinea invoked its own declaration of acceptance of the compulsory jurisdiction of the Court of 11 November 1998 and a declaration of the DRC of 8 February 1989. Guinea filed its Memorial within the time limit as extended by the Court by an Order of 8 September 2000 [YUN 2000, p. 1213]. On 3 October 2002, within the time limit for the deposit of its Counter-Memorial, the DRC filed preliminary objections to the Court’s jurisdiction and the admissibility of Guinea’s Application; the proceedings on the merits were accordingly suspended [YUN 2002, p. 1266].

By an Order of 7 November 2002 [ibid.], the Court fixed 7 July 2003 as the time limit within which Guinea might present a written statement of its observations and submissions on the preliminary objections raised by the DRC; the written statement was filed within the time limit [YUN 2006, p. 1479].

Public hearings on the preliminary objections were held from 27 November to 1 December 2006 [ibid.], during which the Parties presented final submissions to the Court. The DRC requested the Court to adjudge and declare that the Application of Guinea was inadmissible on the grounds that Guinea had no status to exercise diplomatic protection in the proceedings, since its Application sought essentially to secure reparation for injury suffered on account of the violation of rights of companies which did not possess its nationality, and, in any event, neither the companies in question nor Mr. Diallo had exhausted the local remedies available in the DRC. Guinea requested the Court to reject the preliminary objections raised by the DRC; declare its Application admissible; and fix time limits for further proceedings.

On 24 May 2007 [YUN 2007, p. 1327], the Court rendered its Judgment on the preliminary objections. The Court unanimously rejected the preliminary objection to admissibility raised by the DRC for lack

of standing by Guinea to exercise diplomatic protection in the case, insofar as it concerned protection of Mr. Diallo’s direct rights as *associé* in Africom-Zaire and Africontainers-Zaire. By 14 votes to 1, it upheld the objection insofar as it concerned protection of Mr. Diallo in respect of alleged violations of rights of Africom-Zaire and Africontainers-Zaire. On the preliminary objection to admissibility raised by the DRC on account of non-exhaustion by Mr. Diallo of local remedies, the Court unanimously rejected the objection insofar as it concerned protection of Mr. Diallo’s rights as an individual. By 14 votes to 1, the Court rejected the objection insofar as it concerned protection of Mr. Diallo’s direct rights as *associé* in Africom-Zaire and Africontainers-Zaire. Consequently, it unanimously declared the Application of Guinea to be admissible insofar as it concerned protection of Mr. Diallo’s rights as an individual. By two separate votes of 14 to 1, the Court declared the Application of Guinea to be admissible insofar as it concerned protection of Mr. Diallo’s direct rights as *associé* in Africom-Zaire and Africontainers-Zaire; and declared the Application of Guinea to be inadmissible insofar as it concerned protection of Mr. Diallo in respect of alleged violations of rights of Africom-Zaire and Africontainers-Zaire.

By an Order of 27 June 2007 [ibid., p. 1328], the Court fixed 27 March 2008 as the time limit for the filing of a Counter-Memorial by the DRC, which was filed within the time limit.

By an Order of 5 May 2008, the Court authorized the submission of a reply by Guinea and a rejoinder by the DRC. It fixed 19 November 2008 and 5 June 2009 as the respective time limits for the filing of those written pleadings. Guinea filed the reply on 19 November.

Public hearings were held from 19 to 29 April 2010. At the conclusion of their oral arguments, the Parties presented their final submissions to the Court. Guinea requested the Court to adjudge and declare that, in carrying out arbitrary arrests of its national, Mr. Diallo, and expelling him; in not, at that time, respecting his right to the benefit of the provisions of the 1963 Vienna Convention on Consular Relations; in submitting him to humiliating and degrading treatment; in depriving him of the exercise of his rights of ownership, oversight and management in respect of the companies which he founded in the DRC and in which he was the sole *associé*; in preventing him, in that capacity, from pursuing recovery of the numerous debts owed to those companies both by the DRC itself and by other contractual partners; and in expropriating de facto Mr. Diallo’s property, the DRC had committed internationally wrongful acts which engaged its responsibility to Guinea; the DRC was accordingly bound to make full reparation on account of the injury suffered by Mr. Diallo or by Guinea in

the person of its national; such reparation should take the form of compensation covering the totality of the injuries caused by the internationally wrongful acts of the DRC, including loss of earnings, and should also include interest.

Guinea further requested the Court to authorize it to submit an assessment of the amount of the compensation due to it on that account from the DRC in a subsequent phase of the proceedings in the event that the two Parties should be unable to agree on the amount thereof within a period of six months following delivery of the Judgment.

The DRC, “[i]n the light of the arguments [which it made] and of the Court’s Judgment of 24 May 2007 on the preliminary objections, whereby the Court declared the Application of Guinea to be inadmissible insofar as it concerned protection of Mr. Diallo in respect of alleged violations of rights of Africom-Zaire and Africontainers-Zaire, ... respectfully request[ed] the Court to adjudge and declare that: [it] has not committed any internationally wrongful acts towards Guinea in respect of Mr. Diallo’s individual personal rights; [it] has not committed any internationally wrongful acts towards Guinea in respect of Mr. Diallo’s direct rights as *associé* in Africom-Zaire and Africontainers-Zaire; accordingly, the Application of the Republic of Guinea is unfounded in fact and in law and no reparation is due”.

The Court delivered its Judgment on 30 November 2010. By 8 votes to 6, it found that that the claim of Guinea concerning the arrest and detention of Mr. Diallo in 1988–1989 was inadmissible. The Court unanimously found that in respect of the circumstances in which Mr. Diallo was expelled from Congolese territory on 31 January 1996, the DRC violated article 13 of the International Covenant on Civil and Political Rights and article 12, paragraph 4, of the African Charter on Human and Peoples’ Rights; that, in respect of the circumstances in which Mr. Diallo was arrested and detained in 1995–1996 with a view to his expulsion, the DRC violated article 9, paragraphs 1 and 2, of the International Covenant on Civil and Political Rights and article 6 of the African Charter on Human and Peoples’ Rights. By 13 votes to 1, it found that, by not informing Mr. Diallo without delay, upon his detention in 1995–1996, of his rights under article 36, paragraph 1 (*b*), of the Vienna Convention on Consular Relations, the DRC violated the obligations incumbent upon it under that subparagraph. By 12 votes to 2, the Court rejected all other submissions by Guinea relating to the circumstances in which Mr. Diallo was arrested and detained with a view to his expulsion. By 9 votes to 5, it found that the DRC had not violated Mr. Diallo’s direct rights as *associé* in Africom-Zaire and Africontainers-Zaire. The Court unanimously found that that the DRC was

under obligation to make appropriate reparation, in the form of compensation, to Guinea for the injurious consequences of the violations of international obligations referred to in the International Covenant on Civil and Political Rights and in the African Charter. It further unanimously decided that, failing agreement between the Parties on the matter within six months from the date of the Judgment, the question of compensation due to Guinea would be settled by the Court, and reserved for that purpose the subsequent procedure in the case.

Appended to the Judgment was a joint declaration by Judges Al-Khasawneh, Simma, Bennouna, Cançado Trindade and Yusuf, and another by Judges Keith and Greenwood; separate opinions by Judge Cançado Trindade and Judge ad hoc Mampuya; and dissenting opinions by Judges Al-Khasawneh, Yusuf, and Bennouna and Judge ad hoc Mahiou.

Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Croatia v. Serbia)

On 2 July 1999 [YUN 1999, p. 1210], Croatia instituted proceedings before the Court against Serbia, then known as the Federal Republic of Yugoslavia (FRY), for alleged violations of the 1948 Convention on the Prevention and Punishment of the Crime of Genocide [YUN 1948–49, p. 959] committed between 1991 and 1995. In its Application, Croatia contended that by “directly controlling the activity of its armed forces, intelligence agents, and various paramilitary detachments, on the territory of...Croatia, in the Knin region, eastern and western Slovenia, and Dalmatia”, Serbia was liable for “ethnic cleansing” of Croatian citizens. It requested the Court to adjudge and declare that Serbia had “breached its legal obligations” to Croatia under the Genocide Convention and that it had “an obligation to pay to...Croatia, in its own right and as *parens patriae* for its citizens, reparations for damages to persons and property, as well as to the Croatian economy and environment caused by the foregoing violations of international law in a sum to be determined by the Court”.

By an Order of 14 September 1999, the Court fixed 14 March and 14 September 2000 as the respective time limits for the filing of a Memorial by Croatia and a Counter-Memorial by Serbia. Those limits were twice extended by orders made during 2000 [YUN 2000, p. 1219]. Croatia filed its Memorial within the time limit and on 11 September 2002 [YUN 2002, p. 1268], within the extended time limit for filing its Counter-Memorial, Serbia filed certain preliminary objections on jurisdiction and admissibility. The proceedings on the merits were suspended, in accordance with Article 79 of the Rules of the Court.

On 25 April 2003, within the time limit fixed by an Order of the Court of 14 November 2002 [ibid.], Croatia filed a written statement of its observations and submissions on Serbia's preliminary objections [YUN 2003, p. 1304].

At the conclusion of public hearings on the preliminary objections on jurisdiction and admissibility held from 26 to 30 May 2008, the Parties presented final submissions to the Court [YUN 2008, p. 1395]. In its Judgment rendered on 18 November 2008 [ibid.], the Court found that, subject to its statement concerning the second preliminary objection raised by Serbia, it had jurisdiction, on the basis of the Genocide Convention, to entertain Croatia's application, adding that Serbia's second preliminary objection did not possess an exclusively preliminary character. It also rejected the first and third preliminary objections submitted by Serbia.

By an Order of 20 January 2009, the President of the Court fixed 22 March 2010 as the time limit for the filing of the Counter-Memorial of Serbia. That pleading, containing counterclaims, was filed within the prescribed time limit.

By an Order of 4 February 2010, the Court directed the submission of a reply by Croatia and a rejoinder by Serbia concerning the claims presented by the Parties. It fixed 20 December 2010 and 4 November 2011, respectively, as the time limits for the filing of those written pleadings. The reply of Croatia was filed within the time limit.

Territorial and Maritime Dispute (Nicaragua v. Colombia)

In 2001 [YUN 2001, p. 1195], Nicaragua instituted proceedings against Colombia in respect of a dispute concerning "a group of related legal issues subsisting" between the two States "concerning title to territory and maritime delimitation". In its Application, Nicaragua requested the Court to adjudge and declare, first, that Nicaragua had sovereignty over the islands of Providencia, San Andrés and Santa Catalina and all the appurtenant islands and keys, and also over the Roncador, Serrana, Serranilla and Quitasueño keys (insofar as they were capable of appropriation); and, second, in the light of the determinations concerning the title requested above, asked the Court to determine the course of the single maritime boundary between the areas of the continental shelf and the exclusive economic zone appertaining respectively to Nicaragua and Colombia, in accordance with equitable principles and relevant circumstances recognized by general international law as applicable to such a delimitation of a single maritime boundary. Nicaragua reserved the right to claim compensation for elements of unjust enrichment consequent upon Colombian

possession of the islands of San Andrés and Providencia, as well as the keys and maritime spaces up to the 82nd meridian, in the absence of lawful title. It also reserved the right to claim compensation for interference with fishing vessels of Nicaraguan nationality or vessels licensed by Nicaragua.

By an Order of 26 February 2002 [YUN 2002, p. 1271], the Court fixed 28 April 2003 and 28 June 2004, respectively, as the time limits for the filing of a Memorial by Nicaragua and of a Counter-Memorial by Colombia. The Memorial of Nicaragua was filed within the time limit [YUN 2003, p. 1305].

On 21 July 2003 [ibid.], Colombia filed preliminary objections to the jurisdiction of the Court; under Article 79 of the Rules of Court, proceedings on the merits were suspended accordingly. Nicaragua filed a written statement of its observations and submissions on the preliminary objections raised by Colombia within the time limit of 26 January 2004 [YUN 2004, p. 1268], fixed by the Court by an Order of 24 September 2003.

Public hearings were held on the preliminary objections from 4 to 8 June 2007 [YUN 2007, p. 1329]. At the conclusion of those hearings, the Parties presented their final submissions to the Court. Colombia requested the Court to adjudge and declare that under the 1948 American Treaty on Pacific Settlement (Pact of Bogotá), and in particular in pursuance of articles VI and XXXIV, the Court was without jurisdiction to hear the controversy submitted to it by Nicaragua under article XXXI, and to declare the controversy ended; that under Article 36, paragraph 2, of the Statute of the Court, the Court had no jurisdiction to entertain Nicaragua's Application; and that its Application was dismissed. Nicaragua asked the Court to adjudge and declare that the preliminary objections submitted by Colombia were invalid both in respect of the jurisdiction based upon the Pact of Bogotá, and upon Article 36, paragraph 2, of the Statute of the Court. In the alternative, Nicaragua asked the Court to adjudge and declare, in accordance with the provisions of Article 79, paragraph 7, of the Rules of Court, that the objections submitted by Colombia did not have an exclusively preliminary character, and to reject the request of Colombia to declare the controversy submitted to it by Nicaragua under article XXXI of the Pact of Bogotá "ended", in accordance with articles VI and XXXIV of the same instrument.

On 13 December 2007 [ibid., p. 1330], the Court rendered its Judgment on the preliminary objections. By 13 votes to 4, the Court upheld the objection to its jurisdiction raised by Colombia on the basis of articles VI and XXXIV of the Pact of Bogotá, insofar as it concerned sovereignty over the islands of San Andrés, Providencia and Santa Catalina. It unanimously rejected the objection to its jurisdiction insofar as it con-

cerned sovereignty over the other maritime features in dispute and the maritime delimitation between the Parties. By 14 votes to 3, the Court upheld the second preliminary objection to jurisdiction raised by Colombia relating to the declarations made by the Parties recognizing the compulsory jurisdiction of the Court insofar as it concerned sovereignty over the islands of San Andrés, Providencia and Santa Catalina. By 16 votes to 1, it found that it was not necessary to examine the objection to its jurisdiction insofar as it concerned sovereignty over the other maritime features in dispute and the maritime delimitation between the Parties. With regard to its own jurisdiction, the Court unanimously found that it had jurisdiction, on the basis of article XXXI of the Pact of Bogotá, to adjudicate upon the dispute concerning sovereignty over the maritime features claimed by the Parties other than the islands of San Andrés, Providencia and Santa Catalina, and upon the dispute concerning the maritime delimitation between the Parties.

Appended to the Judgment were declarations by Judges Parra-Aranguren, Simma, Keith and Tomka and Judge ad hoc Gaja; separate opinions by Judges Ranjeva and Abraham; and dissenting opinions by Vice-President Al-Khasawneh and Judge Bennouna.

By an Order of 11 February 2008, the President of the Court fixed 11 November 2008 as the time limit for the filing of the Counter-Memorial of Colombia, which was filed within that limit.

By an Order of 18 December 2008, the Court directed Nicaragua to submit a reply and Colombia to submit a rejoinder, and fixed 18 September 2009 and 18 June 2010 as the respective time limits for the filing of those written pleadings.

On 25 February 2010, Costa Rica filed an application for permission to intervene in the case. In its Application, Costa Rica stated among other things that “[b]oth Nicaragua and Colombia, in their boundary claims against each other, claim maritime area to which Costa Rica is entitled”. It made clear that it was seeking to intervene in the proceedings as a non-party State. The Application of Costa Rica was immediately communicated to Nicaragua and Colombia, and the Court fixed 26 May as the time limit for the filing of written observations by those States, which were filed within the time limit.

On 10 June, Honduras also filed an Application for permission to intervene in the case. It asserted in the Application that Nicaragua, in its dispute with Colombia, was putting forward maritime claims that lay in an area of the Caribbean Sea in which Honduras had rights and interests. Honduras also stated that it was seeking primarily to intervene in the proceedings as a party. The Application of Honduras was immediately communicated to Nicaragua and Colombia. The President of the Court fixed 2 September as the time

limit for those two States to furnish written observations. The written observations were filed within the time limit.

Public hearings on the admission of the Application of Costa Rica for permission to intervene were held from 11 to 15 October. At the close of the hearings, Costa Rica and the parties presented their respective submissions to the Court. Costa Rica sought the Application of the provisions of Article 85 of the Rules of Court, namely, paragraph 1: the intervening State shall be supplied with copies of the pleadings and documents annexed and shall be entitled to submit a written statement within a time limit to be fixed by the Court; and paragraph 3: [t]he intervening State shall be entitled, in the course of the oral proceedings, to submit its observations with respect to the subject matter of the intervention. Nicaragua stated that, in accordance with Article 60 of the Rules of Court and having regard to the Application for permission to intervene filed by Costa Rica and oral pleadings, the Application filed by Costa Rica failed to comply with the requirements established by the Statute and the Rules of Court, namely, Article 62, and paragraph 2 (a) and (b) of Article 81, respectively. In light of the considerations stated during the proceedings, Colombia reiterated what it stated in the written observations it submitted to the Court, to the effect that, in Colombia's view, Costa Rica had satisfied the requirements of Article 62 of the Statute and, consequently, that Colombia did not object to Costa Rica's request for permission to intervene in the present case as a non-party.

Certain Criminal Proceedings in France (Republic of the Congo v. France)

On 9 December 2002 [YUN 2002, p. 1263], the Republic of the Congo filed an Application instituting proceedings against France seeking the annulment of the investigation and prosecution measures taken by the French judicial authorities further to a complaint for crimes against humanity and torture filed by various associations against the President of the Republic of the Congo, Denis Sassou Nguesso; the Congolese Minister of the Interior, Pierre Oba; and other individuals including General Norbert Dabira, Inspector-General of the Congolese Armed Forces. The Application further stated that, in connection with the proceedings, an investigating judge of the Meaux (France) Tribunal de grande instance had issued a warrant for the President of the Congo to be examined as witness.

The Congo contended that, by “attributing to itself universal jurisdiction in criminal matters and by arrogating to itself the power to prosecute and try the Minister of the Interior of a foreign State for crimes allegedly committed by him in connection with the

exercise of his powers for the maintenance of public order in his country”, France violated “the principle that a State may not, in breach of the principle of sovereign equality among all Members of the United Nations...exercise its authority on the territory of another State”. It further submitted that, in issuing a warrant instructing police officers to examine the President of the Congo as witness in the case, France violated “the criminal immunity of a foreign Head of State, an international customary rule recognized by the jurisprudence of the Court”.

In its Application, the Congo indicated that it sought to found the jurisdiction of the Court, pursuant to Article 38, paragraph 5, of the Rules of Court, “on the consent of the French Republic, which w[ould] certainly be given”. In accordance with that provision, the Application by the Congo was transmitted to the French Government and no further action was taken in the proceedings at that stage.

By a letter of 8 April 2003 [YUN 2003, p. 1308], France stated that it “consent[ed] to the jurisdiction of the Court to entertain the Application pursuant to Article 38, paragraph 5”, which made it possible to enter the case in the Court’s List and to open the proceedings. France added that its consent to the Court’s jurisdiction applied strictly within the limits “of the claims formulated by the Republic of the Congo” and that “Article 2 of the Treaty of Co-operation signed on 1 January 1974 by the French Republic and the People’s Republic of the Congo, to which the latter refers in its Application, d[id] not constitute a basis of jurisdiction for the Court in the present case”.

The Application of the Congo was accompanied by a request for the indication of a provisional measure “seek[ing] an order for the immediate suspension of the proceedings being conducted by the investigating judge of the Meaux Tribunal de grande instance”.

Public hearings were held from 28 to 29 April 2003 on the request for the indication of a provisional measure. In its Order of 17 June 2003 [ibid.], the Court declared that the circumstances, as they then presented themselves to it, were not such as to require the exercise of its power under Article 41 of the Statute to indicate provisional measures. The Memorial of the Congo and the Counter-Memorial of France were filed within the time limits fixed by the Order of 11 July 2003.

By an Order of 17 June 2004 [YUN 2004, p. 1270], the Court, taking account of the agreement of the Parties and of the particular circumstances of the case, authorized the submission of a reply by the Congo and a rejoinder by France, and fixed the time limits for the filing of those pleadings. Following four successive requests for extensions to the time limit for filing the reply [YUN 2005, p. 1384], the President of the Court fixed the time limits for the filing of the

reply by the Congo and the rejoinder by France as 11 July 2006 and 11 August 2008, respectively. Those pleadings were filed within the time limits extended.

By an Order of 16 November 2009, the Court, citing Article 101 of the Rules of Court and taking account of the agreement of the Parties and the exceptional circumstances of the case, authorized the submission of an additional pleading by the Congo, followed by an additional pleading by France. It fixed 16 February and 17 May 2010 as the respective time limits for the filing of those pleadings.

By a letter of 5 November, the Congo, referring to Article 89 of the Rules of Court, informed the Court that it withdrew its application instituting proceedings and requested the Court “to make an order officially recording the discontinuance of the proceedings and directing the removal of the case from the List”. A copy of the letter was immediately communicated to France, which was simultaneously informed that the time limit provided for in Article 89, paragraph 2, of the Rules of Court, within which France might state whether it opposed the discontinuance of the proceedings, had been fixed as 12 November.

By a letter dated 8 November, France informed the Court that it had “no objection to the discontinuance of the proceedings by the Republic of the Congo”. On 16 November, the Court, placing on record the discontinuance by the Congo of the proceedings, ordered that the case be removed from the List.

Pulp Mills on the River Uruguay (Argentina v. Uruguay)

On 4 May 2006 [YUN 2006, p. 1481] Argentina filed an Application instituting proceedings against Uruguay for alleged breaches by Uruguay of obligations incumbent upon it under the Statute of the River Uruguay, a treaty signed between the two States on 26 February 1975 for the purpose of establishing the joint machinery necessary for the optimum and rational utilization of that part of the river which constituted their joint boundary. In its Application, Argentina charged Uruguay with having unilaterally authorized the construction of two pulp mills on the River Uruguay without complying with the obligatory prior notification consultation procedures under the Statute. Argentina claimed that the mills posed a threat to the river, and were likely to impair the quality of the river’s waters and cause significant trans-boundary damage to Argentina.

Following public hearings in June and December [YUN 2006, p. 1482] on requests for the indication of provisional measures, Argentina and Uruguay filed their pleadings within the time limits fixed by orders of 13 July 2006 [ibid.] and 14 September 2007 [YUN 2007, p. 1333].

By letters dated 16 and 17 June 2009, respectively, Uruguay and Argentina notified the Court that they had come to an agreement for the purpose of producing new documents pursuant to article 56 of the Rules of the Court, which were filed, following authorization from the Court on 23 June, within the agreed time limit. On 15 July, each of the Parties submitted comments on the new documents provided by the other Party and documents in support of its comments. Public hearings were held between 14 September and 2 October.

In its Judgment of 20 April 2010, the Court, by 13 votes to 1, found that Uruguay had breached its procedural obligations under Articles 7 to 12 of the 1975 Statute of the River Uruguay and that the declaration by the Court of the breach constituted appropriate satisfaction. By 11 votes to 3, the Court found that Uruguay had not breached its substantive obligations under Articles 35, 36 and 41 of the 1975 Statute of the River Uruguay. The court unanimously rejected all other submissions by the Parties.

Appended to the Judgment was a declaration by Judges Skotnikov and Yusuf; separate opinions by Judges Keith, Cançado Trindade, Greenwood, and Judge ad hoc Torres Bernárdez; a joint dissenting opinion by Judges Al-Khasawneh and Simma; and a dissenting opinion by Judge ad hoc Vinuesa.

Maritime Dispute (Peru v. Chile)

On 16 January 2008, Peru filed an Application instituting proceedings against Chile concerning a dispute in relation to “the delimitation of the boundary between the maritime zones of the two States in the Pacific Ocean, beginning at a point on the coast called Concordia, ... the terminal point of the land boundary established pursuant to the Treaty ... of 3 June 1929”, and also to recognition in favour of Peru of a “maritime zone lying within 200 nautical miles of the coast of Peru, and thus appertaining to Peru, but which Chile considered to be part of the high seas”.

In its Application, Peru claimed that the “maritime zones between Chile and Peru have never been delimited by agreement or otherwise” and that, accordingly, “the delimitation is to be determined by the Court in accordance with customary international law”. Peru stated that, since the 1980s, it had consistently endeavoured to negotiate the various issues in dispute, but had “constantly met a refusal from Chile to enter into negotiations”. It asserted that a note of 10 September 2004 from the Minister for Foreign Affairs of Chile to the Minister for Foreign Affairs of Peru made further attempts at negotiation impossible.

Peru consequently requested the Court to determine the course of the boundary between the maritime zones of the two States in accordance with in-

ternational law, and to adjudge and declare that Peru possessed exclusive sovereign rights in the maritime area situated within the limit of 200 nautical miles from its coast, but outside Chile’s exclusive economic zone or continental shelf.

As basis for the Court’s jurisdiction, Peru invoked article XXXI of the Pact of Bogotá of 30 April 1948, to which both States were parties.

By an Order of 31 March 2008, the Court fixed 20 March 2009 and 9 March 2010 as the respective time limits for the filing of a Memorial by Peru and a Counter-Memorial by Chile.

Bolivia, Colombia and Ecuador, relying on article 53, paragraph 1, of the Rules of Court, requested copies of the pleadings and annexed documents produced in the case. In accordance with that provision, the Court, after ascertaining the views of the Parties, acceded to those requests.

By an Order of 27 April 2010, the Court authorized the submission of a reply by Peru and a rejoinder by Chile. It fixed 9 November 2010 and 11 July 2011 as the respective time limits for the filing of those pleadings. The reply and rejoinder were filed within the time limits fixed.

Aerial Herbicide Spraying (Ecuador v. Colombia)

On 31 March 2008, Ecuador filed an Application instituting proceedings against Colombia with respect of a dispute concerning the alleged “aerial spraying by Colombia of toxic herbicides at locations near, at and across its border with Ecuador”. Ecuador maintained that the spraying had already caused serious damage to people, crops, animals and the natural environment on the Ecuadorian side of the frontier, and posed a grave risk of further damage over time. It further contended that it had made “repeated and sustained efforts to negotiate an end to the fumigations”, but that “those negotiations had proved unsuccessful”.

Ecuador requested the Court to adjudge and declare that Colombia had violated its obligations under international law by causing or allowing the deposit of toxic herbicides on the territory of Ecuador that had caused damage to human health, property and the environment; and that Colombia should indemnify Ecuador for any loss or damage caused by its internationally unlawful acts, namely the use of herbicides, including by aerial dispersion, and in particular the death or injury to the health of any person or persons arising from the use of such herbicides, any loss of or damage to the property or livelihood or human rights of such persons, environmental damage or the depletion of natural resources, the costs of monitoring to identify and assess future risks to public health, human rights and the environment resulting from

Colombia's use of herbicides, and any other loss or damage. It further requested the Court to adjudge and declare that Colombia should respect the sovereignty and territorial integrity of Ecuador; and forthwith take all steps necessary to prevent, on any part of its territory, the use of any toxic herbicides in such a way that they could be deposited onto the territory of Ecuador, and to prohibit the use, by means of aerial dispersion, of such herbicides in Ecuador, or on or near any part of its border with Ecuador.

As basis for the Court's jurisdiction, Ecuador invoked article XXXI of the 1948 Pact of Bogotá, to which both States were parties. Ecuador also relied on article 32 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances [YUN 1988, p. 688], to which both countries were parties.

In its Application, Ecuador reaffirmed its opposition to the export and consumption of illegal narcotics, but stressed that the issues it presented to the Court related exclusively to the methods and locations of Colombian operations to eradicate illicit coca and poppy plantations—and the harmful effects in Ecuador of such operations.

By an Order of 30 May 2008, the Court fixed 29 April 2009 and 29 March 2010 as the respective time limits for the filing of a Memorial by Ecuador and a Counter-Memorial by Colombia.

By an Order of 25 June 2010, the Court directed the submission of a reply by Ecuador and a rejoinder by Colombia. It fixed 31 January 2011 and 1 December 2011, respectively, as the time limits for the filing of those pleadings. In making that decision, the Court took account of the agreement of the Parties and the circumstances of the case. The reply of Ecuador was filed within the time limit.

Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Georgia v. Russian Federation)

On 12 August 2008 [YUN 2008, p. 1401], Georgia instituted proceedings against the Russian Federation on the grounds of Russia's "actions on and around the territory of Georgia" in breach of the International Convention on the Elimination of All Forms of Racial Discrimination [YUN 1965, p. 433]. In its Application, Georgia also sought to ensure that the individual rights under the Convention of all persons on the territory of Georgia were fully respected and protected.

Georgia claimed that the "Russian Federation, through its State organs, State agents, and other persons and entities exercising governmental authority, and through the South Ossetian and Abkhaz separatist forces and other agents acting on the instructions

of, and under the direction and control of the Russian Federation, is responsible for serious violations of its fundamental obligations under the Convention, including articles 2, 3, 4, 5 and 6" and that the Russian Federation had "violated its obligations under [the Convention] during three distinct phases of its interventions in South Ossetia and Abkhazia", in the period from 1990 to August 2008. Georgia requested the Court to order the Russian Federation to take all steps necessary to comply with its obligations under the Convention.

On 15 August, having considered the gravity of the situation, the President of the Court called upon the Parties "to act in such a way as will enable any order the Court may take on the request for provisional measures to have its appropriate effects."

Public hearings were held from 8 to 10 October, and on 15 October, the Court handed down its Order. The Court, reminding the Parties of their duty to comply with their obligations under the Convention, indicated provisional measures adopted by 8 votes to 7. Both Parties, within South Ossetia and Abkhazia and adjacent areas in Georgia, should: refrain from any act of racial discrimination against persons, groups of persons or institutions; abstain from sponsoring, defending or supporting racial discrimination by any persons or organizations; do all in their power to ensure, without distinction as to national or ethnic origin: security of persons, the right of persons to freedom of movement and residence within the border of the State, and the protection of the property of displaced persons and of refugees; and do all in their power to ensure that public authorities and public institutions under their control or influence did not engage in acts of racial discrimination against persons, groups of persons or institutions. It further indicated that both Parties should facilitate and refrain from placing any impediment to humanitarian assistance in support of the rights to which the local population were entitled under the Convention; refrain from any action which might prejudice the rights of the other Party in respect of whatever judgment the Court may render, or which might aggravate or extend the dispute before the Court or make it more difficult to resolve; and inform the Court as to their compliance with the provisional measures.

By an Order of 2 December 2008 [YUN 2008, p. 1402], the President fixed 2 September 2009 as the time limit for the filing of a Memorial by Georgia and 2 July 2010 as the time limit for the filing of a Counter-Memorial by the Russian Federation. The Memorial of Georgia was filed within that time limit.

On 1 December 2009, within the time limit set in Article 79, paragraph 1, of the Rules of Court, the Russian Federation filed preliminary objections in

respect of jurisdiction. Pursuant to Article 79, paragraph 5, of the Rules of Court, the proceedings on the merits were then suspended. By an Order of 11 December 2009, the Court fixed 1 April 2010 as the time limit for the filing by Georgia of a written statement containing its observations and submissions on the preliminary objections in respect of jurisdiction raised by the Russian Federation.

Public hearings on the preliminary objections were held from 13 to 17 September 2010. At the end of the hearings, the Russian Federation requested the Court to adjudge and declare that it lacked jurisdiction over the claims brought against the Russian Federation by Georgia. Georgia requested the Court to dismiss the preliminary objections presented by the Russian Federation and to hold that the Court had jurisdiction to hear the claims presented by Georgia and that those claims were admissible.

Application of the Interim Accord of 13 September 1995 (the former Yugoslav Republic of Macedonia v. Greece)

On 17 November 2008 [YUN 2008, p. 1402], the former Yugoslav Republic of Macedonia (FYROM) instituted proceedings against Greece for what it described as “a flagrant violation of [Greece’s] obligations under article 11” of the Interim Accord signed by the Parties on 13 September 1995. In its Application, FYROM requested the Court to protect its rights under the Interim Accord and to ensure that it was allowed to exercise its rights as an independent State acting in accordance with international law, including the right to pursue membership of relevant international organizations. It contended that Greece violated its rights under the Accord by objecting, in April 2008, to the application of FYROM to join the North Atlantic Treaty Organization (NATO). FYROM contended, in particular, that Greece vetoed the application because Greece desired “to resolve the difference between the Parties concerning the constitutional name of the Applicant as an essential precondition” for such membership.

By an Order of 20 January 2009, the Court fixed 20 July 2009 as the time limit for the filing of a Memorial by FYROM and 20 January 2010 for the filing of a Counter-Memorial by Greece. The Memorial of FYROM was filed within the prescribed time limit.

On 9 March 2010, FYROM indicated that it wished to be able to respond to the Counter-Memorial of Greece, including the objections to jurisdiction and admissibility contained therein, by means of a reply, and to have available for that purpose a time limit of approximately four and one half months as from the filing of the Counter-Memorial. Greece stated that it had no objection to the granting of the request, provided that it could in turn submit a rejoinder and have an identical time limit for that purpose.

By an Order of 12 March 2010, the Court authorized the submission of a reply by FYROM and a rejoinder by Greece. It fixed 9 June and 27 October 2010 as the respective time limits for the filing of those pleadings. The reply of FYROM and the rejoinder of Greece were filed within the prescribed time limits.

Jurisdictional Immunities of the State (Germany v. Italy)

On 23 December 2008 [YUN 2008, p. 1402], Germany instituted proceedings against Italy, alleging that “through its judicial practice...Italy has infringed and continues to infringe its obligations towards Germany under international law”.

In its Application, Germany contended that in recent years Italian judicial bodies had repeatedly disregarded the jurisdictional immunity of Germany as a sovereign State. After the judgment of the Corte di Cassazione of 11 March 2004 in the *Ferrini* case had been rendered, “where that court declared that Italy held jurisdiction with regard to a claim...brought by a person who during World War II had been deported to Germany to perform forced labour in the armaments industry”, numerous other proceedings were instituted against Germany before Italian courts by persons who had also suffered injury as a consequence of the armed conflict. Germany was concerned “that hundreds of additional cases may be brought against it”.

Germany concluded its Application by requesting the Court to judge and declare, among others, that Italy: failed to respect Germany’s jurisdictional immunity as a sovereign State, by allowing civil claims to be brought against Germany based on violations of international humanitarian law by the German Reich during the Second World War; violated its jurisdictional immunity by taking measures of constraint against Villa Vigoni, a German State property in northern Italy used for government non-commercial purposes. Germany had to take any and all steps to ensure that all decisions of Italian courts and other judicial authorities infringing Germany’s immunity became unenforceable, and that, in the future, Italian courts would not entertain legal actions against Germany founded on the occurrences described in its first request (see above).

By an Order of 29 April 2009, the Court fixed 23 June 2009 and 23 December 2009 as the time limits, respectively for the filing of a Memorial by Germany and a Counter-Memorial by Italy. Those pleadings were filed within the fixed time limits.

In its Counter-Memorial, Italy made a counter-claim, and in accordance with Article 80 of the Rules of the Court, asked the Court to adjudge and declare that, considering the existence under international law of an obligation of reparation owed to

the victims of war crimes and crimes against humanity perpetrated by the Third Reich: Germany had violated that obligation with regard to Italian victims of such crimes by denying them effective reparation; Germany's international responsibility was engaged for that conduct; and Germany must cease its wrongful conduct and offer appropriate and effective reparation to those victims, by means of its choosing, as well as through the conclusion of agreements with Italy.

On 27 January 2010, at a meeting held by the President of the Court with both Parties, Germany indicated that it did not consider the counterclaim submitted by Italy to be in accordance with article 80, paragraph 1, of the Rules of Court and that it intended to raise objections to the Italian counterclaim.

Accordingly, the Court decided that Germany should specify in writing, by 26 March at the latest, the legal grounds on which it relied in maintaining that the respondent's counterclaim did not fall within the provisions of article 80, paragraph 1, of the Rules of Court, and that Italy would in turn be invited to present its views in writing on the question by 26 May at the latest. By letters dated 5 February, the Registrar informed the Parties of that decision.

On 24 March, Germany submitted its written observations entitled "Preliminary objections of the Federal Republic of Germany regarding Italy's counterclaim", in which it set out the legal grounds on which it argued that the counterclaim did not meet the requirements of article 80, paragraph 1, of the Rules of Court. A copy of those observations was transmitted to Italy on the same day.

By a communication dated 25 May, Italy submitted to the Court its written observations entitled "Observations of Italy on the preliminary objections of the Federal Republic of Germany regarding Italy's counterclaim". By a letter dated the same day, the Registrar communicated a copy of those observations to Germany.

Having received full and detailed written observations from each Party, the Court judged that it was sufficiently well informed of the positions they held as to whether it could entertain the claim presented as a counterclaim by Italy in its Counter-Memorial. Accordingly, the Court did not consider it necessary to hear the Parties further on the subject and on 6 July, it made an Order on the admissibility of Italy's counterclaim.

The Court examined whether it had jurisdiction *ratione temporis* under the European Convention for the Peaceful Settlement of Disputes. It could only have jurisdiction if the dispute that Italy sought to submit by way of its counterclaim related to facts or situations occurring after the entry into force of the

European Convention as between the parties on 18 April 1961. The Court found that that was not the case and that the dispute which Italy sought to submit was therefore excluded from the temporal scope of the Convention. By that Order, the Court, by 13 votes to 1, found "that the counterclaim presented by Italy ... is inadmissible as such and does not form part of the current proceedings".

The Court then unanimously authorized the submission of a reply by Germany and a rejoinder by Italy, relating to the claims brought by Germany, and fixed 14 October 2010 and 14 January 2011 as the respective time limits for the filing of those pleadings. The reply of Germany and the rejoinder of Italy were filed within the prescribed time limits.

Certain Questions concerning Diplomatic Relations (Honduras v. Brazil)

On 28 October 2009, Honduras instituted proceedings against Brazil in relation to a "dispute between [the two States] relating to legal questions concerning diplomatic relations and associated with the principle of non-intervention in matters which were essentially within the domestic jurisdiction of any State, a principle incorporated in the Charter of the United Nations". It was alleged therein that Brazil had "breached its obligations under Article 2 (7) of the Charter and those under the 1961 Vienna Convention on Diplomatic Relations" [YUN 1961, p. 512].

At the end of the Application the Court was requested "to adjudge and declare that Brazil does not have the right to allow the premises of its Mission in Tegucigalpa to be used to promote manifestly illegal activities by Honduran citizens who have been staying within it for some time now and that it shall cease to do so".

An original copy of the Application was sent to the Brazilian Government on 28 October and the Secretary-General was also informed about the filing of the Application.

By a letter dated 28 October, Patricia Isabel Rodas Baca, Minister for External Relations in the Government headed by José Manuel Zelaya Rosales, informed the Court that the Ambassador of Honduras to the Netherlands was not the legitimate representative of Honduras before the Court and that "Ambassador Eduardo Enrique Reina was being appointed as the sole legitimate representative of the Government of Honduras to the ICJ". A copy of the communication was sent on 3 November to Brazil, as well as to the Secretary-General.

The Court decided that, given the circumstances, no other action would be taken in the case until further notice.

By a letter dated 30 April 2010, Mario Miguel Canahuati, Minister for External Relations of Honduras, informed the Court that the Government was “not going on with the proceedings initiated by the application” and that it “accordingly withdraws this application from the Registry”.

Consequently, the President of the Court made an Order on 12 May in which, after noting that Brazil had not taken any step in the proceedings in the case, he recorded the discontinuance by Honduras of the proceedings and ordered that the case be removed from the List.

Jurisdiction and Enforcement of Judgments in Civil and Commercial Matters (Belgium v. Switzerland)

On 21 December 2009, Belgium initiated proceedings against Switzerland in respect of a dispute concerning “the interpretation and application of the Lugano Convention of 16 September 1988 on jurisdiction and the enforcement of judgments in civil and commercial matters ... and the application of the rules of general international law that govern the exercise of State authority, in particular in the judicial domain, [and relating to] the decision by Swiss courts not to recognize a decision by Belgian courts and not to stay proceedings later initiated in Switzerland on the subject of the same dispute”.

In its Application, Belgium stated that the dispute in question “has arisen out of the pursuit of parallel judicial proceedings in Belgium and Switzerland” in respect of the civil and commercial dispute between the “main shareholders in Sabena, the former Belgian airline now in bankruptcy”. The Swiss shareholders in question were SAirGroup (formerly Swissair) and its subsidiary SAirLines and the Belgian shareholders were the Belgian State and three companies in which it held the shares.

The applicant affirmed that “in connection with the Swiss companies’ acquisition of equity in Sabena in 1995 and with their partnership with the Belgian shareholders, contracts were entered into between 1995 and 2001 for, among other things, the financing and joint management of Sabena”. That set of contracts “provided for exclusive jurisdiction on the part of the Brussels courts in the event of dispute and for the application of Belgian law”.

Belgium also stated that, “on 3 July 2001, taking the position that the Swiss shareholders had breached their contractual commitments and non-contractual duties, causing [the Belgian shareholders] injury”, the Belgian shareholders sued the Swiss shareholders in the commercial court of Brussels, seeking damages to compensate for the lost investments and for the

expenses incurred “as a result of the defaults by the Swiss shareholders”.

After finding jurisdiction in the matter, that court “found various instances of wrongdoing on the part of the Swiss shareholders, but rejected the claims for damages brought by the Belgian shareholders”. Both Parties appealed against that decision to the Court of Appeal of Brussels, which in 2005 by partial judgment upheld the Belgian courts’ jurisdiction over the dispute on the basis of the Lugano Convention. The proceedings on the merits were pending before that court.

Belgium stated that in various proceedings concerning the application for a debt-restructuring moratorium submitted by the Swiss companies to the Zurich courts, the Belgian shareholders had sought to declare their debt claims against them. It was asserted that the Swiss courts had, however, refused to recognize the future Belgian decisions on the civil liability of the Swiss shareholders or to stay their proceedings pending the outcome of the Belgian proceedings. According to Belgium, those refusals violated provisions of the Lugano Convention and “the rules of general international law that govern the exercise of State authority, in particular in the judicial domain”.

Concluding its Application, Belgium requested the Court to adjudge and declare that: it had jurisdiction to entertain the dispute between Belgium and Switzerland concerning the interpretation and application of the Lugano Convention on jurisdiction and the enforcement of judgments in civil and commercial matters, and of the rules of general international law governing the exercise by States of their authority, in particular in the judicial domain; Belgium’s claim was admissible; Switzerland, by virtue of the decision of its courts to hold that the future decision in Belgium on the contractual and non-contractual liability of SAirGroup and SAirLines to the Belgian State and Zephyr-Fin, Société fédérale de participations (SFP) and Société fédérale d’investissement (SFI) (since merged, having become SFPI) would not be recognized in Switzerland in the SAirGroup and SAirLines debt-scheduling proceedings, was breaching the Lugano Convention; Switzerland, by refusing to stay the proceedings pursuant to its municipal law in the disputes between, on the one hand, the Belgian State and SFPI, and on the other, the estates of SAirGroup and SAirLines, companies in debt-restructuring liquidation, specifically on the ground that the future decision in Belgium on the contractual and non-contractual liability of SAirGroup and SAirLines to the Belgian State and SFPI would not be recognized in Switzerland in the SAirGroup and SAirLines debt-scheduling proceedings, was breaching the rule of general international law that all State authority, especially in the judicial domain, must be

exercised reasonably; Switzerland, by virtue of the refusal by its judicial authorities to stay those proceedings in the aforementioned disputes, pending the conclusion of the proceedings taking place in the Belgian courts concerning the contractual and non-contractual liability of SAirGroup and SAirLines to the first cited parties, was violating the Lugano Convention; Switzerland's international responsibility had been engaged; Switzerland must take all appropriate steps to enable the decision by the Belgian courts on the contractual and non-contractual liability of SAirGroup and SAirLines to the Belgian State and SFPI to be recognized in Switzerland in accordance with the Lugano Convention for purposes of the debt-scheduling proceedings for SAirLines and SAirGroup; and Switzerland must take all appropriate steps to ensure that the Swiss courts stay their proceedings in the disputes between, on the one hand, the Belgian State and SFPI and, on the other, the estates of SAirGroup and SAirLines, pending the conclusion of the proceedings that were taking place in the Belgian courts concerning the contractual and non-contractual liability of SAirGroup and SAirLines to the first cited parties.

By an Order of 4 February 2010, the Court fixed 23 August 2010 as the time limit for the filing of a Memorial by Belgium and 25 April 2011 as the time limit for the filing of a Counter-Memorial by Switzerland.

By an Order of 10 August 2010, the President of the Court, at the request of Belgium and after having ascertained the views of Switzerland, extended the time limits for the filing of the Memorial of Belgium and the Counter-Memorial of Switzerland to 23 November 2010 and 24 October 2011, respectively. The Memorial of Belgium was filed within the prescribed time limit.

Whaling in the Antarctic (Australia v. Japan)

On 31 May 2010, Australia instituted proceedings against Japan, alleging that "Japan's continued pursuit of a large-scale program of whaling under the Second Phase of its Japanese Whale Research Program under Special Permit in the Antarctic ('JARPA II') [is] in breach of obligations assumed by Japan under the International Convention for the Regulation of Whaling ('ICRW'), as well as its other international obligations for the preservation of marine mammals and the marine environment".

Australia requested the Court to adjudge and declare that Japan was in breach of its international obligations in implementing the JARPA II programme in the Southern Ocean, and to order that Japan: cease implementation of JARPA II; revoke any authorizations, permits or licences allowing the activities which were the subject of the application to be undertaken;

and provide assurances and guarantees that it would not take any further action under the JARPA II or any similar initiative until such programme had been brought into conformity with its obligations under international law.

As the basis for the jurisdiction of the Court, Australia invoked the provisions of Article 36, paragraph 2, of the Court's Statute, referring to the declarations recognizing the Court's jurisdiction as compulsory made by Australia on 22 March 2002 and by Japan on 9 July 2007.

By an Order of 13 July 2010, the Court fixed 9 May 2011 as the time limit for the filing of a Memorial by Australia and 9 March 2012 as the time limit for the filing of a Counter-Memorial by Japan. The Memorial of Australia was filed within the time limit.

Frontier Dispute (Burkina Faso/Niger)

On 20 July 2010, Burkina Faso and the Niger jointly submitted a frontier dispute between them to the Court. By a joint letter dated 12 May and filed in the Registry on 20 July, the two States notified to the Court a special agreement signed in Niamey on 24 February 2009, which entered into force on 20 November 2009. Under the terms of article 1 of the special agreement, the Parties had agreed to submit their frontier dispute to the Court, and that each of them would choose an ad hoc judge. Article 2 of the special agreement indicated the subject of the dispute.

The Court was requested to determine the course of the boundary between the two countries in the sector from the astronomic marker of Tong-Tong (latitude 14° 25' 04" N; longitude 00° 12' 47" E) to the beginning of the Botou bend (latitude 12° 36' 18" N; longitude 01° 52' 07" E). The Court was further requested to place on record the Parties' agreement on the results of the work of the Joint Technical Commission on demarcation of the Burkina Faso-Niger boundary with regard to the following sectors: the sector from the heights of N'Gouma to the astronomic marker of Tong-Tong, and the sector from the beginning of the Botou bend to the River Mekrou. In article 3, paragraph 1, the Parties requested the Court to authorize the following written proceedings: a Memorial filed by each Party not later than nine months after the seizing of the Court; a Counter-Memorial filed by each Party not later than nine months after exchange of the Memorials; any other pleading whose filing, at the request of either of the Parties, should have been authorized or directed by the Court. Article 7 of the special agreement, entitled "Judgment of the Court", read as follows: the Parties accept the Judgment of the Court given pursuant to the Special Agreement as final and binding upon them. From the day on which the Judgment was rendered, the Parties

shall have eighteen months in which to commence the work of demarcating the boundary. In case of difficulty in the implementation of the Judgment, either Party may seize the Court pursuant to Article 60 of its Statute. The Parties requested the Court to nominate, in its Judgment, three experts to assist them in the demarcation. Lastly, article 10 contained the following “Special undertaking”: pending the Judgment of the Court, the Parties would undertake to maintain peace, security and tranquillity among the populations of the two States in the frontier region, refraining from any act of incursion into the disputed areas and organizing regular meetings of administrative officials and the security services. With regard to the creation of socio-economic infrastructure, the Parties would undertake to hold preliminary consultations prior to implementation. The special agreement was accompanied by an exchange of notes dated 29 October and 2 November 2009 embodying the agreement between the two States on the delimited sectors of the frontier.

By an Order of 14 September 2010, the Court fixed 20 April 2011 and 20 January 2012 as the respective time limits for the filing of a Memorial and a Counter-Memorial by each of the Parties. The Memorials were filed within the time limits.

Certain Activities carried out by Nicaragua in the Border Area (Costa Rica v. Nicaragua)

On 18 November 2010, Costa Rica instituted proceedings against Nicaragua in respect of an alleged “incursion into, occupation of and use by Nicaragua’s Army of Costa Rican territory as well as [alleged] breaches of Nicaragua’s obligations towards Costa Rica” under a number of international treaties and conventions. In its Application, Costa Rica claimed that “[b]y sending contingents of its armed forces to Costa Rican territory and establishing military camps therein, Nicaragua is not only acting in outright breach of the established boundary regime between the two States, but also of the core founding principles of the United Nations, namely the principle of territorial integrity and the prohibition of the threat or use of force against any State ...”.

Costa Rica charged Nicaragua with having occupied, in two separate incidents, the territory of Costa Rica in connection with the construction of a canal across Costa Rican territory from the San Juan River to Laguna los Portillos (also known as Harbor Head Lagoon), and with having carried out related works of dredging on the San Juan River. Costa Rica stated that the “ongoing and planned dredging and the construction of the canal would seriously affect the flow of water to the Colorado River of Costa Rica, and would cause further damage to Costa Rican territory,

including the wetlands and national wildlife protected areas located in the region”. Costa Rica claimed that Nicaragua rejected all calls for withdrawal of its armed forces from the occupied territory and all means of negotiation. It further stated that Nicaragua did not intend to comply with the resolution of 12 November 2010 of the Permanent Council of the Organization of American States calling, in particular, for the withdrawal of Nicaraguan armed forces from the border region, and requesting the avoidance of the presence of military or security forces in the area in order to create a favourable climate for dialogue between the two nations.

Costa Rica requested the Court to adjudge and declare that Nicaragua was in breach of its international obligations regarding the incursion into and occupation of Costa Rican territory, the serious damage inflicted to its protected rainforests and wetlands, and the damage intended to the Colorado River, wetlands and protected ecosystems, as well as the dredging and canalization activities being carried out by Nicaragua on the San Juan River. In particular, the Court was requested to adjudge and declare that, by its conduct, Nicaragua had breached: the territory of Costa Rica, as agreed and delimited by the 1858 Treaty of Limits, the 1888 Cleveland Award and the first and second Alexander Awards; the fundamental principles of territorial integrity and the prohibition of use of force under the Charter of the United Nations and the Charter of the Organization of American States; the obligation imposed upon Nicaragua by Article IX of the 1858 Treaty of Limits not to use the San Juan River to carry out hostile acts; the obligation not to damage Costa Rican territory; the obligation not to artificially channel the San Juan River away from its natural watercourse without the consent of Costa Rica; the obligation not to prohibit the navigation on the San Juan River by Costa Rican nationals; the obligation not to dredge the San Juan River if that caused damage to Costa Rican territory (including the Colorado River), in accordance with the Cleveland Award; the obligations under the Ramsar Convention on Wetlands; the obligation not to aggravate and extend the dispute by adopting measures against Costa Rica, including the expansion of the invaded and occupied Costa Rican territory or by adopting any further measure or carrying out any further actions that would infringe Costa Rica’s territorial integrity under international law. The Court was also requested in the Application to determine the reparation to be made by Nicaragua, in particular in relation to any measures of the kind referred to in the paragraph above.

As the basis for the jurisdiction of the Court, Costa Rica invoked Article 36, paragraph 1, of the Statute of the Court by virtue of the operation of article XXXI of the Pact of Bogotá, as well as the declarations of acceptance made by Costa Rica on 20 February 1973

and by Nicaragua on 24 September 1929 (modified on 23 October 2001), pursuant to Article 36, paragraph 2, of the Statute of the Court.

On 18 November 2010, Costa Rica also filed a request for the indication of provisional measures, in which it stated that “Costa Rica’s rights which are subject of the dispute and of this request for provisional measures are its right to sovereignty, to territorial integrity and to non-interference with its rights over the San Juan River, its lands, its environmentally protected areas, as well as the integrity and flow of the Colorado River”. Costa Rica indicated that the protection of its rights was of real urgency and pointed out that “[t] here is a real risk that without a grant of provisional measures, action prejudicial to the rights of Costa Rica will continue and may significantly alter the factual situation on the ground before the Court has the opportunity to render its final decision”.

Costa Rica requested the Court as a matter of urgency to order the following provisional measures so as to rectify the ongoing breach of its territorial integrity and to prevent further irreparable harm to its territory, pending its determination of the case on the merits: the immediate and unconditional withdrawal of all Nicaraguan troops from the unlawfully invaded and occupied Costa Rican territories; the immediate cessation of the construction of a canal across Costa Rican territory; the immediate cessation of the felling of trees, removal of vegetation and soil from Costa Rican territory, including its wetlands and forests; the immediate cessation of the dumping of sediment in Costa Rican territory; the suspension of Nicaragua’s dredging programme, aimed at the occupation, flooding and damage of Costa Rican territory, as well as at the serious damage to and impairment of the navigation of the Colorado River, giving full effect to the Cleveland Award and pending the determination of the merits of the dispute; and that Nicaragua shall refrain from any other action which might prejudice the rights of Costa Rica, or which may aggravate or extend the dispute before the Court.

Communication. On 16 November [A/65/579], Nicaragua transmitted to the Secretary-General a copy of a declaration by its branches of Government (executive, legislative, judicial and electoral) concerning the supposed border dispute with Costa Rica.

Advisory proceedings

Accordance with International Law of the Unilateral Declaration of Independence by the Provisional Institutions of Self-Government of Kosovo

In response to General Assembly resolution 63/3 of 8 October 2008 [YUN 2008, p. 1404], which referred to

Article 65 of the ICJ Statute and requested the Court to render an advisory opinion on the question of whether the unilateral declaration of independence by the Provisional Institutions of Self-Government of Kosovo of 17 February 2008 [ibid., p. 437] was in accordance with international law, the Court, by an Order of 17 October 2008 [ibid., p. 1403], decided that the United Nations and its Member States, as well as the authors of the unilateral declaration of independence, were considered likely to be able to furnish information on the question submitted to the Court for an advisory opinion. The Court fixed 17 April 2009 as the time limit within which written statements on the question could be presented to it and 17 July 2009 as the time limit within which States and organizations having presented written statements could submit written comments on the other statements.

Written statements were filed within the time limit fixed by the Court for that purpose by: Albania, Argentina, Austria, Azerbaijan, Bolivia, Brazil, China, Cyprus, the Czech Republic, Denmark, Egypt, Estonia, Finland, France, Germany, Iran, Ireland, Japan, Latvia, the Libyan Arab Jamahiriya, Luxembourg, Maldives, the Netherlands, Norway, Poland, Romania, the Russian Federation, Serbia, Sierra Leone, Slovakia, Slovenia, Spain, Switzerland, the United Kingdom and the United States. Venezuela filed a written statement on 24 April 2009; the Court agreed to the filing of that written statement after the expiry of the time limit. The authors of the unilateral declaration of independence also filed a written contribution within the time limit fixed by the Court. Written comments on the other written statements were filed within the time limit by 14 Member States; the authors of the unilateral declaration of independence filed a written contribution within the same time limit.

Public hearings were held from 1 to 11 December 2009. Twenty-eight States, as well as the authors of the unilateral declaration of independence, participated in the oral proceedings before the Court. At the end of the hearings, the Court began its deliberations.

The General Assembly on 14 September 2009 decided to include the item entitled “Request for an advisory opinion of ICJ on whether the unilateral declaration of independence of Kosovo is in accordance with international law” in the draft agenda of its sixty-fourth (2009) session [YUN 2009, p. 1277].

On 22 July 2010, the Court gave its advisory opinion, which was divided into five parts: jurisdiction and discretion; scope and meaning of the question; factual background; the question whether the declaration of independence was in accordance with international law; and general conclusion. The Court

unanimously found that it had jurisdiction to give the advisory opinion requested. By 9 votes to 5, it decided to comply with the request for an advisory opinion. By 10 votes to 4, the Court was of the opinion that the declaration of independence of Kosovo adopted on 17 February 2008 did not violate international law.

Appended to the advisory opinion was a declaration by Vice-President Tomka and Judge Simma; separate opinions by Judges Keith, Sepúlveda-Amor, Cançado Trindade and Yusuf; and dissenting opinions by Judges Koroma, Bennouna and Skotnikov.

On 26 July [A/64/881], the Secretary-General transmitted the advisory opinion to the Assembly.

Communication. In a 27 July letter [A/64/876] to the Secretary-General regarding the advisory opinion, Serbia stated that the main issues arising from Kosovo's unilateral declaration of independence remained unanswered.

GENERAL ASSEMBLY ACTION

On 9 September [meeting 120], the General Assembly adopted **resolution 64/298** [draft: A/64/L.65/Rev.1] without vote [agenda item 77].

Request for an advisory opinion of the International Court of Justice on whether the unilateral declaration of independence of Kosovo is in accordance with international law

The General Assembly,

Mindful of the purposes and principles of the United Nations,

Bearing in mind its functions and powers under the Charter of the United Nations,

Recalling its resolution 63/3 of 8 October 2008, in which it requested the International Court of Justice to render an advisory opinion on the following question:

"Is the unilateral declaration of independence by the Provisional Institutions of Self-Government of Kosovo in accordance with international law?",

Having received with respect the advisory opinion of the International Court of Justice of 22 July 2010 on the *Accordance with International Law of the Unilateral Declaration of Independence in respect of Kosovo*, and having studied with great care the advisory opinion, including the issues on which it was rendered,

1. *Acknowledges* the content of the advisory opinion of the International Court of Justice on the *Accordance with International Law of the Unilateral Declaration of Independence in respect of Kosovo*, rendered in response to the request of the General Assembly;

2. *Welcomes* the readiness of the European Union to facilitate a process of dialogue between the parties; the process of dialogue in itself would be a factor for peace, security and stability in the region, and that dialogue would be to promote cooperation, achieve progress on the path to the European Union and improve the lives of the people.

Judgment No. 2867 of the Administrative Tribunal of the International Labour Organization upon a complaint filed against the International Fund for Agricultural Development

On 26 April 2010, the Court received a request for an advisory opinion from the International Fund for Agricultural Development (IFAD), aimed at obtaining the reversal of a judgment rendered by an administrative court, the Administrative Tribunal of the International Labour Organization (hereinafter "the Tribunal" or "ILOAT").

In its judgment No. 2867 (S-G. v. IFAD), delivered on 3 February 2010, the Tribunal found that it had jurisdiction under the terms of article II of its statute to rule on the merits of a complaint against IFAD introduced by Ms. S-G., a former staff member of the Global Mechanism of the United Nations Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa. Ms. S-G. held a fixed-term contract of employment which was due to expire on 15 March 2006. When her contract was not renewed, Ms. S-G. made approaches to various organs of IFAD, which housed the Global Mechanism. In particular, she filed an appeal with the Joint Appeals Board, which recommended in December 2007 that she be reinstated within the Global Mechanism for a period of two years and paid an amount equivalent to all the salaries, allowances and entitlements she had lost since March 2006. The President of IFAD rejected that decision in April 2008. In view of the failure of that approach, Ms. S-G. filed a complaint against IFAD with the Tribunal on 8 July 2008. In her complaint, Ms. S-G. asked the Tribunal to order IFAD to reinstate her, for a minimum of two years, in her previous post or an equivalent post with retroactive effect from 15 March 2006, and to grant her monetary compensation equivalent to the losses suffered as a result of the non-renewal of her contract. In its judgment, the Tribunal decided that the decision of the President of IFAD rejecting the recommendation of the Joint Appeals Board should be set aside. It ordered IFAD to pay the complainant damages equivalent to the salary and other allowances she would have received if her contract had been extended for two years from 16 March 2006, together with moral damages in the sum of €10,000 and costs in the amount of €5,000.

The Executive Board of IFAD, by a resolution adopted at its ninety-ninth session on 22 April 2010, acting within the framework of article XII of the annex of the statute of the Tribunal, decided to challenge the above-mentioned judgment of the Tribunal and to refer the question of the validity of that judgment to the International Court of Justice for an advisory opinion. Article XII reads as follows: "1. In any

case in which the Executive Board of an international organization ... challenges a decision of the Tribunal confirming its jurisdiction, or considers that a decision of the Tribunal is vitiated by a fundamental fault in the procedure followed, the question of the validity of the decision given by the Tribunal shall be submitted by the Executive Board concerned, for an advisory opinion, to the International Court of Justice. 2. The opinion given by the Court shall be binding.”

The request for an advisory opinion was transmitted to the Court by a letter from the President of the Executive Board of IFAD dated 23 April 2010. It contained the following nine questions: was ILOAT competent, under article II of its statute, to hear the complaint introduced against the Fund on 8 July 2008 by Ms. S-G., an individual who was a member of the staff of the Global Mechanism of the United Nations Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa for which the Fund acted merely as housing organization?; given that the record showed that the parties to the dispute underlying ILOAT judgment No. 2867 were in agreement that the Fund and the Global Mechanism were separate legal entities and that the complainant was a member of the staff of the Global Mechanism, and was the ILOAT statement, made in support of its decision confirming its jurisdiction, that “the Global Mechanism is to be assimilated to the various administrative units of the Fund for all administrative purposes” and that the “effect of this is that administrative decisions taken by the Managing Director in relation to staff in the Global Mechanism are, in law, decisions of the Fund” outside its jurisdiction and/or did it constitute a fundamental fault in the procedure followed by ILOAT?; was the ILOAT general statement, made in support of its decision confirming its jurisdiction, that “the personnel of the Global Mechanism are staff members of the Fund” outside its jurisdiction and/or did it constitute a fundamental fault in the procedure followed by ILOAT?; was the ILOAT decision confirming its jurisdiction to entertain the complainant’s plea alleging an abuse of authority by the Global Mechanism’s Managing Director outside its jurisdiction and/or did it constitute a fundamental fault in the procedure followed by ILOAT?; was the ILOAT decision confirming its jurisdiction to entertain the complainant’s plea that the Managing Director’s decision not to renew the complainant’s contract constituted an error of law outside its jurisdiction and/or did it constitute a fundamental fault in the procedure followed by ILOAT?; was the ILOAT decision confirming its jurisdiction to interpret the memorandum of understanding between the Conference of the Parties to the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa

and IFAD (hereby the MOU), the Convention, and the Agreement Establishing IFAD beyond its jurisdiction and/or did it constitute a fundamental fault in the procedure followed by ILOAT?; was the ILOAT decision confirming its jurisdiction to determine that by discharging an intermediary and supporting role under the MOU, the President was acting on behalf of IFAD outside its jurisdiction and/or did it constitute a fundamental fault in the procedure followed by ILOAT?; was the ILOAT decision confirming its jurisdiction to substitute the discretionary decision of the Managing Director of the Global Mechanism with its own outside its jurisdiction and/or did it constitute a fundamental fault in the procedure followed by ILOAT?; and what was the validity of the decision given by ILOAT in its Judgment No. 2867?

By letters dated 26 April 2010, the Registrar of the Court gave notice, pursuant to Article 66, paragraph 1, of the Statute, of the request for an advisory opinion to all States entitled to appear before the Court.

By an Order of 29 April 2010, the Court: decided that IFAD and its member States entitled to appear before the Court, the States parties to the United Nations Convention to Combat Desertification entitled to appear before the Court and those specialized agencies of the United Nations which had made a declaration recognizing the jurisdiction of ILOAT pursuant to article II, paragraph 5, of the statute of the Tribunal were considered likely to be able to furnish information on the questions submitted to the Court for an advisory opinion; fixed 29 October 2010 as the time limit within which written statements on those questions could be presented to the Court, in accordance with Article 66, paragraph 2, of the Statute; fixed 31 January 2011 as the time limit within which States and organizations having presented written statements could submit written comments on the other written statements, in accordance with Article 66, paragraph 4, of the Statute; decided that the President of IFAD should transmit to the Court any statement setting forth the views of the complainant in the proceedings against the Fund before ILOAT, which the said complainant might wish to bring to the attention of the Court; and fixed 29 October 2010 as the time limit within which any possible statement by the complainant who was the subject of the judgment could be presented to the Court, and 31 January 2011 as the time limit within which any possible comments by the complainant could be presented to the Court. The subsequent procedure had been reserved for further decision.

On 26 October 2010, the General Counsel of IFAD submitted its written statement and a statement setting forth the views of the complainant. On 28 October, the Ambassador of Bolivia to the Netherlands submitted a written statement of the Bolivian Government.

Other questions

Functioning and organization of the Court

Conditions of service and compensation

In a 21 October report [A/65/533] on the conditions of service and compensation for officials other than Secretariat officials, the Advisory Committee on Administrative and Budgetary Questions (ACABQ), with regard to the salaries of the members of ICJ, recommended that no change be effected in the remuneration system. It also recommended that the General Assembly increase the special allowance of the ICJ Presidents and Vice-Presidents acting as President to \$25,000 and \$156 per day, respectively. ACABQ also recommended that no changes be made in the standards of travel and subsistence regulations of ICJ. Regarding retirement benefits, it recommended that the review of the pension schemes for the members of the Court be postponed until the Assembly's sixty-sixth session and that no change be effected in the arrangements for the retirement benefits of the Court's ad hoc judges.

On 24 December, the General Assembly, by **resolution 65/258** (see p. 1472) endorsed ACABQ's conclusions and recommendations.

Composition of the Court

Election of judges

In a 8 June memorandum [A/64/808-S/2010/298], the Secretary-General notified the General Assembly and the Security Council of the resignation of the former ICJ President, Judge Shi Jiuyong (China), effective 28 May. In a 8 June note [A/64/809-S/2010/299], he provided information on the candidate nominated by national groups. On 29 June, Ms. Xue Hanquin was elected as his replacement until 5 February 2012, the remainder of his term.

In a 23 August memorandum [A/64/899-S/2010/442], the Secretary-General notified the General Assembly and the Security Council of the resignation of Judge Thomas Buergenthal (United States) effective 6 September. In a 23 August note [A/64/900-S/2010/443], he provided information on the candidate nominated by national groups. On 9 September, Ms. Joan E. Donoghue was elected as his replacement until 5 February 2015, the remainder of his term.

SECURITY COUNCIL ACTION

On 18 March [meeting 6285], the Security Council unanimously adopted **resolution 1914(2010)**. The draft [S/2010/141] was prepared in consultations among Council members.

The Security Council,

Noting with regret the resignation of Judge Shi Jiuyong, taking effect on 28 May 2010,

Noting that a vacancy in the International Court of Justice for the remainder of the term of office of Judge Shi will thus occur and must be filled in accordance with the terms of the Statute of the Court,

Noting also that, in accordance with Article 14 of the Statute, the date of the election to fill the vacancy shall be fixed by the Security Council,

Decides that the election to fill the vacancy shall take place on 29 June 2010 at a meeting of the Security Council and at a meeting of the General Assembly at its sixty-fourth session.

SECURITY COUNCIL ACTION

On 2 June [meeting 6327], the Security Council unanimously adopted **resolution 1926(2010)**. The draft [S/2010/271] was prepared in consultations among Council members.

The Security Council,

Noting with regret the resignation of Judge Thomas Buergenthal, taking effect on 6 September 2010,

Noting that a vacancy in the International Court of Justice for the remainder of the term of office of Judge Buergenthal will thus occur and must be filled in accordance with the terms of the Statute of the Court,

Noting also that, in accordance with Article 14 of the Statute, the date of the election to fill the vacancy shall be fixed by the Security Council,

Decides that the election to fill the vacancy shall take place on 9 September 2010 at a meeting of the Security Council and at a meeting of the General Assembly at its sixty-fourth session.

Trust Fund to Assist States in the Settlement of Disputes

In August [A/65/309], the Secretary-General reported on the activities and status of the Trust Fund to Assist States in the Settlement of Disputes through ICJ since the submission of his 2009 report [YUN 2009, p. 1278]. The Fund, established in 1989 [YUN 1989, p. 818], provided financial assistance to States for expenses incurred in connection with a dispute submitted to ICJ by way of a special agreement or by an application of its Statute, or the execution of a Judgment of the Court.

During the period under review (1 July 2009–30 June 2010), the Fund did not receive any applications for financial assistance from States. Three States contributed to the Fund, which as at 30 June had a balance of some \$2.8 million. Noting that the Fund had a decreasing level of resources since its inception, and that the number of contributions remained low, the Secretary-General urged States and other entities to consider making substantial contributions to the Fund and to contribute on a regular basis.

International tribunals and court

In 2010, the international tribunals for the former Yugoslavia and for Rwanda worked towards the completion of their mandates.

The International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 continued to expedite its proceedings, in keeping with its completion strategy. During the year, the Tribunal rendered one Trial Chamber judgement and two Appeals Chamber judgements. As at 6 December, four of the ten remaining trials were expected to be completed in 2011, five in 2012, one in 2013, and all appeals by the end of 2014.

The International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 continued to work towards its completion strategy. In 2010, it rendered six Trial Chamber judgements and five Appeals Chamber judgements bringing the number of remaining judgements to be delivered at the trial level down to 10. One fugitive was arrested, yet 10 remained at large.

The International Criminal Court continued its proceedings with respect to situations of concern in five countries. A second warrant of arrest was delivered against Omar Hassan Ahmad Al-Bashir, the President of the Sudan, with respect to three counts of genocide. Nine warrants of arrest were outstanding at year's end. In May and June, the UN Secretary-General convened the Review Conference of the Rome Statute, where States parties adopted the Kampala Declaration, reaffirming their commitment to the Rome Statute and its full implementation, as well as its universality and integrity.

International Tribunal for the Former Yugoslavia

In 2010, the International Tribunal for the Former Yugoslavia (ICTY), established by Security Council resolution 827(1993) [YUN 1993, p. 440] and based in The Hague, continued efforts to implement its

completion strategy [YUN 2002, p. 1275], which was endorsed by Council resolution 1503(2003) [YUN 2003, p. 1330]. The Tribunal focused on expediting its proceedings and the completion of all trials and appeals. During the year, ICTY adopted the recommendations of the Working Group on Speeding Up Trials, including reforms to the Tribunals procedures, and decided to integrate them into the ongoing proceedings. The Office of the Prosecutor continued to seek the cooperation of the States of the former Yugoslavia and other States to fulfil its mandate and strengthen relations with its regional counterparts. Meanwhile, the Registry continued to play a crucial role in the provision of administrative and judicial support.

During the year, the Security Council adopted three resolutions—1915(2010), 1931(2010) and 1954(2010)—addressing the extension of the terms of office of judges, their redeployment between Tribunals, and/or the maximum number of judges serving at the Tribunal (see pp. 1293 and 1295).

The ICTY President, Judge Patrick Robinson (Jamaica), informed the Council on 6 December [S/PV.6434] that the Tribunal had conducted proceedings in 10 trials concurrently by doubling up judges and staff so that they were working on more than one case at a time, and had continued to take measures to expedite its trials, without sacrificing due process. Of the 161 persons indicted by the Tribunal, proceedings had been concluded against 125 of them, 18 persons were on trial and 13 persons were in appeal proceedings. Two accused, Ratko Mladić and Goran Hadžić, remained at large. Four of the ten cases were expected to be completed in 2011; five by the end of 2012; one, that of Radovan Karadžić, at the end of 2013; and all appeals in 2014. The ICTY President also expressed concern that judges had reported feeling extreme pressure to expedite the Tribunal's work.

The activities of ICTY were covered in two reports to the Security Council and the General Assembly, for the periods 1 August 2009 to 31 July 2010 [A/65/205-S/2010/413] and 1 August 2010 to 31 July 2011 [A/66/210-S/2010/473]. On 8 October, the Assembly took note of the 2009/2010 report (**decision 65/507**).

The Chambers

During the year, the Tribunal conducted 10 trials simultaneously and rendered one judgement involving seven accused, while the Appeals Chamber rendered

two judgements on the merits involving four accused. Judicial activities included first instance and appeals proceedings against judgements, interlocutory decisions, State requests for review, and contempt cases. As at 31 July, ICTY had 27 judges from 26 countries, including 14 permanent judges; 2 permanent judges of the International Criminal Tribunal for Rwanda serving in the Appeals Chamber; and 11 *ad litem* (short-term) judges.

New arrests and indictments

In 2010, no new arrests or indictments were issued by the Prosecutor, except one for contempt of the Tribunal and one updated indictment. Following the severance of the Ratko Mladić indictment from the Radovan Karadžić indictment in 2009 [YUN 2009, p. 1285], an updated indictment was presented to the confirming judge on 10 May 2010, which would allow the case against Mr. Mladić to proceed more efficiently when he would be arrested and tried. On 9 July, Jelena Rašić was charged with contempt of court (see below). Meanwhile, Mr. Mladić and another fugitive, Goran Hadžić, remained at large. The Serbian agencies in charge of locating and arresting them regularly apprised the Prosecutor's Office of their work, including the scope and nature of measures taken, investigative avenues pursued and operations conducted. Few tangible results, however, had been achieved by the efforts of the operational services. After carefully examining the operational activities conducted, the Office recommended an in-depth review of the strategies employed and asked Serbian authorities to expand search efforts by broadening their investigations, intensifying search operations, and increasing their operational capacity.

Ongoing cases, trials and appeals

The trial of Vojislav Šešelj, which started on 27 November 2006 in his absence [YUN 2006, p. 1490], began anew on 7 November 2007 [YUN 2007, p. 1337], was adjourned on 11 February 2009 [YUN 2009, p. 1280] and, granted a motion for a review of the adjournment on 24 November 2009, resumed on 12 January 2010 in Trial Chamber III. Mr. Šešelj was charged with crimes against humanity and violations of the laws or customs of war allegedly committed in Bosnia and Herzegovina, Croatia and Serbia between August 1991 and September 1993 [YUN 2003, p. 1311; YUN 2004, p. 1277]. On 3 February, Trial Chamber II issued an order in lieu of an indictment, charging Mr. Šešelj with contempt for having disclosed in a book information that could identify 11 protected witnesses in violation of orders of a Chamber. On 6 May, a plea of not guilty was entered on behalf of the accused. The case was being readied for trial.

Momčilo Perišić was charged in 2007 with crimes against humanity and violations of the laws or customs of war allegedly committed in Bosnia and Herzegovina and Croatia between October 1992 and December 1995 [YUN 2007, p. 1337] and his trial commenced on 2 October 2008 [YUN 2008, p. 1409]. The prosecution concluded its case on 25 January 2010 and the defence started its case on 22 February.

Zdravko Tolimir, a high-ranking Bosnian Serb army officer, reporting directly to the Commander of the Main Staff, General Ratko Mladić, was charged in 2007 with genocide, conspiracy to commit genocide, crimes against humanity, and a violation of the laws or customs of war allegedly committed in Bosnia and Herzegovina in 1995 [YUN 2007, p. 1335]. He was arrested on 31 May 2007 in Bosnia and Herzegovina and transferred to The Hague on 1 June [ibid.]; his trial commenced on 26 February 2010. As at 31 July, the case was hearing the prosecution's case-in-chief.

On 15 March, a contempt judgement was rendered in the case of Zuhdija Tabaković, who was sentenced to three months of imprisonment. Mr. Tabaković was charged with contempt of the Tribunal in November 2009 for allegedly providing a false statement in exchange for payment [YUN 2009, p. 1281] with regard to the case of Milan and Sredoje Lukić. Messrs. Lukić and Lukić were charged with murdering some 70 Bosnian Muslim women, children and elderly persons in a house in Višegrad, and with beating Bosnian Muslim men at a detention camp [YUN 2007, p. 1337]. On 20 July 2009, Milan Lukić and Sredoje Lukić were sentenced to life imprisonment and 30 years of imprisonment, respectively [YUN 2009, p. 1281]. The prosecution and defence for Sredoje Lukić filed their appeal briefs in November [ibid.]. On 17 March 2010, the defence for Milan Lukić filed its appeal brief. On 9 July, Jelena Rašić, a former member of the Milan Lukić defence team was charged with contempt of the Tribunal for allegedly procuring false statements in exchange for money from three persons to be called as witnesses for the defence. On 22 September, Ms. Rašić pleaded not guilty on all counts of the indictment.

On 16 April, Rasim Delić died while the appeals filed by both parties were being decided. Mr. Delić was charged on the basis of his command responsibility with violations of the laws or customs of war allegedly committed in Bosnia and Herzegovina between July 1993 and December 1995 [YUN 2005, p. 1388]. Judgement was rendered on 15 September 2008, sentencing him to three years of imprisonment [YUN 2008, p. 1408]. Following the filing of appeal briefs in May 2009, Mr. Delić was granted provisional release pending the hearing of his appeal [YUN 2009, p. 1281]. On 29 June 2010, the Appeals Chamber denied a defence motion for continuing the appeal proceedings and terminated the proceedings.

On 19 May, in the case against Ljube Boškoski and Johan Tarčulovski, charged with violations of the laws or customs of war allegedly committed against ethnic Albanians in the former Yugoslav Republic of Macedonia (FYROM) in August 2001 [YUN 2005, p. 1388], the Appeals Chamber dismissed all seven grounds of Mr. Tarčulovski's 2009 appeal [YUN 2009, p. 1282] and affirmed the 12-year sentence of imprisonment handed down at trial on 10 July 2008 [YUN 2008, p. 1408]. The prosecution's appeal regarding the acquittal of Mr. Boškoski was also dismissed. Mr. Boškoski was the FYROM Minister of Interior between May 2001 and November 2002, and Mr. Tarčulovski was a police officer acting as an escort inspector to the President's security unit in 2001 [YUN 2007, p. 1336].

On 20 May, the defence case was completed in the trial of Vlastimir Đorđević, a former senior Serbian police official who was charged with deportation, inhumane acts (forcible transfer), murder and persecutions in Kosovo [YUN 2003, p. 1312], and arrested on 17 June 2007 [YUN 2007, p. 1337]. His trial began on 27 January 2009 [YUN 2009, p. 1280]. Final trial briefs were filed on 30 June 2010, and closing arguments were heard on 13 and 14 July.

The defence case in the trial of Jadranko Prlić, Bruno Stojić, Slobodan Praljak, Milivoj Petković, Valentin Ćorić and Berislav Pušić was completed in May. As at 31 July, the Trial Chamber was seized of a prosecution motion to reopen its case-in-chief. Prlić et al. were charged with grave breaches of the 1949 Geneva Conventions, crimes against humanity, and violations of the laws or customs of war allegedly committed against Serbs and Muslims in the Croatian-held part of Bosnia and Herzegovina between November 1991 and April 1994 [YUN 2006, p. 1487].

With regard to the Vujadin Popović et al. case [YUN 2005, p. 1390], the Chamber issued its judgement on 10 June. Each of the seven accused was found guilty on some of the charges. Vujadin Popović and Ljubiša Beara were each sentenced to life imprisonment; Drago Nikolić was sentenced to 35 years' imprisonment; Radivoje Milić to 19 years' imprisonment; Ljubomir Borovčanin to 17 years' imprisonment; Vinko Pandurević to 13 years' imprisonment; and Milan Gvero to 5 years' imprisonment. Messrs. Popović, Beara, Nikolić, Borovčanin and Pandurević were charged with genocide, conspiracy to commit genocide, crimes against humanity, and a violation of the laws or customs of war. Mr. Milić and Mr. Gvero were charged with crimes against humanity and a violation of the laws or customs of war. All the charges were related to the mass murder and ethnic cleansing of Bosnian Muslims in Srebrenica after the fall of the former UN safe haven to Bosnian Serb forces in July 1995 [YUN 2007, p. 1336].

On 21 June, in the case of Gojko Janković, charged with crimes against humanity and violations of the laws or customs of war [YUN 1999, p. 1215], the Referral Bench denied his request to revoke the previous rule 11 bis referral decision and return his case to the Tribunal. On 22 July 2005, the Referral Bench granted the transfer of the case, which took place on 8 December 2005, to Bosnia and Herzegovina [YUN 2005, p. 1388]. The initial indictment in 1996 of Mr. Janković, a military police commander for Serb Forces, was amended on 7 October 1999 and 20 April 2001. He surrendered on 13 March 2005 [ibid.] and pleaded not guilty to all counts. He was sentenced by the Court of Bosnia and Herzegovina to 34 years' imprisonment on 16 February 2007; the sentence was upheld on 19 November 2007 by the Appellate Panel of the Court.

On 16 July, final briefs were submitted in the case against Ante Gotovina, Ivan Čermak, and Mladen Markač. The accused were charged with crimes against humanity and violations of the laws or customs of war allegedly committed in Croatia in 1995 [YUN 1995, p. 580], and the trial commenced on 10 March 2008 [YUN 2008, p. 1407]. The indictment against Mr. Gotovina, a former high-ranking Croatian military official, was unsealed in 2001 [YUN 2001, p. 1199]. After evading arrest for almost four years, he was arrested in 2005 in the Canary Islands and transferred to The Hague [YUN 2005, p. 1388]. On 14 July 2006 [YUN 2006, p. 1489], the Trial Chamber decided to join two cases involving Mr. Gotovina and Messrs. Čermak and Markač [YUN 2004, p. 1276] in one indictment and accepted proposed amendments to the indictment. The three were charged with persecutions, deportation, inhumane acts, plunder of public or private property, wanton destruction of cities, towns or villages, murder, and cruel treatment—all allegedly committed against Serbs in 1995 during, and in the aftermath of, a Croatian military offensive. At that time, Messrs. Gotovina and Čermak were senior military commanders on the ground, while Mr. Markač was the commander of the Croatian Special Police. All three pleaded not guilty [YUN 2007, p. 1335].

On 21 July, the Appeals Chamber granted the prosecution's request for a reversal of the Trial Chamber's 2008 decision to acquit Ramush Haradinaj, Idriz Balaj and Lahi Brahima [YUN 2009, p. 1282] on certain counts in the indictment and ordered a partial retrial of the case. Messrs. Haradinaj, Balaj and Brahima were charged with crimes against humanity and violations of the laws or customs of war allegedly committed in Kosovo in 1998. In the judgement delivered on 3 April 2008 [YUN 2008, p. 1407], Mr. Brahima was sentenced to six years of imprisonment, while Messrs. Haradinaj and Balaj were acquitted. The retrial indictment charged the accused with six counts of war crimes committed in Kosovo in 1998.

Judges of the Court

Ad litem judges

By identical letters of 15 March to the Security Council [S/2010/133] and General Assembly [A/64/710] Presidents, the Secretary-General transmitted a 1 March letter from the ICTY President, requesting the extension of the terms of office of two ad litem judges, Kimberly Prost (Canada) and Ole Bjørn Støle (Norway), until the end of May to enable them to complete the judgment in the case of the *Prosecutor v. Popović et al.* [YUN 2008, p. 1408]. Due to unforeseen factors related to the scale and complexity of the case, the delivery of judgement would not be rendered by the end of March as noted in Council resolution 1900(2009) [YUN 2009, p. 1284] and was delayed until the end of May 2010.

SECURITY COUNCIL ACTION

On 18 March [meeting 6286], the Security Council unanimously adopted **resolution 1915(2010)**. The draft [S/2010/138] was submitted by Austria.

The Security Council,

Taking note of the letter dated 15 March 2010 from the Secretary-General to the President of the Security Council, attaching the letter dated 1 March 2010 from the President of the International Tribunal for the Former Yugoslavia (“the International Tribunal”),

Recalling its resolutions 827(1993) of 25 May 1993, 1581(2005) of 18 January 2005, 1597(2005) of 20 April 2005, 1613(2005) of 26 July 2005, 1629(2005) of 30 September 2005, 1660(2006) of 28 February 2006, 1668(2006) of 10 April 2006, 1800(2008) of 20 February 2008, 1837(2008) of 29 September 2008, 1849(2008) of 12 December 2008, 1877(2009) of 7 July 2009 and 1900(2009) of 16 December 2009,

Recalling also that, in resolution 1900(2009), the Council decided that, notwithstanding the expiry of their terms of office on 31 December 2009, Judges Kimberly Prost (Canada) and Ole Bjørn Støle (Norway) should complete the *Popović* case, and that the total number of ad litem judges serving at the International Tribunal might temporarily exceed the maximum of twelve provided for in article 12, paragraph 1, of the statute of the International Tribunal, to a maximum of thirteen at any one time, returning to a maximum of twelve by 31 March 2010,

Taking note of the fact that, owing to unforeseen circumstances, the delivery of the judgment in the *Popović* case is delayed and will not be rendered by the end of March 2010,

Convinced of the advisability of allowing the total number of ad litem judges serving at the International Tribunal to temporarily exceed the maximum of twelve provided for in article 12, paragraph 1, of the statute of the International Tribunal,

Urging the International Tribunal to take all possible measures to complete its work expeditiously,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the total number of ad litem judges serving at the International Tribunal may temporarily exceed the maximum of twelve provided for in article 12, paragraph 1, of the statute of the International Tribunal, to a maximum of thirteen at any one time, returning to a maximum of twelve by 30 June 2010, or upon completion of the *Popović* case, if sooner;

2. *Decides also* to remain seized of the matter.

On 19 March [A/64/727], the Council President transmitted the Council’s resolution to the General Assembly. On 29 March, the Assembly endorsed the actions taken by the Council in operative paragraph 1 of that resolution (**decision 64/416 B**).

Extension of terms of office

In a May assessment report [S/2010/270] to the Security Council, the ICTY President indicated that the Tribunal would not be in a position to complete all its work in 2010, with two cases anticipated to be completed in 2011 and five in 2012. He noted that the extension of the terms of office of the Tribunal’s permanent and ad litem judges until 31 December 2010, by Council resolutions 1837(2008) [YUN 2008, p. 1411] and 1877(2009) [YUN 2009, p. 1282], was not sufficient. He urged the Council to take up the matter as soon as possible and to grant extensions to the judges consistent with the anticipated trial and appeal schedules.

On 18 June [A/64/841-S/2010/330], the Secretary-General transmitted to the Council and General Assembly Presidents letters from the ICTY President relating to the ability of the Tribunal to implement its completion strategies. In his letter dated 31 May (Annex I), the ICTY President requested that the Council extend the terms of office of ICTY judges.

SECURITY COUNCIL ACTION

On 29 June [meeting 6348], the Security Council unanimously adopted **resolution 1931(2010)**. The draft [S/2010/347] was submitted by Austria.

The Security Council,

Taking note of the letter dated 18 June 2010 from the Secretary-General to the President of the Security Council, attaching the letter dated 31 May 2010 from the President of the International Tribunal for the Former Yugoslavia (“the International Tribunal”),

Recalling its resolutions 827(1993) of 25 May 1993, 1581(2005) of 18 January 2005, 1597(2005) of 20 April 2005, 1613(2005) of 26 July 2005, 1629(2005) of 30 September 2005, 1660(2006) of 28 February 2006, 1668(2006) of 10 April 2006, 1800(2008) of 20 February 2008, 1837(2008) of 29 September 2008, 1849(2008) of 12 December 2008, 1877(2009) of 7 July 2009, 1900(2009) of 16 December 2009 and 1915(2010) of 18 March 2010,

Recalling in particular its resolutions 1503(2003) of 28 August 2003 and 1534(2004) of 26 March 2004, in which the Council called upon the International Tribunal

to take all possible measures to complete investigations by the end of 2004, to complete all trial activities at first instance by the end of 2008 and to complete all work in 2010,

Taking note of the assessments of the International Tribunal in its completion strategy report that the International Tribunal will not be in a position to complete all its work in 2010 and of the obstacles faced by the International Tribunal, and expressing its concern in this regard,

Noting the concerns expressed by the President of the International Tribunal about the loss of experienced staff, and affirming that staff retention is essential for the timely completion of the work of the International Tribunal,

Recalling that, in resolution 1900(2009), the Council underlined its intention to extend, by 30 June 2010, the terms of office of all trial judges at the International Tribunal based on the International Tribunal's projected trial schedule and the terms of office of all appeals judges until 31 December 2012, or until the completion of the cases to which they are assigned, if sooner, and requested the President of the International Tribunal to submit to the Council an updated trial and appeals schedule, including information on the judges for whom extension of the terms of office or redeployment to the Appeals Chamber would be sought,

Recalling also that, pursuant to article 14, paragraph 3, of the statute of the International Tribunal, as amended by resolution 1877(2009), the term of office of each judge redeployed to the Appeals Chamber shall be the same as the term of office of the judges serving in the Appeals Chamber,

Convinced of the advisability of permitting nine ad litem judges to serve at the International Tribunal beyond the cumulative period of three years provided for in article 13 ter, paragraph 2, of the statute of the International Tribunal,

Noting that one permanent judge and three of the ad litem judges currently serving at the International Tribunal will leave before the end of 2010 upon the completion of their respective cases,

Taking note of the updated trial and appeals schedule submitted by the President of the International Tribunal,

Acting under Chapter VII of the Charter of the United Nations,

1. *Reaffirms* the necessity of trial of persons indicted by the International Tribunal, and reiterates its call upon all States, especially the States of the former Yugoslavia, to intensify cooperation with and render all necessary assistance to the International Tribunal, and, in particular, calls for the arrest of Mr. Ratko Mladić and Mr. Goran Hadžić, as well as other indictees of the International Tribunal;

2. *Notes* the importance of the International Tribunal being adequately staffed to complete its work expeditiously, calls upon the Secretariat and other relevant United Nations bodies to continue to work with the Registrar of the International Tribunal in order to find practicable solutions to address this issue as the International Tribunal approaches the completion of its work, and at the same time calls upon the International Tribunal to renew its efforts to focus on its core functions;

3. *Decides* to extend the term of office of the following permanent judges at the International Tribunal, who are members of the Appeals Chamber, until 31 December 2012 or until the completion of the cases to which they are assigned or until the completion of their term as members of the Appeals Chamber, if sooner:

—Mr. Carmel A. Agius (Malta)

—Mr. Liu Daqun (China)

—Mr. Theodor Meron (United States)

—Mr. Fausto Pocar (Italy)

—Mr. Patrick Lipton Robinson (Jamaica)

4. *Decides also* to extend the term of office of the following permanent judges at the International Tribunal, who are members of the Trial Chamber, until 31 December 2011 or until the completion of the cases to which they are assigned, if sooner:

—Mr. Jean-Claude Antonetti (France)

—Mr. Guy Delvoie (Belgium)

—Mr. Christoph Flügge (Germany)

—Mr. Burton Hall (Bahamas)

—Mr. O-gon Kwon (Republic of Korea)

—Mr. Bakone Melema Moloto (South Africa)

—Mr. Howard Morrison (United Kingdom)

—Mr. Alphonsus Martinus Maria Orie (Netherlands)

5. *Decides further* to extend the term of office of the following ad litem judges at the International Tribunal, who are members of the Trial Chamber, until 31 December 2011 or until the completion of the cases to which they are assigned, if sooner:

—Mr. Melville Baird (Trinidad and Tobago)

—Mr. Pedro David (Argentina)

—Ms. Elizabeth Gwaunza (Zimbabwe)

—Mr. Frederik Harhoff (Denmark)

—Ms. Flavia Lattanzi (Italy)

—Mr. Antoine Kesia-Mbe Mindua (Democratic Republic of the Congo)

—Ms. Prisca Matimba Nyambe (Zambia)

—Ms. Michèle Picard (France)

—Mr. Árpád Prandler (Hungary)

—Mr. Stefan Trechsel (Switzerland)

6. *Underlines its intention* to extend, by 30 June 2011, the terms of office of the trial judges at the International Tribunal based on the International Tribunal's projected trial schedule, and requests the President of the International Tribunal to submit to the Security Council an updated trial and appeals schedule no later than 15 May 2011;

7. *Decides* to allow ad litem Judges Baird, David, Gwaunza, Harhoff, Lattanzi, Mindua, Picard, Prandler and Trechsel to serve at the International Tribunal beyond the cumulative period of service provided for under article 13 ter, paragraph 2, of the statute of the International Tribunal;

8. *Urges* the International Tribunal to complete its work expeditiously;

9. *Decides* to remain seized of the matter.

On 29 June [A/64/861], the Council President transmitted the Council's resolution to the General Assembly. On 16 July, the Assembly endorsed the actions taken by the Council in operative paragraphs 1 through 7 of that resolution (**decision 64/416 C**).

In a November assessment report [S/2010/588] to the Security Council, the ICTY President indicated that three cases were set to conclude in 2011, five in 2012 and one in 2013. He also stated that the Council would be requested to extend the mandate of per-

manent Judge Kevin Parker (Australia) and ad litem Judge Uldis Ķinis (Latvia) in order for them to complete their respective cases.

In identical letters of 23 November [A/65/588-S/2010/599] to the Council and Assembly Presidents, the Secretary-General transmitted a 9 November letter from the ICTY President requesting that the Council extend the terms of office of Judges Parker and Ķinis, and that Judge Ķinis be permitted to serve at the Tribunal beyond the cumulative period of three years, as stipulated in article 13 of the Tribunal's statute.

SECURITY COUNCIL ACTION

On 14 December [meeting 6446], the Security Council unanimously adopted **resolution 1954(2010)**. The draft [S/2010/629] was submitted by Austria.

The Security Council,

Taking note of the letter dated 23 November 2010 from the Secretary-General to the President of the Security Council, attaching the letter dated 9 November 2010 from the President of the International Tribunal for the Former Yugoslavia ("the International Tribunal"),

Recalling its resolutions 827(1993) of 25 May 1993, 1581(2005) of 18 January 2005, 1597(2005) of 20 April 2005, 1613(2005) of 26 July 2005, 1629(2005) of 30 September 2005, 1660(2006) of 28 February 2006, 1668(2006) of 10 April 2006, 1800(2008) of 20 February 2008, 1837(2008) of 29 September 2008, 1849(2008) of 12 December 2008, 1877(2009) of 7 July 2009, 1900(2009) of 16 December 2009 and 1931(2010) of 29 June 2010,

Recalling in particular its resolutions 1503(2003) of 28 August 2003 and 1534(2004) of 26 March 2004, in which the Council called upon the International Tribunal to take all possible measures to complete investigations by the end of 2004, to complete all trial activities at first instance by the end of 2008 and to complete all work in 2010,

Taking note of the assessment of the International Tribunal in its completion strategy report that the International Tribunal will not be in a position to complete all its work in 2010,

Urging the International Tribunal to take all possible measures to complete its work expeditiously,

Noting the concerns expressed by the President of the International Tribunal about the loss of experienced staff, and reaffirming that staff retention is essential for the timely completion of the work of the International Tribunal,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that, notwithstanding the expiry of his term of office on 31 December 2010, Judge Kevin Parker is authorized to complete the *Dordević* case, which he began before the expiry of his term of office, and takes note of the intention of the International Tribunal to complete the case by the end of February 2011;

2. *Decides also* that, notwithstanding the expiry of his term of office on 31 December 2010, Judge Uldis Ķinis is authorized to complete the *Gotovina et al.* case, which he began before the expiry of his term of office, and takes note of the intention of the International Tribunal to complete the case by the end of March 2011;

3. *Decides further* to allow Judge Ķinis to serve at the International Tribunal beyond the cumulative period of service provided for under article 13 ter, paragraph 2, of the statute of the International Tribunal;

4. *Reiterates* the importance of the International Tribunal being adequately staffed to complete its work expeditiously, calls upon the Secretariat and other relevant United Nations bodies to continue to work with the Registrar of the International Tribunal in order to find practicable solutions to address this issue as the International Tribunal approaches the completion of its work, and at the same time calls upon the International Tribunal to renew its efforts to focus on its core functions;

5. *Decides* to remain seized of the matter.

On 20 December [A/65/662], the Council President transmitted the Council's resolution to the General Assembly.

On 24 December, the Assembly decided that the agenda item entitled "International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991" would remain for consideration during its resumed sixty-fifth (2011) session (**decision 65/544**).

Office of the Prosecutor

In 2010, the Office of the Prosecutor made significant progress towards the completion of the trial programme. It also continued to seek the full cooperation of the States of the former Yugoslavia and other States to fulfil its mandate. Two fugitives—Ratko Mladić and Goran Hadžić—remained at large. Following the severance of Mr. Mladić's indictment from that of Radovan Karadžić in 2009 [YUN 2009, p. 1285], on 10 May 2010, the Office of the Prosecutor presented to the confirming judge an updated indictment, which would allow the case against Mr. Mladić to proceed more efficiently when he was arrested and tried. With regard to the transfer of all investigative dossiers to regional authorities in late 2009 [ibid.], the Office provided comprehensive follow-up assistance, and facilitated access to evidence available in The Hague. Serge Brammertz continued his duties as Prosecutor [YUN 2008, p. 1412].

As at 31 July, the Office was prosecuting nine trials with no cases in pretrial, marking an important milestone for the Tribunal. The Office was working at full capacity to prosecute trials and appeals efficiently and expeditiously. Emphasis was given to presenting evidence through witness statements and documents instead of viva voce testimony (oral testimony). Nonetheless, delays in several trials could not be avoided owing to, among other issues, difficulties with witness availability, the unpredictable length of defence cases and resource constraints. Several cases were adjourned to allow prosecution and defence teams time to trans-

late and analyse a large volume of new and important evidence from Serbia.

On international cooperation, Serbia's responses to the Office's requests had been timely and adequate, and Serbian authorities continued to facilitate the appearance of witnesses before the Tribunal, including serving summonses on individuals. On 23 February, Serbian authorities conducted a search of the apartment of Ratko Mladić's wife and seized 18 notebooks containing Mladić's handwritten wartime notes and associated tapes. The Serbian Government provided scanned images of the notebooks to the prosecution in March, and delivered the original notebooks and tapes in May. Meanwhile, Serbian agencies in charge of locating and arresting the two fugitives regularly apprised the Office of their work. Their briefings covered the scope and nature of measures taken, investigative avenues pursued, and operations conducted. Nevertheless, few tangible results had been achieved, and after carefully examining the operational activities conducted, the Office recommended an in-depth review of the strategies employed. The Office also asked Serbian authorities to broaden their investigations, intensify search operations, and increase their operational capacity.

Although Croatia had been generally responsive to the Office's needs, the prosecution's long-standing request for military documents relating to Operation Storm in 1995 and the Gotovina et al. case [YUN 2008, p. 1407] remained outstanding. Since Croatia's creation of an inter-agency task force in 2009 [YUN 2009, p. 1285] to examine concerns communicated by the Office, seven reports had been submitted. The Office noted a general improvement in the quality of Croatia's administrative investigation, in terms of the manner in which interviews were conducted, yet the investigation failed to provide a full account of the whereabouts of the requested documents and none of the missing documents had been provided.

The authorities of Bosnia and Herzegovina continued to respond adequately to requests for assistance regarding documents and access to government archives, and to facilitate the appearance of witnesses before the Tribunal. The Office remained concerned that Radovan Stanković, indicted by the Tribunal for crimes against humanity and war crimes, remained at large. In May 2005, the Tribunal transferred Mr. Stanković to Bosnia and Herzegovina, where he escaped from prison while serving a 20-year sentence in Foča. The Office encouraged the authorities of Bosnia and Herzegovina, as well as neighbouring States, to take all necessary measures to apprehend him. The Office also continued to support the ongoing prosecution of war crimes cases in Bosnia and Herzegovina and, in particular, the work of the State Prosecutor and the Special Department for War Crimes.

The Registry

The Registry continued to provide operational support to the Chambers and the Office of the Prosecutor and to manage the administration of the Tribunal. It also managed the UN Detention Unit, the Victims and Witness Section, the Office for Legal Aid and Detention Matters and the interpretation and translation service. Following the adoption of Security Council resolution 1966(2010) (see p. 1306), which established the International Residual Mechanism for both Tribunals, the Immediate Office of the Registrar had been heavily involved in the practical arrangements necessary for the commencement of the Mechanism's operations. John Hocking continued to serve as the Registrar.

Between August 2009 and July 2010, the Court Management and Support Services Section supported 10 first instance trials, 6 appeals and 5 contempt cases. The Victims and Witnesses Section facilitated 594 witnesses travelling to The Hague to give evidence, while its Protection Unit coordinated professional responses to an increased number of threats to witnesses. The Office for Legal Aid and Detention Matters serviced over 480 defence team members in cases in pretrial, trial and appellate proceedings. It also expanded and improved the quality of information technology facilities available to defence teams. The UN Detention Unit continued to operate at a high level of activity, serving the judicial process on a daily basis for accused in the trial phase and providing secure custodial care for all detained persons. The Communications Service carried out a diverse range of activities with a view to increasing the profile of the Tribunal and bringing its judgements to the relevant communities.

Financing

Board of Auditors report. On 30 June [A/65/5/Add.12], the Chairman transmitted the Board of Auditors report on ICTY financial statements for the 2008–2009 biennium to the General Assembly President.

2010–2011 biennium

Reports of Secretary-General. In a July report [A/65/183], the Secretary-General submitted revised estimates for the 2010–2011 biennium reflecting additional resource requirements in the amount of \$42,549,600, net of staff assessment, over the initial appropriation for 2010–2011 as approved by the General Assembly in resolution 64/240 [YUN 2009, p. 1286]. The increased resources were due to the revision of the trial schedule for the biennium to reflect changes in the completion dates of a number of first-instance trials.

The first performance report of ICTY for the 2010–2011 biennium [A/65/581], submitted in November in response to resolution 64/240, reflected a reduction in requirements of \$18.2 million, net of staff assessment, from the initial appropriation for that biennium due to changes with respect to exchange rates, inflation and standard salary costs. The Assembly was requested to approve a revised appropriation in the amount of \$274,924,600 gross (\$249,833,400 net), which reflected a decrease of \$15,360,900 gross (\$18,154,400 net).

ACABQ report. In December [A/65/616 & Corr.1], ACABQ recommended that the Assembly approve a reduction of \$15,360,900 gross (\$18,154,400 net) and an additional appropriation of \$45,587,200 gross for the 2010–2011 biennium.

GENERAL ASSEMBLY ACTION

On 24 December [meeting 73], the General Assembly, on the recommendation of the Fifth (Administrative and Budgetary) Committee [A/65/652], adopted **resolution 65/253** without vote [agenda item 142].

Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

The General Assembly,

Having considered the report of the Secretary-General on the revised estimates under the budget, for the biennium 2010–2011, of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 and his first performance report on the International Tribunal for the Former Yugoslavia for the biennium 2010–2011,

Having also considered the report of the Board of Auditors on the Tribunal and the recommendations contained therein,

Having further considered the related report of the Advisory Committee on Administrative and Budgetary Questions,

Recalling its resolution 47/235 of 14 September 1993 on the financing of the Tribunal and its subsequent resolutions thereon, the latest of which was resolution 64/240 of 24 December 2009,

1. *Takes note* of the report of the Secretary-General on the revised estimates under the budget, for the biennium 2010–2011, of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 and his first performance report on the International Tribunal for the Former Yugoslavia for the biennium 2010–2011;

2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions;

3. *Decides* on a revised appropriation to the Special Account for the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 of a total amount of 320,511,800 United States dollars gross (290,087,500 dollars net) for the biennium 2010–2011, as detailed in the annex to the present resolution;

4. *Also decides*, for the year 2011, to apportion among Member States, in accordance with the scale of assessments applicable to the regular budget of the United Nations for the year, the amount of 87,615,150 dollars gross (77,908,050 dollars net), including 15,113,150 dollars gross (10,911,100 dollars net), being the increase in assessments;

5. *Further decides*, for the year 2011, to apportion among Member States, in accordance with the rates of assessment applicable to peacekeeping operations for the year, the amount of 87,615,150 dollars gross (77,908,050 dollars net), including 15,113,150 dollars gross (10,911,100 dollars net), being the increase in assessments;

6. *Decides* that, in accordance with the provisions of its resolution 973(X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraphs 4 and 5 above, their respective share in the Tax Equalization Fund in the amount of 19,414,200 dollars, including 8,404,100 dollars, being the increase in the estimated staff assessment income approved for the Tribunal for the biennium 2010–2011;

7. *Recognizes* the critical importance of retaining highly skilled and experienced staff members with relevant institutional memory in order to successfully complete the trials and meet the targets set out in the completion strategy of the Tribunal;

8. *Reaffirms* paragraph 5 of its resolution 63/256 of 24 December 2008 and paragraph 6 of section II of its resolution 64/239 of 24 December 2009, and requests the Secretary-General to utilize his existing authority under the existing contractual framework to offer contracts to staff, taking into account the needs of the Tribunal;

9. *Also reaffirms* paragraph 7 of section II of its resolution 64/239 and reiterates its request to the Secretary-General to explore the possibility of employing at the United Nations, should their services be required, staff who remain with the Tribunal until the completion of its mandate or until their services are no longer needed;

10. *Welcomes* the efforts of the Secretary-General to facilitate the selection of staff of the Tribunal who are subject to downsizing;

11. *Reiterates* the importance of carrying out an effective outreach programme within the overall mandate of the Tribunal and its completion strategy, and requests the Tribunal, in accordance with its mandate and in consultation with the Department of Public Information of the Secretariat, to continue to develop and implement outreach activities that are proactive, utilizing available resources optimally, and that contribute to the reconciliation process by effectively developing an increased understanding of its work;

12. *Encourages* the Secretary-General to continue to explore measures to raise adequate voluntary resources to fund the outreach programme.

ANNEX

**Financing for the biennium 2010–2011 of the
International Tribunal for the Prosecution of
Persons Responsible for Serious Violations of
International Humanitarian Law Committed in the
Territory of the Former Yugoslavia since 1991**

	<i>Gross (United States dollars)</i>	<i>Net</i>
Initial appropriation for the biennium 2010–2011 (resolution 64/240)	290,285,500	268,265,300
<i>Add:</i>		
Revised estimates for the biennium 2010–2011 after recosting (A/65/183 and A/65/616 and Corr.1)	45,587,200	39,976,600
First performance report for the biennium 2010–2011 (A/65/581)	(15,360,900)	(18,154,400)
Estimated revised appropriation for the biennium 2010–2011	320,511,800	290,087,500
<i>Less:</i>		
Estimated income for the biennium 2010–2011	(277,500)	(277,500)
Assessment for 2010	145,004,000	133,993,900
Balance to be assessed for 2011	175,230,300	155,816,100
<i>Including:</i>		
Contributions assessed on Member States in accordance with the scale of assessments applicable to the regular budget of the United Nations for 2011	87,615,150	77,908,050
Contributions assessed on Member States in accordance with the rates of assessment applicable to peacekeeping operations of the United Nations for 2011	87,615,150	77,908,050

Also on 24 December, the Assembly decided that the agenda item on ICTY financing would remain for consideration during its resumed sixty-fifth (2011) session (**decision 65/544**).

International Tribunal for Rwanda

In 2010, the International Criminal Tribunal for Rwanda (ICTR), established by Security Council resolution 955(1994) [YUN 1994, p. 299] and based in Arusha, United Republic of Tanzania, delivered six Trial Chamber judgements and five Appeals Chamber judgements. The Office of the Prosecutor succeeded in ensuring the arrest of one fugitive, who was transferred to the Tribunal in July, bringing the number of fugitives down to 10. Meanwhile, the Registry maintained high-level diplomatic contacts with Member States, international organizations and NGOs, and secured their cooperation to support the Tribunal's operations.

During the year, the Security Council adopted two resolutions—1932(2010) and 1955(2010)—addressing the extension of the terms of office of judges, their redeployment between Chambers, and/or the maximum number of judges serving at the Tribunal (see pp. 1300 and 1302).

The ICTR President, Judge Dennis Byron (Saint Kitts and Nevis), informed the Council on 6 December [S/PV.6434] that since his June report, the Tribunal had rendered five trial and two appeals judgements,

bringing the number of remaining judgements to be delivered at the trial level down to 10. Judgements were expected in four trials in the first half of 2011 and in six trials before the end of 2011. With regard to the target date of the end of 2011 for the appeals, he said that the Tribunal maintained the goal of completion by the end of 2013. On the 10 fugitives at large, he indicated that the Tribunal depended on the cooperation of Member States for tracking, arresting and transferring them.

The 2010 activities of ICTR were covered in two reports to the Council and the General Assembly, for the periods of 1 July 2009 to 30 June 2010 [A/65/188-S/2010/408] and 1 July 2010 to 30 June 2011 [A/66/209-S/2011/472]. On 8 October, the Assembly took note of the 2009/2010 report (**decision 65/506**).

The Chambers

The ICTR Chambers were composed of 13 permanent judges and 11 ad litem judges at the end of June. Six permanent judges sat in the three Trial Chambers, while seven permanent judges sat in the Appeals Chamber. Two permanent judges left the Tribunal after the completion of their final case in February 2010. Trial Chamber I completed its work with the delivery of judgement on 30 June in the Munyakazi case (see below) and would be discontinued. The Appeals Chamber was composed of the same seven judges as the International Tribunal for the Former Yugoslavia.

New arrests

On 30 June, Jean-Bosco Uwinkindi was apprehended in Uganda and transferred to the Tribunal on 2 July. Mr. Uwinkindi, who was pastor of the Pentecostal Church in Kanzenze, Kigali-Rural prefecture during 1994, was indicted in 2001 and charged with genocide, conspiracy to commit genocide and extermination as a crime against humanity. On 4 November 2010, the Prosecutor filed a request for the referral of the case against Mr. Uwinkindi to Rwandan authorities.

Ongoing cases, trials and appeals

On 28 January, closing arguments were heard in the trial against Yussuf Munyakazi, a businessman and former leader of a militia group in Cyan-gugu prefecture [YUN 2004, p. 1286]. On 30 June, the Trial Chamber delivered its judgement, convicting Mr. Munyakazi of genocide and extermination as a crime against humanity and sentencing him to 25 years' imprisonment. The trial opened on 22 April 2009 and the parties filed their written closing briefs in December [YUN 2009, p. 1290].

In the case of Ildephonse Hategekimana, a former commander of Ngoma Military Camp whose trial had closed on 6 October 2009 [YUN 2009, p. 1288], the parties filed their closing briefs on 1 February 2010 and delivered their closing arguments on 26 April. In its judgement, delivered on 6 December, the Chamber convicted Mr. Hategekimana of genocide as well as murder and rape as crimes against humanity, and he was sentenced to life imprisonment. The accused was found not guilty of complicity in genocide.

On 11 February, the Chamber rendered its judgement in the retrial of Tharcisse Muvunyi, a former lieutenant-colonel stationed at École des sous-officiers in Butare [YUN 2008, p. 1418], for an alleged speech he gave in May 1994. Mr. Muvunyi was convicted of direct and public incitement to commit genocide and was sentenced to 15 years' imprisonment. The Appeals Chamber heard the parties' appeals on 21 October 2010.

In the trial against Gaspard Kanyarukiga that commenced on 31 August 2009 [YUN 2009, p. 1290] and closed on 11 February 2010 after 28 trial days, the Trial Chamber heard 34 witnesses. It also conducted a site visit to Rwanda between 19 and 21 April. The parties filed their closing briefs on 11 May and closing arguments were heard on 24 May. On 1 November, the Chamber delivered its judgement. Mr. Kanyarukiga was convicted of genocide and extermination as a crime against humanity and was sentenced to 30 years' imprisonment. He was acquitted of complicity in genocide. Mr. Kanyarukiga, a businessman, was arrested and transferred to the Tribunal on charges of genocide, complicity in genocide, conspiracy to commit genocide and extermination as a crime against humanity in 2004 [YUN 2004, p. 1286].

On 25 February, the Chamber rendered the judgement in the case of Ephrem Setako, a lieutenant-colonel and former Director of the Judicial Affairs Division of the Ministry of Defence [ibid.]. Mr. Setako was convicted of genocide, extermination as a crime against humanity and war crimes and sentenced to 25 years' imprisonment. The trial opened on 25 August 2008 [YUN 2008, p. 1416] and closing arguments were heard on 5 November 2009 [YUN 2009, p. 1290].

In the trial against Dominique Ntawukulilyayo, former sub-prefect in the Butare prefecture [YUN 2008, p. 1416], the evidence phase of the case closed on 17 December 2009 [YUN 2009, p. 1290] and the prosecution and defence closing briefs were filed on 25 February 2010 and 25 March, respectively. A site visit in Rwanda was conducted between 25 and 29 April and the Chamber heard the closing arguments on 14 June. On 3 August, the Chamber convicted Mr. Ntawukulilyayo of genocide and sentenced him to 25 years' imprisonment, yet acquitted him of direct and public incitement to commit genocide.

In the trial of Jean-Baptiste Gatete, a businessman and former Mayor of Murambi commune (Byumba prefecture) [YUN 2002, p. 1285], following the conclusion of the prosecution case on 16 November 2009 [YUN 2009, p. 1290], the defence case began on 2 March 2010 and closed on 29 March with 27 witnesses called. Closing arguments were heard on 8 November.

In the case of Ildephonse Nizeyimana, former second-in-command in charge of intelligence and military operations at the École des sous-officiers during 1994, the Chamber issued 11 decisions and held 2 status conferences with the parties on 5 March 2010 and 10 June. As at 30 June, the Chamber was handling pretrial matters in the case. Mr. Nizeyimana was arrested on 5 October 2009 in Uganda and made his initial appearance on 14 October [ibid., p. 1288], when he pleaded not guilty to all counts in the indictment.

On 15 March, the Appeals Chamber dismissed the appeal of Léonidas Nshogoza, a former defence investigator in the Kamuhanda trial who was convicted for contempt of the Tribunal on 2 July 2009 [ibid.]. In affirming the conviction, the Appeals Chamber also affirmed the sentence of 10 months' imprisonment.

On 18 March, the Appeals Chamber affirmed the conviction and sentence of Simon Bikindi, a singer and composer of popular music [YUN 2002, p. 1285] who was convicted for direct and public incitement to commit genocide and sentenced to 15 years' imprisonment in 2008 [YUN 2008, p. 1417]. The hearing of the appeal took place on 30 September 2009 in Arusha [YUN 2009, p. 1290].

In the trial of Siméon Nchamihigo, a former Deputy Prosecutor in Cyangugu prefecture, the Chamber convicted him in September 2008 [YUN 2008, p. 1416] and he was sentenced to life imprisonment. The Appeals Chamber heard the parties in September 2009 [YUN 2009, p. 1290] and on 18 March 2010, it partially allowed Mr. Nchamihigo's appeal, vacating his convictions for certain crimes while affirming his convictions for genocide and murder, extermination, and other inhumane acts as crimes against humanity. The Appeals Chamber also set aside the sentence imposed by the Trial Chamber and sentenced Mr. Nchamihigo to 40 years' imprisonment.

In the case of Callixte Nzabonimana, former Minister of Youth in the Interim Government [YUN 2008, p. 1416], the trial opened in November 2009 [YUN 2009, p. 1289] and the prosecution, which called 19 witnesses, closed its case on 13 April 2010. The defence commenced its case the following day. The Trial Chamber heard 20 witnesses during the first session of the defence case, which closed on 4 June.

In the case against Grégoire Ndahimana, a former *bourgmestre* who was arrested in August 2009 in the Democratic Republic of the Congo [ibid., p. 1288], the

Chamber began pretrial proceedings, including a pretrial conference on 26 April 2010. On 6 September, the Chamber began hearing evidence in the case.

In the case of Callixte Kalimanzira, the former chef de cabinet of the Ministry of the Interior [YUN 2005, p. 1397], the Appeals Chamber heard the parties' appeals on 14 June. On 20 October, although it affirmed Mr. Kalimanzira's conviction for aiding and abetting genocide, the Appeals Chamber reversed his remaining convictions and reduced his sentence from 30 to 25 years' imprisonment. Mr. Kalimanzira was convicted of genocide and direct and public incitement to commit genocide by the Trial Chamber in June 2009 [YUN 2009, p. 1290].

On 15 June, the Appeals Chamber heard the parties' appeals in the case of Emmanuel Rukundo, a former military chaplain [YUN 2001, p. 1207] who was convicted in February 2009 and sentenced to 25 years of imprisonment [YUN 2009, p. 1289]. On 20 October, the Appeals Chamber affirmed Mr. Rukundo's convictions for genocide and for murder and extermination as crimes against humanity, but did so on the basis of his responsibility for aiding and abetting those crimes rather than committing them, as the Trial Chamber had found. The Appeals Chamber also reversed Mr. Rukundo's conviction for genocide in relation to causing serious mental harm and reduced his sentence to 23 years' imprisonment.

On 16 June, the Appeals Chamber heard the appeal for Colonel Tharcisse Renzaho, former prefect of Kigali-ville, who was convicted and sentenced to life imprisonment for genocide, crimes against humanity and war crimes in July 2009 [ibid.]. The trial of Mr. Renzaho, charged with six counts of genocide, complicity in genocide, crimes against humanity (murder, rape) and violations of the Geneva Conventions and Additional Protocol II, began on 8 January 2007 [YUN 2007, p. 1343] and closing arguments were heard on 14 and 15 February 2008 [YUN 2008, p. 1416].

The trial of Augustin Ndirabatware, former Minister of Planning, opened on 23 September 2009 [YUN 2009, p. 1289]. Over the course of 46 trial days, the Chamber heard the evidence of 17 prosecution witnesses. As at 30 June 2010, the Chamber was considering a prosecution motion to add five alibi rebuttal witnesses in August and September 2010. Mr. Ndirabatware made his initial appearance before the Court on 10 October 2008 [YUN 2008, p. 1416].

As for the trial of Karemera et al.—against Édouard Karemera, former Minister of the Interior; Matthieu Ndirumpatse, former President of the Mouvement républicain national pour le développement et la démocratie (MRND); and Joseph Nzirorera, former MRND National Secretary—Mr. Nzirorera died on 1 July following a long illness, and the proceedings against him were terminated. The Chamber had started to hear

Mr. Nzirorera's defence in October 2009 [YUN 2009, p. 1289]. The Chamber continued hearing evidence involving Mssrs. Karemera and Ndirumpatse, including the presentation of the latter's case, which began on 23 August 2010.

Judges of the Court

Extension of terms of office and ad litem judges

In a 28 May assessment report [S/2010/259] to the Security Council, the ICTR President, Judge Dennis Bryon, indicated that the Tribunal would not be in a position to complete all its work in 2010, with judgments expected to be delivered in six trials during the course of 2011. He also reported on challenges faced by the Tribunal, including those pertaining to the Tribunal's judges.

The ICTR President, in identical letters transmitted by the Secretary-General to the Council and General Assembly Presidents on 2 June [A/64/814-S/2010/289], sought the extension of the terms of office of seven permanent judges and nine ad litem judges (whose terms were to expire on 31 December 2010) to 31 December 2012, or until the completion of the cases to which they were assigned, if sooner. He also sought to redeploy judges from the Trial Chambers to the Appeals Chamber upon the completion of the evidence phase of the trials to which they were assigned and to address the Tribunal's lack of a roster of ad litem judges.

SECURITY COUNCIL ACTION

On 29 June [meeting 6349], the Security Council unanimously adopted **resolution 1932(2010)**. The draft [S/2010/333] was submitted by Austria.

The Security Council,

Taking note of the letter dated 2 June 2010 from the Secretary-General to the President of the Security Council, attaching a letter dated 25 May 2010 from the President of the International Criminal Tribunal for Rwanda ("the International Tribunal"),

Recalling its resolutions 955(1994) of 8 November 1994, 1165(1998) of 30 April 1998, 1329(2000) of 30 November 2000, 1411(2002) of 17 May 2002, 1431(2002) of 14 August 2002, 1717(2006) of 13 October 2006, 1824(2008) of 18 July 2008, 1855(2008) of 19 December 2008, 1878(2009) of 7 July 2009 and 1901(2009) of 16 December 2009,

Recalling in particular its resolutions 1503(2003) of 28 August 2003 and 1534(2004) of 26 March 2004, in which the Council called upon the International Tribunal to take all possible measures to complete investigations by the end of 2004, to complete all trial activities at first instance by the end of 2008 and to complete all work in 2010,

Taking note of the assessments by the International Tribunal in its completion strategy report that the International Tribunal will not be in a position to complete all its work in 2010, and of the obstacles faced by the International Tribunal, and expressing its concern in this regard,

Noting the concerns expressed by the President of the International Tribunal about the loss of experienced staff, and affirming that staff retention is essential for the timely completion of the work of the International Tribunal,

Recalling that, in resolution 1901(2009), the Council underlined its intention to extend, by 30 June 2010, the terms of office of all trial judges at the International Tribunal based on the International Tribunal's projected trial schedule and the terms of office of all appeals judges until 31 December 2012, or until the completion of the cases to which they are assigned, if sooner, and requested the President of the International Tribunal to submit to the Council an updated trial and appeals schedule, including information on the judges for whom extension of the terms of office or redeployment to the Appeals Chamber would be sought,

Recalling also that, pursuant to article 13, paragraph 3, of the statute of the International Tribunal, as amended by resolution 1878(2009), the term of office of each judge redeployed to the Appeals Chamber shall be the same as the term of office of the judges serving in the Appeals Chamber,

Noting that one permanent judge and two of the ad litem judges currently serving at the International Tribunal will leave before the end of 2010 upon the completion of their respective cases,

Taking note of the updated trial and appeals schedule submitted by the President of the International Tribunal,

Taking note also of the submission by the President of the International Tribunal of a report of the Prosecutor on the lack of cooperation of Kenya in the case of Mr. Félicien Kabuga, as well as the statement and pledge to cooperate made by Kenya at a meeting of the Council on 18 June 2010,

Acting under Chapter VII of the Charter of the United Nations,

1. *Reaffirms* the necessity of trial of persons indicted by the International Tribunal, and reiterates its call upon all States, especially the States of the Great Lakes region, to intensify cooperation with and render all necessary assistance to the International Tribunal, and, in particular, calls upon relevant States to increase their efforts to bring Mr. Félicien Kabuga, Mr. Augustin Bizimana, Mr. Protais Mpiranya and other indictees of the International Tribunal to justice;

2. *Notes* the importance of the International Tribunal being adequately staffed to complete its work expeditiously, calls upon the Secretariat and other relevant United Nations bodies to continue to work with the Registrar of the International Tribunal in order to find practicable solutions to address this issue as the International Tribunal approaches the completion of its work, and at the same time calls upon the International Tribunal to renew its efforts to focus on its core functions;

3. *Decides* to extend the term of office of the following permanent judges at the International Tribunal, who are members of the Appeals Chamber, until 31 December 2012 or until the completion of the cases to which they are assigned, if sooner:

- Mr. Mehmet Güney (Turkey)
- Ms. Andrésia Vaz (Senegal)

4. *Decides also* to extend the term of office of the following permanent judges at the International Tribunal, who are members of the Trial Chamber, until 31 December 2011 or until the completion of the cases to which they are assigned, if sooner:

- Sir Charles Michael Dennis Byron (Saint Kitts and Nevis)
- Ms. Khalida Rachid Khan (Pakistan)
- Ms. Arlette Ramaroson (Madagascar)
- Mr. William H. Sekule (United Republic of Tanzania)
- Mr. Bakhtiyar Tuzmukhamedov (Russian Federation)

5. *Decides further* to extend the term of office of the following ad litem judges at the International Tribunal, who are members of the Trial Chamber, until 31 December 2011 or until the completion of the cases to which they are assigned, if sooner:

- Mr. Aydin Sefa Akay (Turkey)
- Ms. Florence Rita Arrey (Cameroon)
- Ms. Solomy Balungi Bossa (Uganda)
- Mr. Vagn Joensen (Denmark)
- Mr. Gberdao Gustave Kam (Burkina Faso)
- Mr. Lee Gacuiga Muthoga (Kenya)
- Mr. Seon Ki Park (Republic of Korea)
- Mr. Mparany Mamy Richard Rajohnson (Madagascar)
- Mr. Emile Francis Short (Ghana)

6. *Decides* to amend article 12 ter of the statute of the International Tribunal as set out in the annex to the present resolution;

7. *Urges* the International Tribunal to complete its work expeditiously;

8. *Decides* to remain seized of the matter.

ANNEX

Article 12 ter: Election and appointment of ad litem judges

3. If there are no ad litem judges remaining on the roster or if no ad litem judge on the roster is available for appointment, and if it is not possible to assign a judge currently serving at the International Tribunal, and all practical alternatives having been explored, the Secretary-General may, at the request of the President of the International Tribunal, appoint a former permanent or ad litem judge of the International Tribunal or of the International Tribunal for the Former Yugoslavia to serve as an ad litem judge in the Trial Chambers for one or more trials.

On 29 June [A/64/862], the Council President transmitted the Council's resolution to the General Assembly. On 16 July, the Assembly endorsed the actions taken by the Council in operative paragraphs 1 through 6 of that resolution (**decision 64/415 B**).

Communications. In identical letters of 13 October [A/65/529-S/2010/513] and 23 November [A/65/587-S/2010/598] to the Security Council and General Assembly Presidents, the Secretary-General transmitted letters from the ICTY President requesting: the extension of the terms of office of permanent Judge Joseph Asoka de Silva (Sri Lanka) and ad litem Judge Taghrid Hikmet (Jordan) beyond the 31 December 2010 expiry date to complete the Ndindiliyimana et al. case; that the Tribunal be allowed to exceed temporarily the maximum number of nine ad litem judges; and the extension of the terms of office of ad litem Judge Joseph Masanche (Tanzania) beyond the 31 December 2010 expiry date to complete the Hategekimana case.

In a 5 November assessment report [S/2010/574] to the Council, the ICTR President said that judgements were expected to be delivered in nine cases in 2011.

SECURITY COUNCIL ACTION

On 14 December [meeting 6447], the Security Council unanimously adopted **resolution 1955(2010)**. The draft [S/2010/628] was submitted by Austria.

The Security Council,

Taking note of the letters dated 13 October and 23 November 2010 from the Secretary-General to the President of the Security Council attaching letters dated 20 and 23 September and 12 November 2010, respectively, from the President of the International Criminal Tribunal for Rwanda (“the International Tribunal”),

Recalling its resolutions 955(1994) of 8 November 1994, 1165(1998) of 30 April 1998, 1329(2000) of 30 November 2000, 1411(2002) of 17 May 2002, 1431(2002) of 14 August 2002, 1717(2006) of 13 October 2006, 1824(2008) of 18 July 2008, 1855(2008) of 19 December 2008, 1878(2009) of 7 July 2009, 1901(2009) of 16 December 2009 and 1932(2010) of 29 June 2010,

Recalling in particular its resolutions 1503(2003) of 28 August 2003 and 1534(2004) of 26 March 2004, in which the Council called upon the International Tribunal to take all possible measures to complete investigations by the end of 2004, to complete all trial activities at first instance by the end of 2008 and to complete all work in 2010,

Taking note of the assessment by the International Tribunal in its completion strategy report that the International Tribunal will not be in a position to complete all its work in 2010,

Noting that four permanent judges will be redeployed to the Appeals Chamber and that one permanent judge will leave the International Tribunal upon the completion of the cases to which they are assigned,

Convinced of the advisability of extending the authorization granted to the Secretary-General in resolution 1901(2009) to appoint ad litem judges additional to the nine ad litem judges authorized by the statute of the International Tribunal, as a temporary measure to enable the International Tribunal to complete trials and conduct additional trials as soon as possible in order to meet the goals of the completion strategy,

Urging the International Tribunal to take all possible measures to complete its work expeditiously,

Noting the concerns expressed by the President of the International Tribunal about the loss of experienced staff, and reaffirming that staff retention is essential for the timely completion of the work of the International Tribunal,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that, notwithstanding the expiry of their term of office on 31 December 2010, Judge Joseph Asoka de Silva and Judge Taghreed Hikmat are authorized to complete the *Ndindiliyimana et al.* case, which they began before the expiry of their term of office, and takes note of the intention of the International Tribunal to complete the case in March 2011;

2. *Decides also* that, notwithstanding the expiry of his term of office on 31 December 2010, Judge Joseph Ma-

sanche is authorized to complete the *Hategekimana* case, which he began before the expiry of his term of office, and takes note of the intention of the International Tribunal to complete the case in January 2011;

3. *Decides further* that, in order for the International Tribunal to complete existing trials or conduct additional trials, the total number of ad litem judges serving at the International Tribunal may from time to time temporarily exceed the maximum of nine provided for in article 11, paragraph 1, of the statute of the International Tribunal, to a maximum of twelve at any one time, returning to a maximum of nine by 31 December 2011;

4. *Reiterates* the importance of the International Tribunal being adequately staffed to complete its work expeditiously, and calls upon the Secretariat and other relevant United Nations bodies to continue to work with the Registrar of the International Tribunal in order to find practicable solutions to address this issue as the International Tribunal approaches the completion of its work, and at the same time calls upon the International Tribunal to renew its efforts to focus on its core functions;

5. *Decides* to remain seized of the matter.

On 20 December [A/65/661], the Council President transmitted the Council’s resolution to the General Assembly.

On 24 December, the Assembly decided that the agenda item entitled “International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994” would remain for consideration during its resumed sixty-fifth (2011) session (**decision 65/544**).

Office of the Prosecutor

The Office of the Prosecutor continued efforts to ensure the arrest of the remaining 10 fugitives, especially the three earmarked for trial in Arusha—Augustin Bizimana, Félicien Kabuga and Protais Mpiranya. The other seven would be referred to national jurisdictions. The Prosecutor visited and held high-level discussions with officials of several Member States on cooperation with his Office, but cooperation with Kenya remained a challenge. In May, in view of Kenya’s continued non-compliance with Tribunal requests, the ICTR President notified the Security Council of that country’s failure to cooperate with the Tribunal in relation to Mr. Kabuga.

The Prosecutor continued to engage with Rwanda in its efforts to address impediments to ICTR referral of cases to Rwanda. In the meantime, the Prosecutor handed over to Rwanda the case files of 25 other suspects who had been investigated but not indicted by the Tribunal. Much effort had also been invested

in the three applications filed in November seeking the referral to Rwanda of the cases of the arrestee Mr. Uwinkindi (see p. 1298) and the fugitives Charles Sikubwabo and Fulgence Kayishema. In other developments, the work of the joint ICTR-Kenya Police Task Force was reactivated in November. The Office reported that several Member States had enhanced their efforts at investigating and indicting, for trial within national jurisdictions, Rwandan suspects who appeared on the INTERPOL wanted list. For the effective prosecution of those suspects, national prosecuting authorities continued to seek mutual legal assistance and information from the Tribunal. As a result, requests to the Prosecutor for information from the Office's extensive database had increased substantially.

The Registry

The Registry continued to support the judicial process by servicing the Tribunal's other organs and the defence, as well as by seeking support from States, international organizations and other stakeholders in the conduct of proceedings. It maintained high-level diplomatic contacts with Member States, international organizations and non-governmental organizations. The External Relations and Strategic Planning Section raised voluntary contributions to the ICTR Trust Fund, enabling the Tribunal to carry on its capacity-building and outreach activities. Ten additional provincial information centres opened in Rwanda facilitated the Tribunal's awareness-raising workshops, highlighted ICTR achievements and challenges, improved communication and facilitated access to the Tribunal's jurisprudence and other legal material. One of the flagship outreach projects, related to youth sensitization and genocide prevention education in the Great Lakes Region, was launched by the Tribunal in five East African capitals and ICTR headquarters in Arusha. The Court Management Section continued its work on the redaction and digitization of the collection of audio-visual recordings of ICTR proceedings in preparation for the Tribunal's transition to the residual mechanism. The Defence Counsel and Detention Management Section provided high-quality administrative support to the various defence teams and detainees in Arusha.

Between July 2009 and June 2010, the Witness and Victims Support Section ensured the timely availability of 200 witnesses, who were brought from 21 countries in support of the trials of 10 accused persons.

Financing

Board of Auditors report. On 30 June [A/65/5/Add.11], the Chairman transmitted the Board of Auditors report on ICTR financial statements for the 2008–2009 biennium to the General Assembly President.

2010–2011 biennium

Reports of Secretary-General. In a July report [A/65/178], the Secretary-General submitted additional requirements of \$34,223,000 gross (\$31,056,000 net) over the initial appropriation for ICTR for the 2010–2011, as approved by the General Assembly in resolution 64/239 [YUN 2009, p. 1294]. The increased resources were due to the revision of the trial schedule for the biennium as a result of the apprehension of some high-level accused, as well changes in the completion dates of a number of first-instance trials.

The first performance report of ICTR for the 2010–2011 biennium [A/65/578], submitted in November in response to resolution 64/239, reflected a reduction in requirements of \$19.9 million, net of staff assessment, from the initial appropriation for that biennium due to changes with respect to exchange rates, inflation and standard salary costs. The Assembly was requested to approve a revised appropriation in the amount of \$226,535,600 gross (\$207,354,100 net), which reflected a decrease of \$18,760,200 gross (\$19,892,400 net).

ACABQ report. In December [A/65/616 & Corr.1], ACABQ recommended that the Assembly approve a reduction of \$18,760,200 gross (\$19,892,400 net) and an additional appropriation of \$29,180,500 gross to the ICTR Special Account for the 2010–2011 biennium.

GENERAL ASSEMBLY ACTION

On 24 December [meeting 73], the General Assembly, on the recommendation of the Fifth Committee [A/65/651], adopted **resolution 65/252** without vote [agenda item 141].

Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

The General Assembly,

Having considered the report of the Secretary-General on the revised estimates under the budget, for the biennium 2010–2011, of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 and his first performance report on the International Criminal Tribunal for Rwanda for the biennium 2010–2011,

Having also considered the report of the Board of Auditors on the Tribunal and the recommendations contained therein,

Having further considered the related report of the Advisory Committee on Administrative and Budgetary Questions,

Recalling its resolution 49/251 of 20 July 1995 on the financing of the Tribunal and its subsequent resolutions thereon, the latest of which was resolution 64/239 of 24 December 2009,

1. Takes note of the report of the Secretary-General on the revised estimates under the budget, for the biennium 2010–2011, of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 and his first performance report on the International Criminal Tribunal for Rwanda for the biennium 2010–2011;

2. Endorses the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions, subject to the provisions of the present resolution;

3. Decides on a revised appropriation to the Special Account for the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994, of a total amount of 257,804,100 United States dollars gross (235,327,400 dollars net) for the biennium 2010–2011, as detailed in the annex to the present resolution;

4. Also decides, for the year 2011, to apportion among Member States, in accordance with the scale of assessments applicable to the regular budget of the United Nations for the year, the amount of 67,578,100 dollars gross (60,852,075 dollars net), including 6,254,150 dollars gross (4,040,450 dollars net), being the increase in assessments;

5. Further decides, for the year 2011, to apportion among Member States, in accordance with the rates of assessment applicable to peacekeeping operations for the year, the amount of 67,578,100 dollars gross (60,852,075 dollars net), including 6,254,150 dollars gross (4,040,450 dollars net), being the increase in assessments;

6. Decides that, in accordance with the provisions of its resolution 973(X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraphs 4 and 5 above, their respective share in the Tax Equalization Fund in the amount of 13,452,050 dollars, including 4,427,400 dollars, being the increase of the estimated staff assessment income approved for the Tribunal for the biennium 2010–2011;

7. Recognizes the critical importance of retaining highly skilled and experienced staff members with relevant institutional memory in order to successfully complete the trials and meet the targets set out in the completion strategy of the Tribunal;

8. Reaffirms paragraph 5 of its resolution 63/256 of 24 December 2008 and paragraph 6 of section II of its resolution 64/239 of 24 December 2009, and requests the Secretary-General to utilize his existing authority under the

existing contractual framework to offer contracts to staff, taking into account the needs of the Tribunal;

9. Also reaffirms paragraph 7 of section II of its resolution 64/239, and reiterates its request to the Secretary-General to explore the possibility of employing at the United Nations, should their services be required, staff who remain with the Tribunal until the completion of its mandate or their services are no longer needed;

10. Welcomes the efforts of the Secretary-General to facilitate the selection of staff of the Tribunal who are subject to downsizing;

11. Reiterates the importance of carrying out an effective outreach programme within the overall mandate of the Tribunal and its completion strategy, and requests the Tribunal, in accordance with its mandate and in consultation with the Department of Public Information of the Secretariat, to continue to develop and implement outreach activities that are proactive, utilizing available resources optimally, and that contribute to the reconciliation process by effectively developing an increased understanding of its work;

12. Encourages the Secretary-General to continue to explore measures to raise adequate voluntary resources to fund the outreach programme.

ANNEX

Financing for the biennium 2010–2011 of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

	Gross (United States dollars)	Net
Initial appropriation for the biennium 2010–2011 (resolution 64/239)	245,295,800	227,246,500
Add:		
Revised estimates for the biennium 2010–2011 after recosting (A/65/178)	31,268,500	27,973,300
First performance report for the biennium 2010–2011 (A/65/578)	(18,760,200)	(19,892,400)
Recommendations of the Advisory Committee on Administrative and Budgetary Questions (see A/65/616 and Corr.1)	(2,088,000)	(2,088,000)
Recommendations of the Fifth Committee	2,088,000	2,088,000
Revised appropriation for the biennium 2010–2011	257,804,100	235,327,400
Assessment for 2010	(122,647,900)	(113,623,250)
Balance to be assessed for 2011	135,156,200	121,704,150
Including:		
Contributions assessed on Member States in accordance with the scale of assessments applicable to the regular budget of the United Nations for 2011	67,578,100	60,852,075
Contributions assessed on Member States in accordance with the rates of assessment applicable to peacekeeping operations of the United Nations for 2011	67,578,100	60,852,075

On 24 December, the Assembly decided that the agenda item on ICTR financing would remain for consideration during its resumed sixty-fifth (2011) session (**decision 65/544**).

Functioning of the Tribunals

Implementation of completion strategies

ICTY

In response to Security Council resolution 1534(2004) [YUN 2004, p. 1292], the ICTY President reported in May [S/2010/270] and November [S/2010/588] on progress made in implementing the ICTY completion strategy. The Working Group on Speeding up Trials, which was reconstituted by the ICTY President in 2008 [YUN 2008, p. 1423], conducted a third review of the Tribunal's practices to assess whether further improvements could be implemented into the Chambers' work. In May, the Working Group submitted its report and recommended a number of reforms to the Tribunal's procedures. It also expressed the "greatest concern" over the effect that staff turnover had on the speed of trials and recommended that management do all that it could to retain the Tribunal's experienced staff.

The ICTY President underscored that the estimation of the length of trial proceedings was more an art than a science, and that assessments made prior to the trial's commencement were by their nature an approximation. Although the Tribunal had continued to take all measures possible to expedite its trials without sacrificing due process, the estimates for the completion of some trials from the last reporting period had to be amended. As at 15 November, out of the 161 accused indicted by the Tribunal, one case was returned to the pretrial stage, 18 persons were being tried and another 13 had appeals pending. Two accused, Ratko Mladić and Goran Hadžić were still at large. Judgement was anticipated to be delivered in one case by the end of the year, with another three trials concluding in 2011, five in 2012, and the remaining case, that of Radovan Karadžić, concluding by the end of 2013. Appeals from three trial judgements were pending before the Appeals Chamber and all appeals were still scheduled to be completed by the end of 2014.

The issue of highly qualified and essential staff leaving the Tribunal at alarming rates for more secure employment remained a concern. Moreover, the Tribunal was in a downsizing phase at a time when it was at its highest level of productivity, with no coordinate increase in its staffing levels since the 2006–2007 biennium. Staff attrition had contributed significantly to slippage in practically all cases at the Tribunal and the high rate of attrition had resulted in either inexperienced or insufficient staff. The ICTY President advised that if the problem were not addressed, the situation would worsen and slippage would continue to thwart the implementation of the completion strategy.

ICTR

In response to Security Council resolution 1534(2004), the ICTR President submitted reports in May [S/2010/259] and November [S/2010/574] on progress made in implementing the ICTR completion strategy. That strategy called for completing investigations by the end of 2004, all trial activities at first instance by the end of 2008, and all of its work in 2010.

Between May and November, three judgements in single-accused cases were delivered; judgements remained to be delivered in nine ongoing cases and in one trial, which would commence in early 2011. One of those 10 judgements was expected for December and the rest during the course of 2011. The major challenge in the coming months was the completion of the multi-accused cases that were in the judgement drafting phase. All three cases had lost or were in the process of losing their judgement coordinators and were facing high turnover in the drafting teams. Despite those difficulties, the measures taken by the Tribunal to improve pretrial and trial management practices had yielded significant results over the previous years in the single-accused cases and reduced delays without compromising the rights of the accused; they would continue to assist the Tribunal to complete its mandate in the near future. Meanwhile, four trials were ongoing and appellate proceedings had been concluded in respect of 33 persons.

The judicial calendar remained an essential element in the Tribunal's efforts to comply with its completion strategy. Over the previous four years, the time taken between the transfer of the accused and trial judgement had been reduced markedly. Several Chambers had established management teams at the beginning of a trial and held frequent meetings in order to work together to coordinate and facilitate the smooth running of cases and to anticipate and prevent problems. ICTR had also implemented measures to shorten the length of time between the arrest of an accused person and the commencement of his or her trial.

The Office of the Prosecutor continued with the ongoing trials of five accused in four cases, as well as the preparation for trial in the cases of Messrs. Nizeyimana and Uwinkindi and of the depositions for the preservation of evidence in respect of three fugitive indictees. The caseload of the Appeals and Legal Advisory Division included nine cases involving 16 separate appeals. The Investigation Unit continued to support trial and appeal activities, while its tracking section concentrated on the fugitive indictees. One fugitive was arrested and the Prosecutor had submitted a request for referral of his case to Rwanda. Efforts at tracking the remaining fugitives in the Democratic Republic of the Congo, the southern African region and neighbouring countries continued. The lack of co-operation by Kenya in respect of the fugitive indictee

Félicien Kabuga remained a concern. Despite Kenya's statement and pledge to cooperate at an 18 June [S/PV.6342] Security Council meeting, the Prosecutor's 8 July request for a meeting with Kenyan Government authorities and a 30 September reminder remained unaddressed. In addition, Kenya had not provided relevant and credible information on Mr. Kabuga's alleged departure from Kenya and his approximate destination.

Establishment of ad hoc mechanism

During 2010, the Security Council Informal Working Group on the International Tribunals, established on an informal basis in 2000 to consider matters relating to the United Nations and UN-assisted tribunals—particularly the ICTY and the ICTR—achieved important progress in its consideration of the draft Council resolution on the establishment of an international residual mechanism for criminal tribunals. Between February and July, the Working Group considered three revised drafts, including an annex containing the draft statute prepared by the Office of Legal Affairs (OLA). In July, the Working Group also discussed the OLA internal reports on the declassification of documents and review of witness protection orders by the Tribunals, and on possible locations for the residual mechanism. The final reading of the draft texts was completed on 3 December and the Chair presented a final compromise package at the Working Group's 17 December meeting.

On 22 December, the Council adopted resolution 1966(2010) (see below), establishing the International Residual Mechanism for Criminal Tribunals with two branches: one for ICTR and one for ICTY, which would commence functioning on 1 July 2012 and 1 July 2013, respectively. The Tribunal's archives would be co-located with the respective branches of the Residual Mechanism.

SECURITY COUNCIL ACTION

On 22 December [meeting 6463], the Security Council adopted **resolution 1966(2010)** by vote (14-0-1). The draft [S/2010/651] was submitted by Austria.

The Security Council,

Recalling its resolution 827(1993) of 25 May 1993, by which it established the International Tribunal for the Former Yugoslavia, and its resolution 955(1994) of 8 November 1994, by which it established the International Criminal Tribunal for Rwanda, and all subsequent relevant resolutions,

Recalling in particular its resolutions 1503(2003) of 28 August 2003 and 1534(2004) of 26 March 2004, in which it called upon the Tribunals to take all possible measures to complete investigations by the end of 2004, to complete all trial activities at first instance by the end

of 2008 and to complete all work in 2010 ("completion strategy"), and noting that those envisaged dates have not been met,

Acknowledging the considerable contribution that the Tribunals have made to international criminal justice and accountability for serious international crimes and the re-establishment of the rule of law in the countries of the former Yugoslavia and in Rwanda,

Recalling that the Tribunals were established in the particular circumstances of the former Yugoslavia and Rwanda as ad hoc measures contributing to the restoration and maintenance of peace,

Reaffirming its determination to combat impunity for those responsible for serious violations of international humanitarian law and the necessity that all persons indicted by the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda are brought to justice,

Recalling the statement by the President of the Security Council of 19 December 2008, and reaffirming the need to establish an ad hoc mechanism to carry out a number of essential functions of the Tribunals, including the trial of fugitives who are among the most senior leaders suspected of being most responsible for crimes, after the closure of the Tribunals,

Emphasizing that, in view of the substantially reduced nature of the residual functions, the international residual mechanism should be a small, temporary and efficient structure, whose functions and size will diminish over time, with a small number of staff commensurate with its reduced functions,

Welcoming the report of the Secretary-General on the administrative and budgetary aspects of the options for possible locations for the archives of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda and the seat of the residual mechanism(s) for the Tribunals,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to establish the International Residual Mechanism for Criminal Tribunals ("the Mechanism") with two branches, which shall commence functioning on 1 July 2012 (branch for the International Criminal Tribunal for Rwanda) and on 1 July 2013 (branch for the International Tribunal for the Former Yugoslavia), respectively ("commencement dates"), and to this end decides to adopt the statute of the Mechanism set out in annex 1 to the present resolution;

2. *Decides also* that the provisions of the present resolution and the statutes of the Mechanism and of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda shall be subject to the transitional arrangements set out in annex 2 to the present resolution;

3. *Requests* the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda to take all possible measures to expeditiously complete all their remaining work as provided in the present resolution no later than 31 December 2014, to prepare their closure and to ensure a smooth transition to the Mechanism, including through advance teams in each of the Tribunals;

4. *Decides* that, as of the commencement date of each branch referred to in paragraph 1 above, the Mechanism shall continue the jurisdiction, rights and obligations and essential functions of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda, respectively, subject to the provisions of the present resolution and the statute of the Mechanism, and all contracts and international agreements concluded by the United Nations in relation to the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda and still in force as of the relevant commencement date shall continue in force, *mutatis mutandis*, in relation to the Mechanism;

5. *Requests* the Secretary-General to submit at the earliest possible date, but no later than 30 June 2011, draft Rules of Procedure and Evidence of the Mechanism, which shall be based on the Rules of Procedure and Evidence of the Tribunals subject to the provisions of the present resolution and the statute of the Mechanism, for consideration and adoption by the judges of the Mechanism;

6. *Decides* that the Rules of Procedure and Evidence of the Mechanism and any amendments thereto shall take effect upon adoption by the judges of the Mechanism unless the Security Council decides otherwise;

7. *Decides also* that the determination of the seats of the branches of the Mechanism is subject to the conclusion of appropriate arrangements between the United Nations and the host countries of the branches of the Mechanism acceptable to the Council;

8. *Recalls* the obligation of States to cooperate with the Tribunals and, in particular, to comply without undue delay with requests for assistance in the location, arrest, detention, surrender and transfer of accused persons;

9. *Decides* that all States shall cooperate fully with the Mechanism in accordance with the present resolution and the statute of the Mechanism and that, consequently, all States shall take any measures necessary under their domestic law to implement the provisions of the present resolution and the statute of the Mechanism, including the obligation of States to comply with requests for assistance or orders issued by the Mechanism pursuant to its statute;

10. *Urges* all States, especially States where fugitives are suspected to be at large, to further intensify cooperation with and render all necessary assistance to the Tribunals and the Mechanism, as appropriate, in particular to achieve the arrest and surrender of all remaining fugitives as soon as possible;

11. *Urges* the Tribunals and the Mechanism to actively undertake every effort to refer those cases which do not involve the most senior leaders suspected of being most responsible for crimes to competent national jurisdictions in accordance with their respective statutes and Rules of Procedure and Evidence;

12. *Calls upon* all States to cooperate to the maximum extent possible in order to receive referred cases from the Tribunals and the Mechanism;

13. *Requests* the Secretary-General to implement the present resolution and to make practical arrangements for the effective functioning of the Mechanism from the first commencement date referred to in paragraph 1 above, in particular to initiate no later than 30 June 2011 the proce-

dures for the selection of the roster of judges of the Mechanism, as provided in its statute;

14. *Also requests* the Secretary-General to prepare, in consultation with the Council, an information security and access regime for the archives of the Tribunals and the Mechanism prior to the first commencement date referred to in paragraph 1 above;

15. *Requests* the Tribunals and the Mechanism to cooperate with the countries of the former Yugoslavia and with Rwanda, as well as with interested entities, to facilitate the establishment of information and documentation centres by providing access to copies of public records of the archives of the Tribunals and the Mechanism, including through their websites;

16. *Requests* the President of the Mechanism to submit an annual report to the Council and to the General Assembly, and the President and the Prosecutor of the Mechanism to submit six-monthly reports to the Council on the progress of the work of the Mechanism;

17. *Decides* that the Mechanism shall operate for an initial period of four years from the first commencement date referred to in paragraph 1 above, also decides to review the progress of the work of the Mechanism, including in completing its functions, before the end of this initial period and every two years thereafter, and further decides that the Mechanism shall continue to operate for subsequent periods of two years following each such review, unless the Council decides otherwise;

18. *Underlines its intention* to decide on the modalities for the exercise of any remaining residual functions of the Mechanism upon the completion of its operation;

19. *Decides* to remain seized of the matter.

VOTE ON RESOLUTION 1966(2010):

In favour: Austria, Bosnia and Herzegovina, Brazil, China, France, Gabon, Japan, Lebanon, Mexico, Nigeria, Turkey, Uganda, United Kingdom, United States.

Against: None.

Abstaining: Russian Federation.

ANNEX 1

Statute of the International Residual Mechanism for Criminal Tribunals

Preamble

Having been established by the Security Council acting under Chapter VII of the Charter of the United Nations to carry out residual functions of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 (hereinafter "ICTY") and the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994 (hereinafter "ICTR"), the International Residual Mechanism for Criminal Tribunals (hereinafter "the Mechanism") shall function in accordance with the provisions of the present Statute.

Article 1

Competence of the Mechanism

1. The Mechanism shall continue the material, territorial, temporal and personal jurisdiction of the ICTY and the ICTR as set out in articles 1 to 8 of the ICTY Statute and articles 1 to 7 of the ICTR Statute, as well as the rights and obligations of the ICTY and the ICTR, subject to the provisions of the present Statute.

2. The Mechanism shall have the power to prosecute, in accordance with the provisions of the present Statute, the persons indicted by the ICTY or the ICTR who are among the most senior leaders suspected of being most responsible for the crimes covered by paragraph 1 of this article, considering the gravity of the crimes charged and the level of responsibility of the accused.

3. The Mechanism shall have the power to prosecute, in accordance with the provisions of the present Statute, the persons indicted by the ICTY or the ICTR who are not among the most senior leaders covered by paragraph 2 of this article, provided that the Mechanism may only, in accordance with the provisions of the present Statute, proceed to try such persons itself after it has exhausted all reasonable efforts to refer the case as provided in article 6 of the present Statute.

4. The Mechanism shall have the power to prosecute, in accordance with the provisions of the present Statute:

(a) Any person who knowingly and wilfully interferes or has interfered with the administration of justice by the Mechanism or the Tribunals, and to hold such person in contempt;

or

(b) A witness who knowingly and wilfully gives or has given false testimony before the Mechanism or the Tribunals.

Before proceeding to try such persons, the Mechanism shall consider referring the case to the authorities of a State in accordance with article 6 of the present Statute, taking into account the interests of justice and expediency.

5. The Mechanism shall not have the power to issue any new indictments against persons other than those covered by this article.

Article 2

Functions of the Mechanism

The Mechanism shall continue the functions of the ICTY and of the ICTR, as set out in the present Statute ("residual functions"), during the period of its operation.

Article 3

Structure and seats of the Mechanism

The Mechanism shall have two branches, one branch for the ICTY and one branch for the ICTR, respectively. The branch for the ICTY shall have its seat in The Hague. The branch for the ICTR shall have its seat in Arusha.

Article 4

Organization of the Mechanism

The Mechanism shall consist of the following organs:

(a) The Chambers, comprising a Trial Chamber for each branch of the Mechanism and an Appeals Chamber common to both branches of the Mechanism;

(b) The Prosecutor, common to both branches of the Mechanism;

(c) The Registry, common to both branches of the Mechanism, to provide administrative services for the Mechanism, including the Chambers and the Prosecutor.

Article 5

Concurrent jurisdiction

1. The Mechanism and national courts shall have concurrent jurisdiction to prosecute persons covered by article 1 of this Statute.

2. The Mechanism shall have primacy over national courts in accordance with the present Statute. At any stage of the procedure involving a person covered by article 1, paragraph 2, of this Statute, the Mechanism may formally request national courts to defer to its competence in accordance with the present Statute and the Rules of Procedure and Evidence of the Mechanism.

Article 6

Referral of cases to national jurisdictions

1. The Mechanism shall have the power, and shall undertake every effort, to refer cases involving persons covered by paragraph 3 of article 1 of this Statute to the authorities of a State in accordance with paragraphs 2 and 3 of this article. The Mechanism shall have the power also to refer cases involving persons covered by paragraph 4 of article 1 of this Statute.

2. After an indictment has been confirmed and prior to the commencement of trial, irrespective of whether or not the accused is in the custody of the Mechanism, the President may designate a Trial Chamber which shall determine whether the case should be referred to the authorities of a State:

- (i) In whose territory the crime was committed; or
- (ii) In which the accused was arrested; or
- (iii) Having jurisdiction and being willing and adequately prepared to accept such a case, so that those authorities should forthwith refer the case to the appropriate court for trial within that State.

3. In determining whether to refer a case involving a person covered by paragraph 3 of article 1 of this Statute in accordance with paragraph 2 above, the Trial Chamber shall, consistent with Security Council resolution 1534(2004), consider the gravity of the crimes charged and the level of responsibility of the accused.

4. The Trial Chamber may order such referral *proprio motu* or at the request of the Prosecutor, after having given to the Prosecutor and, where applicable, the accused, the opportunity to be heard and after being satisfied that the accused will receive a fair trial and that the death penalty will not be imposed or carried out.

5. The Mechanism shall monitor cases referred to national courts by the ICTY, the ICTR and those referred in accordance with this article, with the assistance of international and regional organizations and bodies.

6. After an order referring a case has been issued by the ICTY, the ICTR or the Mechanism and before the accused is found guilty or acquitted by a national court, where it is clear that the conditions for referral of the case are no longer met and it is in the interests of justice, the Trial Chamber may, at the request of the Prosecutor or *proprio motu* and upon having given to the State authorities concerned the opportunity to be heard, revoke the order and make a formal request for deferral.

Article 7 *Non bis in idem*

1. No person shall be tried before a national court for acts constituting serious violations of international humanitarian law under the present Statute, for which he or she has already been tried by the ICTY, the ICTR or the Mechanism.

2. A person covered by article 1 of this Statute who has been tried before a national court for acts constituting serious violations of international humanitarian law may be subsequently tried by the Mechanism only if:

(a) The act for which he or she was tried was characterized as an ordinary crime; or

(b) The national court proceedings were not impartial or independent, were designed to shield the accused from international criminal responsibility, or the case was not diligently prosecuted.

3. In considering the penalty to be imposed on a person convicted of a crime under the present Statute, the Mechanism shall take into account the extent to which any penalty imposed by a national court on the same person for the same act has already been served.

Article 8 *Roster of judges*

1. The Mechanism shall have a roster of 25 independent judges ("judges of the Mechanism"), not more than two of whom may be nationals of the same State.

2. A person who for the purposes of membership of the roster could be regarded as a national of more than one State shall be deemed to be a national of the State in which that person ordinarily exercises civil and political rights.

3. The judges of the Mechanism shall only be present at the seats of the branches of the Mechanism as necessary at the request of the President to exercise the functions requiring their presence. In so far as possible, and as decided by the President, the functions may be exercised remotely, away from the seats of the branches of the Mechanism.

4. The judges of the Mechanism shall not receive any remuneration or other benefits for being on the roster. The terms and conditions of service of the judges for each day on which they exercise their functions for the Mechanism shall be those of the judges ad hoc of the International Court of Justice. The terms and conditions of service of the President of the Mechanism shall be those of the judges of the International Court of Justice.

Article 9 *Qualification of judges*

1. The judges shall be persons of high moral character, impartiality and integrity who possess the qualifications required in their respective countries for appointment to the highest judicial offices. Particular account shall be taken of experience as judges of the ICTY or the ICTR.

2. In the composition of the Trial and Appeals Chambers, due account shall be taken of the experience of the judges in criminal law, and international law, including international humanitarian law and human rights law.

Article 10 *Election of judges*

1. The judges of the Mechanism shall be elected by the General Assembly from a list submitted by the Security Council, in the following manner:

(a) The Secretary-General shall invite nominations for judges, preferably from among persons with experience as judges of the ICTY or the ICTR, from States Members of the United Nations and non-Member States maintaining permanent observer missions at United Nations Headquarters;

(b) Within sixty days of the date of the invitation of the Secretary-General, each State may nominate up to two candidates meeting the qualifications set out in article 9, paragraph 1, of the Statute;

(c) The Secretary-General shall forward the nominations received to the Security Council. From the nominations received the Security Council shall establish a list of not less than 30 candidates, taking due account of the qualifications set out in article 9, paragraph 1, and adequate representation of the principal legal systems of the world;

(d) The President of the Security Council shall transmit the list of candidates to the President of the General Assembly. From that list the General Assembly shall elect 25 judges of the Mechanism. The candidates who receive an absolute majority of the votes of the States Members of the United Nations and of the non-Member States maintaining permanent observer missions at United Nations Headquarters shall be declared elected. Should more than two candidates of the same nationality obtain the required majority vote, the two who received the highest number of votes shall be considered elected.

2. In the event of a vacancy in the roster, after consultation with the Presidents of the Security Council and of the General Assembly, the Secretary-General shall appoint a person meeting the qualifications of article 9, paragraph 1, of the Statute, for the remainder of the term of office concerned.

3. The judges of the Mechanism shall be elected for a term of four years and shall be eligible for reappointment by the Secretary-General after consultation with the Presidents of the Security Council and of the General Assembly.

4. If there are no judges remaining on the roster or if no judge on the roster is available for appointment, and if it is not possible to assign a judge currently serving at the Mechanism, and all practical alternatives having been explored, the Secretary-General may, at the request of the President of the Mechanism and after consultation with the Presidents of the Security Council and of the General Assembly, appoint a person meeting the qualifications of article 9, paragraph 1, of the Statute to serve as a judge of the Mechanism.

Article 11 *The President*

1. After consultation with the President of the Security Council and the judges of the Mechanism, the Secretary-General shall appoint a full-time President from among the judges of the Mechanism.

2. The President shall be present at either seat of the branches of the Mechanism as necessary to exercise his or her functions.

Article 12

Assignment of judges and composition of the Chambers

1. In the event of a trial of a case pursuant to paragraphs 2 and 3 of article 1 of this Statute, or to consider the referral of such a case to a national jurisdiction, the President shall appoint three judges from the roster to compose a Trial Chamber and the Presiding Judge from amongst their number to oversee the work of that Trial Chamber. In all other circumstances, including trials pursuant to paragraph 4 of article 1 of this Statute, the President shall appoint a Single Judge from the roster to deal with the matter.

2. The President may designate a duty judge from the roster for each branch of the Mechanism, who will be available at short notice, to serve as a Single Judge and to whom indictments, warrants and other matters not assigned to a Trial Chamber may be transmitted for decision.

3. The President of the Mechanism shall be a member of the Appeals Chamber, appoint the other members and preside over its proceedings. In the event of an appeal against a decision by a Single Judge, the Appeals Chamber shall be composed of three judges. In the event of an appeal against a decision by a Trial Chamber, the Appeals Chamber shall be composed of five judges.

4. In the event of an application for review in accordance with article 24 of this Statute of a judgement rendered by a Single Judge or by a Trial Chamber, the President shall appoint three judges to compose a Trial Chamber on review. In the event of an application for review of a judgement rendered by the Appeals Chamber, the Appeals Chamber on review shall be composed of five judges.

5. The President may appoint, from among the judges of the Mechanism, a reserve judge to be present at each stage of a trial and to replace a judge if that judge is unable to continue sitting.

Article 13

Rules of Procedure and Evidence

1. The judges of the Mechanism shall adopt Rules of Procedure and Evidence for the conduct of the pretrial phase of the proceedings, trials and appeals, the admission of evidence, the protection of victims and witnesses and other appropriate matters.

2. Amendments of the Rules of Procedure and Evidence may be decided remotely by the judges of the Mechanism by written procedure.

3. The Rules of Procedure and Evidence and any amendments thereto shall take effect upon adoption by the judges of the Mechanism unless the Security Council decides otherwise.

4. The Rules of Procedure and Evidence and amendments thereto shall be consistent with this Statute.

Article 14

The Prosecutor

1. The Prosecutor shall be responsible for the investigation and prosecution of persons covered by article 1 of this Statute.

2. The Prosecutor shall act independently as a separate organ of the Mechanism. He or she shall not seek or receive instructions from any Government or from any other source.

3. The Office of the Prosecutor shall be composed of a Prosecutor, an officer-in-charge at the seat of each branch of the Mechanism designated by the Prosecutor and such other qualified staff as may be required, in accordance with paragraph 5 of this article. The Prosecutor shall be present at either seat of the branches of the Mechanism as necessary to exercise his or her functions.

4. The Prosecutor shall be appointed by the Security Council on nomination by the Secretary-General. He or she shall be of high moral character and possess the highest level of competence and experience in the conduct of investigations and prosecutions of criminal cases. The Prosecutor shall serve for a four-year term and be eligible for reappointment. The terms and conditions of service of the Prosecutor shall be those of an Under-Secretary-General of the United Nations.

5. The Office of the Prosecutor shall retain a small number of staff commensurate with the reduced functions of the Mechanism, who shall serve at the seats of the branches of the Mechanism. The Office shall maintain a roster of qualified potential staff, preferably from among persons with experience at the ICTY or the ICTR, to enable it to recruit additional staff rapidly as may be required to perform its functions. The staff of the Office of the Prosecutor shall be appointed by the Secretary-General on the recommendation of the Prosecutor.

Article 15

The Registry

1. The Registry shall be responsible for the administration and servicing of the branches of the Mechanism.

2. The Registry shall consist of a Registrar, an officer-in-charge at the seat of each branch of the Mechanism designated by the Registrar and such other qualified staff as may be required in accordance with paragraph 4 of this article. The Registrar shall be present at either seat of the branches of the Mechanism as necessary to exercise his or her functions.

3. The Registrar shall be appointed by the Secretary-General for a four-year term and be eligible for reappointment. The terms and conditions of service of the Registrar shall be those of an Assistant Secretary-General of the United Nations.

4. The Registry shall retain a small number of staff commensurate with the reduced functions of the Mechanism, who shall serve at the seats of the respective branches of the Mechanism. The Registry shall maintain a roster of qualified potential staff, preferably from among persons with experience at the ICTY or the ICTR, to enable it to recruit additional staff rapidly as may be required to perform its functions. The staff of the Registry shall be appointed by the Secretary-General on the recommendation of the Registrar.

Article 16

Investigation and preparation of indictment

1. The Prosecutor shall have the power to conduct investigations against persons covered by article 1 of this Statute. The Prosecutor shall not have the power to prepare new indictments against persons other than those covered by article 1 of this Statute.

2. The Prosecutor shall have the power to question suspects, victims and witnesses, to collect evidence and to

conduct on-site investigations. In carrying out these tasks, the Prosecutor may, as appropriate, seek the assistance of the State authorities concerned.

3. If questioned, the suspect shall be entitled to be assisted by counsel of his or her own choice, including the right to have legal assistance assigned to the suspect without payment by him or her in any such case if he or she does not have sufficient means to pay for it, as well as necessary translation into and from a language he or she speaks and understands.

4. Upon a determination that a *prima facie* case exists, the Prosecutor shall prepare an indictment containing a concise statement of the facts and the crime or crimes with which the accused is charged under the Statute. The indictment shall be transmitted to the duty judge or a Single Judge designated by the President.

Article 17

Review of the indictment

1. The indictment shall be reviewed by the duty judge or a Single Judge designated by the President. If satisfied that a *prima facie* case has been established by the Prosecutor, he or she shall confirm the indictment. If not so satisfied, the indictment shall be dismissed.

2. Upon confirmation of an indictment, the judge may, at the request of the Prosecutor, issue such orders and warrants for the arrest, detention, surrender or transfer of persons and any other orders as may be required for the conduct of the trial.

Article 18

Commencement and conduct of trial proceedings

1. The Single Judge or Trial Chamber conducting a trial shall ensure that the trial is fair and expeditious and that proceedings are conducted in accordance with the Rules of Procedure and Evidence, with full respect for the rights of the accused and due regard for the protection of victims and witnesses.

2. A person against whom an indictment has been confirmed shall, pursuant to an order or an arrest warrant of the Mechanism, be taken into custody, immediately informed of the charges against him or her and transferred to the Mechanism.

3. The Single Judge or judge of the Trial Chamber designated by the President shall read the indictment, ensure that the rights of the accused are respected, confirm that the accused understands the indictment and instruct the accused to enter a plea. The Single Judge or Trial Chamber shall then set the date for trial.

4. The hearings shall be public unless the Single Judge or Trial Chamber decides to close the proceedings in accordance with the Rules of Procedure and Evidence.

Article 19

Rights of the accused

1. All persons shall be equal before the Mechanism.

2. In the determination of charges against him or her, the accused shall be entitled to a fair and public hearing, subject to article 20 of the Statute.

3. The accused shall be presumed innocent until proved guilty according to the provisions of the present Statute.

4. In the determination of any charge against the accused pursuant to the present Statute, the accused shall

be entitled to the following minimum guarantees, in full equality:

(a) To be informed promptly and in detail in a language which he or she understands of the nature and cause of the charge against him or her;

(b) To have adequate time and facilities for the preparation of his or her defence and to communicate with counsel of his or her own choosing;

(c) To be tried without undue delay;

(d) To be tried in his or her presence, and to defend himself or herself in person or through legal assistance of his or her own choosing; to be informed, if he or she does not have legal assistance, of this right; and to have legal assistance assigned to him or her, in any case where the interests of justice so require, and without payment by him or her in any such case if he or she does not have sufficient means to pay for it;

(e) To examine, or have examined, the witnesses against him or her and to obtain the attendance and examination of witnesses on his or her behalf under the same conditions as witnesses against him or her;

(f) To have the free assistance of an interpreter if he or she cannot understand or speak the language used in the Mechanism;

(g) Not to be compelled to testify against himself or herself or to confess guilt.

Article 20

Protection of victims and witnesses

The Mechanism shall provide in its Rules of Procedure and Evidence for the protection of victims and witnesses in relation to the ICTY, the ICTR and the Mechanism. Such protection measures shall include, but shall not be limited to, the conduct of in camera proceedings and the protection of the victim's identity.

Article 21

Judgements

1. The Single Judge or Trial Chamber shall pronounce judgements and impose sentences and penalties on persons covered by article 1 of this Statute who are convicted by the Mechanism.

2. All judgements shall be delivered in public and shall be accompanied by a reasoned opinion in writing. Judgements by a Chamber shall be rendered by a majority of the judges, to which separate or dissenting opinions may be appended.

Article 22

Penalties

1. The penalty imposed on persons covered by paragraphs 2 and 3 of article 1 of this Statute shall be limited to imprisonment. The penalty imposed on persons covered by paragraph 4 of article 1 of this Statute shall be a term of imprisonment not exceeding seven years, or a fine of an amount to be determined in the Rules of Procedure and Evidence, or both.

2. In determining the terms of imprisonment, the Single Judge or Trial Chamber shall have recourse to the general practice regarding prison sentences in the courts of the former Yugoslavia and in those of Rwanda, respectively.

3. In imposing the sentences, the Single Judge or Trial Chamber should take into account such factors as the gravity of the offence and the individual circumstances of the convicted person.

4. In addition to imprisonment, the Single Judge or Trial Chamber may order the return of any property and proceeds acquired by criminal conduct, including by means of duress, to their rightful owners.

Article 23

Appellate proceedings

1. The Appeals Chamber shall hear appeals from convicted persons or from the Prosecutor on the following grounds:

- (a) An error on a question of law invalidating the decision; or
- (b) An error of fact which has occasioned a miscarriage of justice.

2. The Appeals Chamber may affirm, reverse or revise the decisions taken by the Single Judge or Trial Chamber.

Article 24

Review proceedings

Where a new fact has been discovered which was not known at the time of the proceedings before the Single Judge, Trial Chamber or the Appeals Chamber of the ICTY, the ICTR or the Mechanism and which could have been a decisive factor in reaching the decision, the convicted person may submit to the Mechanism an application for review of the judgement. The Prosecutor may submit such an application within one year from the day that the final judgement was pronounced. The Chamber shall only review the judgement if after a preliminary examination a majority of judges of the Chamber agree that the new fact, if proved, could have been a decisive factor in reaching a decision.

Article 25

Enforcement of sentences

1. Imprisonment shall be served in a State designated by the Mechanism from a list of States with which the United Nations has agreements for this purpose. Such imprisonment shall be in accordance with the applicable law of the State concerned, subject to the supervision of the Mechanism.

2. The Mechanism shall have the power to supervise the enforcement of sentences pronounced by the ICTY, the ICTR or the Mechanism, including the implementation of sentence enforcement agreements entered into by the United Nations with Member States and other agreements with international and regional organizations and other appropriate organizations and bodies.

Article 26

Pardon or commutation of sentences

If, pursuant to the applicable law of the State in which the person convicted by the ICTY, the ICTR or the Mechanism is imprisoned, he or she is eligible for pardon or commutation of sentence, the State concerned shall notify the Mechanism accordingly. There shall only be pardon or commutation of sentence if the President of the Mechanism so decides on the basis of the interests of justice and the general principles of law.

Article 27

Management of the archives

1. Without prejudice to any prior conditions stipulated by, or arrangements with, the providers of information and documents, the archives of the ICTY, the ICTR and the Mechanism shall remain the property of the United Na-

tions. These archives shall be inviolable wherever located pursuant to section 4 of the Convention on the Privileges and Immunities of the United Nations of 13 February 1946.

2. The Mechanism shall be responsible for the management, including preservation and access, of these archives. The archives of the ICTY and the ICTR shall be co-located with the respective branches of the Mechanism.

3. In managing access to these archives, the Mechanism shall ensure the continued protection of confidential information, including information concerning protected witnesses, and information provided on a confidential basis. For this purpose, the Mechanism shall implement an information security and access regime, including for the classification and declassification, as appropriate, of the archives.

Article 28

Cooperation and judicial assistance

1. States shall cooperate with the Mechanism in the investigation and prosecution of persons covered by article 1 of this Statute.

2. States shall comply without undue delay with any request for assistance or an order issued by a Single Judge or Trial Chamber in relation to cases involving persons covered by article 1 of this Statute, including, but not limited to:

- (a) The identification and location of persons;
- (b) The taking of testimony and the production of evidence;
- (c) The service of documents;
- (d) The arrest or detention of persons;
- (e) The surrender or the transfer of the accused to the Mechanism.

3. The Mechanism shall respond to requests for assistance from national authorities in relation to investigation, prosecution and trial of those responsible for serious violations of international humanitarian law in the countries of the former Yugoslavia and Rwanda, including, where appropriate, providing assistance in tracking fugitives whose cases have been referred to national authorities by the ICTY, the ICTR or the Mechanism.

Article 29

The status, privileges and immunities of the Mechanism

1. The Convention on the Privileges and Immunities of the United Nations of 13 February 1946 shall apply to the Mechanism, the archives of the ICTY, the ICTR and the Mechanism, the judges, the Prosecutor and his or her staff, and the Registrar and his or her staff.

2. The President, the Prosecutor and the Registrar shall enjoy the privileges and immunities, exemptions and facilities accorded to diplomatic envoys, in accordance with international law. The judges of the Mechanism shall enjoy the same privileges and immunities, exemptions and facilities when engaged on the business of the Mechanism.

3. The staff of the Prosecutor and of the Registrar shall enjoy the privileges and immunities accorded to officials of the United Nations under articles V and VII of the Convention referred to in paragraph 1 of this article.

4. Defence counsel, when holding a certificate that he or she has been admitted as counsel by the Mechanism and when performing their official functions, and after prior notification by the Mechanism to the receiving State of their mission, arrival and final departure, shall enjoy the

same privileges and immunities as are accorded to experts on mission for the United Nations under article VI, section 22, paragraphs (a) to (c), and section 23, of the Convention referred to in paragraph 1 of this article. Without prejudice to their privileges and immunities, it is the duty of defence counsel enjoying such privileges and immunities to respect the laws and regulations of the receiving State.

5. Other persons, including the accused, required at the seats of the Mechanism shall be accorded such treatment as is necessary for the proper functioning of the Mechanism.

Article 30

Expenses of the Mechanism

The expenses of the Mechanism shall be expenses of the Organization in accordance with Article 17 of the Charter of the United Nations.

Article 31

Working languages

The working languages of the Mechanism shall be English and French.

Article 32

Reports

1. The President of the Mechanism shall submit an annual report of the Mechanism to the Security Council and to the General Assembly.

2. The President and Prosecutor shall submit six-monthly reports to the Security Council on the progress of the work of the Mechanism.

ANNEX 2

Transitional arrangements

Article 1

Trial proceedings

1. The ICTY and ICTR shall have competence to complete all trial or referral proceedings which are pending with them as of the commencement date of the respective branch of the Mechanism.

2. If a fugitive indicted by the ICTY or ICTR is arrested more than 12 months, or if a retrial is ordered by the Appeals Chamber more than 6 months prior to the commencement date of the respective branch of the Mechanism, the ICTY or ICTR, respectively, shall have competence over such person in accordance with their respective Statutes and Rules of Procedure and Evidence to conduct, and complete, the trial of such person, or to refer the case to the authorities of a State, as appropriate.

3. If a fugitive indicted by the ICTY or ICTR is arrested 12 months or less, or if a retrial is ordered 6 months or less prior to the commencement date of the respective branch of the Mechanism, the ICTY or ICTR, respectively, shall only have competence over such person in accordance with their respective Statutes and Rules of Procedure and Evidence to prepare the trial of such person, or to refer the case to the authorities of a State, as appropriate. As of the commencement date of the respective branch of the Mechanism, the Mechanism shall have competence over such person in accordance with article 1 of its Statute, including trial of such person or referral of the case, as appropriate.

4. If a fugitive indicted by the ICTY or ICTR is arrested or if a retrial is ordered on or after the commencement date

of the respective branch of the Mechanism, the Mechanism shall have competence over such person in accordance with article 1 of its Statute.

Article 2

Appeals proceedings

1. The ICTY and ICTR shall have competence to conduct, and complete, all appellate proceedings for which the notice of appeal against the judgement or sentence is filed prior to the commencement date of the respective branch of the Mechanism.

2. The Mechanism shall have competence to conduct, and complete, all appellate proceedings for which the notice of appeal against the judgement or sentence is filed on or after the commencement date of the respective branch of the Mechanism.

Article 3

Review proceedings

1. The ICTY and ICTR shall have competence to conduct, and complete, all review proceedings for which the application for review of the judgement is filed prior to the commencement date of the respective branch of the Mechanism.

2. The Mechanism shall have competence to conduct, and complete, all review proceedings for which the application for review of the judgement is filed on or after the commencement date of the respective branch of the Mechanism.

Article 4

Contempt of court and false testimony

1. The ICTY and ICTR shall have competence to conduct, and complete, all proceedings for contempt of court and false testimony for which the indictment is confirmed prior to the commencement date of the respective branch of the Mechanism.

2. The Mechanism shall have competence to conduct, and complete, all proceedings for contempt of court and false testimony for which the indictment is confirmed on or after the commencement date of the respective branch of the Mechanism.

Article 5

Protection of victims and witnesses

1. The ICTY and ICTR shall provide for the protection of victims and witnesses, and carry out all related judicial or prosecutorial functions, in relation to all cases for which the ICTY or ICTR, respectively, has competence pursuant to articles 1 to 4 of the present annex.

2. The Mechanism shall provide for the protection of victims and witnesses, and carry out all related judicial or prosecutorial functions, in relation to all cases for which the Mechanism has competence pursuant to articles 1 to 4 of the present annex.

3. The Mechanism shall provide for the protection of victims and witnesses, and carry out all related judicial or prosecutorial functions, where a person is a victim or witness in relation to two or more cases for which the Mechanism and the ICTY or ICTR, respectively, have competence pursuant to articles 1 to 4 of the present annex.

4. The ICTY and ICTR, respectively, shall make the necessary arrangements to ensure, as soon as possible, a coordinated transition of the victims and witness protec-

tion function to the Mechanism in relation to all completed cases of the Tribunals. As of the commencement date of the respective branch of the Mechanism, the Mechanism shall carry out all related judicial or prosecutorial functions in relation to these cases.

Article 6

Coordinated transition of other functions

The ICTY and ICTR, respectively, shall make the necessary arrangements to ensure, as soon as possible, a coordinated transition of the other functions of the Tribunals to the Mechanism, including the supervision of enforcement of sentences, assistance requests by national authorities and the management of records and archives. As of the commencement date of the respective branch of the Mechanism, the Mechanism shall carry out all related judicial or prosecutorial functions.

Article 7

Transitional arrangements for the President, Judges, Prosecutor, Registrar and staff

Notwithstanding the provisions of the Statutes of the Mechanism, the ICTY and ICTR,

(a) The President, Judges, Prosecutor and Registrar of the Mechanism may also hold the office of President, Judge, Prosecutor and Registrar, respectively, of the ICTY or ICTR;

(b) The staff members of the Mechanism may also be staff members of the ICTY or ICTR.

Working Group report. On 30 December [S/2010/684], the Chairman of the Informal Working Group on International Tribunals submitted a summary of its activities for the period 1 January to 31 December 2010, which focused primarily on efforts leading to the adoption of resolution 1966(2010) and the establishment of the residual mechanism to carry out certain essential functions of the Tribunals.

In other activities, the Working Group considered requests by the ICTR and ICTY Presidents, including the extension of the terms of office of judges and the appointment of additional *ad litem* judges in order to facilitate the completion strategies. The Group's recommendations led to the adoption of Security Council resolutions addressing those issues.

Feasibility study on ICTY information centres

Pursuant to a recommendation in the Secretary-General's 2009 [YUN 2009, p. 1297] report on options for possible locations for the ICTY and ICTR archives and the seat of the Tribunal's residual mechanism(s), ICTY prepared a feasibility study on the creation of ICTY information centres in the affected countries to give access to copies of the public records or the most important parts. The Secretary-General transmitted the study to the Security Council on 15 March [S/2010/154]. The study summarized the conduct of the mission, the services to be offered by information centres and potential users, and the expected impact of information centres. It also discussed possible

locations/institutions to become depositories of ICTY public records and/or host an information centre or become partners to it; the respective roles of Government, NGOs and UN-ICTY; and the conditions and possible obstacles. In general, the response to the idea of establishing information centres in the various locations visited was positive. Annexed to the study was a summary of views expressed by each interlocutor: Bosnia and Herzegovina, Croatia, Kosovo, the former Yugoslav Republic of Macedonia, Montenegro and Serbia. Among other recommendations, the study found that it was feasible and desirable to establish information centres at least in Bosnia and Herzegovina, Croatia and Serbia.

In other developments, the ICTY President established the Informal Consultative Working Group on the Establishment of Information Centres in the Region of the former Yugoslavia, made up of national officials from the region [S/2010/588].

International Criminal Court

In 2010, the International Criminal Court (ICC), established by the Rome Statute [YUN 1998, p. 1209] as a permanent institution with jurisdiction over persons accused of the most serious crimes of international concern (genocide, crimes against humanity, war crimes and the crime of aggression), carried out investigations in the Central African Republic, the Democratic Republic of the Congo (DRC), Darfur (Sudan), Kenya, and Uganda. Reports covering ICC activities during the year were submitted to the General Assembly [A/65/313; A/66/309]. As at 31 December, 114 countries had ratified the Rome Statute.

In July, a second arrest warrant was issued against Omar Hassan Ahmad Al-Bashir, President of the Sudan, for crimes against humanity and war crimes. At the end of July, there were nine arrest warrants outstanding, including that for Mr. Al-Bashir. Seven had been outstanding for three years and five had been outstanding for four or more years. The Office of the Prosecutor received and analysed 559 communications related to purported crimes between 1 August 2009 and 30 June 2010. The Office continued its preliminary examinations in Afghanistan, Colombia, Côte d'Ivoire, Georgia, Guinea and Palestine.

The first Review Conference of the Rome Statute of ICC (Kampala, Uganda, 31 May–11 June), convened by the UN Secretary-General, adopted the Kampala Declaration, in which States parties reaffirmed their commitment to the Rome Statute and its full implementation. States parties also decided to celebrate 17 July as the Day of International Criminal Justice.

GENERAL ASSEMBLY ACTION

On 23 November [meeting 52], the General Assembly adopted **resolution 65/12** [draft: A/65/L.13 & Add.1], without vote [agenda item 73].

Report of the International Criminal Court

The General Assembly,

Recalling its resolution 64/9 of 2 November 2009 and all its previous relevant resolutions,

Recalling also that the Rome Statute of the International Criminal Court reaffirms the purposes and principles of the Charter of the United Nations,

Reiterating the historic significance of the adoption of the Rome Statute,

Emphasizing that justice, especially transitional justice in conflict and post-conflict societies, is a fundamental building block of sustainable peace,

Convinced that ending impunity is essential if a society in conflict or recovering from conflict is to come to terms with past abuses committed against civilians affected by armed conflict and to prevent such abuses in the future,

Noting with satisfaction the fact that the International Criminal Court has achieved considerable progress in its analyses, investigations and judicial proceedings in various situations and cases which were referred to it by States parties to the Rome Statute and by the Security Council, in accordance with the Rome Statute,

Recalling that effective and comprehensive cooperation and assistance in all aspects of its mandate by States, the United Nations and other international and regional organizations remains essential for the International Criminal Court to carry out its activities,

Expressing its appreciation to the Secretary-General for providing effective and efficient assistance to the International Criminal Court in accordance with the Relationship Agreement between the United Nations and the International Criminal Court ("Relationship Agreement"),

Acknowledging the Relationship Agreement as approved by the General Assembly in its resolution 58/318 of 13 September 2004, including paragraph 3 of the resolution with respect to the payment in full of expenses accruing to the United Nations as a result of the implementation of the Relationship Agreement, which provides a framework for continued cooperation between the International Criminal Court and the United Nations, which could include the facilitation by the United Nations of the Court's field activities, and encouraging the conclusion of supplementary arrangements and agreements, as necessary,

Welcoming the continuous support given by civil society to the International Criminal Court,

Recognizing the role of the International Criminal Court in a multilateral system that aims to end impunity, establish the rule of law, promote and encourage respect for human rights and achieve sustainable peace, in accordance with international law and the purposes and principles of the Charter,

Expressing its appreciation to the International Criminal Court for providing assistance to the Special Court for Sierra Leone,

1. *Welcomes* the report of the International Criminal Court for 2009/10;

2. *Welcomes* the States that have become parties to the Rome Statute of the International Criminal Court in the past year, and calls upon all States in all regions of the world that are not yet parties to the Rome Statute to consider ratifying or acceding to it without delay;

3. *Welcomes* the States parties as well as States not parties to the Rome Statute that have become parties to the Agreement on the Privileges and Immunities of the International Criminal Court, and calls upon all States that have not yet done so to consider becoming parties to that Agreement;

4. *Calls upon* States parties to the Rome Statute that have not yet done so to adopt national legislation to implement obligations emanating from the Rome Statute and to cooperate with the International Criminal Court in the exercise of its functions, and recalls the provision of technical assistance by States parties in this respect;

5. *Welcomes* the cooperation and assistance provided thus far to the International Criminal Court by States parties as well as States not parties, the United Nations and other international and regional organizations, and calls upon those States that are under an obligation to cooperate to provide such cooperation and assistance in the future, in particular with regard to arrest and surrender, the provision of evidence, the protection and relocation of victims and witnesses and the enforcement of sentences;

6. *Emphasizes* the importance of cooperation with States that are not parties to the Rome Statute;

7. *Invites* regional organizations to consider concluding cooperation agreements with the International Criminal Court;

8. *Recalls* that, by virtue of article 12, paragraph 3, of the Rome Statute, if the acceptance of a State which is not a party to the Rome Statute is required under article 12, paragraph 2, of the Rome Statute, that State may, by declaration lodged with the Registrar of the International Criminal Court, accept the exercise of jurisdiction by the Court with respect to the crime in question;

9. *Encourages* all States parties to take the interests, needs for assistance and mandate of the International Criminal Court into account when relevant matters are being discussed in the United Nations;

10. *Emphasizes* the importance of the full implementation of the Relationship Agreement, which forms a framework for close cooperation between the two organizations and for consultation on matters of mutual interest pursuant to the provisions of that Agreement and in conformity with the respective provisions of the Charter of the United Nations and the Rome Statute, as well as the need for the Secretary-General to inform the General Assembly at its sixty-sixth session of the expenses incurred and reimbursements received by the United Nations in connection with assistance provided to the International Criminal Court;

11. *Expresses its appreciation* for the work undertaken by the International Criminal Court liaison office to United Nations Headquarters, and encourages the Secretary-General to continue to work closely with that office;

12. *Encourages* States to contribute to the Trust Fund established for the benefit of victims of crimes within the jurisdiction of the International Criminal Court and the families of such victims, and acknowledges with appreciation contributions made to that Trust Fund thus far;

13. *Notes* the Review Conference of the Rome Statute of the International Criminal Court, convened and opened by the Secretary-General and held in Kampala from 31 May to 11 June 2010, at which States parties reaffirmed their commitment to the Rome Statute and its full implementation, as well as its universality and integrity, and which undertook a stocktaking exercise of international criminal justice, considering the impact of the Rome Statute on victims and affected communities, peace and justice, complementarity and cooperation, called for the strengthening of the enforcement of sentences, adopted amendments to the Rome Statute to expand the jurisdiction of the Court to three additional war crimes when committed in armed conflicts not of an international character, adopted amendments to the Rome Statute to define the crime of aggression and to establish conditions under which the Court could exercise jurisdiction with respect to that crime, and decided to retain article 124 of the Rome Statute;

14. *Also notes* the report of the Secretary-General on the work of the Organization, in which the Secretary-General expresses the view that the link between peace, development and justice was strengthened through the outcome of the first Review Conference of the Rome Statute, and that the Kampala Declaration and the amendments to the Rome Statute, including on the crime of aggression, will provide the international community with additional tools for fighting impunity;

15. *Takes note* of the decision of the Assembly of States Parties to the Rome Statute at its seventh session, while recalling that according to article 112, paragraph 6, of the Rome Statute, the Assembly of States Parties shall meet at the seat of the International Criminal Court or at United Nations Headquarters, to hold its ninth session in New York, looks forward to the ninth session, which is to be held from 6 to 10 December 2010, and requests the Secretary-General to provide the necessary services and facilities in accordance with the Relationship Agreement and resolution 58/318;

16. *Encourages* the widest possible participation of States in the Assembly of States Parties, invites States to contribute to the Trust Fund for the participation of least developed countries, and acknowledges with appreciation contributions made to that Trust Fund thus far;

17. *Invites* the International Criminal Court to submit, in accordance with article 6 of the Relationship Agreement, a report on its activities for 2010/11, for consideration by the General Assembly at its sixty-sixth session.

Assembly of States Parties

The Assembly of States Parties to the Rome Statute of the International Criminal Court adopted two resolutions at its resumed eighth session (New York, 22–25 March) [ICC-ASP/8/20/Add.1] and five resolutions and two decisions at its ninth session (New York, 6–10 December) [ICC-ASP/9/20].

On 25 March, the Assembly adopted resolutions on one-time payments for the permanent premises [ICC-ASP/8/Res.8] and on the Review Conference of States Parties to the Rome Statute [ICC-ASP/8/Res.9].

On 10 December, the Assembly noted that the end of the construction phase of the Court's permanent premises was foreseen for mid-2015 and that the rent-free period of the interim premises would end in June 2012 [ICC-ASP/9/Res.1]. On the same date, the Assembly requested the Bureau of the Assembly to establish a study group on governance for a period of one year [ICC-ASP/9/Res.2] and to report on its findings at the Assembly's tenth (2011) regular session.

On strengthening ICC and the Assembly [ICC-ASP/9/Res.3], the Assembly decided to keep the status of ratifications to the Rome Statute under review, and to monitor implementing legislation, with a view to facilitating the provision of technical assistance that States parties or those wishing to become States parties to the Statute might wish to request from other States parties or institutions. It also noted that the African Union (AU) had rejected for the time being the opening of a liaison office for the Court at the AU Headquarters in Addis Ababa, Ethiopia.

In a resolution on the Independent Oversight Mechanism [ICC-ASP/9/Res.5], the Assembly decided that pending a decision on the operationalization of the inspection and evaluation functions of the mechanism, the Independent Oversight Mechanism would perform only its investigative function in accordance with the provisions annexed to the resolution. It also decided that the Bureau would prepare a report on the operationalization of the Independent Oversight Mechanism's investigative functions and the operation of the inspection and evaluation functions within the oversight mechanism, with a view to a decision on its adoption at the Assembly's next session. The Independent Oversight Mechanism was established by the Assembly in 2009 [YUN 2009, p. 1299].

As to financing, the Assembly approved the Court's 2011 programme budget [ICC-ASP/9/Res.4], with appropriations covering €103,607,900. It resolved that the Working Capital Fund for 2011 would be established in the amount of €7,405,983, and authorized the Registrar to make advances from the Fund.

Review Conference. At the Review Conference of the Rome Statute of ICC (Kampala, Uganda, 31 May–11 June) [RC/11], States parties reviewed and amended the Rome Statute, conducted a stocktaking of international criminal justice and made significant pledges on a wide range of issues. The Review Conference adopted six resolutions and two declarations. On 8 June, the Conference adopted resolutions on complementarity [RC/Res.1]; the impact of the Rome Statute system on victims and affected communities [RC/Res.2] and strengthening the enforcement of sentences [RC/Res.3]. On 10 June, resolutions on article 124 [RC/Res.4] and amendments to article 8 of the Rome Statute [RC/Res.5] were adopted. A resolution on the crime of aggression was adopted on 11 June [RC/Res.6].

It also adopted the Kampala Declaration [RC/Decl.1] (see below) and a Declaration on cooperation [RC/Decl.2].

The Security Council, in presidential statement **S/PRST/2010/11** of 29 June (see p. 42), took note of the stocktaking of international criminal justice undertaken by the first Review Conference.

Kampala Declaration. On 22 November [A/65/591], Liechtenstein transmitted to the Secretary-General a copy of the text of the Kampala Declaration, adopted by the representatives of the States parties to the Rome Statute of the ICC on 8 June. By that Declaration, it was also decided to celebrate 17 July, the day of the adoption of the Rome Statute in 1998 [YUN 1998, p. 1209], as the Day of International Criminal Justice.

The Chambers

The judicial activities of the Court were conducted by the Chambers, which consisted of 18 judges, organized in three divisions: the Appeals Division, the Trial Division and the Pre-Trial Division. In March, Pre-Trial Chamber II authorized the Prosecutor to initiate an investigation concerning Kenya. Pre-Trial Chamber I issued a decision in May to inform the Security Council about the lack of cooperation by the Sudan in the execution of arrest warrants against Mr. Ahmad Harun and Mr. Ali Kushayb. Pre-Trial Chamber I also issued a second warrant of arrest against Omar Hassan Ahmad Al-Bashir, the President of the Sudan, and two decisions on Mr. Al-Bashir's visits to Chad and Kenya (see below).

New arrests, warrants and summonses

During the year, there was one new arrest and two arrest warrants issued by the Court. Nine arrest warrants were outstanding at year's end: one in the situation in the DRC, four in the situation in Darfur (Sudan) and four in the situation in Uganda. Seven had been outstanding for three years and five had been outstanding for four or more years. The Court also unsealed two summonses, both in the situation in Darfur.

On 11 October, Callixte Mbarushimana, the alleged Executive Secretary of the Forces démocratiques de libération du Rwanda (FDLR) was arrested by French authorities, and the warrant of arrest was unsealed. The prosecution had filed the document containing the charges and list of evidence on 15 July, and Pre-Trial Chamber I had issued a warrant of arrest on 28 September, after finding reasonable grounds to believe that he personally and intentionally contributed to a common plan of the FDLR leadership to launch an offensive targeting the civilian population of the Kivus in order to obtain political concessions.

On 3 February, in the case against President Al-Bashir, the Appeals Chamber decided that Pre-Trial Chamber I had applied an erroneous standard of proof in deciding not to issue an arrest warrant and on 12 July, Pre-Trial Chamber I issued a second warrant of arrest with respect to three counts of genocide. The latter warrant of arrest did not replace or revoke the previous one issued on 4 March 2009 [YUN 2009, p. 1300] for five counts of crimes against humanity and two counts of war crimes. On 27 August [S/2010/456], Pre-Trial Chamber I issued two decisions informing the Security Council and the Assembly of States Parties to the Rome Statute of Mr. Al-Bashir's visits to Chad and Kenya, in order for them to take any action they might deem appropriate. Mr. Al-Bashir remained at large.

On 15 June, in the case against Abdallah Banda Abakaer Nourain, former Commander-in-Chief of the Justice and Equality Movement and Saleh Mohammed Jerbo Jamus, former Chief-of-Staff of the Sudan Liberation Army-Unity, summonses to appear were unsealed. Mssrs. Banda and Jerbo both appeared voluntarily before Pre-Trial Chamber I for an initial appearance on 17 June. The prosecution alleged that both men participated as co-perpetrators or indirect co-perpetrators to an attack on the Haskanita military group site on 29 September 2007. The confirmation of charges hearing was held on 8 December.

On 9 December [S/PV.6440], during the presentation of his twelfth report to the Security Council on the status of the investigation into the situation in Darfur, the Prosecutor highlighted the lack of cooperation by the Government of the Sudan, the continuation of the alleged crimes on the ground and the need to execute the outstanding arrest warrants.

Communications. On 31 August [S/2010/458], in reference to the decisions issued by Pre-Trial Chamber I on 27 August, the Sudan transmitted to the Council President a 29 August press communiqué issued by the AU condemning the action taken by the ICC.

Ongoing cases, trials and appeals

On 7 January, the defence started the presentation of its evidence in the trial against Thomas Lubanga Dyilo [YUN 2009, p. 1301]. Mr. Lubanga, alleged to be the leader of the Union des patriotes congolais and Commander-in-Chief of its military wing, the Forces patriotiques pour la libération du Congo, was charged with having committed war crimes in the DRC, specifically enlisting, conscripting and using children under the age of 15 years to participate actively in hostilities. From January to July, the defence tendered 133 items of evidence and called 19 witnesses to testify over a total of 68 trial days. On 8 July, Trial Chamber I

ordered a stay of the proceedings as a consequence of the prosecution's material non-compliance with the Chamber's orders and, on 15 July, ordered the unrestricted and unconditional release of Mr. Lubanga, subject to the prosecution's appeal and an order of suspensive effect by the Appeals Chamber. On 23 July, the Appeals Chamber granted suspensive effect and the prosecution appealed the decision on release. On 8 October, the Appeals Chamber reversed the decisions of Trial Chamber I to stay the proceedings and to release the accused, finding that before ordering a stay of proceedings, the Trial Chamber should have first imposed sanctions under article 71 of the Rome Statute to bring about compliance.

On 8 February, in the case against Bahr Idriss Abu Garda, the Chairman and General Coordinator of Military Operations of the United Resistant Force who was charged with three counts of war crimes in connection with a September 2007 attack against the AU peacekeeping mission in Haskanita, Darfur [YUN 2009, p. 1300], Pre-Trial Chamber I declined to confirm the charges against Mr. Abu Garda on the grounds that the prosecution's allegation that he participated in the attack was not supported by sufficient evidence. Mr. Abu Garda had appeared voluntarily on the basis of a summons to appear in May 2009, and the hearing took place from 19 to 30 October [ibid.]. On 23 April 2010, Pre-Trial Chamber I rejected the prosecution's application for leave to appeal the decision rejecting the confirmation of charges. The prosecution stated that it would submit additional evidence.

On 25 February, the defence submitted a challenge to the admissibility of the case against Jean-Pierre Bemba Gombo on the grounds of respecting complementarity between the work of the Court and judicial proceedings in the Central African Republic, an alleged lack of the requisite level of gravity of the case and an alleged abuse of process. The charges against Mr. Bemba of three counts of war crimes (murder, rape and pillage) and two counts of crimes against humanity (murder and rape), in his capacity as a military commander, were confirmed in June 2009 and the case was referred to Trial Chamber III in September [YUN 2009, p. 1300]. On 24 June 2010, Trial Chamber III rejected the defence motion in totality, which was immediately appealed by the defence. On 7 July, Trial Chamber III postponed *sine die* the commencement of the trial until the resolution of the challenge by the Appeals Chamber. On 19 October, the Appeals Chamber delivered its judgement, confirming the 24 June decision of Trial Chamber III, finding that when a Trial Chamber was presented with the question of whether the outcome of domestic judicial proceedings was equivalent to a decision not to prosecute in terms of article 17, paragraph (1) (b), of the Statute, the Trial Chamber should accept *prima facie* the va-

lidity and effect of the decisions of domestic courts, unless presented with compelling evidence indicating otherwise. Mr. Bemba's trial started on 22 November before Trial Chamber III.

The trial of Germain Katanga and Mathieu Ngudjolo Chui, two former leaders of armed groups active in the Ituri region of the DRC, started on 24 November 2009 [YUN 2009, p. 1301] before Trial Chamber II, and the prosecution concluded its presentation of live evidence in the case on 8 December. The prosecution presented 270 pieces of evidence and called 24 witnesses, including two expert witnesses, to testify during its case. Messrs. Katanga and Ngudjolo were both charged in September 2008 [YUN 2008, p. 1428] with seven counts of war crimes and three charges of crimes against humanity, allegedly committed in an attack on the Bogoro village on 24 February 2003.

Office of the Prosecutor

Investigations

In 2010, the Office of the Prosecutor continued to investigate the situations in the Central African Republic, the DRC, Darfur (Sudan) and Uganda. In March, the Prosecutor was authorized to initiate an investigation into a fifth situation, in Kenya. During the period 1 August 2009 to 30 June 2010, the Office conducted 22 missions to four countries in relation to the situation in the Central African Republic, including for the purpose of assessing witnesses for trial. It continued to closely monitor allegations of crimes committed since the end of 2005, and whether any investigation and prosecution had been, or was being, conducted with respect to crimes potentially falling under the Court's jurisdiction.

The Office conducted a total of 22 missions to six countries mainly for the support of trials pertaining to the situation in the DRC, as well as 42 missions to 11 countries for its third investigation in the country, focusing on the Kivu provinces. The Office was working on all the groups active in the region, including the Forces démocratiques de libération du Rwanda, the Congrès national pour la défense du peuple, the regular forces, and local defence forces such as the Mai-Mai.

On 31 March, following the Prosecutor's request for authorization to open an investigation into the situation in Kenya [YUN 2009, p. 1302], Pre-Trial Chamber II authorized an investigation covering alleged crimes against humanity committed in the country between 1 June 2005 and 26 November 2009. The Office conducted 27 missions to 11 countries, including the Prosecutor's visit to Kenya in May. On 15 December, the Prosecutor submitted two applications for summonses to appear regarding six individuals.

On the situation in Darfur, the prosecution filed a request on 19 April with Pre-Trial Chamber I to

make a finding under article 87 of the Statute that the Government of the Sudan had failed to cooperate with ICC according to Security Council resolution 1593(2005) [YUN 2005, p. 324] in the execution of arrest warrants against Mr. Ahmed Harun and Mr. Ali Kushayb [YUN 2007, p. 1354]. On 25 May, the Pre-Trial Chamber issued a decision to inform Council members about the lack of cooperation by the Sudan, and by a letter dated 28 May [S/2010/265], the Secretary-General transmitted the decision to the Council President. In his 11 June [S/PV.6336] briefing, the Prosecutor urged Council members to ensure that the arrest of Messrs. Harun and Kushayb was a consistent request of the Organization. Between 1 August 2009 and 30 June 2010, the Office conducted 25 missions to 11 countries for the cases against Messrs. Al-Bashir, Harun and Kushayb. In his 9 December [S/PV. 6440] briefing, the Prosecutor updated the Council on the decision of Pre-Trial Chamber I to issue a second arrest warrant against President Al-Bashir on three charges of genocide (see p. 1317), and confirmed that the Government of the Sudan was neither cooperating with the Court nor conducting national proceedings against those responsible for the crimes committed.

The Office conducted investigative activities on the situation in Uganda, including five missions to four countries. It collected a range of information on crimes allegedly being committed by the Lord's Resistance Army (LRA), led by Joseph Kony, across a wide area in the Central African Republic, the DRC and the Sudan. Incidence of LRA crimes continued at a high rate throughout the year with a substantial numbers of killings and abductions. In the period December 2009 to April 2010, LRA was reported to have killed over 500 civilians and abducted over 400 in Niangara territory, Haut Uélé District of Orientale Province in the DRC. The Office also continued to gather and analyse information in relation to alleged crimes committed by the Uganda People's Defence Forces and related national proceedings.

Preliminary examinations. The Office of the Prosecutor continued to proactively monitor information on crimes potentially falling within the jurisdiction of the Court, analysing communications received from various sources. Between 1 August 2009 and 30 June 2010, the Office had received 559 communications relating to article 15 of the Rome Statute. The Office was also conducting preliminary examinations, including in Afghanistan, Colombia, Côte d'Ivoire, Georgia, Guinea and Palestine.

On 18 November, the Office announced that the situation in Honduras was under preliminary examination and made its examination of the situation in Nigeria public. On 6 December, the Office announced the receipt of communications alleging that forces of the Democratic People's Republic of

Korea had committed war crimes in the territory of the Republic of Korea. The preliminary examination focused on two incidents: the 26 March 2010 sinking of a Republic of Korea naval ship (see p. 387) and the 23 November shelling of Yeonpyeong-Do (see p. 388).

The Registry

The ICC Registry provided judicial and administrative support to all organs of the Court and carried out its specific responsibilities concerning victims, witnesses, defence and outreach. The Registry sought to develop understanding and awareness of ICC and its activities by strengthening the Court's public information capacity for outreach services in countries where the Court was active. It provided security, administrative and logistical support to the Court's investigations.

At its eighth (2009) session, the Assembly of States Parties established an Independent Oversight Mechanism [YUN 2009, p. 1299] and requested the Registrar of the Court to enter into a memorandum of understanding (MOU) with the Office of Internal Oversight Services (OIOS) of the UN Secretariat to provide support services on a cost-recovery basis for the operationalization of the oversight mechanism. The MOU was signed in July 2010 (see below).

International cooperation

The Rome Statute obliged its States parties to cooperate fully with the Court in its investigations and prosecutions and provided the basis for the cooperation of States, international organizations and civil society with the Court. UN cooperation remained essential to the Court institutionally and in the different situations and cases. The organization and running of the Review Conference (see p. 1316) was an instance of Court cooperation through the UN Office at Nairobi. It also provided facilities and services for the resumption of the eighth session of the Assembly of States Parties to the Rome Statute in March (see p. 1316). On 16 July, the Court and the United Nations signed an MOU to facilitate the secondment of an expert from OIOS to act as the temporary head of the ICC Independent Oversight Mechanism until 18 July 2011. On 9 December, the ICC President and the UN Secretary-General discussed the potential UN role in the strengthening of national justice systems.

The Court made numerous requests to States, other international organizations and civil society for cooperation or assistance. It also continued to develop its structural arrangements for cooperation with States, especially with respect to analysis and investigative activities, asset tracking and freezing, victim and witness protection, arrest operations, the enforcement of sentences and the provisional release of accused per-

sons pending trial. Three further agreements on the enforcement of sentences were concluded during the reporting period with Belgium, Denmark and Finland. Efforts continued to finalize an MOU between the AU and the Court. With regard to the Assembly of States Parties' decision in 2009 [YUN 2009, p. 1300] to establish an ICC liaison office at AU headquarters in Addis Ababa, Ethiopia, on 29 July, the AU Assembly decided to reject for the time being the request by the Court to open the liaison office. The Court met regularly with representatives of States, international organizations and civil society to update them on its work and discuss items of mutual interest.

Report of Secretary-General. Pursuant to General Assembly resolution 64/9 [YUN 2009, p. 1298], the Secretary-General submitted an August [A/65/315] report on expenses incurred and reimbursement received by the United Nations for assistance provided to ICC. During the period 1 August 2009 to 30 June 2010, the United Nations provided facilities and services to ICC in the amount of \$534,913. In addition, the United Nations Organization Mission in the Democratic Republic of the Congo provided transportation and other services to ICC amounting to \$48,407. The Court regularly reimbursed the United Nations.

International legal questions

In 2010, the International Law Commission continued to examine topics relating to the progressive development and codification of international law. It provisionally adopted 59 draft guidelines on reservations to treaties, including 11 draft guidelines dealing with the freedom to formulate objections and with matters relating to the permissibility of reactions to reservations and of interpretative declarations and reactions thereto. The Commission thus completed the provisional adoption of the set of draft guidelines. It also referred to the Drafting Committee 14 draft articles on the expulsion of aliens and 17 draft articles on the effects of armed conflicts on treaties. The Commission further adopted five draft articles on the protection of persons in the event of disasters. It reconstituted its working groups on shared natural resources, on the obligation to extradite or prosecute (*aut dedere aut judicare*) and on the long-term programme of work, as well as its study groups on the most-favoured-nation clause and treaties over time. The Commission also established a planning group to consider the programme, procedures and working methods on settlement of disputes clauses.

The Ad Hoc Committee established by the General Assembly continued to elaborate a draft comprehensive convention on international terrorism. In July, the Secretary-General reported on measures taken by States, UN system entities and international organizations to implement the 1994 General Assembly Declaration on Measures to Eliminate International Terrorism. The Assembly's Sixth (Legal) Committee in October established a working group with a view to finalizing the draft comprehensive convention. In December, the Assembly condemned all acts, methods and practices of terrorism as criminal and unjustifiable, and called on States to implement the United Nations Global Counter-Terrorism Strategy at the international, regional, subregional and national levels.

The United Nations Commission on International Trade Law (UNCITRAL) adopted the UNCITRAL Arbitration Rules as revised in 2010, the UNCITRAL Legislative Guide on Secured Transactions: Supplement on Security Rights in Intellectual Property, and part three of the UNCITRAL Legislative Guide on Insolvency Law on the treatment of enterprise groups in insolvency. It continued work on procurement, arbitration and conciliation, insolvency law and security interests, and considered possible future work in the areas of electronic commerce, online dispute

resolution, insolvency law and security interests. On the issue of microfinance, it agreed to convene a colloquium to explore the legal and regulatory issues surrounding microfinance that fell within its mandate.

The Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization continued to consider, among other items, proposals relating to the maintenance of international peace and security, with a view to strengthening the Organization, and the implementation of Charter provisions on assistance to third States affected by the application of sanctions under Chapter VII.

The Committee on Relations with the Host Country addressed issues raised by permanent missions to the United Nations, including acceleration of immigration and customs procedures, entry visas issued by the host country, and the question of security of missions and safety of personnel.

Legal aspects of international political relations

International Law Commission

The 34-member International Law Commission (ILC) held its sixty-second session in Geneva in two parts (3 May–4 June; 5 July–6 August) [A/65/10]. During the second part, the International Law Seminar held its forty-sixth session, which was attended by 26 participants from all regions of the world. They observed ILC meetings, attended specially arranged lectures and participated in working groups on specific topics.

ILC carried out its work with the assistance of various working groups and a Drafting Committee. On the topic of reservations to treaties, ILC considered the fifteenth and sixteenth reports of the Special Rapporteur, and in particular, acceptances of and objections to reservations, legal effects of reservations and of interpretative declarations and reactions thereto, as well as interpretative declarations in relation to the succession of States. ILC referred 57 draft guidelines to the Drafting Committee. It also provisionally adopted 59 draft guidelines, together with commentaries, including 11 draft guidelines that had been provisionally adopted by the Drafting Committee at its sixty-first

session (2009) [YUN 2009, p. 1312], which dealt with the freedom to formulate objections and with matters relating to the permissibility of reactions to reservations and of interpretative declarations and reactions thereto. ILC thus completed the provisional adoption of the set of draft guidelines with commentaries.

On the expulsion of aliens, ILC considered the Special Rapporteur's sixth report, which addressed collective expulsion, disguised expulsion, extradition disguised as expulsion, the grounds for expulsion, detention pending expulsion and expulsion proceedings. The Commission also considered comments and information received from Governments and referred 14 draft articles to the Drafting Committee. On the effects of armed conflicts on treaties, the Commission considered the Special Rapporteur's first report, which contained his proposals for the reformulation of the draft articles as adopted on first reading, taking into account the comments and observations of Governments. The Commission referred 17 articles to the Drafting Committee.

On the protection of persons in the event of disasters, the Commission had before it the third report of the Special Rapporteur, which focused on the humanitarian principles of neutrality, impartiality and humanity, as well as the underlying concept of respect for human dignity. The report also considered the question of the primary responsibility of the affected State to protect persons affected by a disaster on its territory, and undertook an initial consideration of the requirement that external assistance be provided on the basis of the consent of the affected State. ILC referred three draft articles to its Drafting Committee and adopted five draft articles.

On the obligation to extradite or prosecute (*aut dedere aut judicare*), the Commission had before it a survey of multilateral conventions that could be of relevance for its work on the topic, as well as a working paper prepared by its Special Rapporteur, which contained observations and suggestions based on the general framework proposed in 2009 [YUN 2009, p. 1307]. The Commission reconstituted the Working Group, established in 2009 [ibid.], which continued its discussions with the aim of specifying the issues to be addressed to facilitate the work of the Special Rapporteur.

On shared natural resources, the Commission's Working Group on the topic continued its assessment on the feasibility of future work on oil and gas on the basis of a working paper. The Working Group also had before it comments and observations received from Governments. The Commission endorsed the recommendation of the Working Group that it should not take up the consideration of the oil and gas aspects with regard to shared natural resources.

The Commission reconstituted the study group on the most-favoured-nation clause, which considered the various papers prepared on the basis of the framework agreed upon in 2009 [YUN 2009, p. 1307]. It also reconstituted the study group on treaties over time.

The Commission had before it a note on settlement of disputes clauses, prepared by the Secretariat, and decided to continue the debate on the issue at its next session. It was agreed that a member of the Commission would prepare a working paper for that purpose. The Commission established a planning group to consider its programme, procedures and working methods. The Working Group on the Long-term programme of work was reconstituted. The Commission decided that its sixty-third session would be held in Geneva from 26 April to 3 June and 4 July to 12 August 2011.

Topical summary report. Pursuant to General Assembly resolution 64/114 [YUN 2009, p. 1304], the Secretariat prepared a topical summary [A/CN.4/620 & Add.1] of the debate held on the report of the Commission at the Assembly's sixty-fourth (2009) session.

Assistance to special rapporteurs. Pursuant to Assembly resolution 64/114, the Secretary-General in July submitted a report [A/65/186] on assistance provided to ILC special rapporteurs, which also contained information on the challenges encountered in their work.

Commission vacancies. Following the election of ILC member Xue Hanqin (China) to the International Court of Justice and her subsequent resignation from ILC, the Secretariat in June issued a note [A/CN.4/632 & Add.1] on filling the vacant seat according to the ILC Statute.

Following the death of ILC member Paula Escarameia (Portugal), the Secretariat in December issued a note [A/CN.4/635] on filling the vacant seat according to the ILC Statute.

Reservations to treaties

ILC considered [A/65/10] addendum 2 to the fourteenth report [A/CN.4/614/Add.2] and the fifteenth [A/CN.4/624 & Add.1,2] and sixteenth [A/CN.4/626 & Add.1] reports of Special Rapporteur Alain Pellet (France). Addendum 2 to the fourteenth report and the fifteenth report considered the legal effects of reservations, acceptances of reservations and objections to reservations, as well as the legal effects of interpretative declarations and reactions thereto. Following a debate in plenary on those reports, the Commission referred 37 draft guidelines to the Drafting Committee. The sixteenth report considered the issue of reservations, objections to reservations, acceptances of reservations and interpretative declarations in relation to the succession of States. Following a debate in

plenary, the Commission referred 20 draft guidelines to the Drafting Committee. The Commission also had before it a memorandum by the Secretariat on reservations to treaties in the context of succession of States, which had been submitted in 2009 [YUN 2009, p. 1312].

On 26 May, the Commission provisionally adopted the following draft guidelines: 2.6.3 (Freedom to formulate objections), 2.6.4 (Freedom to oppose the entry into force of the treaty vis-à-vis the author of the reservation), 3.4.1 (Permissibility of the acceptance of a reservation), 3.4.2 (Permissibility of an objection to a reservation), 3.5 (Permissibility of an interpretative declaration), 3.5.1 (Permissibility of an interpretative declaration which is in fact a reservation), 3.5.2 (Conditions for the permissibility of a conditional interpretative declaration), 3.5.3 (Competence to assess the permissibility of a conditional interpretative declaration), 3.6 (Permissibility of reactions to interpretative declarations), 3.6.1 (Permissibility of approvals of interpretative declarations) and 3.6.2 (Permissibility of oppositions to interpretative declarations). The Commission also adopted the title of section 3.4 of the Guide to Practice (Permissibility of reactions to reservations).

On 5 July, the Commission provisionally adopted the following draft guidelines: 4.1 (Establishment of a reservation with regard to another State or organization), 4.1.1 (Establishment of a reservation expressly authorized by a treaty), 4.1.2 (Establishment of a reservation to a treaty which has to be applied in its entirety), 4.1.3 (Establishment of a reservation to a constituent instrument of an international organization), 4.2.1 (Status of the author of an established reservation), 4.2.2 (Effect of the establishment of a reservation on the entry into force of a treaty), 4.2.3 (Effect of the establishment of a reservation on the status of the author as a party to the treaty), 4.2.4 (Effect of an established reservation on treaty relations), 4.2.5 (Non-reciprocal application of obligations to which a reservation relates), 4.3 (Effect of an objection to a valid reservation), 4.3.1 (Effect of an objection on the entry into force of the treaty as between the author of the objection and the author of a reservation), 4.3.2 (Entry into force of the treaty between the author of a reservation and the author of an objection), 4.3.3 (Non-entry into force of the treaty for the author of a reservation when unanimous acceptance is required), 4.3.4 (Non-entry into force of the treaty as between the author of a reservation and the author of an objection with maximum effect), 4.3.5 (Effect of an objection on treaty relations), 4.3.6 (Effect of an objection on provisions other than those to which the reservation relates), 4.3.7 (Right of the author of a valid reservation not to be compelled to comply with the treaty without the benefit of its reservation), 4.4.1 (Absence of effect on rights

and obligations under another treaty), 4.4.2 (Absence of effect on rights and obligations under customary international law) and 4.4.3 (Absence of effect on a peremptory norm of general international law (*jus cogens*)). The Commission also adopted the titles of section 4 (Legal effects of reservations and interpretative declarations), section 4.2 (Effects of an established reservation) and section 4.4 (Effect of a reservation on rights and obligations outside of the treaty) of the Guide to Practice.

On 8 July, the Commission provisionally adopted the following draft guidelines: 5.1.1 (Newly independent States), 5.1.2 (Uniting or separation of States), 5.1.3 (Irrelevance of certain reservations in cases involving a uniting of States), 5.1.4 (Establishment of new reservations formulated by a successor State), 5.1.5 (Maintenance of the territorial scope of reservations formulated by the predecessor State), 5.1.6 (Territorial scope of reservations in cases involving a uniting of States), 5.1.7 (Territorial scope of reservations of the successor State in cases of succession involving part of a territory), 5.1.8 (Timing of the effects of non-maintenance by a successor State of a reservation formulated by the predecessor State), 5.1.9 (Late reservations formulated by a successor State), 5.2.1 (Maintenance by the successor State of objections formulated by the predecessor State), 5.2.2 (Irrelevance of certain objections in cases involving a uniting of States), 5.2.3 (Maintenance of objections to reservations of the predecessor State), 5.2.4 (Reservations of the predecessor State to which no objections have been made), 5.2.5 (Capacity of a successor State to formulate objections to reservations), 5.2.6 (Objections by a successor State other than a newly independent State in respect of which a treaty continues in force), 5.3.1 (Maintenance by a newly independent State of express acceptances formulated by the predecessor State), 5.3.2 (Maintenance by a successor State other than a newly independent State of express acceptances formulated by the predecessor State), 5.3.3 (Timing of the effects of non-maintenance by a successor State of an express acceptance formulated by the predecessor State) and 5.4.1 (Interpretative declarations formulated by the predecessor State). The Commission also adopted the titles of sections 5 (Reservations, acceptances of and objections to reservations, and interpretative declarations in the case of succession of States), 5.1 (Reservations and succession of States), 5.2 (Objections to reservations and succession of States), 5.3 (Acceptances of reservations and succession of States) and 5.4 (Interpretative declarations and succession of States) of the Guide to Practice.

On 27 July, the Commission provisionally adopted the following guidelines: 3.3.2 (Effect of individual acceptance of an impermissible reservation), 3.3.3 (Effect of collective acceptance of an impermissible

reservation), 4.5.1 (Nullity of an invalid reservation), 4.5.2 (Status of the author of an invalid reservation in relation to the treaty), 4.5.3 (Reactions to an invalid reservation), 4.6 (Absence of effect of a reservation on the relations between the other parties to the treaty), 4.7.1 (Clarification of the terms of the treaty by an interpretative declaration), 4.7.2 (Effect of the modification or the withdrawal of an interpretative declaration in respect of its author) and 4.7.3 (Effect of an interpretative declaration approved by all the contracting States and contracting organizations). At the same meeting the Commission also adopted the titles of sections 4.5 (Consequences of an invalid reservation) and 4.7 (Effect of an interpretative declaration) of the Guide to Practice.

The Commission also adopted the commentaries to the draft guidelines.

Having provisionally adopted the entire set of draft guidelines of the Guide to Practice on Reservations to Treaties, the Commission noted that it intended to adopt the final version of the Guide during its sixty-third (2011) session. In doing so, the Commission would take into consideration the observations of States and international organizations, as well as the organs with which the Commission cooperated, together with further observations received by its Secretariat before 31 January 2011. On 5 August, the Commission expressed its appreciation for the outstanding contribution Special Rapporteur Pellet had made to the treatment of the topic through his scholarly research and vast experience, thus enabling the Commission to provisionally adopt the complete Guide.

Expulsion of aliens

ILC had before it [A/65/10] the sixth report on the expulsion of aliens [A/CN.4/625 & Add.1] by Special Rapporteur Maurice Kamto (Cameroon), and the comments and information received from Governments [A/CN.4/628]. The Commission considered the report, which studied collective expulsion, disguised expulsion, extradition disguised as expulsion, the grounds for expulsion, detention pending expulsion and expulsion proceedings. On 7 May, the Commission referred to the Drafting Committee draft articles 8 to 15 on protection of the human rights of persons who had been or were being expelled. On 16 July, the Commission referred to the Drafting Committee draft articles A and 9, and draft articles B1 and C1, as well as draft articles B and A1, as revised by the Special Rapporteur during the session.

During its discussions with regard to methodology, it was suggested that the draft articles could be reorganized in five parts: a first part could determine the scope of the draft articles and define “expulsion”; a second part could set forth the conditions that had

to be met if expulsion were to be internationally lawful; a third part could cover procedural matters; a fourth part could contain provisions concerning the property of the expelled person; and a fifth part could be devoted to the legal obligations of the States of transit and destination. It was stated that the report could have paid more attention to the practice of States in certain regions of the world and to the views they expressed in international forums. It was noted that the lack of definitive findings that could be drawn from the sources consulted showed that the subject might not be ripe for codification. It was therefore more a matter of identifying and recommending standards adopted in reasonably unequivocal practice. Commission members also reiterated the view that the subject lent itself more to political negotiation than to an exercise in codification and progressive development.

Several Commission members endorsed the Rapporteur’s opinion that disguised expulsion was by its nature contrary to international law because it violated all procedural guarantees and prevented the rights of the expelled person from being protected. It was further suggested that it should be made clear that the prohibition of disguised expulsion also applied to States of transit and destination. With regard to the grounds for expulsion, a number of members stressed the importance of the distinction between aliens lawfully and those unlawfully present in the territory of a State, a distinction frequently borne out by State practice. It was pointed out that the unlawful nature of an alien’s presence in the territory of a State was a sufficient ground for expulsion under the legislation of many States, as long as the procedural guarantees envisaged under international and domestic law were observed.

It was suggested that more specifics should be provided, either in the text or in the commentary, on the grounds for expulsion that were contrary to international law. In particular, some speakers underlined the fact that “cultural” grounds for expulsion, which served to limit the number of foreign workers in a country, were prohibited by international law, as they violated the principle of non-discrimination. Mention was also made of the unlawful nature of expulsion for purposes of reprisal, and it was suggested that expulsion on grounds of morality should be excluded. With regard to the procedural rules relevant to expulsion, some members agreed with the Rapporteur that a distinction should be made between aliens legally (or lawfully) in a State’s territory and aliens illegally (or unlawfully) in that territory. Some members pointed out that the distinction was grounded in various international instruments, international jurisprudence and national legislation and jurisprudence.

Effects of armed conflict on treaties

The Commission [A/65/10] had before it the first report of Special Rapporteur Lucius Caflisch (Switzerland) [A/CN.4/627 & Add.1], which contained his proposals for reformulating the draft articles as adopted on first reading, and a compilation of comments and observations received from Governments [A/CN.4/622 & Add.1]. It commenced the second reading of the draft articles on the effects of armed conflicts on treaties, which had been adopted on first reading in 2008 [YUN 2008, p. 1438]. Following a debate in plenary on the report of the Rapporteur, the Commission referred all the draft articles and the annex to the Drafting Committee.

General support was expressed for the methodology adopted in preparing the first report. It was suggested that increased emphasis be given to State practice. Other members noted that State practice was scarce and, at times, contradictory.

Protection of persons in the event of disasters

The Commission considered [A/65/10] the third report on the protection of persons in the event of disasters [A/CN.4/629] by Special Rapporteur Eduardo Valencia-Ospina (Colombia), dealing with the humanitarian principles of neutrality, impartiality and humanity, as well as the underlying concept of respect for human dignity. The report also considered the question of the primary responsibility of the affected State to protect persons affected by a disaster on its territory, and undertook an initial consideration of the requirement that external assistance be provided on the basis of the consent of the affected State. Following a debate in plenary, the Commission on 4 June referred draft articles 6 to 8, as proposed by the Special Rapporteur, to the Drafting Committee. The Commission also adopted draft articles 1 to 5. On 20 July, the Commission took note of draft articles 6 to 9, as provisionally adopted by the Drafting Committee [A/CN.4/L.776], relating to the humanitarian principles in disaster response, the inherent human dignity of the human person, the obligation to respect the human rights of affected persons, and the role of the affected State.

The Special Rapporteur recalled that it had been recommended that he focus on two issues: the principles, in addition to that of consent, directly relevant to the protection of persons, including the humanitarian principles of humanity, neutrality and impartiality; and the question of the primary responsibility of the affected State for protecting persons under its territorial jurisdiction, which also raised issues concerning the fundamental principles of sovereignty

and non-intervention. He noted that the principle of humanity in its contemporary meaning was the cornerstone for the protection of persons in international law and served as a meeting point between international humanitarian law and international human rights law. Accordingly, it provided the necessary inspiration for instruments on the protection of persons in the event of disasters, and was an expression of general values that provided guidance to the international system as a whole, both in times of war and in times of peace. He had chosen to include the principle in the draft articles since it was equally applicable in times of crisis arising out of the onset of a disaster.

Extradition

The Commission [A/65/10] had before it a survey of multilateral conventions [A/CN.4/630], prepared by the Secretariat, which could be relevant for the work of the Commission on the obligation to extradite or prosecute (*aut dedere aut judicare*), as well as a working paper prepared by Special Rapporteur Zdzisław Galicki (Poland) [A/CN.4/L.774], which contained observations and suggestions based on the general framework proposed in 2009 [YUN 2009, p. 1307] and drew upon the survey by the Secretariat.

ILC reconstituted the Working Group, which continued its discussions with the aim of specifying the issues to be addressed to facilitate the work of the Rapporteur and affirmed the continuing relevance of the general work agreed upon in 2009. Taking into account the practice of the Commission, the Working Group reaffirmed that the general orientation of future reports of the Rapporteur should be towards presenting draft articles for consideration by the Commission, based on the general framework agreed upon in 2009. On 30 July, the Commission took note of the oral report presented by the temporary Chairman of the Working Group.

Immunity of State officials

The Commission had before it the second report on immunity of State officials from foreign criminal jurisdiction [A/CN.4/631] by Special Rapporteur Roman Anatolevich Kolodkin (Russia Federation). The Commission was not in a position to consider that report during the session.

Treaties over time

The Commission [A/65/10] reconstituted the study group on treaties over time [YUN 2009, p. 1308], which began its work on the aspects of the topic relating to subsequent agreements and practice, on

the basis of an introductory report prepared by its Chairman, Georg Nolte (Germany), on the relevant jurisprudence of the International Court of Justice and of arbitral tribunals of ad hoc jurisdiction.

The discussion touched upon issues relating to the significance and role of subsequent agreements and practice in the interpretation of treaties, and possibly also in their modification. Issues discussed included: whether different judicial or quasi-judicial bodies had a different understanding of, or had a tendency to give a different weight to, subsequent agreements and practice in the interpretation of treaties; and whether the relevance and significance of subsequent agreements and practice could vary depending on factors relating to the treaty concerned, such as its age, its subject matter or its past- or future-oriented nature. It was generally felt, however, that no definitive conclusions could be drawn on those issues at that stage.

The Commission on 30 July took note of the oral report of the Chairman of the study group and approved the recommendation that a request for information be included in Chapter III of the Commission's report and brought to the attention of States by the Secretariat.

Most-favoured-nation clause

The Commission [A/65/10] reconstituted the study group on the most-favoured-nation (MFN) clause, which considered papers prepared on the basis of the framework agreed upon in 2009 [YUN 2009, p. 1307], including a catalogue of MFN provisions and papers on the 1978 draft articles [YUN 1978, p. 945]; the practice of the General Agreement on Tariffs and Trade (GATT) and the World Trade Organization (WTO); the work of the Organization for Economic Cooperation and Development (OECD) and the United Nations Conference on Trade and Development (UNCTAD) on MFN; and the *Maffezini* issue. The papers, prepared by members of the study group, highlighted the challenges of the MFN clause in contemporary times by looking at the typology of MFN provisions; the areas of relevance of the 1978 draft articles; how MFN had developed and was developing in the context of GATT and WTO; the substantial work accomplished in the context of OECD and UNCTAD; and an analysis of some of the contemporary issues concerning the scope of application of the clause.

The study group held wide-ranging discussions on the basis of the papers before it, as well as developments elsewhere, including within the context of the Southern Common Market (MERCOSUR). Its focus was on the issue of how MFN clauses were being interpreted, particularly in the context of investment relations, and whether some common underlying guidelines could be formulated to serve as interpretative

tools or in order to assure some certainty and stability in the field of investment law. The general sense of the study group was that it was premature to consider the option of preparing draft articles or a revision of the 1978 draft articles.

On 30 July, the Commission took note of the oral report of the Co-Chairmen of the study group, Donald M. McRae (Canada) and A. Rohan Perera (Sri Lanka).

Shared natural resources

The Commission [A/65/10] reconvened the Working Group on shared natural resources, chaired by Enrique Candioti (Argentina). The Group had before it a working paper on oil and gas [A/CN.4/621] prepared by Shinya Murase (Japan) and continued its assessment on the feasibility of future work on oil and gas on the basis of the paper. The Group also had before it comments and observations received from Governments [A/CN.4/633]. The Commission endorsed the recommendation of the Working Group that it should not take up the consideration of the oil and gas aspects with regard to shared natural resources.

The working paper noted that a majority of States was of the view that transboundary oil and gas issues were essentially bilateral in nature, as well as highly political and technical, involving diverse situations. Doubts were expressed as to the need for the Commission to proceed with any codification exercise on the issue, including the development of universal rules. It was feared that an attempt at generalization would inadvertently lead to additional complexity in an area that could be adequately addressed through bilateral efforts. Given that oil and gas reserves were often located on the continental shelf, there was also a concern that the subject had a bearing on maritime delimitation issues. Furthermore, it was considered that the option of collecting and analysing information about State practice concerning transboundary oil and gas or elaborating a model agreement on the subject would not lead to a fruitful exercise for the Commission, precisely because of the specificities of each case involving oil and gas. The sensitive nature of certain cases could be expected to hamper any attempt at a comprehensive and useful analysis of the issues involved.

Other matters

The Commission [A/65/10] also had before it a note on settlement of disputes clauses prepared by the Secretariat [A/CN.4/623]. It decided to continue debate on the issue under "Other matters" at its 2011 session and agreed that a member of the Commission would prepare a working paper for that purpose. The Commission established a planning group to consider its

programme, procedures and working methods. At its first meeting (4 May), the planning group decided to reconstitute the Working Group on the Long-term programme of work.

GENERAL ASSEMBLY ACTION

On 6 December [meeting 57], the General Assembly, on the recommendation of the Sixth (Legal) Committee [A/65/467], adopted **resolution 65/26** without vote [agenda item 79].

Report of the International Law Commission on the work of its sixty-second session

The General Assembly,

Having considered the report of the International Law Commission on the work of its sixty-second session,

Emphasizing the importance of furthering the progressive development and codification of international law as a means of implementing the purposes and principles set forth in the Charter of the United Nations and in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,

Recognizing the desirability of referring legal and drafting questions to the Sixth Committee, including topics that might be submitted to the International Law Commission for closer examination, and of enabling the Sixth Committee and the Commission to enhance further their contribution to the progressive development and codification of international law,

Recalling the need to keep under review those topics of international law which, given their new or renewed interest for the international community, may be suitable for the progressive development and codification of international law and therefore may be included in the future programme of work of the International Law Commission,

Reaffirming the importance for the successful work of the International Law Commission of the information provided by Member States concerning their views and practice,

Recognizing the importance of the work of the special rapporteurs of the International Law Commission,

Recalling the role of Member States in submitting proposals for the consideration of the International Law Commission,

Welcoming the holding of the International Law Seminar, and noting with appreciation the voluntary contributions made to the United Nations Trust Fund for the International Law Seminar,

Acknowledging the importance of facilitating the timely publication of the *Yearbook of the International Law Commission* and of eliminating the backlog,

Stressing the usefulness of focusing and structuring the debate on the report of the International Law Commission in the Sixth Committee in such a manner that conditions are provided for concentrated attention to each of the main topics dealt with in the report and for discussions on specific topics,

Wishing to enhance further, in the context of the revitalization of the debate on the report of the International Law Commission, the interaction between the Sixth Committee as a body of governmental representatives and the Commis-

sion as a body of independent legal experts, with a view to improving the dialogue between the two bodies,

Welcoming initiatives to hold interactive debates, panel discussions and question time in the Sixth Committee, as envisaged in resolution 58/316 of 1 July 2004 on further measures for the revitalization of the work of the General Assembly,

1. *Takes note* of the report of the International Law Commission on the work of its sixty-second session, and recommends that the Commission continue its work on the topics in its current programme, taking into account the comments and observations of Governments, whether submitted in writing or expressed orally in debates in the Sixth Committee;

2. *Expresses its appreciation* to the International Law Commission for the work accomplished at its sixty-second session;

3. *Draws the attention* of Governments to the importance for the International Law Commission of having their views on the various aspects of the topics on the agenda of the Commission, in particular on all the specific issues identified in chapter III of its report, regarding:

- (a) Reservations to treaties;
- (b) Treaties over time;

4. *Invites* Governments to submit to the secretariat of the Commission, by 31 January 2011, any further observations on the entire set of draft guidelines constituting the Guide to Practice on Reservations to Treaties, provisionally adopted by the Commission at its sixty-second session, with a view to finalizing the Guide at the sixty-third session;

5. *Draws once again the attention* of Governments to the importance for the International Law Commission of having their comments and observations by 1 January 2011 on the draft articles and commentaries on the topic "Responsibility of international organizations" adopted on first reading by the Commission at its sixty-first session;

6. *Invites* the International Law Commission to give priority to its consideration of the topics "Immunity of State officials from foreign criminal jurisdiction" and "The obligation to extradite or prosecute (*aut dedere aut judicare*)";

7. *Takes note* of the report of the Secretary-General on assistance to special rapporteurs of the International Law Commission and of paragraphs 396 to 398 of the report of the International Law Commission, and requests the Secretary-General to continue his efforts to identify concrete options for support for the work of special rapporteurs, additional to those provided under General Assembly resolution 56/272 of 27 March 2002;

8. *Invites* the International Law Commission to continue taking measures to enhance its efficiency and productivity and to consider making proposals to that end;

9. *Encourages* the International Law Commission to continue taking cost-saving measures at its future sessions, without prejudice to the efficiency and effectiveness of its work;

10. *Takes note* of paragraph 405 of the report of the International Law Commission, and decides that the next session of the Commission shall be held at the United Nations Office at Geneva from 26 April to 3 June and from 4 July to 12 August 2011;

11. *Welcomes* the enhanced dialogue between the International Law Commission and the Sixth Committee at the sixty-fifth session of the General Assembly, stresses the desirability of further enhancing the dialogue between the two bodies, and in this context encourages, inter alia, the continued practice of informal consultations in the form of discussions between the members of the Sixth Committee and the members of the Commission attending the sixty-sixth session of the Assembly;

12. *Encourages* delegations, during the debate on the report of the International Law Commission, to adhere as far as possible to the structured work programme agreed to by the Sixth Committee and to consider presenting concise and focused statements;

13. *Encourages* Member States to consider being represented at the level of legal adviser during the first week in which the report of the International Law Commission is discussed in the Sixth Committee (International Law Week) to enable high-level discussions on issues of international law;

14. *Requests* the International Law Commission to continue to pay special attention to indicating in its annual report, for each topic, any specific issues on which expressions of views by Governments, either in the Sixth Committee or in written form, would be of particular interest in providing effective guidance for the Commission in its further work;

15. *Takes note* of paragraphs 404 and 406 to 410 of the report of the International Law Commission with regard to cooperation and interaction with other bodies, and encourages the Commission to continue the implementation of article 16, paragraph (e), article 25 and article 26 of its statute in order to further strengthen cooperation between the Commission and other bodies concerned with international law, having in mind the usefulness of such cooperation;

16. *Notes* that consulting with national organizations and individual experts concerned with international law may assist Governments in considering whether to make comments and observations on drafts submitted by the International Law Commission and in formulating their comments and observations;

17. *Reaffirms* its previous decisions concerning the indispensable role of the Codification Division of the Office of Legal Affairs of the Secretariat in providing assistance to the International Law Commission, including in the preparation of memorandums and studies on topics on the agenda of the Commission;

18. *Approves* the conclusions reached by the International Law Commission in paragraph 399 of its report, and reaffirms its previous decisions concerning the documentation and summary records of the Commission;

19. *Takes note* of paragraph 400 of the report of the International Law Commission, and stresses the need to expedite the preparation of the summary records of the Commission;

20. *Also takes note* of paragraph 401 of the report of the International Law Commission, expresses its appreciation to Governments that have made voluntary contributions to the trust fund on the backlog relating to the *Year-book of the International Law Commission*, and encourages further contributions to the fund;

21. *Welcomes* the continuous efforts of the Codification Division to maintain and improve the website relating to the work of the International Law Commission;

22. *Expresses the hope* that the International Law Seminar will continue to be held in connection with the sessions of the International Law Commission and that an increasing number of participants, in particular from developing countries, will be given the opportunity to attend the Seminar, and appeals to States to continue to make urgently needed voluntary contributions to the United Nations Trust Fund for the International Law Seminar;

23. *Requests* the Secretary-General to provide the International Law Seminar with adequate services, including interpretation, as required, and encourages him to continue considering ways to improve the structure and content of the Seminar;

24. *Also requests* the Secretary-General to forward to the International Law Commission, for its attention, the records of the debate on the report of the Commission at the sixty-fifth session of the General Assembly, together with such written statements as delegations may circulate in conjunction with their oral statements, and to prepare and distribute a topical summary of the debate, following established practice;

25. *Requests* the Secretariat to circulate to States, as soon as possible after the conclusion of the session of the International Law Commission, chapter II of its report containing a summary of the work of that session, chapter III containing the specific issues on which the views of Governments would be of particular interest to the Commission and the draft articles adopted on either first or second reading by the Commission;

26. *Encourages* the International Law Commission to continue considering ways in which specific issues on which the views of Governments would be of particular interest to the Commission could be framed so as to help Governments to have a better appreciation of the issues on which responses are required;

27. *Recommends* that the debate on the report of the International Law Commission at the sixty-sixth session of the General Assembly commence on 24 October 2011.

International State relations and international law

State responsibility

Responsibility of States for internationally wrongful acts

In 2001, the International Law Commission adopted articles on responsibility of States for internationally wrongful acts [YUN 2001, p. 1218]. The General Assembly took note of them by resolution 56/83 [ibid.].

Pursuant to Assembly resolution 62/61 [YUN 2007, p. 1364], the Secretary-General in April submitted a compilation of decisions of international courts, tribunals and other bodies concerning the responsibility

of States for internationally wrongful acts [A/65/76]. Pursuant to the same resolution, the Secretary-General in May issued a report with a later addendum [A/65/96 & Add.1] containing comments and information on the topic received from 13 Governments.

GENERAL ASSEMBLY ACTION

On 6 December [meeting 57], the General Assembly, on the recommendation of the Sixth Committee [A/65/463], adopted **resolution 65/19** without vote [agenda item 75].

Responsibility of States for internationally wrongful acts

The General Assembly,

Recalling its resolution 56/83 of 12 December 2001, the annex to which contains the text of the articles on responsibility of States for internationally wrongful acts, and its resolutions 59/35 of 2 December 2004 and 62/61 of 6 December 2007 commending the articles to the attention of Governments,

Emphasizing the continuing importance of the codification and progressive development of international law, as referred to in Article 13, paragraph 1 (a), of the Charter of the United Nations,

Noting that the subject of responsibility of States for internationally wrongful acts is of major importance in relations between States,

Taking into account the comments and observations of Governments and the discussions held in the Sixth Committee, at the fifty-sixth, fifty-ninth, sixty-second and sixty-fifth sessions of the General Assembly, on responsibility of States for internationally wrongful acts,

Noting with appreciation the compilation of decisions of international courts, tribunals and other bodies referring to the articles, prepared by the Secretary-General,

1. *Acknowledges* the importance of the articles on responsibility of States for internationally wrongful acts, and commends them once again to the attention of Governments, without prejudice to the question of their future adoption or other appropriate action;

2. *Requests* the Secretary-General to invite Governments to submit further written comments on any future action regarding the articles;

3. *Also requests* the Secretary-General to update the compilation of decisions of international courts, tribunals and other bodies referring to the articles and to invite Governments to submit information on their practice in this regard, and further requests the Secretary-General to submit this material well in advance of its sixty-eighth session;

4. *Decides* to include in the provisional agenda of its sixty-eighth session the item entitled "Responsibility of States for internationally wrongful acts" and to further examine, within the framework of a working group of the Sixth Committee and with a view to taking a decision, the question of a convention on responsibility of States for internationally wrongful acts or other appropriate action on the basis of the articles.

International liability

In accordance with General Assembly resolution 62/68 [YUN 2007, p. 1359], the Secretary-General in July submitted a report with a later addendum [A/65/184 & Add.1] on the consideration of prevention of transboundary harm from hazardous activities [YUN 2007, p. 1359] and allocation of loss in the case of such harm [YUN 2006, p. 1511], which provided comments and observations from nine Governments.

GENERAL ASSEMBLY ACTION

On 6 December [meeting 57], the General Assembly, on the recommendation of the Sixth Committee [A/65/469], adopted **resolution 65/28** without vote [agenda item 81].

Consideration of prevention of transboundary harm from hazardous activities and allocation of loss in the case of such harm

The General Assembly,

Recalling its resolutions 56/82 of 12 December 2001, 61/36 of 4 December 2006, the annex to which contains the text of the principles on the allocation of loss in the case of transboundary harm arising out of hazardous activities, and 62/68 of 6 December 2007, the annex to which contains the text of the articles on prevention of transboundary harm from hazardous activities,

Emphasizing the continuing importance of the codification and progressive development of international law, as referred to in Article 13, paragraph 1 (a), of the Charter of the United Nations,

Noting that the questions of prevention of transboundary harm from hazardous activities and allocation of loss in the case of such harm are of major importance in relations between States,

Taking into account the views and comments expressed in the Sixth Committee at previous sessions and at the current session of the General Assembly,

1. *Commends once again* the articles on prevention of transboundary harm from hazardous activities, the text of which is annexed to General Assembly resolution 62/68, to the attention of Governments, without prejudice to any future action, as recommended by the International Law Commission regarding the articles;

2. *Also commends once again* the principles on the allocation of loss in the case of transboundary harm arising out of hazardous activities, the text of which is annexed to General Assembly resolution 61/36, to the attention of Governments, without prejudice to any future action, as recommended by the Commission regarding the principles;

3. *Invites* Governments to submit further comments on any future action, in particular on the form of the respective articles and principles, bearing in mind the recommendations made by the Commission in that regard, including in relation to the elaboration of a convention on the basis of the draft articles, as well as on any practice in relation to the application of the articles and principles;

4. *Requests* the Secretary-General to submit a compilation of decisions of international courts, tribunals and other bodies referring to the articles and the principles;

5. *Decides* to include in the provisional agenda of its sixty-eighth session the item entitled “Consideration of prevention of transboundary harm from hazardous activities and allocation of loss in the case of such harm”.

Universal jurisdiction

Pursuant to resolution 64/117 [YUN 2009, p. 1312], the Secretary-General in July issued a report [A/65/181] on the scope and application of the principle of universal jurisdiction, on the basis of comments and observations received from 44 Member States.

GENERAL ASSEMBLY ACTION

On 6 December [meeting 57], the General Assembly, on the recommendation of the Sixth Committee [A/65/474], adopted **resolution 65/33** without vote [agenda item 86].

The scope and application of the principle of universal jurisdiction

The General Assembly,

Reaffirming its commitment to the purposes and principles of the Charter of the United Nations, to international law and to an international order based on the rule of law, which is essential for peaceful coexistence and cooperation among States,

Recalling its resolution 64/117 of 16 December 2009,

Recognizing the diversity of views expressed by States and the need for further consideration towards a better understanding of the scope and application of universal jurisdiction,

Reiterating its commitment to fighting impunity, and noting the views expressed by States that the legitimacy and credibility of the use of universal jurisdiction are best ensured by its responsible and judicious application consistent with international law,

1. *Takes note with appreciation* of the report of the Secretary-General prepared on the basis of comments and observations of Governments;

2. *Decides* that the Sixth Committee shall continue its consideration of the scope and application of universal jurisdiction, without prejudice to the consideration of this topic and related issues in other forums of the United Nations, and for this purpose decides to establish, at its sixty-sixth session, a working group of the Sixth Committee to undertake a thorough discussion of the scope and application of universal jurisdiction;

3. *Invites* Member States and relevant observers, as appropriate, to submit, before 30 April 2011, information and observations on the scope and application of universal jurisdiction, including, where appropriate, information on the relevant applicable international treaties, their domestic legal rules and judicial practice, and requests the Secretary-General to prepare and submit to the General Assembly, at its sixty-sixth session, a report based on such information and observations;

4. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled “The scope and application of the principle of universal jurisdiction”.

Special missions

The General Assembly in 1969, by resolution 2530(XXIV) [YUN 1969, p. 750], adopted the Convention on Special Missions and its Optional Protocol on the compulsory settlement of disputes. The Convention, which entered into force in 1985, had 38 States parties as at 31 December. The Optional Protocol, which also entered into force in 1985, had 17 States parties.

Treaties involving international organizations

The 1975 Vienna Convention on the Representation of States in their Relations with International Organizations of a Universal Character [YUN 1975, p. 879], which would enter into force when ratified by 35 parties, had 34 States parties as at 31 December.

The 1986 Vienna Convention on the Law of Treaties between States and International Organizations or between International Organizations [YUN 1986, p. 1006] had 41 parties, including 12 international organizations. It would enter into force when ratified by 35 states.

Succession of states

The 1978 Vienna Convention on Succession of States in Respect of Treaties [YUN 1978, p. 951], which entered into force in 1996, had 22 States parties as at 31 December.

The 1983 Vienna Convention on Succession of States in Respect of State Property, Archives and Debts [YUN 1983, p. 1119], which would enter into force when ratified by 15 parties, had 7 States parties.

Jurisdictional immunities of States and their properties

The General Assembly, by resolution 59/38 [YUN 2004, p. 1304], adopted the Convention on Jurisdictional Immunities of States and Their Property. As at 31 December, the Convention had 11 States parties. Japan, Kazakhstan, Saudi Arabia and Switzerland became parties during the year. The Convention would enter into force when ratified by 30 parties.

International terrorism

Convention on international terrorism

Ad Hoc Committee. In accordance with General Assembly resolution 64/118 [YUN 2009, p. 1309], the Ad Hoc Committee established by Assembly resolution 51/210 [YUN 1996, p. 1208] held its fourteenth session (New York, 12–16 April) [A/65/37] to continue, within the framework of a working group of the Sixth

Committee, the elaboration of a draft comprehensive convention on international terrorism.

The Ad Hoc Committee held informal consultations and contacts on the draft comprehensive convention, and on the question of convening a high-level conference under UN auspices to formulate a joint organized response of the international community to terrorism in all its forms and manifestations. Delegations reiterated the importance of an early conclusion to the draft convention. Discussions focused on the scope of application of the convention, the need for the convention to include a clear legal definition of terrorism, and the need to address activities undertaken by the armed forces of a State that were not covered by international humanitarian law. It was further suggested that the draft convention should address the root causes of terrorism.

On the proposed convening of a high-level conference to consider the question of terrorism in all its aspects, Egypt, as sponsor delegation, recalled the importance of holding such a conference, which had been endorsed by the Movement of Non-Aligned Countries, the Organization of the Islamic Conference, the African Union and the League of Arab States. The Conference could consider the question of terrorism in all its aspects, including reaching a definition of terrorism that differentiated between legal rules to combat terrorism and international humanitarian law, as well as address the root causes of terrorism. It could also focus on the importance of education, communication, human rights and the rule of law in countering terrorism. Egypt re-emphasized the importance of not linking the issue of an international conference with the completion of the convention.

At the conclusion of its session, on 16 April, the Ad Hoc Committee recommended that the Sixth Committee, at the General Assembly's sixty-fifth (2010) session, establish a working group with a view to finalizing the draft convention and continue to discuss the agenda item on the question of convening a high-level conference under UN auspices.

Working group. Pursuant to General Assembly resolution 64/118 [YUN 2009, p. 1309] and as recommended by the Ad Hoc Committee (see above), the Sixth Committee on 4 October established a working group to finalize the draft convention and to discuss the item on convening a high-level conference. The working group held two meetings as well as informal consultations. In November it submitted a report to the Assembly [A/C.6/65/L.10] containing the texts of the preamble and articles 1, 2 and 4 to 27 of the draft convention; proposals in relation to the outstanding issues surrounding the draft convention; and informal summaries by the chair of the working group concerning the draft convention and the high-level conference.

Measures to eliminate international terrorism

In accordance with General Assembly resolution 50/53 [YUN 1995, p. 1330], the Secretary-General in July issued his annual report [A/65/175] on measures taken by 24 States, 10 international organizations and the United Nations Office on Drugs and Crime (UNODC) to implement the 1994 Declaration on Measures to Eliminate International Terrorism, approved by Assembly resolution 49/60 [YUN 1994, p. 1293] and Security Council resolution 1269(1999) [YUN 1999, p. 1240]. The report listed 30 international instruments pertaining to terrorism, indicating the status of State participation in each, and provided information on workshops and training courses on combating terrorism organized by four UN system bodies and two international organizations. Two September addendums [A/65/175/Add.1,2] summarized information submitted by two additional States.

In other action, during the nineteenth session (17–21 May) of the Commission on Crime Prevention and Criminal Justice [E/2010/30], the Chief of the Terrorism Prevention Branch briefed participants on the counter-terrorism technical assistance work of UNODC. She noted that while progress had been made, much work remained to be done in order to reach universal ratification and full implementation of the international legal instruments relating to terrorism. The Commission had before it a report of the Secretary-General on assistance in implementing the international conventions and protocols related to terrorism [E/CN.15/2010/9].

GENERAL ASSEMBLY ACTION

On 6 December [meeting 57], the General Assembly, on the recommendation of the Sixth Committee [A/65/475], adopted **resolution 65/34** without vote [agenda item 107].

Measures to eliminate international terrorism

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming, in all its aspects, the United Nations Global Counter-Terrorism Strategy adopted on 8 September 2006, enhancing the overall framework for the efforts of the international community to effectively counter the scourge of terrorism in all its forms and manifestations, and recalling the first and second biennial review of the Strategy, on 4 and 5 September 2008 and on 8 September 2010, respectively, and the debates that were held on those occasions,

Recalling the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations,

Recalling also the United Nations Millennium Declaration,

Recalling further the 2005 World Summit Outcome, and reaffirming in particular the section on terrorism,

Recalling the Declaration on Measures to Eliminate International Terrorism, contained in the annex to General Assembly resolution 49/60 of 9 December 1994, and the Declaration to Supplement the 1994 Declaration on Measures to Eliminate International Terrorism, contained in the annex to Assembly resolution 51/210 of 17 December 1996,

Recalling also all General Assembly resolutions on measures to eliminate international terrorism and Security Council resolutions on threats to international peace and security caused by terrorist acts,

Convinced of the importance of the consideration of measures to eliminate international terrorism by the General Assembly as the universal organ having competence to do so,

Deeply disturbed by the persistence of terrorist acts, which have been carried out worldwide,

Reaffirming its strong condemnation of the heinous acts of terrorism that have caused enormous loss of human life, destruction and damage, including those which prompted the adoption of General Assembly resolution 56/1 of 12 September 2001, as well as Security Council resolutions 1368(2001) of 12 September 2001, 1373(2001) of 28 September 2001 and 1377(2001) of 12 November 2001, and those that have occurred since,

Recalling the strong condemnation of the atrocious and deliberate attack against the headquarters of the United Nations Assistance Mission for Iraq in Baghdad on 19 August 2003 in General Assembly resolution 57/338 of 15 September 2003 and Security Council resolution 1502(2003) of 26 August 2003,

Affirming that States must ensure that any measure taken to combat terrorism complies with all their obligations under international law and must adopt such measures in accordance with international law, in particular international human rights, refugee and humanitarian law,

Stressing the need to strengthen further international cooperation among States and among international organizations and agencies, regional organizations and arrangements and the United Nations in order to prevent, combat and eliminate terrorism in all its forms and manifestations, wherever and by whomsoever committed, in accordance with the principles of the Charter, international law and the relevant international conventions,

Noting the role of the Security Council Committee established pursuant to resolution 1373(2001) concerning counter-terrorism in monitoring the implementation of that resolution, including the taking of the necessary financial, legal and technical measures by States and the ratification or acceptance of the relevant international conventions and protocols,

Mindful of the need to enhance the role of the United Nations and the relevant specialized agencies in combating international terrorism and of the proposals of the Secretary-General to enhance the role of the Organization in this respect,

Mindful also of the essential need to strengthen international, regional and subregional cooperation aimed at enhancing the national capacity of States to prevent and effectively suppress international terrorism in all its forms and manifestations,

Reiterating its call upon States to review urgently the scope of the existing international legal provisions on the prevention, repression and elimination of terrorism in all

its forms and manifestations, with the aim of ensuring that there is a comprehensive legal framework covering all aspects of the matter,

Emphasizing that tolerance and dialogue among civilizations and the enhancement of interfaith and intercultural understanding are among the most important elements in promoting cooperation and success in combating terrorism, and welcoming the various initiatives to this end,

Reaffirming that no terrorist act can be justified in any circumstances,

Recalling Security Council resolution 1624(2005) of 14 September 2005, and bearing in mind that States must ensure that any measure taken to combat terrorism complies with their obligations under international law, in particular international human rights, refugee and humanitarian law,

Taking note of recent developments and initiatives at the international, regional and subregional levels to prevent and suppress international terrorism, including those of the African Union, the ASEAN Regional Forum, the Asia-Pacific Economic Cooperation, the Association of South-east Asian Nations, the Bali Counter-Terrorism Process, the Central American Integration System, the Collective Security Treaty Organization, the Common Market for Eastern and Southern Africa, the Cooperation Council for the Arab States of the Gulf, the Council of Europe, the East African Community, the Economic Community of West African States, the Euro Mediterranean Partnership, the European Free Trade Association, the European Union, the Group of Eight, the Intergovernmental Authority on Development, the International Civil Aviation Organization, the International Maritime Organization, the League of Arab States, the Movement of Non-Aligned Countries, the North Atlantic Treaty Organization, the Organization for Economic Cooperation and Development, the Organization for Security and Cooperation in Europe, the Organization of American States, the Organization of the Islamic Conference, the Pacific Islands Forum, the Shanghai Cooperation Organization, the Southern African Development Community and the World Customs Organization,

Noting regional efforts to prevent, combat and eliminate terrorism in all its forms and manifestations, wherever and by whomsoever committed, including through the elaboration of, and adherence to, regional conventions,

Recalling its decision in resolutions 54/110 of 9 December 1999, 55/158 of 12 December 2000, 56/88 of 12 December 2001, 57/27 of 19 November 2002, 58/81 of 9 December 2003, 59/46 of 2 December 2004, 60/43 of 8 December 2005, 61/40 of 4 December 2006, 62/71 of 6 December 2007, 63/129 of 11 December 2008 and 64/118 of 16 December 2009 that the Ad Hoc Committee established by General Assembly resolution 51/210 should address, and keep on its agenda, the question of convening a high-level conference under the auspices of the United Nations to formulate a joint organized response of the international community to terrorism in all its forms and manifestations,

Recalling also the Final Document of the Fifteenth Summit Conference of Heads of State and Government of the Movement of Non-Aligned Countries, adopted in Sharm el-Sheikh, Egypt, on 16 July 2009, which reiterated the collective position of the Non-Aligned Movement on ter-

rorism and reaffirmed its previous initiative calling for an international summit conference under the auspices of the United Nations to formulate a joint organized response of the international community to terrorism in all its forms and manifestations, as well as other relevant initiatives,

Aware of its resolutions 57/219 of 18 December 2002, 58/187 of 22 December 2003, 59/191 of 20 December 2004, 60/158 of 16 December 2005, 61/171 of 19 December 2006, 62/159 of 18 December 2007, 63/185 of 18 December 2008 and 64/168 of 18 December 2009,

Having examined the report of the Secretary-General, the report of the Ad Hoc Committee established by General Assembly resolution 51/210 and the report of the Working Group established by the Sixth Committee at the sixty-fifth session of the Assembly,

1. *Strongly condemns* all acts, methods and practices of terrorism in all its forms and manifestations as criminal and unjustifiable, wherever and by whomsoever committed;

2. *Calls upon* all Member States, the United Nations and other appropriate international, regional and sub-regional organizations to implement the United Nations Global Counter-Terrorism Strategy, as well as the resolutions relating to the first and second biennial review of the Strategy, in all its aspects at the international, regional, subregional and national levels without delay, including by mobilizing resources and expertise;

3. *Recalls* the pivotal role of the General Assembly in following up the implementation and the updating of the Strategy, and in this regard also recalls its invitation to the Secretary-General to contribute to the future deliberations of the Assembly, and requests the Secretary-General when doing so to provide information on relevant activities within the Secretariat to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system;

4. *Reiterates* that criminal acts intended or calculated to provoke a state of terror in the general public, a group of persons or particular persons for political purposes are in any circumstances unjustifiable, whatever the considerations of a political, philosophical, ideological, racial, ethnic, religious or other nature that may be invoked to justify them;

5. *Reiterates its call upon* all States to adopt further measures in accordance with the Charter of the United Nations and the relevant provisions of international law, including international standards of human rights, to prevent terrorism and to strengthen international cooperation in combating terrorism and, to that end, to consider in particular the implementation of the measures set out in paragraphs 3 (a) to (f) of General Assembly resolution 51/210;

6. *Also reiterates its call upon* all States, with the aim of enhancing the efficient implementation of relevant legal instruments, to intensify, as and where appropriate, the exchange of information on facts related to terrorism and, in so doing, to avoid the dissemination of inaccurate or unverified information;

7. *Reiterates its call upon* States to refrain from financing, encouraging, providing training for or otherwise supporting terrorist activities;

8. *Expresses concern* at the increase in incidents of kidnapping and hostage-taking with demands for ransom and/or political concessions by terrorist groups, and expresses the need to address this issue;

9. *Urges* States to ensure that their nationals or other persons and entities within their territory that wilfully provide or collect funds for the benefit of persons or entities who commit, or attempt to commit, facilitate or participate in the commission of terrorist acts are punished by penalties consistent with the grave nature of such acts;

10. *Reminds* States of their obligations under relevant international conventions and protocols and Security Council resolutions, including Council resolution 1373(2001), to ensure that perpetrators of terrorist acts are brought to justice;

11. *Reaffirms* that international cooperation as well as actions by States to combat terrorism should be conducted in conformity with the principles of the Charter, international law and relevant international conventions;

12. *Recalls* the adoption of the International Convention for the Suppression of Acts of Nuclear Terrorism, the Amendment to the Convention on the Physical Protection of Nuclear Material, the Protocol of 2005 to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and the Protocol of 2005 to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, and urges all States to consider, as a matter of priority, becoming parties to these instruments;

13. *Urges* all States that have not yet done so to consider, as a matter of priority and in accordance with Security Council resolution 1373(2001) and Council resolution 1566(2004) of 8 October 2004, becoming parties to the relevant conventions and protocols as referred to in paragraph 6 of General Assembly resolution 51/210, as well as the International Convention for the Suppression of Terrorist Bombings, the International Convention for the Suppression of the Financing of Terrorism, the International Convention for the Suppression of Acts of Nuclear Terrorism and the Amendment to the Convention on the Physical Protection of Nuclear Material, and calls upon all States to enact, as appropriate, the domestic legislation necessary to implement the provisions of those conventions and protocols, to ensure that the jurisdiction of their courts enables them to bring to trial the perpetrators of terrorist acts and to cooperate with and provide support and assistance to other States and relevant international and regional organizations to that end;

14. *Urges* States to cooperate with the Secretary-General and with one another, as well as with interested intergovernmental organizations, with a view to ensuring, where appropriate within existing mandates, that technical and other expert advice is provided to those States requiring and requesting assistance in becoming parties to and implementing the conventions and protocols referred to in paragraph 13 above;

15. *Notes with appreciation and satisfaction* that, consistent with the call contained in paragraphs 11 and 12 of General Assembly resolution 64/118, a number of States became parties to the relevant conventions and protocols referred to therein, thereby realizing the objective of wider acceptance and implementation of those conventions;

16. *Reaffirms* the Declaration on Measures to Eliminate International Terrorism and the Declaration to Supplement the 1994 Declaration on Measures to Eliminate International Terrorism, and calls upon all States to implement them;

17. *Calls upon* all States to cooperate to prevent and suppress terrorist acts;

18. *Urges* all States and the Secretary-General, in their efforts to prevent international terrorism, to make the best use of the existing institutions of the United Nations;

19. *Requests* the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime in Vienna to continue its efforts to enhance, through its mandate, the capabilities of the United Nations in the prevention of terrorism, and recognizes, in the context of the United Nations Global Counter-Terrorism Strategy and Security Council resolution 1373(2001), its role in assisting States in becoming parties to and implementing the relevant international conventions and protocols relating to terrorism, including the most recent among them, and in strengthening international cooperation mechanisms in criminal matters related to terrorism, including through national capacity-building;

20. *Welcomes* the current efforts by the Secretariat to prepare the third edition of the publication *International Instruments related to the Prevention and Suppression of International Terrorism* in all official languages;

21. *Invites* regional intergovernmental organizations to submit to the Secretary-General information on the measures they have adopted at the regional level to eliminate international terrorism, as well as on intergovernmental meetings held by those organizations;

22. *Notes* the progress made in the elaboration of the draft comprehensive convention on international terrorism during the meetings of the Ad Hoc Committee established by General Assembly resolution 51/210 and of the Working Group established by the Sixth Committee during the sixty-fifth session of the Assembly, and welcomes continuing efforts to that end;

23. *Decides* that the Ad Hoc Committee shall, on an expedited basis, continue to elaborate the draft comprehensive convention on international terrorism and shall continue to discuss the item included in its agenda by General Assembly resolution 54/110 concerning the question of convening a high-level conference under the auspices of the United Nations;

24. *Also decides* that the Ad Hoc Committee shall meet from 11 to 15 April 2011 in order to fulfil the mandate referred to in paragraph 23 above;

25. *Requests* the Secretary-General to continue to provide the Ad Hoc Committee with the facilities necessary for the performance of its work;

26. *Requests* the Ad Hoc Committee to report to the General Assembly at its sixty-fifth session in the event of the completion of the draft comprehensive convention on international terrorism;

27. *Also requests* the Ad Hoc Committee to report to the General Assembly at its sixty-sixth session on progress made in the implementation of its mandate;

28. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "Measures to eliminate international terrorism".

On 24 December, by **decision 65/544**, the General Assembly decided that the agenda item on measures to eliminate international terrorism would remain for consideration during its resumed sixty-fifth (2011) session.

Protocols Additional to the 1949 Geneva Conventions

Pursuant to resolution 63/125 [YUN 2008, p. 1444], the Secretary-General in July reported [A/65/138] on the status of the two 1977 Protocols Additional to the Geneva Conventions of 1949 relating to the protection of victims of armed conflicts [YUN 1977, p. 706]. The report included information submitted by 17 Member States and the International Committee of the Red Cross (ICRC) on measures taken to strengthen the dissemination and implementation of humanitarian law. Annexed to the report was a list of 171 States parties to one or both Protocols as at 2 June 2010. An addendum [A/65/138/Add.1] provided information submitted by 20 other States and ICRC, as well as a list of 52 States parties to Additional Protocol III of 8 December 2005 as at 7 July 2010.

GENERAL ASSEMBLY ACTION

On 6 December [meeting 57], the General Assembly, on the recommendation of the Sixth Committee [A/65/470], adopted **resolution 65/29** without vote [agenda item 82].

Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts

The General Assembly,

Recalling its biennial resolutions on the status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts, including its resolution 63/125 of 11 December 2008,

Having considered the report of the Secretary-General,

Reaffirming the continuing value of established humanitarian rules relating to armed conflicts and the need to respect and ensure respect for those rules in all circumstances within the scope of the relevant international instruments, pending the earliest possible termination of such conflicts,

Stressing the need to consolidate the existing body of international humanitarian law through its universal acceptance and the need for wide dissemination and full implementation of such law at the national level, and expressing concern about all violations of the Geneva Conventions of 1949 and the Additional Protocols,

Calling upon Member States to disseminate knowledge of international humanitarian law as widely as possible, and calling upon all parties to armed conflict to apply international humanitarian law,

Noting with satisfaction the increasing number of national commissions and other bodies involved in advising authorities at the national level on the implementation, dissemination and development of international humanitarian law,

Noting with appreciation the meetings of representatives of those bodies organized by the International Committee of the Red Cross to facilitate the sharing of concrete experience and the exchange of views on their roles and on the challenges they face,

Stressing the possibility of making use of the International Humanitarian Fact-Finding Commission in relation to an armed conflict, pursuant to article 90 of Protocol I to the Geneva Conventions,

Stressing also the possibility for the International Humanitarian Fact-Finding Commission to facilitate, through its good offices, the restoration of an attitude of respect for the Geneva Conventions and Protocol I,

Taking note of the fact that, in paragraphs 8 and 9 of its resolution 1894(2009) of 11 November 2009, the Security Council noted the range of existing methods used, on a case-by-case basis, for gathering information on alleged violations of applicable international law relating to the protection of civilians, underlined the importance in that regard of receiving information that is timely, objective, accurate and reliable, and considered the possibility, to that end, of using the International Humanitarian Fact-Finding Commission established by article 90 of Protocol I,

Mindful of the role of the International Committee of the Red Cross in offering protection to the victims of armed conflicts,

Noting with appreciation the continuing efforts of the International Committee of the Red Cross to promote and disseminate knowledge of international humanitarian law, in particular the Geneva Conventions and the Additional Protocols,

Noting the special responsibilities of national Red Cross and Red Crescent societies, as auxiliaries to the public authorities of their respective States in the humanitarian field, to cooperate with and assist their Governments in the promotion, dissemination and implementation of international humanitarian law,

Noting also that the year 2009 marked the sixtieth anniversary of the adoption of the Geneva Conventions, and welcoming the various high-level meetings and seminars organized to celebrate that event, which gave new momentum to efforts to strengthen and improve implementation of international humanitarian law,

Calling upon Member States to actively participate in the Thirty-first International Conference of the Red Cross and Red Crescent, to be held in Geneva in November 2011,

Noting the serious concern expressed by States regarding the humanitarian impact caused by cluster munitions, and taking note of the entry into force of the Convention on Cluster Munitions on 1 August 2010 and the ongoing negotiation of a proposal on this subject within the context of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects,

Welcoming the significant debate generated by the publication in 2005 of the study by the International Committee of the Red Cross on customary international humanitarian law and recent initiatives by the Committee, including the online launch of the updated study, as well as the growing number of translations into other languages of parts of the study, and looking forward to further constructive discussion on the subject,

Acknowledging the fact that the Rome Statute of the International Criminal Court covers the most serious crimes of international concern under international humanitarian law and that the Statute, while recalling that it is the duty

of every State to exercise its criminal jurisdiction over those responsible for such crimes, shows the determination of the international community to put an end to impunity for the perpetrators of such crimes and thus to contribute to their prevention,

Noting the amendments to article 8 of the Rome Statute of the International Criminal Court, relating to war crimes under the Statute, adopted at the Review Conference of the Rome Statute, held in Kampala, on 10 June 2010,

Acknowledging the usefulness of discussing in the General Assembly the status of instruments of international humanitarian law relevant to the protection of victims of armed conflicts,

1. *Welcomes* the universal acceptance of the Geneva Conventions of 1949, and notes the trend towards a similarly wide acceptance of the two Additional Protocols of 1977;

2. *Calls upon* all States parties to the Geneva Conventions that have not yet done so to consider becoming parties to the Additional Protocols at the earliest possible date;

3. *Calls upon* all States that are already parties to Protocol I, or those States not parties, on becoming parties to Protocol I, to make the declaration provided for under article 90 of that Protocol and to consider making use, where appropriate, of the services of the International Humanitarian Fact-Finding Commission in accordance with the provisions of article 90 of Protocol I;

4. *Calls upon* all States that have not yet done so to consider becoming parties to the Convention for the Protection of Cultural Property in the Event of Armed Conflict and the two Protocols thereto and to other relevant treaties on international humanitarian law relating to the protection of victims of armed conflict;

5. *Calls upon* States to consider becoming parties to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict;

6. *Calls upon* all States parties to the Protocols Additional to the Geneva Conventions to ensure their wide dissemination and full implementation;

7. *Affirms* the necessity of making the implementation of international humanitarian law more effective, and supports its further strengthening and development;

8. *Notes with appreciation* the adoption at the Thirtieth International Conference of the Red Cross and Red Crescent, held in Geneva from 26 to 30 November 2007, of resolution 3 entitled "Reaffirmation and implementation of international humanitarian law: preserving human life and dignity in armed conflict", which, inter alia, reiterates the obligation of States to take national measures to implement international humanitarian law, including training the armed forces and making this law known among the general public, as well as adopting legislation to punish war crimes in accordance with their international obligations;

9. *Welcomes* the activities of the Advisory Service on International Humanitarian Law of the International Committee of the Red Cross in supporting efforts made by Member States to take legislative and administrative action to implement international humanitarian law and in promoting the exchange of information on those efforts between Governments, and notes in particular the new manual on domestic implementation of international humanitarian law;

10. *Also welcomes* the increasing number of national commissions or committees for the implementation of international humanitarian law and for promoting the incorporation of treaties on international humanitarian law into national law and disseminating the rules of international humanitarian law;

11. *Requests* the Secretary-General to submit to the General Assembly at its sixty-seventh session a report on the status of the Additional Protocols relating to the protection of victims of armed conflicts, as well as on measures taken to strengthen the existing body of international humanitarian law, inter alia, with respect to its dissemination and full implementation at the national level, based on information received from Member States and the International Committee of the Red Cross;

12. *Encourages* Member States and the International Committee of the Red Cross, in transmitting information to the Secretary-General, to focus on new developments and activities during the reporting period;

13. *Encourages* Member States to explore ways of facilitating the submission of information for future reports of the Secretary-General and, in this context, to consider the convenience of drawing up guidelines or a questionnaire by Member States, where necessary with the assistance of the International Committee of the Red Cross, at the request of Member States and, as appropriate, in consultation with the Secretariat;

14. *Decides* to include in the provisional agenda of its sixty-seventh session the item entitled "Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts".

Diplomatic relations

Protection of diplomatic and consular missions and representatives

As at 31 December, the States parties to the following conventions relating to the protection of diplomatic and consular relations numbered: 187 States parties to the 1961 Vienna Convention on Diplomatic Relations [YUN 1961, p. 512], 51 parties to the Optional Protocol concerning the acquisition of nationality [ibid., p. 516] and 66 parties to the Optional Protocol concerning the compulsory settlement of disputes [ibid.].

The 1963 Vienna Convention on Consular Relations [YUN 1963, p. 510] had 173 parties, the Optional Protocol concerning acquisition of nationality [ibid., p. 512] had 39, and the Optional Protocol concerning the compulsory settlement of disputes [ibid.] had 48.

Parties to the 1973 Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents [YUN 1973, p. 775] numbered 173.

Report of Secretary-General. In a July report [A/65/112] and later addendum [A/65/112/Add.1], the Secretary-General summarized information received from 29 States, pursuant to Assembly resolution 63/126 [YUN 2008, p. 1446], on serious violations of the protection and security of diplomatic and consular missions and representatives.

GENERAL ASSEMBLY ACTION

On 6 December [meeting 57], the General Assembly, on the recommendation of the Sixth Committee [A/65/471], adopted **resolution 65/30** without vote [agenda item 83].

Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives

The General Assembly,

Having considered the report of the Secretary-General,

Conscious of the need to develop and strengthen friendly relations and cooperation among States,

Convinced that respect for the principles and rules of international law governing diplomatic and consular relations is a basic prerequisite for the normal conduct of relations among States and for the fulfilment of the purposes and principles of the Charter of the United Nations,

Alarmed by the new and recurring acts of violence against diplomatic and consular representatives, as well as against representatives of international intergovernmental organizations and officials of such organizations, which endanger or take innocent lives and seriously impede the normal work of such representatives and officials,

Expressing sympathy for the victims of such illegal acts,

Concerned at the failure to respect the inviolability of diplomatic and consular missions and representatives,

Recalling that, without prejudice to their privileges and immunities, it is the duty of all persons enjoying such privileges and immunities to respect the laws and regulations of the receiving State,

Recalling also that diplomatic and consular premises must not be used in any manner incompatible with the functions of diplomatic and consular missions,

Emphasizing the duty of States to take all appropriate measures required by international law in a timely manner, including measures of a preventive nature, and to bring offenders to justice,

Welcoming measures already taken by States to this end in conformity with their international obligations,

Convinced that the role of the United Nations, which includes the reporting procedures established pursuant to General Assembly resolution 35/168 of 15 December 1980 and further elaborated in subsequent Assembly resolutions, is important in promoting efforts to enhance the protection, security and safety of diplomatic and consular missions and representatives,

1. *Welcomes* the report of the Secretary-General;

2. *Strongly condemns* acts of violence against diplomatic and consular missions and representatives, as well as against missions and representatives of international intergovernmental organizations and officials of such organizations, and emphasizes that such acts can never be justified;

3. *Urges* States to strictly observe, implement and enforce the applicable principles and rules of international law governing diplomatic and consular relations, including during a period of armed conflict, and, in particular, to ensure, in conformity with their international obligations, the protection, security and safety of the missions, representatives and officials mentioned in paragraph 2

above officially present in territories under their jurisdiction, including practical measures to prevent and prohibit in their territories illegal activities of persons, groups and organizations that encourage, instigate, organize or engage in the perpetration of acts against the security and safety of such missions, representatives and officials;

4. *Also urges* States to take all appropriate measures at the national and international levels to prevent any acts of violence against the missions, representatives and officials mentioned in paragraph 2 above, including during a period of armed conflict, and to ensure, with the participation of the United Nations where appropriate, that such acts are fully investigated with a view to bringing offenders to justice;

5. *Recommends* that States cooperate closely through, inter alia, contacts between the diplomatic and consular missions and the receiving State with regard to practical measures designed to enhance the protection, security and safety of diplomatic and consular missions and representatives, including measures of a preventive nature, and with regard to the timely exchange of information on the circumstances of all serious violations thereof;

6. *Urges* States to take all appropriate measures, in accordance with international law, at the national and international levels, to prevent any abuse of diplomatic or consular privileges and immunities, in particular serious abuses, including those involving acts of violence;

7. *Recommends* that States cooperate closely with the State in whose territory abuses of diplomatic and consular privileges and immunities may have occurred, including by exchanging information and providing assistance to its juridical authorities in order to bring offenders to justice;

8. *Calls upon* States that have not yet done so to consider becoming parties to the instruments relevant to the protection, security and safety of diplomatic and consular missions and representatives;

9. *Calls upon* States, in cases where a dispute arises in connection with a violation of their international obligations concerning the protection of the missions or the security of the representatives and officials mentioned in paragraph 2 above, to make use of the means available for peaceful settlement of disputes, including the good offices of the Secretary-General, and requests the Secretary-General, when he deems it appropriate, to offer his good offices to the States directly concerned;

10. *Urges*:

(a) All States to report to the Secretary-General, in a concise and expeditious manner and in accordance with the guidelines prepared by the Secretary-General, serious violations of the protection, security and safety of diplomatic and consular missions and representatives as well as missions and representatives with diplomatic status to international intergovernmental organizations;

(b) The State in which the violation took place—and, to the extent possible, the State where the alleged offender is present—to report to the Secretary-General, in a concise and expeditious manner and in accordance with the guidelines prepared by the Secretary-General, on measures taken to bring the offender to justice and eventually to communicate, in accordance with its laws, the final outcome of the proceedings against the offender, and to report on measures adopted with a view to preventing a repetition of such violations;

11. *Requests* the Secretary-General:

(a) To send, without delay, a circular note to all States reminding them of the request contained in paragraph 10 above;

(b) To circulate to all States, upon receipt, the reports received by him pursuant to paragraph 10 above, unless the reporting State requests otherwise;

(c) To draw the attention, when appropriate, of the States directly concerned to the reporting procedures provided for in paragraph 10 above, when a serious violation has been reported pursuant to paragraph 10 (a) above;

(d) To address reminders to States where such violations have occurred if reports pursuant to paragraph 10 (a) above or follow-up reports pursuant to paragraph 10 (b) above have not been made within a reasonable period of time;

12. *Also requests* the Secretary-General to invite States, in the circular note referred to in paragraph 11 (a) above, to inform him of their views with respect to any measures needed or already taken to enhance the protection, security and safety of diplomatic and consular missions and representatives as well as missions and representatives with diplomatic status to international intergovernmental organizations;

13. *Further requests* the Secretary-General to submit to the General Assembly at its sixty-seventh session a report containing:

(a) Information on the state of ratification of and accessions to the instruments referred to in paragraph 8 above;

(b) A summary of the reports received and views expressed pursuant to paragraphs 10 and 12 above;

14. *Invites* the Secretary-General to include in his report to the General Assembly any views he may wish to express on the matters referred to in paragraph 13 above;

15. *Decides* to include in the provisional agenda of its sixty-seventh session the item entitled “Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives”.

Diplomatic protection

In 2006, the International Law Commission adopted the draft articles on diplomatic protection [YUN 2006, p. 1522]. The General Assembly took note of them by resolution 61/35 [ibid.] and invited Governments to submit comments concerning the Commission’s recommendation to elaborate a convention on the basis of the articles.

In a July report [A/65/182] and later addendum [A/65/182/Add.1], the Secretary-General summarized comments and observations received from nine States, pursuant to General Assembly resolution 62/67 [YUN 2007, p. 1369], on any future action regarding the articles on diplomatic protection, and from five States on the articles on diplomatic protection themselves.

GENERAL ASSEMBLY ACTION

On 6 December [meeting 57], the General Assembly, on the recommendation of the Sixth Committee [A/65/468], adopted **resolution 65/27** without vote [agenda item 80].

Diplomatic protection

The General Assembly,

Recalling its resolution 62/67 of 6 December 2007, the annex to which contains the text of the articles on diplomatic protection, commending the articles to the attention of Governments,

Recalling also that the International Law Commission decided to recommend to the General Assembly the elaboration of a convention on the basis of the articles on diplomatic protection,

Emphasizing the continuing importance of the codification and progressive development of international law, as referred to in Article 13, paragraph 1 (a), of the Charter of the United Nations,

Noting that the subject of diplomatic protection is of major importance in relations between States,

Taking into account the comments and observations of Governments and the discussions held in the Sixth Committee, at the sixty-second and sixty-fifth sessions of the General Assembly, on diplomatic protection,

1. Commends once again the articles on diplomatic protection to the attention of Governments, and invites them to submit in writing to the Secretary-General any further comments, including comments concerning the recommendation by the Commission to elaborate a convention on the basis of the articles;

2. Decides to include in the provisional agenda of its sixty-eighth session the item entitled "Diplomatic protection" and, within the framework of a working group of the Sixth Committee, in the light of the written comments of Governments, as well as views expressed in the debates held at the sixty-second and sixty-fifth sessions of the General Assembly, to further examine the question of a convention on diplomatic protection, or any other appropriate action, on the basis of the above-mentioned articles and to also identify any difference of opinion on the articles.

Treaties and agreements

UN registration and publication of treaties

During 2010, the United Nations received 1,399 treaties and 1,118 actions for registration. In accordance with article 102 of the UN Charter and the relevant General Assembly regulations, 1,295 treaties and 962 subsequent actions were registered with the Secretariat. Those included treaties and actions that were submitted prior to 2010, but not registered at the time of submission due to defects in the submission. Twelve issues of the *Monthly Statement of Treaties and International Agreements* were published.

In addition, 90 volumes of the *United Nations Treaty Series* were published, incorporating the texts of treaties registered or filed and recorded and related subsequent actions in the original languages, with translations into English and French, as appropriate.

On 1 April, to reduce costs, the Treaty Section of the UN Office of Legal Affairs discontinued the printing and distribution of the *Monthly Statement of Treaties and International Agreements* to permanent missions and depositary libraries; the publication was made available electronically on the United Nations Treaty Collection (UNTC) website. The *Monthly Statement of Treaties and International Agreements* was still printed for sale by United Nations Publications.

The UNTC website, which contained published *United Nations Treaty Series* volumes, the *League of Nations Treaty Series*, the *Treaty Handbook*, *Multilateral Treaties Deposited with the Secretary-General*, the *Summary of Practice of the Secretary-General as Depositary of Multilateral Treaties*, the *Final Clauses of Multilateral Treaties Handbook*, the Treaty Event publications, information on capacity-building training and a range of materials on treaty law and practice generated over 3,000,000 page views.

The 2010 Treaty Event: Towards Universal Participation and Implementation (New York, 21–23 and 27–28 September) highlighted the theme of biodiversity. It featured more than 40 multilateral treaties, including treaties on human rights, the environment and climate change, disarmament, terrorism and penal matters, as well as privileges and immunities and the safety of UN and associated personnel. During the Treaty Event, 26 States undertook 44 treaty actions relating to 24 treaties deposited with the Secretary-General.

Multilateral treaties

The *United Nations Treaty Series* and the regularly updated status of multilateral treaties deposited with the Secretary-General were available on the Internet at the UN Treaty Collection website.

New multilateral treaties concluded under UN auspices

The following new treaties, concluded under UN auspices, were deposited with the Secretary-General during 2010:

Amendment to article 8 of the Rome Statute of the International Criminal Court, adopted in Kampala, Uganda, on 10 June

Amendments on the crime of aggression to the Rome Statute of the International Criminal Court, adopted in Kampala on 11 June

International Cocoa Agreement, 2010, adopted in Geneva on 25 June

Central African Convention for the Control of Small Arms and Light Weapons, their Ammunition and all Parts and Components that can be used for their Manufacture, Repair and Assembly, adopted in Kinshasa, Democratic Republic of the Congo, on 30 April

Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity, adopted in Nagoya, Japan, on 29 October

Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety, adopted in Nagoya on 15 October

Multilateral Agreement for the Establishment of an International Think Tank for Landlocked Developing Countries, adopted in New York on 24 September

Multilateral treaties deposited with the Secretary-General

At the end of 2010, the Secretary-General performed depositary functions in respect of 615 multilateral treaties. That number included treaties previously deposited with the Secretary-General of the League of Nations in respect of which the Secretary-General had assumed depositary functions, as well as those deposited with the Secretary-General that were terminated. Some 876 treaty actions (signatures, ratifications, acceptances, approvals, accessions, declarations, reservations, objections, notifications, etc.) were received for deposit with the Secretary-General, resulting in the issuance of 1,726 depositary notifications.

The following multilateral treaties deposited with the Secretary-General came into force in 2010:

Protocol on Strategic Environmental Assessment to the Convention on Environmental Impact Assessment in a Transboundary Context, adopted in Kiev, Ukraine, on 21 May 2003 and which came into force on 11 July

International Convention for the Protection of All Persons from Enforced Disappearance, adopted in New York on 20 December 2006 and which came into force on 23 December

Convention on Cluster Munitions, adopted in Dublin, Ireland, on 30 May 2008 and which came into force on 1 August

Optional Protocol to the Convention on the Safety of United Nations and Associated Personnel, adopted in New York on 8 December 2005 and which came into force on 19 August

Advice and capacity-building in treaty law and practice

Activities to provide advice and assistance on treaty law and practice increased significantly in 2010. Advice and assistance on treaty law and practice were provided to Member States, the specialized agencies, the regional commissions, other UN offices, treaty bodies and other entities. For each of the seven treat-

ties deposited with the Secretary-General in 2010 (see above), the Treaty Section provided extensive legal advice during the negotiation process on the final clauses, prepared the originals of such treaties and their certified true copies.

Two seminars on treaty law and practice (New York, 13–14 April and 1–2 December) were conducted for legal advisors from Member States and other officials. One regional capacity-building workshop on treaty law and practice and the implementation of treaty obligations (Jakarta, Indonesia, 13–15 October) was attended by 44 participants.

International economic law

Commission on International Trade Law

At its forty-third session (New York, 21 June–9 July [A/65/17], the United Nations Commission on International Trade Law (UNCITRAL) adopted the UNCITRAL Arbitration Rules as revised in 2010 and recommended their use in the settlement of disputes arising in the context of international commercial relations. It adopted the UNCITRAL Legislative Guide on Secured Transactions: Supplement on Security Rights in Intellectual Property, and recommended that States utilize the Supplement to assess the economic efficiency of their secured transactions regimes as well as their intellectual property regimes, and consider the Supplement when revising or adopting related legislation. It also adopted part three of the UNCITRAL Legislative Guide on Insolvency Law, recommending that States utilize the Guide to assess the economic efficiency of their insolvency law regime and consider the Guide when revising or adopting related legislation.

The Commission considered the status of the conventions and model laws emanating from its work and the status of the 1958 New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards (the New York Convention) [YUN 1958, p. 391], on the basis of a Secretariat note [A/CN.9/694]. The Commission also had before it a bibliography of writings relating to its work [A/CN.9/693]. UNCITRAL continued its work on procurement, arbitration and conciliation, online dispute resolution, insolvency law, security interests, and electronic commerce. It also reviewed the implementation of the 1958 New York Convention, the work on the collection and dissemination of case law on UNCITRAL texts (CLOUT), and technical cooperation and assistance activities.

The report of the session described actions taken on those topics (see pp. 1340–1347).

Revised UNCITRAL arbitration rules

The Commission had before it the reports of Working Group II (Arbitration and Conciliation) on the work of its fifty-first (Vienna, 14–18 September 2009) [A/CN.9/684] and fifty-second (New York, 1–5 February 2010) [A/CN.9/688] sessions, and the text of the draft revised UNCITRAL Arbitration Rules, as it resulted from the third reading by the Working Group at its fifty-second session and as contained in document [A/CN.9/703 & Add.1]. It also had before it comments on the draft revised Rules submitted by Governments and international organizations [A/CN.9/704 & Add.1–10], as well as a Secretariat note [A/CN.9/705] on possible recommendations to arbitral institutions and other interested bodies with respect to the revised Rules. The Committee of the Whole, established by the Commission, proceeded with the consideration of the text of the draft revised Rules.

On 25 June, the Commission adopted the UNCITRAL Arbitration Rules as revised in 2010.

GENERAL ASSEMBLY ACTION

On 6 December [meeting 57], the General Assembly, on the recommendation of the Sixth Committee [A/65/465], adopted **resolution 65/22** without vote [agenda item 77].

UNCITRAL Arbitration Rules as revised in 2010

The General Assembly,

Recalling its resolution 2205(XXI) of 17 December 1966, which established the United Nations Commission on International Trade Law with the purpose of furthering the progressive harmonization and unification of the law of international trade in the interests of all peoples, in particular those of developing countries,

Recalling also its resolution 31/98 of 15 December 1976 recommending the use of the Arbitration Rules of the United Nations Commission on International Trade Law,

Recognizing the value of arbitration as a method of settling disputes that may arise in the context of international commercial relations,

Noting that the Arbitration Rules are recognized as a very successful text and are used in a wide variety of circumstances covering a broad range of disputes, including disputes between private commercial parties, investor-State disputes, State-to-State disputes and commercial disputes administered by arbitral institutions, in all parts of the world,

Recognizing the need for revising the Arbitration Rules to conform to current practices in international trade and to meet changes that have taken place over the last thirty years in arbitral practice,

Believing that the Arbitration Rules as revised in 2010 to reflect current practices will significantly enhance the efficiency of arbitration under the Rules,

Convinced that the revision of the Arbitration Rules in a manner that is acceptable to countries with different legal, social and economic systems can significantly contribute to the development of harmonious international economic relations and to the continuous strengthening of the rule of law,

Noting that the preparation of the Arbitration Rules as revised in 2010 was the subject of due deliberation and extensive consultations with Governments and interested circles and that the revised text can be expected to contribute significantly to the establishment of a harmonized legal framework for the fair and efficient settlement of international commercial disputes,

Noting also that the Arbitration Rules as revised in 2010 were adopted by the United Nations Commission on International Trade Law at its forty-third session after due deliberation,

1. *Expresses its appreciation* to the United Nations Commission on International Trade Law for having formulated and adopted the revised provisions of the Arbitration Rules, the text of which is contained in an annex to the report of the United Nations Commission on International Trade Law on the work of its forty-third session;

2. *Recommends* the use of the Arbitration Rules as revised in 2010 in the settlement of disputes arising in the context of international commercial relations;

3. *Requests* the Secretary-General to make all efforts to ensure that the Arbitration Rules as revised in 2010 become generally known and available.

Supplement to Legislative Guide on Secured Transactions

The Commission had before it the draft supplement to the UNCITRAL Legislative Guide on Secured Transactions dealing with security rights in intellectual property [A/CN.9/700 & Add.1–7]; a Secretariat note transmitting comments of international organizations on the draft supplement [A/CN.9/701]; the reports of the sixteenth (Vienna, 2–6 November 2009) [A/CN.9/685] and seventeenth (New York, 8–12 February 2010) [A/CN.9/689] sessions of Working Group VI (Security Interests); and chapter V of the report of Working Group V (Insolvency Law) on the work of its thirty-eighth session (New York, 19–23 April 2010) [A/CN.9/691], addressing the impact of insolvency of a licensor or licensee on a security right in that party's rights under a licence agreement.

On 29 June, the Committee adopted the UNCITRAL Legislative Guide on Secured Transactions: Supplement on Security Rights in Intellectual Property.

GENERAL ASSEMBLY ACTION

On 6 December [meeting 57], the General Assembly, on the recommendation of the Sixth Committee [A/65/465], adopted **resolution 65/23** without vote [agenda item 77].

UNCITRAL Legislative Guide on Secured Transactions: Supplement on Security Rights in Intellectual Property

The General Assembly,

Recognizing the importance to all States of efficient secured transactions regimes in promoting access to secured credit,

Recognizing also the need to make secured credit more available and at lower cost to intellectual property owners and other intellectual property right holders, and thus the need to enhance the value of intellectual property rights as security for credit,

Noting that the *UNCITRAL Legislative Guide on Secured Transactions* generally applies to security rights in intellectual property, without inadvertently interfering with the basic rules and objectives of law relating to intellectual property,

Taking into account the need to address the interaction between secured transactions law and law relating to intellectual property at both the national and the international levels,

Recognizing that States would need guidance as to how the recommendations contained in the *UNCITRAL Legislative Guide on Secured Transactions* would apply in an intellectual property context and as to the adjustments that need to be made to their laws to avoid inconsistencies between secured transactions law and law relating to intellectual property,

Noting the importance of balancing the interests of all stakeholders, including grantors, whether they are owners, licensors or licensees of intellectual property, and secured creditors,

Expressing its appreciation to intergovernmental and international non-governmental organizations active in the fields of secured financing and intellectual property, in particular the World Intellectual Property Organization and the Hague Conference on Private International Law, for their participation in and support for the development of the *UNCITRAL Legislative Guide on Secured Transactions: Supplement on Security Rights in Intellectual Property*,

1. *Expresses its appreciation* to the United Nations Commission on International Trade Law for the completion and adoption of the *UNCITRAL Legislative Guide on Secured Transactions: Supplement on Security Rights in Intellectual Property*;

2. *Requests* the Secretary-General to disseminate broadly, including through electronic means, the text of the Supplement and to transmit it to Governments and other interested bodies;

3. *Recommends* that all States utilize the Supplement to assess the economic efficiency of their intellectual property financing and give favourable consideration to the Supplement when revising or adopting their relevant legislation, and invites States that have done so to advise the Commission accordingly;

4. *Also recommends* that all States continue to consider becoming parties to the United Nations Convention on the Assignment of Receivables in International Trade and implementing the recommendations contained in the *UNCITRAL Legislative Guide on Secured Transactions*.

Legislative Guide on Insolvency Law

The Commission had before it the revised draft [A/CN.9/WG.V/WP.92 & Add.1] of part three of the *UNCITRAL Legislative Guide on Insolvency Law*, on the treatment of enterprise groups in insolvency, which the Working Group had approved at its thirty-eighth session (New York, 19–23 April); the comments by Governments and international organizations on draft part three [A/CN.9/699 & Add.1–4]; the reports of the thirty-seventh [A/CN.9/686] and thirty-eighth [A/CN.9/691] sessions of the Working Group; and a Secretariat note on the revision of draft part three as agreed by the Working Group at its thirty-eighth session [A/CN.9/708].

On 1 July, the Commission adopted part three of the *UNCITRAL Legislative Guide on Insolvency Law*.

GENERAL ASSEMBLY ACTION

On 6 December [meeting 57], the General Assembly, on the recommendation of the Sixth Committee [A/65/465], adopted **resolution 65/24** without vote [agenda item 77].

Part three of the UNCITRAL Legislative Guide on Insolvency Law

The General Assembly,

Recalling its resolution 2205(XXI) of 17 December 1966, by which it established the United Nations Commission on International Trade Law with the purpose of furthering the progressive harmonization and unification of the law of international trade in the interests of all peoples, in particular those of developing countries,

Recalling also its resolution 59/40 of 2 December 2004 recommending the use of the *UNCITRAL Legislative Guide on Insolvency Law*,

Recognizing that effective insolvency regimes are increasingly seen as a means of encouraging economic development and investment, as well as fostering entrepreneurial activity and preserving employment,

Noting that because the business of corporations is increasingly conducted, both domestically and internationally, through enterprise groups, the formation of enterprise groups is a feature of the increasingly globalized world economy and thus significant to international trade and commerce,

Recognizing that where the business of an enterprise group fails, it is important not only to know how the group will be treated in insolvency proceedings, but also to ensure that that treatment facilitates, rather than hinders, the fast and efficient conduct of the insolvency proceedings,

Being aware that very few States recognize an enterprise group as a legal entity, except in limited ways for specific purposes, and that very few, if any, have a comprehensive regime for the treatment of enterprise groups in insolvency,

Noting that the *UNCITRAL Legislative Guide on Insolvency Law*, while providing a sound basis for the unification of insolvency law and forming key elements of a modern

commercial law framework, does not address the insolvency of enterprise groups,

Appreciating the support for and the participation of international intergovernmental and non-governmental organizations active in the field of insolvency law reform in the development of an additional part of the *UNCITRAL Legislative Guide on Insolvency Law* addressing the treatment of enterprise groups in insolvency,

1. *Expresses its appreciation* to the United Nations Commission on International Trade Law for developing and adopting part three of the *UNCITRAL Legislative Guide on Insolvency Law* on the treatment of enterprise groups in insolvency;

2. *Requests* the Secretary-General to transmit the text of part three of the *UNCITRAL Legislative Guide on Insolvency Law* to Governments and other interested bodies;

3. *Recommends* that all States utilize the *UNCITRAL Legislative Guide on Insolvency Law* to assess the economic efficiency of their insolvency law regimes and give favourable consideration to the Guide when revising or adopting legislation relevant to insolvency, and invites States that have used the *Guide* to advise the Commission accordingly;

4. *Also recommends* that all States continue to consider implementation of the *UNCITRAL Model Law on Cross-Border Insolvency*;

5. *Further recommends* that the *UNCITRAL Practice Guide on Cross-Border Insolvency Cooperation* continue to be given due consideration by judges, insolvency practitioners and other stakeholders involved in cross-border insolvency proceedings.

Procurement

UNCITRAL took note of the reports of Working Group I (Procurement) on its seventeenth (Vienna, 7–11 December 2009) [A/CN.9/687] and eighteenth (New York, 12–16 April 2010) [A/CN.9/690] sessions relating to the revision of the *UNCITRAL Model Law on Procurement of Goods, Construction and Services*, in response to the Commission's 2004 request [YUN 2004, p. 1356]. At those sessions, the Working Group completed a second reading of all chapters of the draft revised model law and began a third reading of the text. The Working Group also settled many of the substantive issues and requested the Secretariat to re-draft certain provisions to reflect its deliberations at the sessions. The Commission further noted that the Working Group, at its eighteenth session, agreed to address the remaining outstanding issues with a view to finalizing the text at its nineteenth session. UNCITRAL requested the Working Group to complete its work on the revision of the 1994 Model Procurement Law during its next two sessions and present a draft revised model law for finalization and adoption by the Commission at its forty-fourth (2011) session.

The Working Group completed its work at its nineteenth session (Vienna, 1–5 November) [A/CN.9/713].

International commercial arbitration

The Commission entrusted its Working Group II (Arbitration and Conciliation) with the task of preparing a legal standard on transparency in treaty-based investor-State arbitration. The Working Group addressed the topic at its fifty-third session (Vienna, 4–8 October) [A/CN.9/712].

Implementation of the 1958 New York Convention

Under the ongoing project, approved by UNCITRAL in 1995 [YUN 1995, p. 1364], aimed at monitoring the legislative implementation of the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards [YUN 1958, p. 391], UNCITRAL, at its forty-third session, noted that pursuant to its request, the information collected during the implementation of the project had been published on the UNCITRAL website. In order to keep the compilation of information up-to-date and to enable the study based on that compilation to be as effective as possible, the Commission urged States to continue to provide the Secretariat with information regarding their implementation of the Convention. It also requested the Secretariat to pursue its efforts towards the preparation of the guide to enactment of the Convention. It was agreed that a more substantive presentation on progress made in preparing the guide would be made at a future session of the Commission.

Insolvency law

UNCITRAL noted the progress of Working Group V (Insolvency Law) in setting forth proposals for future work, which were discussed at the thirty-eighth session of the Working Group (New York, 19–23 April) [A/CN.9/691]. A document submitted by Switzerland [A/CN.9/709] set forth additional material. The Commission endorsed the Working Group's recommendation that activity be initiated on two important insolvency topics where a greater harmonization of national approaches would be beneficial in delivering certainty and predictability. Those topics were: to provide guidance on the interpretation and application of selected concepts of the *UNCITRAL Model Insolvency Law* relating to centre of main interests and possibly to develop a model law or provisions on insolvency law addressing selected international issues, including jurisdiction, access and recognition, in a manner that would not preclude the development of a convention; and the responsibility and liability of directors and officers of an enterprise in insolvency and pre-insolvency cases.

With respect to the proposal by Switzerland, the Commission agreed that the study on the feasibility

and scope of an international instrument regarding the cross-border resolution of large and complex financial institutions should be undertaken by the Secretariat as resources permitted. Coordination would be sought between the Secretariat and interested international organizations.

The Commission heard a proposal by the Secretariat, which reported that the International Association of Restructuring, Insolvency and Bankruptcy Professionals (INSOL) and the World Bank had indicated a desire for information and guidance for judges on cross-border-related issues and in particular on the UNCITRAL Model Insolvency Law. To that end, the Commission was informed that the Secretariat was working on the preparation of a draft text that provided a judicial perspective on the use and interpretation of the UNCITRAL Model Insolvency Law. The Commission agreed that the Secretariat should be mandated to develop the text in the same flexible manner as was achieved with respect to the UNCITRAL Practice Guide on Cross-Border Insolvency Cooperation. That would involve consultation with judges and insolvency practitioners and professionals; consideration by the Working Group; and finalization and adoption by the Commission.

Electronic commerce

UNCITRAL considered future work in the area of electronic commerce. It had before it a note by the Secretariat [A/CN.9/692] that provided an update on the work of the World Customs Organization-UNCITRAL Joint Legal Task Force on Coordinated Border Management incorporating the International Single Window on the implementation and operation of a single window facility. It also provided information relating to electronic transferable records and an update on developments in the field of electronic commerce, in particular on identity management and electronic commerce conducted with mobile devices, including payments. The Commission requested the Secretariat to continue its participation in the work on single windows carried out by the Joint Legal Task Force and by other organizations, with a view to exchanging views and formulating recommendations on possible legislative work in that domain. It also requested the Secretariat to convene a colloquium to discuss electronic single window facilities, electronic transferable records, identity management and use of mobile devices in electronic commerce and to report to the Commission at its next session.

The Commission had before it a Secretariat note on the issue of online dispute resolution in cross-border electronic commerce transactions [A/CN.9/706] and a note transmitting information provided by the Institute of International Commercial Law in

support of possible future work by UNCITRAL in the field of online dispute resolution [A/CN.9/710]. The Commission agreed that a working group should be established to undertake work in that field relating to cross-border e-commerce transactions, including business-to-business and business-to-consumer transactions.

Security interests

The Commission had before it a Secretariat note on possible future work in the area of security interests [A/CN.9/702 & Add.1]. The Commission noted that at the seventeenth session (New York, 8–12 February) [A/CN.9/689] of Working Group VI (Security Interests), support was expressed for work on registration of security rights and a model law on secured transactions based on the recommendations of the UNCITRAL Legislative Guide on Secured Transactions.

The Commission agreed that four issues related to secured transactions law should be retained on its work agenda: non-intermediated securities; registration of security rights; a model law; and a contractual guide on secured transactions. There was general agreement that priority should be given to work on registration of security rights in movable assets. Such a text would serve as a useful supplement the Commission's work on secured transactions and provide needed guidance to States with respect to the establishment and operation of security rights registries. It was stated that secured transactions law reform could not be effectively implemented without the establishment of an efficient, publicly accessible security rights registry. It was also emphasized that the Guide did not sufficiently address the various legal, administrative infrastructural and operational questions that needed to be resolved to ensure the successful implementation of a registry.

The Commission decided that Working Group VI should be entrusted with the preparation of a text on registration of security rights in movable assets. Other topics, such as security rights in non-intermediated securities, a model law based on the recommendations of the Guide, and a text dealing with the rights and obligations of the parties, should be retained in the programme of the Working Group.

The Commission also considered the topic of intellectual property licensing, a topic at the intersection of intellectual property and contract law. It requested the Secretariat to prepare a study that would identify specific topics and discuss the desirability and feasibility of the Commission preparing a legal text with a view to removing obstacles to international trade in the context of intellectual property licensing practices.

Microfinance

The Commission had before it a Secretariat note [A/CN.9/698] containing a study on microfinance in the context of international economic development, which reviewed issues relating to the regulatory and legal framework of microfinance. The Commission agreed that the Secretariat should convene a colloquium to explore the legal and regulatory issues surrounding microfinance that fell within the mandate of UNCITRAL. The colloquium should result in a report to the Commission at its 2011 session.

Case law on UNCITRAL texts

The Commission had before it a Secretariat note [A/CN.9/696] that set out the status of the system for collecting and disseminating case law on UNCITRAL texts (the CLOUT system). As at 14 April, 92 issues of compiled case law abstracts from the CLOUT system had been published, dealing with 925 cases relating mainly to the United Nations Convention on Contracts for the International Sale of Goods and the Model Law on Arbitration. The Commission noted the increase in the abstracts of case law on the UNCITRAL Model Insolvency Law, as well as the publication of abstracts on the New York Convention. It was widely agreed that the CLOUT system was an important aspect of the UNCITRAL technical cooperation and assistance activities, that its dissemination in all six official UN languages promoted the uniform interpretation and application of UNCITRAL texts, and that CLOUT and digests were important assets for promoting awareness, harmonization and uniform interpretation of the law relating to UNCITRAL texts.

Technical cooperation and assistance

The Commission had before it a Secretariat note [A/CN.9/695 & Add.1] describing technical cooperation and assistance activities undertaken since its 2009 note on that topic [YUN 2009, p. 1320], which emphasized the importance of such activities to the adoption and use of UNCITRAL texts. The Commission expressed its appreciation for the activities undertaken by the Secretariat [A/CN.9/695/Add.1] to promote adoption of the United Nations Convention on Contracts for the International Carriage of Goods Wholly or Partly by Sea (known as the “Rotterdam Rules”) [YUN 2008, p. 1454]. It was emphasized that legislative technical assistance, in particular to developing countries, was an activity that was not less important than the formulation of uniform rules itself. The Secretariat was encouraged to continue to provide such assistance and to improve its outreach to developing countries. The Commission welcomed the suggestion of the Secretariat on preparing an annual report on

promotional activities relating to each of the newly adopted legislative texts.

The Commission noted that the continuing ability to respond to requests from States and regional organizations for technical cooperation and assistance was dependent upon the availability of funds to meet associated UNCITRAL costs. Nevertheless, despite efforts by the Secretariat to solicit new donations, funds available in the UNCITRAL Trust Fund for Symposia were very limited. Accordingly, requests for technical cooperation and assistance activities had to be carefully considered and the number of such activities limited. The Commission requested the Secretariat to continue exploring alternative sources of extrabudgetary funding and the availability of other resources to provide technical assistance.

Future work

UNCITRAL considered the working methods of the Commission and had before it a Secretariat note [A/CN.9/697] containing a proposed summary of conclusions on UNCITRAL rules of procedure and methods of work, as well as a note [A/CN.9/697/Add.1] reproducing comments from Burundi regarding UNCITRAL working methods.

The Commission adopted the summary of conclusions on UNCITRAL rules of procedure and methods of work. With respect to the implementation of that text, it was emphasized that all chairpersons should adhere to the principles expressed in the summary of conclusions. With regard to non-governmental organizations, whose contribution was recognized as welcome and essential to the work of the Commission and its Working Groups, it was emphasized that only those organizations that were expected to contribute to the advancement of a project should be invited to participate in a session.

UNCITRAL approved the holding of its forty-fourth session in Vienna (27 June–15 July 2011) and the schedule of meetings for its working groups up to and after its forty-fourth (2011) session.

GENERAL ASSEMBLY ACTION

On 6 December [meeting 57], the General Assembly, on the recommendation of the Sixth Committee [A/65/465], adopted **resolution 65/21** without vote [agenda item 77].

Report of the United Nations Commission on International Trade Law on the work of its forty-third session

The General Assembly,

Recalling its resolution 2205(XXI) of 17 December 1966, by which it established the United Nations Commission on International Trade Law with a mandate to

further the progressive harmonization and unification of the law of international trade and in that respect to bear in mind the interests of all peoples, in particular those of developing countries, in the extensive development of international trade,

Reaffirming its belief that the progressive modernization and harmonization of international trade law, in reducing or removing legal obstacles to the flow of international trade, especially those affecting developing countries, would contribute significantly to universal economic co-operation among all States on a basis of equality, equity, common interest and respect for the rule of law, to the elimination of discrimination in international trade and, thereby, to peace, stability and the well-being of all peoples,

Having considered the report of the Commission on the work of its forty-third session,

Reiterating its concern that activities undertaken by other bodies in the field of international trade law without adequate coordination with the Commission might lead to undesirable duplication of efforts and would not be in keeping with the aim of promoting efficiency, consistency and coherence in the unification and harmonization of international trade law,

Reaffirming the mandate of the Commission, as the core legal body within the United Nations system in the field of international trade law, to coordinate legal activities in this field, in particular to avoid duplication of efforts, including among organizations formulating rules of international trade, and to promote efficiency, consistency and coherence in the modernization and harmonization of international trade law, and to continue, through its secretariat, to maintain close cooperation with other international organs and organizations, including regional organizations, active in the field of international trade law,

1. *Takes note with appreciation* of the report of the United Nations Commission on International Trade Law on the work of its forty-third session;

2. *Commends* the Commission for the finalization and adoption of three new international commercial law standards as follows: the UNCITRAL Arbitration Rules as revised in 2010; the UNCITRAL Legislative Guide on Secured Transactions: Supplement on Security Rights in Intellectual Property; and part three of the UNCITRAL Legislative Guide on Insolvency Law on the treatment of enterprise groups in insolvency;

3. *Encourages* the Commission to finalize its work on a revision of the UNCITRAL Model Law on Procurement of Goods, Construction and Services at its forty-fourth session, in 2011;

4. *Welcomes* the decision of the Commission to take up new topics in the areas of settlement of commercial disputes, security interests and insolvency law and undertake work in the area of online dispute resolution;

5. *Also welcomes* the decision of the Commission to hold international colloquiums in order to facilitate identification of a road map for future work by the Commission in the area of electronic commerce and in order to explore the legal and regulatory issues surrounding microfinance that fell within the mandate of the Commission;

6. *Further welcomes* the progress made in the ongoing project of the Commission on monitoring the implementation of the Convention on the Recognition and Enforce-

ment of Foreign Arbitral Awards, done at New York on 10 June 1958, and requests the Secretariat to pursue its efforts towards the preparation of a draft guide on the enactment of the Convention to promote a uniform interpretation and application of the Convention;

7. *Endorses* the efforts and initiatives of the Commission, as the core legal body within the United Nations system in the field of international trade law, aimed at increasing coordination of, and cooperation on, legal activities of international and regional organizations active in the field of international trade law and at promoting the rule of law at the national and international levels in this field, and in this regard appeals to relevant international and regional organizations to coordinate their legal activities with those of the Commission, to avoid duplication of efforts and to promote efficiency, consistency and coherence in the modernization and harmonization of international trade law;

8. *Reaffirms* the importance, in particular for developing countries, of the work of the Commission concerned with technical cooperation and assistance in the field of international trade law reform and development, and in this connection:

(a) Welcomes the initiatives of the Commission towards expanding, through its secretariat, its technical cooperation and assistance programme, and in that respect encourages the Secretary-General to seek partnerships with State and non-State actors to increase awareness about the work of the Commission and facilitate the effective implementation of legal standards resulting from its work;

(b) Expresses its appreciation to the Commission for carrying out technical cooperation and assistance activities, including at the country, subregional and regional levels, and for providing assistance with legislative drafting in the field of international trade law, and draws the attention of the Secretary-General to the limited resources that are made available in this field;

(c) Expresses its appreciation to the Governments whose contributions enabled the technical cooperation and assistance activities, and appeals to Governments, the relevant bodies of the United Nations system, organizations, institutions and individuals to make voluntary contributions to the United Nations Commission on International Trade Law Trust Fund for Symposia and, where appropriate, for the financing of special projects, and otherwise to assist the secretariat of the Commission in carrying out technical cooperation and assistance activities, in particular in developing countries;

(d) Reiterates its appeal to the United Nations Development Programme and other bodies responsible for development assistance, such as the World Bank and regional development banks, as well as to Governments in their bilateral aid programmes, to support the technical cooperation and assistance programme of the Commission and to cooperate and coordinate their activities with those of the Commission, in the light of the relevance and importance of the work and programmes of the Commission for the promotion of the rule of law at the national and international levels and for the implementation of the United Nations development agenda, including the achievement of the Millennium Development Goals;

(e) Welcomes the Commission's request that the Secretariat consider ways of better integrating its technical coop-

eration and assistance activities in activities conducted on the ground by the United Nations, in particular through the United Nations Development Programme or other country offices of the United Nations;

9. *Appeals* to Governments, the relevant bodies of the United Nations system, organizations, institutions and individuals to make voluntary contributions to the trust fund established to provide travel assistance to developing countries that are members of the Commission, at their request and in consultation with the Secretary-General, in order to enable renewal of the provision of that assistance and to increase expert representation from developing countries at sessions of the Commission and its working groups, necessary to build local expertise and capacities in the field of international trade law in those countries in order to facilitate the development of international trade and the promotion of foreign investment;

10. *Decides*, in order to ensure full participation by all Member States in the sessions of the Commission and its working groups, to continue, in the competent Main Committee during the sixty-fifth session of the General Assembly, its consideration of the granting of travel assistance to the least developed countries that are members of the Commission, at their request and in consultation with the Secretary-General;

11. *Welcomes* the adoption by the Commission of a summary of conclusions on the topic of the Commission's rules of procedure and methods of work, after the comprehensive review of its working methods undertaken by the Commission from its fortieth to forty-second sessions, in the light of the recent increase in membership of the Commission and the number of topics being dealt with by the Commission, and calls upon Member States, non-member States, observer organizations and the Secretariat to apply the rules of procedure and methods of work, with a view to ensuring the high quality of the work of the Commission and international acceptability of its instruments, and in this regard recalls its previous resolutions related to this matter;

12. *Endorses* the conviction of the Commission that the implementation and effective use of modern private law standards on international trade are essential for advancing good governance, sustained economic development and the eradication of poverty and hunger and that the promotion of the rule of law in commercial relations should be an integral part of the broader agenda of the United Nations to promote the rule of law at the national and international levels, including through the Rule of Law Coordination and Resource Group, supported by the Rule of Law Unit in the Executive Office of the Secretary-General;

13. *Welcomes* the panel discussion on the rule of law in trade and commerce, held during the forty-third session of the Commission, and takes note with appreciation of the opening remarks delivered by the Deputy Secretary-General and statements made by representatives of States and multilateral development banks and by the Director of the United Nations Rule of Law Unit, reiterating the role of the Commission in promoting the rule of law at the national and international levels and the impact of the work of the Commission on economic and social development, including the achievement of the Millennium Development Goals, on the promotion of coordination and coherence of technical assistance and capacity-building in the field of international commercial law and in the context of post-conflict reconstruction;

14. *Takes note* of the decisions taken by the Commission at the end of the panel discussion, and in particular welcomes those improving the integration of the work of the Commission into the United Nations joint rule of law programmes, in particular by raising awareness about the work of the Commission across the United Nations and by promoting regular dialogue between the Commission and the Rule of Law Coordination and Resource Group;

15. *Welcomes* the review by the Commission of the proposed biennial programme plan for subprogramme 5 (Progressive harmonization, modernization and unification of the law of international trade) of programme 6 (Legal affairs) in the context of its consideration of the proposed strategic framework for the period 2012–2013, takes note that the Commission also expressed concern that the resources allotted to the Secretariat under subprogramme 5 were insufficient for it to meet the increased demand from developing countries and countries with economies in transition for technical assistance with law reform in the field of commercial law, and also takes note that the Commission urged the Secretary-General to take steps to ensure that the comparatively small amount of additional resources necessary to meet a demand so crucial to development are made available promptly;

16. *Takes note* of the concern expressed by the Commission over the lack of sufficient resources in its secretariat for responding to the growing need for uniform interpretation of Commission texts, which is considered indispensable for their effective implementation, and that the Commission encouraged the Secretariat to explore various means to address this concern, inter alia, by building partnerships with interested institutions and establishing within the Commission's secretariat a pillar concentrating on the promotion of ways and means of uniform interpretation of Commission texts, in particular by sustaining and expanding the system for the collection and dissemination of case law on Commission texts (the CLOUT system);

17. *Recalls* its resolutions on partnerships between the United Nations and non-State actors, in particular the private sector, and its resolutions in which it encouraged the Commission to further explore different approaches to the use of partnerships with non-State actors in the implementation of its mandate, in particular in the area of technical assistance, in accordance with the applicable principles and guidelines and in cooperation and coordination with other relevant offices of the Secretariat, including the Global Compact Office;

18. *Reiterates its request* to the Secretary-General, in conformity with its resolutions on documentation-related matters, which, in particular, emphasize that any reduction in the length of documents should not adversely affect either the quality of the presentation or the substance of the documents, to bear in mind the particular characteristics of the mandate and work of the Commission in implementing page limits with respect to the documentation of the Commission;

19. *Requests* the Secretary-General to continue providing summary records of the meetings of the Commission, including meetings of committees of the whole established by the Commission for the duration of its annual session, relating to the formulation of normative texts;

20. *Recalls* its resolution in which it approved the establishment of the *Yearbook of the United Nations Com-*

mission on International Trade Law, with the aim of making the work of the Commission more widely known and readily available, expresses its concern regarding the timeliness of the publication of the Yearbook, and requests the Secretary-General to explore options to facilitate the timely publication of the Yearbook;

21. *Stresses* the importance of bringing into effect the conventions emanating from the work of the Commission for the global unification and harmonization of international trade law, and to this end urges States that have not yet done so to consider signing, ratifying or acceding to those conventions;

22. *Welcomes* the preparation of digests of case law relating to the texts of the Commission, such as a digest of case law relating to the United Nations Convention on Contracts for the International Sale of Goods and a digest of case law relating to the Model Law on International Commercial Arbitration of the United Nations Commission on International Trade Law, with the aim of assisting in the dissemination of information on those texts and promoting their use, enactment and uniform interpretation.

Other questions

Rule of law at the national and international levels

In August, pursuant to General Assembly resolution 64/116 [YUN 2009, p. 1314], the Secretary-General submitted his second annual report [A/65/318] on strengthening and coordinating UN rule-of-law activities, which illustrated UN support to Member States over the preceding year, as well as gaps and challenges. The report reviewed emerging mechanisms and practices that promoted the effective implementation of international law by Member States, identified areas in need of concerted action and highlighted implementation of the recommendations made in the Secretary-General's 2008 [YUN 2008, p. 1449] and 2009 [YUN 2009, p. 1314] reports. Efforts to ensure the quality, coordination and coherence of UN engagement by the Rule of Law Coordination and Resource Group, supported by the Rule of Law Unit and chaired by the Deputy Secretary-General, continued to drive the Organization towards more strategic and effective rule-of-law assistance.

UN rule-of-law activities were undertaken in more than 125 States. In at least 60 countries, a minimum of three UN entities were engaged in such support. The second annual system-wide meeting on the rule of law (New York, 1 July) was attended by 25 UN system entities.

The Secretary-General observed that in the past year, judicial and non-judicial mechanisms ensuring accountability had proved to be an important tool in the international response to impunity. He recalled that since 2008, he had commented on the critical interface between international and national rule of law, recommending that the United Nations focus

on finding better ways to support Member States and their populations in the domestic implementation of international norms and standards; working to achieve compliance with international obligations; and strengthening the institutions, policies, processes and conditions ensuring effective enforcement and enjoyment of a just national and international order.

GENERAL ASSEMBLY ACTION

On 6 December [meeting 57], the General Assembly, on the recommendation of the Sixth Committee [A/65/473], adopted **resolution 65/32** without vote [agenda item 85].

The rule of law at the national and international levels

The General Assembly,

Recalling its resolution 64/116 of 16 December 2009,

Reaffirming its commitment to the purposes and principles of the Charter of the United Nations and international law, which are indispensable foundations of a more peaceful, prosperous and just world, and reiterating its determination to foster strict respect for them and to establish a just and lasting peace all over the world,

Reaffirming that human rights, the rule of law and democracy are interlinked and mutually reinforcing and that they belong to the universal and indivisible core values and principles of the United Nations,

Reaffirming also the need for universal adherence to and implementation of the rule of law at both the national and international levels and its solemn commitment to an international order based on the rule of law and international law, which, together with the principles of justice, is essential for peaceful coexistence and cooperation among States,

Convinced that the advancement of the rule of law at the national and international levels is essential for the realization of sustained economic growth, sustainable development, the eradication of poverty and hunger and the protection of all human rights and fundamental freedoms, and acknowledging that collective security depends on effective cooperation, in accordance with the Charter and international law, against transnational threats,

Reaffirming the duty of all States to refrain in their international relations from the threat or use of force in any manner inconsistent with the purposes and principles of the United Nations and to settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered, in accordance with Chapter VI of the Charter, and calling upon States that have not yet done so to consider accepting the jurisdiction of the International Court of Justice in accordance with its Statute,

Convinced that the promotion of and respect for the rule of law at the national and international levels, as well as justice and good governance, should guide the activities of the United Nations and of its Member States,

Recalling paragraph 134 (e) of the 2005 World Summit Outcome,

1. *Takes note* of the annual report of the Secretary-General on strengthening and coordinating United Nations rule of law activities;

2. *Reaffirms* the role of the General Assembly in encouraging the progressive development of international law and its codification, and reaffirms further that States shall abide by all their obligations under international law;

3. *Stresses* the importance of adherence to the rule of law at the national level and the need to strengthen support to Member States, upon their request, in the domestic implementation of their respective international obligations through enhanced technical assistance and capacity-building, based on greater coordination and coherence within the United Nations system and among donors, and reiterates its call for greater evaluation of the effectiveness of such activities;

4. *Calls*, in this context, for dialogue to be enhanced among all stakeholders with a view to placing national perspectives at the centre of rule of law assistance in order to strengthen national ownership;

5. *Calls upon* the United Nations system to systematically address, as appropriate, aspects of the rule of law in relevant activities, recognizing the importance of the rule of law to virtually all areas of United Nations engagement;

6. *Expresses full support* for the overall coordination and coherence role of the Rule of Law Coordination and Resource Group within the United Nations system within existing mandates, supported by the Rule of Law Unit in the Executive Office of the Secretary-General, under the leadership of the Deputy Secretary-General;

7. *Requests* the Secretary-General to submit, in a timely manner, his next annual report on United Nations rule of law activities, in accordance with paragraph 5 of its resolution 63/128 of 11 December 2008;

8. *Welcomes* the dialogue initiated by the Rule of Law Coordination and Resource Group and the Rule of Law Unit with Member States on the topic “Promoting the rule of law at the international level”, and calls for the continuation of this dialogue with a view to fostering the rule of law at the international level;

9. *Encourages* the Secretary-General and the United Nations system to accord high priority to rule of law activities;

10. *Invites* the International Court of Justice, the United Nations Commission on International Trade Law and the International Law Commission to continue to comment, in their respective reports to the General Assembly, on their current roles in promoting the rule of law;

11. *Invites* the Rule of Law Coordination and Resource Group and the Rule of Law Unit to continue to interact with Member States on a regular basis, in particular in informal briefings;

12. *Stresses* the need to provide the Rule of Law Unit with the necessary funding and staff in order to enable it to carry out its tasks in an effective and sustainable manner, and urges the Secretary-General and Member States to continue to support the functioning of the Unit;

13. *Decides* to convene a high-level meeting of the General Assembly on the rule of law at the national and international levels during the high-level segment of its sixty-seventh session, the modalities of which will be finalized during its sixty-sixth session;

14. *Also decides* to include in the provisional agenda of its sixty-sixth session the item entitled “The rule of law

at the national and international levels”, invites Member States to focus their comments in the upcoming Sixth Committee debate on the sub-topic “Rule of law and transitional justice in conflict and post-conflict situations”, without prejudice to the consideration of the item as a whole, and invites the Secretary-General, after seeking the views of Member States, to provide information on this sub-topic in his report.

Strengthening the role of the United Nations

Special Committee on United Nations Charter

In accordance with General Assembly resolution 64/115 [YUN 2009, p. 1322], the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, at its sixty-fifth session (New York, 1–9 March) [A/65/33], continued to consider proposals relating to the maintenance of international peace and security; the peaceful settlement of disputes between States; the improvement of the Committee’s working methods; and the status of the publications *Repertory of Practice of United Nations Organs* and *Repertoire of the Practice of the Security Council*.

Regarding the maintenance of international peace and security, the Committee discussed a revised working paper submitted by the Libyan Arab Jamahiriya on the strengthening of certain principles concerning the application of sanctions [YUN 2002, p. 1329].

The Committee also discussed the further revised working paper entitled “Strengthening of the role of the Organization and enhancing its effectiveness” [YUN 2009, p. 1321], introduced by Cuba in 2009. The sponsor noted that it had not received any proposals for amendments, requested that the working paper be kept on the agenda of the Committee, and called on delegations to further study the document.

The Libyan delegation also indicated that, with regard to the revised proposal it had submitted on strengthening the role of the United Nations in the maintenance of international peace and security [YUN 1998, p. 1233], it had not received any proposals for amendments, and called on delegations to further study the document.

On the revised working paper submitted by Belarus and the Russian Federation in 2005 [YUN 2005, p. 1446], which recommended, among other things, that an advisory opinion be requested from the International Court of Justice (ICJ) as to the legal consequences of the resort to the use of force by States without prior authorization by the Security Council, except in the exercise of the right to self-defence, the Special Committee heard a statement by the Russian Federation, which emphasized the topicality of the subject and spoke in favour of starting a comprehensive discussion that could lead to a general agreement. The

Russian Federation pointed out that an ICJ advisory opinion would strengthen the implementation of the *jus cogens* principle of the non-use of force or the threat of force, addressing lacunae in the Charter, which did not contain detailed provisions regarding the use of force. It would also re-emphasize that the resort to the use of force by States should require prior authorization by the Security Council and specify the legal consequences of not fulfilling that requirement. Belarus reiterated that an ICJ advisory opinion would contribute to the uniform interpretation and application of the principles and norms of the Charter regarding the use of force. Belarus further pointed out that any violations of the relevant Charter provisions should result in the responsibility of the offenders under international law. It noted that the proposal was favourably viewed by most countries and that some of its aspects were reflected in the draft articles elaborated by the International Law Commission on "Responsibility of States for internationally wrongful acts". Belarus invited delegations to present their suggestions, which could help to achieve consensus on the issue. Some delegations reiterated their support for the proposal, which in their view would contribute to the strengthening of the principle of the non-use of force or the threat of force set out in the Charter and to the strengthening of the rule of law in international relations. Concern was expressed over attempts to justify the unilateral use of force without authorization by the Security Council. It was pointed out that an ICJ advisory opinion would be instrumental in preventing subjective interpretations of the Charter provisions. The Special Committee decided to keep the proposal on its agenda.

During the exchange of views on the peaceful settlement of disputes, some delegations stressed that according to the mandate of the Special Committee, the question of the peaceful settlement of disputes should remain on its agenda. Some delegations emphasized the important role of the judicial mechanisms, including ICJ, regarding the issue. Delegations also urged States to make the most effective use of the existing procedures and methods for the prevention and peaceful settlement of their disputes.

Delegations commended ongoing Secretariat efforts to update the *Repertory of Practice of United Nations Organs* and the *Repertoire of the Practice of the Security Council* and reduce the backlog in the preparation of those publications, including the enhanced cooperation with academic institutions and progress made towards making both publications available on the Internet. The *Repertory* website continued to be updated regularly and the fourteenth supplement to the *Repertoire* had been completed; an advance version was accessible on the *Repertoire* website. Significant progress had also been made on the fifteenth supplement; the Secretariat had begun the drafting of the sixteenth supplement, covering a shorter, two-year pe-

riod (2008–2009), and undertaken the groundwork for preparing the seventeenth supplement. The Committee recommended that the General Assembly commend the Secretary-General for progress made on both publications; call on him to continue efforts to update the two publications and make them available in all language versions; and reiterate its call for voluntary contributions to the trust funds for updating the *Repertoire* and eliminating the backlog of the *Repertory*.

On the identification of new subjects, the Special Committee noted that the two new proposals by Ghana and Venezuela, entitled, respectively, "Principles and practical measures/mechanism for strengthening and ensuring more effective cooperation between the United Nations and regional organizations on the maintenance of international peace and security in areas of conflict prevention and resolution and post-conflict peacebuilding and peacekeeping, consistent with Chapter VIII of the Charter of the United Nations" and "Special mechanism for the study on the functional relationship of the General Assembly, the Economic and Social Council, with the Security Council", should be further discussed at the next session of the Special Committee.

Report of Secretary-General. In response to General Assembly resolution 64/115 [YUN 2009, p. 1322], the Secretary-General in August reported [A/65/214] on the progress made by the Secretariat in updating the *Repertory of Practice of United Nations Organs* and *Repertoire of the Practice of the Security Council*.

With respect to the *Repertory*, the Secretary-General concluded that the Assembly might wish to note the progress made in the preparation of *Repertory* studies and their posting on the Internet in English, French and Spanish; consider the recommendations of the Special Committee—including the increased use of the UN internship programme and expanded cooperation with academic institutions for the preparation of the studies and the sponsoring, on a voluntary basis, and with no cost to the United Nations, of associate experts to assist in updating the publication; express appreciation for the contribution received to the trust fund for the elimination of the backlog of the *Repertory*; note the progress made towards the elimination of the backlog through use of the trust fund; and encourage States to make additional contributions to it.

With regard to the *Repertoire*, the Secretary-General concluded that the Assembly might wish to note the progress made towards its updating and its posting in electronic form in all language versions on the UN website; call for voluntary contributions to the trust fund for updating the *Repertoire*; and note the support of Germany and Norway in sponsoring associate experts, and encourage other States to consider providing such assistance.

Charter provisions relating to sanctions

The Special Committee continued its consideration of implementation of the Charter provisions relating to assistance to third States affected by sanctions [A/65/33]. Several delegations reaffirmed that sanctions, applied in accordance with the Charter, were an important tool in maintaining and restoring international peace and security, and that they should be designed to minimize any adverse impact on civilian populations and third States. It was stated that the Security Council had effectively addressed the question of the effects of sanctions, and that the more precise methods adopted by the Council and its committees to target and calibrate sanctions were increasingly successful in avoiding unintended effects.

Several delegations emphasized that sanctions should be introduced and applied in conformity with the provisions of the Charter and international law, should be clearly defined, and should be introduced only after all means of peaceful settlement had been exhausted and their effects had been thoroughly considered. They should not be applied “preventively” in instances of mere violation of international law and should be imposed only when there existed a threat to international peace and security or an act of aggression. It was reiterated that targeted sanctions constituted a better option for minimizing negative effects on civilian populations. Sanctions should have a specified time frame, be subject to periodic review and be lifted as soon as their objectives were achieved. It was reiterated that the International Law Commission should consider the issue of the legal consequences of the imposition of unlawful or illegitimate sanctions by the Security Council under the topic “Responsibility of international organizations”. Concern was expressed over the imposition of unilateral sanctions in violation of international law and the right to development.

Some delegations maintained that, since none of the sanctions committees had been approached by Member States since 2003 about economic problems arising from the implementation of sanctions, the Committee should acknowledge that positive development, avoid duplication of work and conclude its consideration of the topic. Other delegations stated that the issue should be given priority consideration; even targeted sanctions could have a significant impact on third States. Some delegations referred to the issue of compensation to third States affected by the application of sanctions. Certain delegations argued for establishing an assessment mechanism and adopting practical measures to assist third States; others expressed support for a case-by-case approach in assessing the possible unintended effects of sanctions.

Report of Secretary-General. In response to General Assembly resolution 64/115 [YUN 2009, p. 1322], the Secretary-General in August submitted a report [A/65/217] highlighting operational changes due to the shift in focus in the Security Council and its sanctions committees towards targeted sanctions; Secretariat arrangements related to assistance to third States affected by the application of sanctions; and recent developments concerning the activities of the Assembly and the Economic and Social Council in the area of assistance to such States.

GENERAL ASSEMBLY ACTION

On 6 December [meeting 57], the General Assembly, on the recommendation of the Sixth Committee [A/65/472], adopted **resolution 65/31** without vote [agenda item 84].

Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization

The General Assembly,

Recalling its resolution 3499(XXX) of 15 December 1975, by which it established the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, and its relevant resolutions adopted at subsequent sessions,

Recalling also its resolution 47/233 of 17 August 1993 on the revitalization of the work of the General Assembly,

Recalling further its resolution 47/62 of 11 December 1992 on the question of equitable representation on and increase in the membership of the Security Council,

Taking note of the report of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council,

Recalling the elements relevant to the work of the Special Committee contained in its resolution 47/120 B of 20 September 1993,

Recalling also its resolution 51/241 of 31 July 1997 on the strengthening of the United Nations system and its resolution 51/242 of 15 September 1997, entitled “Supplement to an Agenda for Peace”, by which it adopted the texts on coordination and the question of sanctions imposed by the United Nations, which are annexed to that resolution,

Concerned about the special economic problems confronting certain States arising from the carrying out of preventive or enforcement measures taken by the Security Council against other States, and taking into account the obligation of Members of the United Nations under Article 49 of the Charter of the United Nations to join in affording mutual assistance in carrying out the measures decided upon by the Council,

Recalling the right of third States confronted with special economic problems of that nature to consult the Security Council with regard to a solution of those problems, in accordance with Article 50 of the Charter,

Recalling also that the International Court of Justice is the principal judicial organ of the United Nations, and reaffirming its authority and independence,

Mindful of the adoption of the revised working papers on the working methods of the Special Committee,

Taking note of the report of the Secretary-General entitled "*Repertory of Practice of United Nations Organs and Repertoire of the Practice of the Security Council*",

Taking note also of paragraphs 106 to 110, 176 and 177 of the 2005 World Summit Outcome,

Mindful of the decision of the Special Committee in which it expressed its readiness to engage, as appropriate, in the implementation of any decisions that might be taken at the high-level plenary meeting of the sixtieth session of the General Assembly in September 2005 that concerned the Charter and any amendments thereto,

Recalling the provisions of its resolutions 50/51 of 11 December 1995, 51/208 of 17 December 1996, 52/162 of 15 December 1997, 53/107 of 8 December 1998, 54/107 of 9 December 1999, 55/157 of 12 December 2000, 56/87 of 12 December 2001, 57/25 of 19 November 2002, 58/80 of 9 December 2003 and 59/45 of 2 December 2004,

Recalling also its resolution 64/115 of 16 December 2009 and the document entitled "Introduction and implementation of sanctions imposed by the United Nations" annexed thereto,

Having considered the report of the Special Committee on the work of its session held in 2010,

Noting with appreciation the work done by the Special Committee to encourage States to focus on the need to prevent and to settle peacefully their disputes which are likely to endanger the maintenance of international peace and security,

1. *Takes note* of the report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization;

2. *Decides* that the Special Committee shall hold its next session from 28 February to 4 March and on 7 and 9 March 2011;

3. *Requests* the Special Committee, at its session in 2011, in accordance with paragraph 5 of General Assembly resolution 50/52 of 11 December 1995:

(a) To continue its consideration of all proposals concerning the question of the maintenance of international peace and security in all its aspects in order to strengthen the role of the United Nations and, in this context, to consider other proposals relating to the maintenance of international peace and security already submitted or which may be submitted to the Special Committee at its session in 2011;

(b) To continue to consider, on a priority basis and in an appropriate substantive manner and framework, the question of the implementation of the provisions of the Charter of the United Nations related to assistance to third States affected by the application of sanctions under Chapter VII of the Charter based on all of the related reports of the Secretary-General and the proposals submitted on the question;

(c) To keep on its agenda the question of the peaceful settlement of disputes between States;

(d) To consider, as appropriate, any proposal referred to it by the General Assembly in the implementation of the decisions of the high-level plenary meeting of the sixtieth session of the Assembly in September 2005 that concern the Charter and any amendments thereto;

(e) To continue to consider, on a priority basis, ways and means of improving its working methods and enhancing

its efficiency with a view to identifying widely acceptable measures for future implementation;

4. *Invites* the Special Committee, at its session in 2011, to continue to identify new subjects for consideration in its future work with a view to contributing to the revitalization of the work of the United Nations;

5. *Takes note* of the new subjects proposed at the session of the Special Committee which was held from 1 to 9 March 2010;

6. *Notes* the readiness of the Special Committee to provide, within its mandate, such assistance as may be sought at the request of other subsidiary bodies of the General Assembly in relation to any issues before them;

7. *Requests* the Special Committee to submit a report on its work to the General Assembly at its sixty-sixth session;

8. *Recognizes* the important role of the International Court of Justice, the principal judicial organ of the United Nations, in adjudicating disputes among States and the value of its work, as well as the importance of having recourse to the Court in the peaceful settlement of disputes, takes note, consistent with Article 96 of the Charter, of the Court's advisory jurisdiction that may be requested by the General Assembly, the Security Council or other authorized organs of the United Nations and the specialized agencies, and requests the Secretary-General to distribute, in due course, the advisory opinions requested by the principal organs of the United Nations as official documents of the United Nations;

9. *Commends* the Secretary-General for the progress made in the preparation of studies of the *Repertory of Practice of United Nations Organs*, including the increased use of the internship programme of the United Nations and further expanded cooperation with academic institutions for this purpose, as well as the progress made towards updating the *Repertoire of the Practice of the Security Council*;

10. *Notes with appreciation* the contributions made by Member States to the trust fund for the updating of the *Repertoire*, as well as the trust fund for the elimination of the backlog in the *Repertory*;

11. *Reiterates its call* for voluntary contributions to the trust fund for the updating of the *Repertoire*, voluntary contributions to the trust fund for the elimination of the backlog in the *Repertory* so as to further support the Secretariat in carrying out the effective elimination of that backlog, as well as the sponsoring, on a voluntary basis, and with no cost to the United Nations, of associate experts to assist in the updating of the two publications;

12. *Calls upon* the Secretary-General to continue his efforts towards updating the two publications and making them available electronically in all their respective language versions and to address, in particular, the backlog in the preparation of volume III of the *Repertory*;

13. *Reiterates* the responsibility of the Secretary-General for the quality of the *Repertory* and the *Repertoire*, and, with regard to the *Repertoire*, calls upon the Secretary-General to continue to follow the modalities outlined in paragraphs 102 to 106 of the report of the Secretary-General of 18 September 1952;

14. *Requests* the Secretary-General to submit to the General Assembly, at its sixty-sixth session, a report on both the *Repertory* and the *Repertoire*;

15. *Also requests* the Secretary-General to brief the Special Committee at its next session on the information referred to in paragraph 11 of his report on the implementation of the provisions of the Charter related to assistance to third States affected by the application of sanctions;

16. *Further requests* the Secretary-General to submit to the General Assembly, at its sixty-sixth session, under the item entitled "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization", a report on the implementation of the provisions of the Charter related to assistance to third States affected by the application of sanctions;

17. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization".

UN Programme for the teaching and study of international law

In response to General Assembly resolution 64/113 [YUN 2009, p. 1326], the Secretary-General in October reported [A/65/514] on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law, which covered implementation of the Programme in 2010.

Activities included the holding of the forty-sixth session of the International Law Seminar (Geneva, 5–23 July) and the convening of the International Law Fellowship Programme (The Hague, 5 July–13 August), attended by 19 fellows (10 men and 9 women) as well as two self-funded participants (women). In addition, lectures, seminars and study visits were organized by the UN Office of Legal Affairs (OLA). A review by the Codification Division of OLA indicated that significant cost savings could be achieved by no longer requesting the assistance of the United Nations Institute for Training and Research (UNITAR) in the administration of the fellowship programme. Accordingly, the Codification Division in 2010 conducted the fellowship programme without the assistance of UNITAR as a necessary cost-saving measure to increase the number of fellowships. To achieve further cost savings, the Division invited universities, institutions and organizations, as well as individuals, to make voluntary contributions and otherwise assist in the implementation of the programme.

The Codification Division also organized regional courses in international law and was responsible for the United Nations Audiovisual Library of International Law, created in response to the increasing demand for international law training. The Division also maintained 21 websites relating to the codification and progressive development of international law, the Programme of Assistance and various legal publications. The Division contributed published UN legal opinions to the Global Legal Information Network—a database of laws, regula-

tions, judicial decisions and other legal sources contributed by governmental agencies and international organizations—which aimed to address the need of governmental organs, during the law-making process, to have knowledge of the laws and regulations of other jurisdictions. The Office's Treaty Section continued its technical assistance and training programme on participation in multilateral treaties, registration of treaties, depositary practices and final clauses. Another OLA programme, the annual Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea (see p. 1391), provided successful fellows with facilities for postgraduate study and research.

The report also described the legal publications issued during the year, provided guidelines and recommendations for the execution of the 2011 Programme of Assistance and outlined the administrative and financial implications of UN participation in the Programme for the 2010–2011 biennium.

The Advisory Committee on the Programme held its forty-fifth session on 14 October.

GENERAL ASSEMBLY ACTION

On 6 December [meeting 57], the General Assembly, on the recommendation of the Sixth Committee [A/65/466], adopted **resolution 65/25** without vote [agenda item 78].

United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law

The General Assembly,

Recalling its resolution 2099(XX) of 20 December 1965, in which it established the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law to contribute towards a better knowledge of international law as a means of strengthening international peace and security and promoting friendly relations and cooperation among States,

Reaffirming that the Programme of Assistance is a core activity of the United Nations and that it has provided the foundation for the efforts of the United Nations to promote a better knowledge of international law for nearly half a century,

Reaffirming also that the increasing demand for international law training and dissemination activities creates new challenges for the Programme of Assistance,

Taking note with appreciation of the report of the Secretary-General on the implementation of the Programme of Assistance and the views of the Advisory Committee on the Programme of Assistance, which are contained in that report,

Noting with concern the reduction in the programme budget for the biennium 2010–2011 for fellowships for the benefit of developing countries indicated in the report of the Secretary-General, notwithstanding its resolution 64/113 of 16 December 2009,

Considering that international law should occupy an appropriate place in the teaching of legal disciplines at all universities,

Convinced that States, international and regional organizations, universities and institutions should be encouraged

to give further support to the Programme of Assistance and to increase their activities to promote the teaching, study, dissemination and wider appreciation of international law, in particular those activities which are of special benefit to persons from developing countries,

Reaffirming that in the conduct of the Programme of Assistance it would be desirable to use as far as possible the resources and facilities made available by Member States, international and regional organizations, universities, institutions and others,

Reaffirming also the hope that, in appointing lecturers for the seminars to be held within the framework of the fellowship programmes in international law, account would be taken of the need to secure the representation of major legal systems and balance among various geographical regions,

1. *Reiterates* its authorization for the Secretary-General to carry out, in 2011, the activities specified in the report he submitted to the General Assembly at its sixty-fourth session, in accordance with the guidelines and recommendations contained therein, including the provision of:

(a) A number of fellowships, to be determined in the light of the overall resources for the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law and to be awarded to qualified candidates from developing countries, to attend the International Law Fellowship Programme in The Hague in 2011;

(b) A number of fellowships, to be determined in the light of the overall resources for the Programme of Assistance and to be awarded to qualified candidates from developing countries, to attend regional courses in international law in 2011; and to finance the above activities from provisions in the regular budget, when appropriate, as well as from voluntary financial contributions for these fellowships, which would be received as a result of the requests set out in paragraphs 18 to 20 below;

2. *Authorizes* the Secretary-General to award a minimum of one scholarship in 2011 under the Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea, subject to the availability of voluntary contributions made for this fellowship, and in this regard calls upon States, intergovernmental organizations, international financial institutions, donor agencies, non-governmental organizations and natural and juridical persons to make voluntary contributions to its trust fund;

3. *Expresses its appreciation* to the Secretary-General for the efforts to strengthen, expand and enhance the international law training and dissemination activities within the framework of the Programme of Assistance in 2010;

4. *Requests* the Secretary-General to consider admitting, for participation in the various components of the Programme of Assistance, candidates from countries willing to bear the entire cost of such participation;

5. *Also requests* the Secretary-General to continue to provide to the programme budget the necessary resources for the Programme of Assistance to ensure the continued effectiveness of the Programme in 2011, in accordance with resolution 64/113;

6. *Further requests* the Secretary-General to continue to provide to the programme budget for the next and future bienniums the necessary resources for the Programme of Assistance to ensure the continued effectiveness and further development of the Programme, in particular the organiza-

tion of regional courses in international law on a regular basis and the viability of the United Nations Audiovisual Library of International Law;

7. *Recognizes* the importance of the United Nations legal publications prepared by the Office of Legal Affairs of the Secretariat, and strongly encourages their continued publication;

8. *Welcomes* the efforts undertaken by the Office of Legal Affairs to bring up to date the United Nations legal publications, and, in particular, commends the Codification Division of the Office of Legal Affairs for its desktop publishing initiative, which has greatly enhanced the timely issuance of its legal publications;

9. *Encourages* the Office of Legal Affairs to continue to maintain and expand its websites listed in annex I to the report of the Secretary-General as an invaluable tool for the dissemination of international law materials as well as for advanced legal research;

10. *Recognizes* the importance of the United Nations Audiovisual Library of International Law as a major contribution to the teaching and dissemination of international law around the world, and urges States to make voluntary contributions to enable the Codification Division to continue and further develop the Library;

11. *Encourages* the use of interns and research assistants for the preparation of materials for the United Nations Audiovisual Library of International Law;

12. *Welcomes* the training and technical assistance activities in international law undertaken by the Office of Legal Affairs within the framework of the Programme of Assistance, as described in the report of the Secretary-General, and encourages the continuation of such activities within available resources;

13. *Commends* the Codification Division for the cost-saving measures undertaken with regard to the International Law Fellowship Programme to maintain the number of fellowships available for this comprehensive international law training programme;

14. *Expresses its appreciation* to The Hague Academy of International Law for the valuable contribution it continues to make to the Programme of Assistance, which has enabled candidates under the International Law Fellowship Programme to attend and participate in the Fellowship Programme in conjunction with the Academy courses;

15. *Notes with appreciation* the contributions of The Hague Academy to the teaching, study, dissemination and wider appreciation of international law, and calls upon Member States and interested organizations to give favourable consideration to the appeal of the Academy for a continuation of support and a possible increase in their financial contributions, to enable the Academy to carry out its activities, particularly those relating to the summer courses, regional courses and programmes of the Centre for Studies and Research in International Law and International Relations;

16. *Welcomes* the efforts of the Codification Division to revitalize and conduct regional courses in international law as an important training activity;

17. *Expresses its appreciation* to the Republic of Korea and Ethiopia for hosting regional courses in international law in Seoul in 2010 and in Addis Ababa in 2011;

18. *Requests* the Secretary-General to continue to publicize the Programme of Assistance and periodically to invite Member States, universities, philanthropic foundations

and other interested national and international institutions and organizations, as well as individuals, to make voluntary contributions towards the financing of the Programme or otherwise to assist in its implementation and possible expansion;

19. *Reiterates its request* to Member States and interested organizations, institutions and individuals to make voluntary contributions, inter alia, for the International Law Fellowship Programme and the United Nations Audiovisual Library of International Law, and expresses its appreciation to those Member States, institutions and individuals that have made voluntary contributions for this purpose;

20. *Urges*, in particular, all Governments to make voluntary contributions for the regional courses in international law organized by the Codification Division as an important complement to the International Law Fellowship Programme, thus alleviating the burden on prospective host countries and making it possible to conduct the regional courses on a regular basis;

21. *Requests* the Secretary-General to report to the General Assembly, at its sixty-sixth session, on the implementation of the Programme of Assistance during 2011 and to include in his report information on the request contained in paragraph 5 above;

22. *Also requests* the Secretary-General, following consultations with the Advisory Committee on the Programme of Assistance, to submit recommendations regarding the execution of the Programme of Assistance in subsequent years;

23. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law".

Host country relations

At five meetings held in New York (17 February, 20 May, 1 September, 29 September, 28 October), the Committee on Relations with the Host Country considered the following aspects of relations between the UN diplomatic community and the United States, the host country: acceleration of immigration and customs procedures; entry visas issued by the host country; and the question of security of missions and safety of personnel.

The recommendations and conclusions on those items, approved by the Committee at its 28 October meeting, were incorporated in its report [A/65/26]. The Committee expressed appreciation for the host country's efforts to maintain appropriate conditions for delegations and missions accredited to the United Nations and anticipated that all issues raised at its meetings would be duly settled in a spirit of cooperation and in accordance with international law.

Noting the importance of the observance of privileges and immunities, the Committee emphasized the need to solve, through negotiations, problems that might arise in that regard for the normal functioning of accredited delegations and missions. It urged the host country to continue to take appropriate action, such as the training of police, security, customs and

border control officers, with a view to maintaining respect for diplomatic privileges and immunities. In case of violations, the Committee urged the host country to ensure that such cases were properly investigated and remedied, in accordance with applicable law. Considering that the security of missions and the safety of their personnel were indispensable for their effective functioning, the Committee appreciated the host country's efforts to that end and anticipated that the host country would continue to take all measures necessary to prevent any interference with the missions' functioning.

Noting the problems experienced by some missions in connection with the implementation of the Parking Programme for Diplomatic Vehicles, in force since 2002 [YUN 2002, p. 1338], the Committee decided to remain seized of the matter, with a view to ensuring its implementation in a manner that was fair, non-discriminatory and effective, and therefore consistent with international law. It also requested that the host country continue to bring to the attention of New York City officials reports about other problems experienced by permanent missions or their staff, in order to improve the conditions for their functioning and to promote compliance with international norms concerning diplomatic privileges and immunities.

The Committee anticipated that the host country would enhance its efforts to ensure the issuance, in a timely manner, of entry visas to representatives of Member States to travel to New York on official UN business, and noted that a number of delegations had requested shortening the time frame applied by the host country for issuance of entry visas, since the existing time frame posed difficulties for the full-fledged participation of Member States in UN meetings. On host country travel regulations for personnel of certain missions and staff members of the Secretariat of certain nationalities, the Committee urged the host country to remove the remaining restrictions. It also stressed the importance of permanent missions, their personnel and Secretariat personnel meeting their financial obligations.

The Committee reiterated its appreciation to the representative of the United States Mission in charge of host country affairs, to the Host Country Affairs Section of the United States Mission to the United Nations and the Office of Foreign Missions, as well as to those local entities, in particular the New York City Commission for the United Nations, Consular Corps and Protocol, that contributed to its efforts to help accommodate the needs, interests and requirements of the diplomatic community and to promote mutual understanding between the diplomatic community and the people of the City of New York.

Communications. The Committee had before it letters from Cuba to the Chairman of the Com-

mittee on Relations with the Host Country regarding demonstrations at its Mission and the security of its Mission in New York City [A/AC.154/389, A/AC.154/391, A/AC.154/392, A/AC.154/399], as well as the responses from the United States as host country [A/AC.154/390, A/AC.154/394, A/AC.154/400].

The Committee also had before it letters from Iran to the Chairman of the Committee on Relations with the Host Country regarding the processing of visa applications by the host country for Iranian senior officials [A/AC.154/393, A/AC.154/396, A/AC.154/401], as well as the responses from the United States as host country [A/AC.154/395, A/AC.154/402].

Also before the Committee was a letter from Nicaragua to the Chairman of the Committee regarding the detention of its permanent representative at two airports [A/AC.154/397], as well as the response from the United States as host country [A/AC.154/398].

GENERAL ASSEMBLY ACTION

On 6 December [meeting 57], the General Assembly, on the recommendation of the Sixth Committee [A/65/479], adopted **resolution 65/35** without vote [agenda item 161].

Report of the Committee on Relations with the Host Country

The General Assembly,

Having considered the report of the Committee on Relations with the Host Country,

Recalling Article 105 of the Charter of the United Nations, the Convention on the Privileges and Immunities of the United Nations, the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations and the responsibilities of the host country,

Recalling also that, in accordance with paragraph 7 of General Assembly resolution 2819(XXVI) of 15 December 1971, the Committee should consider, and advise the host country on, issues arising in connection with the implementation of the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations,

Recognizing that effective measures should continue to be taken by the competent authorities of the host country, in particular to prevent any acts violating the security of missions and the safety of their personnel,

1. *Endorses* the recommendations and conclusions of the Committee on Relations with the Host Country contained in paragraph 21 of its report;

2. *Considers* that the maintenance of appropriate conditions for the normal work of the delegations and the missions accredited to the United Nations and the observance of their privileges and immunities, which is an issue of great importance, are in the interest of the United Nations and all Member States, and requests the host country to continue to solve, through negotiations, problems that might arise and to take all measures necessary to prevent any interference with the functioning of missions; and urges the host country to continue to take appropriate action, such

as training of police, security, customs and border control officers, with a view to maintaining respect for diplomatic privileges and immunities and if violations occur to ensure that such cases are properly investigated and remedied, in accordance with applicable law;

3. *Notes* the problems experienced by some permanent missions in connection with the implementation of the Parking Programme for Diplomatic Vehicles, and notes that the Committee shall remain seized of the matter, with a view to continuing to maintain the proper implementation of the Parking Programme in a manner that is fair, non-discriminatory, effective and therefore consistent with international law;

4. *Requests* the host country to consider removing the remaining travel restrictions imposed by it on staff of certain missions and staff members of the Secretariat of certain nationalities, and in this regard notes the long-standing positions of affected States, of the Secretary-General and of the host country;

5. *Notes* the concerns expressed by some delegations concerning the denial and delay of entry visas to representatives of Member States;

6. *Also notes* that the Committee anticipates that the host country will enhance its efforts to ensure the issuance of entry visas, in a timely manner, to representatives of Member States, pursuant to article IV, section 11, of the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations to travel to New York on United Nations business; and notes that the Committee anticipates that the host country will enhance efforts, including visa issuance, to facilitate the participation of representatives of Member States in other United Nations meetings as appropriate;

7. *Further notes* that a number of delegations have requested shortening the time frame applied by the host country for issuance of entry visas to representatives of Member States, since this time frame poses difficulties for the full-fledged participation of Member States in United Nations meetings;

8. *Expresses its appreciation* for the efforts made by the host country, and hopes that the issues raised at the meetings of the Committee will continue to be resolved in a spirit of cooperation and in accordance with international law;

9. *Affirms* the importance of the Committee being in a position to fulfil its mandate and meet on short notice to deal with urgent and important matters concerning the relations between the United Nations and the host country, and in that connection requests the Secretariat and the Committee on Conferences to accord priority to requests from the Committee on Relations with the Host Country for conference-servicing facilities for meetings of that Committee that must be held while the General Assembly and its Main Committees are meeting, without prejudice to the requirements of those bodies and on an "as available" basis;

10. *Requests* the Secretary-General to remain actively engaged in all aspects of the relations of the United Nations with the host country;

11. *Requests* the Committee to continue its work in conformity with General Assembly resolution 2819(XXVI);

12. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "Report of the Committee on Relations with the Host Country".

Law of the sea

In 2010, the United Nations continued to promote universal acceptance of the 1982 United Nations Convention on the Law of the Sea and its two implementing Agreements, one on the implementation of Part XI of the Convention and the other on the conservation and management of straddling fish stocks and highly migratory fish stocks.

The three institutions created by the Convention—the International Seabed Authority, the International Tribunal for the Law of the Sea and the Commission on the Limits of the Continental Shelf—held sessions during the year.

In May, the resumed Review Conference on the implementation of the Fish Stocks Agreement sought to assess the effectiveness of the Agreement in securing the conservation and management of straddling fish stocks and highly migratory fish stocks.

UN Convention on the Law of the Sea

Signatures and ratifications

In 2010, Malawi ratified the United Nations Convention on the Law of the Sea, bringing the number of parties to 161. The Convention, which was adopted by the Third United Nations Conference on the Law of the Sea in 1982 [YUN 1982, p. 178], entered into force on 16 November 1994 [YUN 1994, p. 1301].

Meeting of States Parties

The twentieth Meeting of States Parties to the Convention (New York, 14–18 June) [SPLOS/218] discussed the 2009 activities of the International Tribunal for the Law of the Sea [YUN 2009, p. 1345] and took action on a number of Tribunal-related financial and administrative issues, including the surrender and deduction of €784,136 of the cash surplus for the 2007–2008 financial period from the assessed contributions of the States parties for 2010, and a decision on adjustment of the remuneration of members of the Tribunal [SPLOS/215]. Also discussed were the activities of the International Seabed Authority (see p. 1370) and the Commission on the Limits of the Continental Shelf (see p. 1371) during the previous 12 months, as well as the Secretary-General's report under article 319 of the Convention

(see p. 1372). The meeting adopted decisions on the workload of the Commission on the Limits of the Continental Shelf [SPLOS/216]; the budget of the Tribunal for 2011–2012 [SPLOS/217]; and the Tribunal's staff pension committee [SPLOS/206]. It took note of the Tribunal's report on budgetary matters for the financial periods 2007–2008 and 2009–2010 [SPLOS/205] and approved the report of the Credentials Committee [SPLOS/213], which included 13 new credentials of representatives from States parties, as well as the European Union (EU).

Agreement relating to the Implementation of Part XI of the Convention

During 2010, the number of parties to the 1994 Agreement relating to the Implementation of Part XI of the Convention (governing exploitation of seabed resources beyond national jurisdiction), adopted by the General Assembly in resolution 48/263 [YUN 1994, p. 1301], reached 140, with Angola and Malawi becoming parties. The Agreement, which entered into force on 28 July 1996 [YUN 1996, p. 1215], sought to address certain difficulties with the seabed mining provisions contained in Part XI of the Convention, which had been raised primarily by the industrialized countries. The Agreement was to be interpreted and applied together with the Convention as a single instrument, and in the event of any inconsistency between the Agreement and Part XI of the Convention, the provisions of the Agreement would prevail. Any ratification of or accession to the Convention after 28 July 1994 represented consent to be bound by the Agreement also. Parties to the Convention prior to the Agreement's adoption had to deposit a separate instrument of ratification of or accession to the Agreement.

Agreement relating to Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks

As at 31 December, the number of parties to the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks [YUN 1995, p. 1334] reached 78, with Saint Vincent and the Grenadines

becoming a party during the year. Referred to as the Fish Stocks Agreement, it entered into force on 11 December 2001 [YUN 2001, p. 1232].

Review Conference. The resumed Review Conference on the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (New York, 24–28 May) [A/CONF.210/2010/7] sought to assess the effectiveness of the Agreement in securing the conservation and management of such fish stocks. The Review Conference, convened pursuant to article 36 of the Agreement, was resumed pursuant to General Assembly resolutions 63/112 [YUN 2008, p. 1483] and 64/72 [YUN 2009, p. 1331]. The 2006 Review Conference [YUN 2006, p. 1540] had addressed ways to give full effect to the Agreement, both through a substantive review and assessment of the Agreement and by adopting recommendations for strengthening the implementation of its provisions. It had decided to keep the Agreement under review by resuming the Review Conference not later than 2011.

The Conference had before it a report [A/CONF.210/2010/1] of the Secretary-General, submitted in response to General Assembly resolution 63/112 [YUN 2008, p. 1483], to assist it in discharging its mandate. The report was prepared in cooperation with the Food and Agriculture Organization of the United Nations (FAO) and was based on information provided by States and regional fisheries management organizations and arrangements and other regional fisheries bodies, as well as FAO. The report reviewed the status and trends of straddling fish stocks and highly migratory fish stocks, discrete high seas stocks and non-target, associated and dependent species; reviewed the extent to which the recommendations adopted by the 2006 Review Conference had been implemented by States and regional fisheries management organizations and arrangements; assessed the capacity-building needs of developing States in relation to implementation of the Agreement; and examined the performance reviews of regional fisheries management organizations, including the recommendations of such reviews.

Pursuant to General Assembly resolution 64/72, a ninth round of informal consultations was held in March and served as a preparatory meeting for the resumed Review Conference. At the ninth round, States parties to the Agreement reviewed the Secretary-General's report, considered the provisional agenda and the organization of work for the Conference, discussed vacancies in the Bureau and exchanged preliminary views on the possible outputs of the Conference.

The outcome of the resumed Review Conference [A/CONF.210/2010/7, annex] reaffirmed the recommendations adopted in 2006 and urged that their implementation continue and be strengthened. The Conference emphasized that full implementation of and compliance with conservation and management measures, adopted in accordance with international law, applying the precautionary approach and based on the best available scientific evidence, were essential to ensure recovery and long-term conservation and sustainable use of straddling fish stocks and highly migratory fish stocks.

The Conference recommended that States and regional economic integration organizations, individually and collectively through regional fisheries management organizations and arrangements, commit themselves to improving, through conservation and management measures, the status of straddling fish stocks and highly migratory fish stocks that were overexploited or depleted; strengthen efforts to improve cooperation between flag States whose vessels fish on the high seas and coastal States so as to ensure compatibility of measures for the high seas and for areas under national jurisdiction with respect to those fish stocks; submit timely, complete and accurate fisheries data; and reaffirm the commitment to reduce the capacity of the world's fishing fleets to levels commensurate with the sustainability of fish stocks, by establishing target levels and plans or other mechanisms for capacity assessment. Other recommendations dealt with mechanisms for international cooperation and non-members; monitoring, control and surveillance and compliance and enforcement; developing States and non-parties; and further reviews.

GENERAL ASSEMBLY ACTION

On 7 December [meeting 59], the General Assembly adopted **resolution 65/38** [draft: A/65/L.21 & Add.1] without vote [agenda item 74 (b)].

Sustainable fisheries, including through the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, and related instruments

The General Assembly,

Reaffirming its annual resolutions on sustainable fisheries, including resolution 64/72 of 4 December 2009, and other relevant resolutions,

Recalling the relevant provisions of the United Nations Convention on the Law of the Sea ("the Convention"), and bearing in mind the relationship between the Convention and the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation

and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks ("the Agreement"),

Welcoming the recent ratifications of and accessions to the Agreement and the fact that a growing number of States, and entities referred to in the Convention and in article 1, paragraph 2 (b), of the Agreement, as well as subregional and regional fisheries management organizations and arrangements, have taken measures, as appropriate, towards the implementation of the provisions of the Agreement,

Welcoming also the work of the Food and Agriculture Organization of the United Nations and its Committee on Fisheries and the 2005 Rome Declaration on Illegal, Unreported and Unregulated Fishing, adopted on 12 March 2005, and recognizing that the Code of Conduct for Responsible Fisheries of the Food and Agriculture Organization of the United Nations ("the Code") and its associated international plans of action set out principles and global standards of behaviour for responsible practices for conservation of fisheries resources and the management and development of fisheries,

Acknowledging that 2010 was declared the International Year of Biodiversity,

Noting with concern that effective management of marine capture fisheries has been made difficult in some areas by unreliable information and data caused by, inter alia, unreported and misreported fish catch and fishing effort and that this lack of accurate data contributes to overfishing in some areas,

Recognizing the significant contribution of sustainable fisheries to food security, income, wealth and poverty alleviation for present and future generations,

Welcoming the Declaration of the World Summit on Food Security, held in Rome from 16 to 18 November 2009,

Recognizing the urgent need for action at all levels to ensure the long-term sustainable use and management of fisheries resources through the wide application of the precautionary approach and ecosystem approaches,

Expressing concern over the current and projected adverse effects of climate change on food security and the sustainability of fisheries, and noting in that regard the work of the Intergovernmental Panel on Climate Change, the Food and Agriculture Organization of the United Nations and the United Nations Environment Programme,

Deploing the fact that fish stocks, including straddling fish stocks and highly migratory fish stocks, in many parts of the world are overfished or subject to sparsely regulated and heavy fishing efforts, as a result of, inter alia, illegal, unreported and unregulated fishing, inadequate flag State control and enforcement, including monitoring, control and surveillance measures, inadequate regulatory measures, harmful fisheries subsidies and overcapacity, as well as inadequate port State control, as highlighted in the report of the Food and Agriculture Organization of the United Nations, *The State of World Fisheries and Aquaculture 2008*,

Concerned that a limited number of States have taken measures to implement, individually and through regional fisheries management organizations and arrangements, the International Plan of Action for the Management of Fishing Capacity adopted by the Food and Agriculture Organization of the United Nations,

Recalling the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, adopted by the Food and Agriculture Organization of the United Nations,

Particularly concerned that illegal, unreported and unregulated fishing constitutes a serious threat to fish stocks and marine habitats and ecosystems, to the detriment of sustainable fisheries as well as the food security and the economies of many States, particularly developing States,

Concerned that some operators increasingly take advantage of the globalization of fishery markets to trade fishery products stemming from illegal, unreported and unregulated fishing and make economic profits from those operations, which constitutes an incentive for them to pursue their activities,

Recognizing that effective deterrence and combating of illegal, unreported and unregulated fishing has significant financial and other resource implications,

Recognizing also the duty provided in the Convention, the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas ("the Compliance Agreement"), the Agreement and the Code for flag States to exercise effective control over fishing vessels flying their flag, and vessels flying their flag which provide support to fishing vessels, to ensure that the activities of such fishing and support vessels do not undermine the effectiveness of conservation and management measures taken in accordance with international law and adopted at the national, subregional, regional or global levels,

Recalling paragraph 49 of resolution 64/72, and noting with satisfaction in this regard the convening by the Food and Agriculture Organization of the United Nations of the Technical Consultation on Flag State Performance, in Rome from 2 to 6 May 2011,

Recalling also paragraph 66 of resolution 64/72, and welcoming in this regard the convening by the Food and Agriculture Organization of the United Nations of the Technical Consultation to Identify a Structure and Strategy for the Development and Implementation of the Global Record of Fishing Vessels, Refrigerated Transport Vessels and Supply Vessels, in Rome from 8 to 12 November 2010,

Noting the obligation of all States, in accordance with international law, as reflected in the relevant provisions of the Convention, to cooperate in the conservation and management of living marine resources, and recognizing the importance of coordination and cooperation at the global, regional, subregional as well as national levels in the areas, inter alia, of marine scientific research, data collection, information-sharing, capacity-building and training for the conservation, management and sustainable development of marine living resources,

Acknowledging the report of the resumed Review Conference on the Agreement ("the resumed Review Conference"), held in New York from 24 to 28 May 2010, which reaffirmed the recommendations adopted by the Review Conference in 2006 and proposed additional means of strengthening the substance and methods of implementation of the provisions of the Agreement in order better to address any continuing problems in the conservation and management of straddling fish stocks and highly migratory fish stocks,

Noting with interest that the resumed Review Conference agreed to continue the informal consultations of States parties to the Agreement and keep the Agreement under review through the resumption of the Review Conference at a date no earlier than 2015, to be agreed at a future round of informal consultations, and recognizing that the resumed Review Conference will be mandated to assess the effectiveness of the Agreement in securing the conservation and management of straddling fish stocks and highly migratory fish stocks by reviewing and assessing the adequacy of its provisions and, if necessary, proposing means of strengthening the substance and methods of implementation of those provisions in order better to address any continuing problems in the conservation and management of those stocks, as provided for in article 36 of the Agreement,

Acknowledging the importance of ocean data buoy systems moored in areas beyond national jurisdiction to sustainable development, promoting safety at sea and limiting human vulnerability to natural disasters, due to their use in weather and marine forecasts, fisheries management, tsunami forecasts and climate prediction, and expressing concern that most damage to ocean data buoys, such as moored buoys and tsunameters, frequently results from actions taken by some fishing operations which render the buoys inoperable,

Recognizing the need for States, individually and through regional fisheries management organizations and arrangements, to continue to develop and implement, consistent with international law, effective port State measures to combat overfishing and illegal, unreported and unregulated fishing, the critical need for cooperation with developing States to build their capacity, and the importance of cooperation between the Food and Agriculture Organization of the United Nations and the International Maritime Organization in this regard,

Welcoming, in this regard, the approval by the Conference of the Food and Agriculture Organization of the United Nations of the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing and its opening for signature on 22 November 2009,

Concerned that marine pollution from all sources constitutes a serious threat to human health and safety, endangers fish stocks, marine biodiversity and marine and coastal habitats and has significant costs to local and national economies,

Recognizing that marine debris is a global trans-boundary pollution problem and that, due to the many different types and sources of marine debris, different approaches to their prevention and removal are necessary,

Noting that the contribution of sustainable aquaculture to global fish supplies continues to respond to opportunities in developing countries to enhance local food security and poverty alleviation and, together with the efforts of other aquaculture producing countries, will make a significant contribution to meeting future demands in fish consumption, bearing in mind article 9 of the Code,

Calling attention to the circumstances affecting fisheries in many developing States, in particular African States and small island developing States, and recognizing the urgent need for capacity-building, including the transfer of marine technology and in particular fisheries-related technology, to

enhance the ability of such States to meet their obligations and exercise their rights under international instruments, in order to realize the benefits from fisheries resources,

Recognizing the need for appropriate measures to minimize by-catch, waste, discards, including high-grading, loss of fishing gear and other factors which adversely affect fish stocks and may also have undesirable effects on the economies and food security of small island developing States, other developing coastal States, and subsistence fishing communities,

Recalling paragraph 81 of resolution 64/72, and welcoming in this regard the convening by the Food and Agriculture Organization of the United Nations of the Technical Consultation to Develop International Guidelines on By-catch Management and Reduction of Discards, in Rome from 6 to 10 December 2010,

Recognizing the need to further integrate ecosystem approaches into fisheries conservation and management and, more generally, the importance of applying ecosystem approaches to the management of human activities in the ocean, and noting in this regard the Reykjavik Declaration on Responsible Fisheries in the Marine Ecosystem, the work of the Food and Agriculture Organization of the United Nations related to guidelines for the implementation of the ecosystem approach to fisheries management and the importance of this approach to relevant provisions of the Agreement and the Code, as well as decision VII/11 and other relevant decisions of the Conference of the Parties to the Convention on Biological Diversity,

Recognizing also the economic and cultural importance of sharks in many countries, the biological importance of sharks in the marine ecosystem as key predatory species, the vulnerability of certain shark species to overexploitation, the fact that some are threatened with extinction, the need for measures to promote the long-term conservation, management and sustainable use of shark populations and fisheries, and the relevance of the International Plan of Action for the Conservation and Management of Sharks, adopted by the Food and Agriculture Organization of the United Nations in 1999, in providing guidance on the development of such measures,

Reaffirming its support for the initiative of the Food and Agriculture Organization of the United Nations and relevant subregional and regional fisheries management organizations and arrangements on the conservation and management of sharks, and noting with concern that basic data on shark stocks and harvests continue to be lacking, that only a small number of countries have implemented the International Plan of Action for the Conservation and Management of Sharks, and that not all regional fisheries management organizations and arrangements have adopted conservation and management measures for directed shark fisheries and for the regulation of by-catch of sharks from other fisheries,

Recognizing the importance of marine species occupying low trophic levels in the ecosystem and for food security, and the need to ensure their long-term sustainability,

Expressing concern over reports of continued losses of seabirds, particularly albatrosses and petrels, as well as other marine species, including sharks, fin-fish species and marine turtles, as a result of incidental mortality in fishing operations, particularly longline fishing, and other

activities, while recognizing considerable efforts by States and through various regional fisheries management organizations and arrangements to reduce by-catch in longline fishing,

I

Achieving sustainable fisheries

1. *Reaffirms* the importance it attaches to the long-term conservation, management and sustainable use of the marine living resources of the world's oceans and seas and the obligations of States to cooperate to this end, in accordance with international law, as reflected in the relevant provisions of the Convention, in particular the provisions on cooperation set out in Part V and Part VII, section 2, of the Convention, and where applicable, the Agreement;

2. *Encourages* States to give due priority to the implementation of the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation") in relation to achieving sustainable fisheries, especially restoring depleted stocks to levels that can produce maximum sustainable yield on an urgent basis and, where possible, not later than 2015;

3. *Urges* States, either directly or through appropriate subregional, regional or global organizations or arrangements, to intensify efforts to assess and address, as appropriate, the impacts of global climate change on the sustainability of fish stocks and the habitats that support them, in particular the most affected ones;

4. *Emphasizes* the obligations of flag States to discharge their responsibilities, in accordance with the Convention and the Agreement, to ensure compliance by vessels flying their flag with the conservation and management measures adopted and in force with respect to fisheries resources on the high seas;

5. *Calls upon* all States that have not done so, in order to achieve the goal of universal participation, to become parties to the Convention, which sets out the legal framework within which all activities in the oceans and seas must be carried out, taking into account the relationship between the Convention and the Agreement;

6. *Calls upon* all States, directly or through regional fisheries management organizations and arrangements, to apply widely, in accordance with international law and the Code, the precautionary approach and ecosystem approaches to the conservation, management and exploitation of fish stocks, and also calls upon States parties to the Agreement to implement fully the provisions of article 6 of the Agreement as a matter of priority;

7. *Encourages* States to increase their reliance on scientific advice in developing, adopting and implementing conservation and management measures, and to increase their efforts to promote science for conservation and management measures, including through international cooperation, that apply, in accordance with international law, the precautionary approach and ecosystem approaches to fisheries management, enhancing understanding of ecosystem approaches, in order to ensure the long-term conservation and sustainable use of marine living resources, and in this regard encourages the implementation of the Strategy for Improving Information on Status and Trends of Capture Fisheries of the Food and Agriculture Organization of the United Nations as a framework for the improvement and understanding of fishery status and trends;

8. *Calls upon* all States, directly or through regional fisheries management organizations and arrangements, to apply stock-specific precautionary reference points, as described in Annex II to the Agreement and in the Code, to ensure that populations of harvested stocks, and, where necessary, associated or dependent species, are maintained at, or restored to, sustainable levels, and to use these reference points for triggering conservation and management action;

9. *Encourages* States to apply the precautionary approach and ecosystem approaches in adopting and implementing conservation and management measures addressing, inter alia, by-catch, pollution and overfishing, and protecting habitats of specific concern, taking into account existing guidelines developed by the Food and Agriculture Organization of the United Nations;

10. *Also encourages* States to enhance or develop observer programmes individually or through regional fisheries management organizations or arrangements in order to improve data collection on, inter alia, target and by-catch species, which could also assist monitoring, control and surveillance tools, and to take into account standards, forms of cooperation and other existing structures for such programmes as described in article 25 of the Agreement and article 5 of the Code;

11. *Calls upon* States and regional fisheries management organizations and arrangements to collect and, where appropriate, report to the Food and Agriculture Organization of the United Nations required catch and effort data, and fishery-related information, in a complete, accurate and timely way, including for straddling fish stocks and highly migratory fish stocks within and beyond areas under national jurisdiction, discrete high seas fish stocks, and by-catch and discards; and, where they do not exist, to establish processes to strengthen data collection and reporting by members of regional fisheries management organizations and arrangements, including through regular reviews of member compliance with such obligations, and, when such obligations are not met, require the member concerned to rectify the problem, including through the preparation of plans of action with timelines;

12. *Invites* States and regional fisheries management organizations and arrangements to cooperate with the Food and Agriculture Organization of the United Nations in the implementation and further development of the Fisheries Resources Monitoring System initiative;

13. *Reaffirms* paragraph 10 of resolution 61/105 of 8 December 2006, and calls upon States, including through regional fisheries management organizations or arrangements, to urgently adopt measures to fully implement the International Plan of Action for the Conservation and Management of Sharks for directed and non-directed shark fisheries, based on the best available scientific information, through, inter alia, limits on catch or fishing effort, by requiring that vessels flying their flag collect and regularly report data on shark catches, including species-specific data, discards and landings, undertaking, including through international cooperation, comprehensive stock assessments of sharks, reducing shark by-catch and by-catch mortality, and, where scientific information is uncertain or inadequate, not increasing fishing effort in directed shark fisheries until measures have been established to ensure the long-term conservation, management and sustainable use of shark stocks and to prevent further declines of vulnerable or threatened shark stocks;

14. *Calls upon* States to take immediate and concerted action to improve the implementation of and compliance with existing regional fisheries management organization or arrangement and national measures that regulate shark fisheries and incidental catch of sharks, in particular those measures which prohibit or restrict fisheries conducted solely for the purpose of harvesting shark fins, and, where necessary, to consider taking other measures, as appropriate, such as requiring that all sharks be landed with each fin naturally attached;

15. *Calls upon* regional fisheries management organizations with the competence to regulate highly migratory species to strengthen or establish precautionary, science-based conservation and management measures, as appropriate, for sharks taken in fisheries within their convention areas consistent with the International Plan of Action for the Conservation and Management of Sharks, taking into account the Course of Actions adopted at the second joint meeting of tuna regional fisheries management organizations and arrangements, held in San Sebastian, Spain, from 29 June to 3 July 2009;

16. *Reiterates its request* to the Food and Agriculture Organization of the United Nations to prepare a report containing a comprehensive analysis of the implementation of the International Plan of Action for the Conservation and Management of Sharks, as well as progress in implementing paragraph 11 of General Assembly resolution 62/177 of 18 December 2007;

17. *Urges* States to eliminate barriers to trade in fish and fisheries products which are not consistent with their rights and obligations under the World Trade Organization agreements, taking into account the importance of the trade in fish and fisheries products, particularly for developing countries;

18. *Urges* States and relevant international and national organizations to provide for the participation of small-scale fishery stakeholders in related policy development and fisheries management strategies in order to achieve long-term sustainability for such fisheries, consistent with the duty to ensure the proper conservation and management of fisheries resources;

19. *Encourages* States, either directly or through competent and appropriate subregional, regional or global organizations and arrangements, to analyse, as appropriate, the impact of fishing for marine species occupying low trophic levels;

II

Implementation of the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks

20. *Calls upon* all States, and entities referred to in the Convention and in article 1, paragraph 2 (b), of the Agreement, that have not done so to ratify or accede to the Agreement and in the interim to consider applying it provisionally;

21. *Calls upon* States parties to the Agreement to effectively implement, as a matter of priority, the provisions of the Agreement through their domestic legislation and

through regional fisheries management organizations and arrangements in which they participate;

22. *Emphasizes* the importance of those provisions of the Agreement relating to bilateral, subregional and regional cooperation in enforcement, and urges continued efforts in this regard;

23. *Urges* States parties to the Agreement, in accordance with article 21, paragraph 4, thereof to inform, either directly or through the relevant subregional or regional fisheries management organization or arrangement, all States whose vessels fish on the high seas in the same subregion or region of the form of identification issued by those States parties to officials duly authorized to carry out boarding and inspection functions in accordance with articles 21 and 22 of the Agreement;

24. *Also urges* States parties to the Agreement, in accordance with article 21, paragraph 4, thereof, to designate an appropriate authority to receive notifications pursuant to article 21 and to give due publicity to such designation through the relevant subregional or regional fisheries management organization or arrangement;

25. *Invites* regional fisheries management organizations and arrangements which have not yet done so to adopt procedures for high seas boarding and inspection that are consistent with articles 21 and 22 of the Agreement;

26. *Calls upon* States, individually and, as appropriate, through subregional and regional fisheries management organizations and arrangements with competence over discrete high seas fish stocks, to adopt the necessary measures to ensure the long-term conservation, management and sustainable use of such stocks in accordance with the Convention and consistent with the Code and the general principles set forth in the Agreement;

27. *Invites* States to assist developing States in enhancing their participation in regional fisheries management organizations or arrangements, including by facilitating access to fisheries for straddling fish stocks and highly migratory fish stocks, in accordance with article 25, paragraph 1 (b), of the Agreement, taking into account the need to ensure that such access benefits the developing States concerned and their nationals;

28. *Invites* States and international financial institutions and organizations of the United Nations system to provide assistance according to Part VII of the Agreement, including, if appropriate, the development of special financial mechanisms or instruments to assist developing States, in particular the least developed among them and small island developing States, to enable them to develop their national capacity to exploit fishery resources, including developing their domestically flagged fishing fleet, value-added processing and the expansion of their economic base in the fishing industry, consistent with the duty to ensure the proper conservation and management of fisheries resources;

29. *Notes with appreciation* the contributions made by States to the Assistance Fund established under Part VII of the Agreement, and encourages States, intergovernmental organizations, international financial institutions, national institutions and non-governmental organizations, as well as natural and juridical persons, to make further voluntary financial contributions to the Fund;

30. *Notes with satisfaction* that the Food and Agriculture Organization of the United Nations and the Division

for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the Secretariat ("the Division") have taken measures to publicize the availability of assistance through the Assistance Fund, and encourages the Organization and the Division to continue their efforts in this regard;

31. *Encourages* accelerated progress by States, individually and, as appropriate, through subregional and regional fisheries management organizations and arrangements, regarding the recommendations of the Review Conference on the Agreement, held in New York from 22 to 26 May 2006, and the identification of emerging priorities;

32. *Encourages* States, individually and, as appropriate, through subregional and regional fisheries management organizations and arrangements, to consider implementing, as appropriate, the recommendations of the resumed Review Conference;

33. *Reaffirms its request* that the Food and Agriculture Organization of the United Nations initiate arrangements with States for the collection and dissemination of data on fishing in the high seas by vessels flying their flag at the subregional and regional levels where no such arrangements exist;

34. *Also reaffirms its request* that the Food and Agriculture Organization of the United Nations revise its global fisheries statistics database to provide information on straddling fish stocks, highly migratory fish stocks and discrete high seas fish stocks on the basis of where the catch is taken;

III

Related fisheries instruments

35. *Emphasizes* the importance of the effective implementation of the provisions of the Compliance Agreement, and urges continued efforts in this regard;

36. *Calls upon* all States and other entities referred to in Article X, paragraph 1, of the Compliance Agreement that have not yet become parties to that Agreement to do so as a matter of priority and, in the interim, to consider applying it provisionally;

37. *Urges* States and subregional and regional fisheries management organizations and arrangements to implement and promote the application of the Code within their areas of competence;

38. *Urges* States to develop and implement, as a matter of priority, national and, as appropriate, regional plans of action to put into effect the international plans of action of the Food and Agriculture Organization of the United Nations;

39. *Encourages* the development of best practice guidelines for safety at sea in connection with marine fisheries by the competent international organizations;

IV

Illegal, unreported and unregulated fishing

40. *Emphasizes once again its serious concern* that illegal, unreported and unregulated fishing remains one of the greatest threats to marine ecosystems and continues to have serious and major implications for the conservation and management of ocean resources, as well as the food security and the economies of many States, particularly developing States, and renews its call upon States to comply fully with all existing obligations and to combat such fishing and urgently to take all necessary steps to implement the

International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing of the Food and Agriculture Organization of the United Nations;

41. *Urges* States to exercise effective control over their nationals, including beneficial owners, and vessels flying their flag, in order to prevent and deter them from engaging in illegal, unreported and unregulated fishing activities or supporting vessels engaging in illegal, unreported and unregulated fishing activities, including those vessels listed by regional fisheries management organizations or arrangements as engaged in those activities, and to facilitate mutual assistance to ensure that such actions can be investigated and proper sanctions imposed;

42. *Also urges* States to take effective measures, at the national, subregional, regional and global levels, to deter the activities, including illegal, unreported and unregulated fishing, of any vessel which undermines conservation and management measures that have been adopted by subregional and regional fisheries management organizations and arrangements in accordance with international law;

43. *Calls upon* States not to permit vessels flying their flag to engage in fishing on the high seas or in areas under the national jurisdiction of other States, unless duly authorized by the authorities of the States concerned and in accordance with the conditions set out in the authorization, and to take specific measures, including deterring the reflagging of vessels by their nationals, in accordance with the relevant provisions of the Convention, the Agreement and the Compliance Agreement, to control fishing operations by vessels flying their flag;

44. *Urges* States, individually and collectively through regional fisheries management organizations and arrangements, to develop appropriate processes to assess the performance of States with respect to implementing the obligations regarding fishing vessels flying their flag set out in relevant international instruments;

45. *Reaffirms* the need to strengthen, where necessary, the international legal framework for intergovernmental cooperation, in particular at the subregional and regional levels, in the management of fish stocks and in combating illegal, unreported and unregulated fishing, in a manner consistent with international law, and for States and entities referred to in the Convention and in article 1, paragraph 2 (b), of the Agreement to collaborate in efforts to address these types of fishing activities;

46. *Urges* regional fisheries management organizations and arrangements to further coordinate measures for combating illegal, unreported and unregulated fishing activities, such as through the development of a common list of vessels identified as engaged in illegal, unreported and unregulated fishing or the mutual recognition of the illegal, unreported and unregulated vessel lists established by each organization or arrangement;

47. *Reaffirms its call upon* States to take all necessary measures consistent with international law, without prejudice to a State's sovereignty over ports in its territory and to reasons of force majeure or distress, including the prohibition of vessels from accessing their ports followed by a report to the flag State concerned, when there is clear evidence that they are or have been engaged in or have supported illegal, unreported and unregulated fishing, or when they refuse to give information either on the origin of the catch or on the authorization under which the catch has been made;

48. *Reaffirms* paragraph 53 of resolution 64/72 with regard to eliminating illegal, unreported and unregulated fishing by vessels flying “flags of convenience” and requiring that a “genuine link” be established between States and fishing vessels flying their flags, and urges States operating open registry to effectively control all fishing vessels flying their flag, as required by international law, or otherwise stop open registry for fishing vessels;

49. *Recognizes* the need for enhanced port State measures to combat illegal, unreported and unregulated fishing, and urges States to cooperate, in particular at the regional level and through subregional and regional fisheries management organizations and arrangements, to adopt all necessary port measures, consistent with international law taking into account article 23 of the Agreement, and to further promote the development and application of standards at the regional level;

50. *Encourages*, in this regard, States and regional economic integration organizations to consider ratifying, accepting, approving or acceding to the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing of the Food and Agriculture Organization of the United Nations with a view to its early entry into force;

51. *Encourages* strengthened collaboration between the Food and Agriculture Organization of the United Nations and the International Maritime Organization, taking into account the respective competencies, mandates and experience of the two organizations, to combat illegal, unreported and unregulated fishing, particularly in improving the implementation of flag State responsibilities and port State measures;

52. *Encourages* States, with respect to vessels flying their flag, and port States, to make every effort to share data on landings and catch quotas, and in this regard encourages regional fisheries management organizations or arrangements to consider developing open databases containing such data for the purpose of enhancing the effectiveness of fisheries management;

53. *Calls upon* States to take all necessary measures to ensure that vessels flying their flag do not engage in transshipment of fish caught by fishing vessels engaged in illegal, unreported and unregulated fishing;

54. *Urges* States, individually and through regional fisheries management organizations and arrangements, to adopt and implement internationally agreed market-related measures in accordance with international law, including principles, rights and obligations established in World Trade Organization agreements, as called for in the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing;

55. *Encourages* information-sharing regarding emerging market- and trade-related measures by States and other relevant actors with appropriate international forums, given the potential implications of these measures for all States, consistent with the established plan of work of the Committee on Fisheries of the Food and Agriculture Organization of the United Nations, and taking into account the Technical Guidelines for Responsible Fish Trade of the Food and Agriculture Organization of the United Nations;

56. *Notes* the concerns about possible connections between international organized crime and illegal fish-

ing in certain regions of the world, and encourages States, including through the appropriate international forums and organizations, to study the causes and methods of and contributing factors to illegal fishing to increase knowledge and understanding of those possible connections, and to make the findings publicly available, bearing in mind the distinct legal regimes and remedies under international law applicable to illegal fishing and international organized crime;

V

Monitoring, control and surveillance and compliance and enforcement

57. *Calls upon* States, in accordance with international law, to strengthen implementation of or, where they do not exist, adopt comprehensive monitoring, control and surveillance measures and compliance and enforcement schemes individually and within those regional fisheries management organizations or arrangements in which they participate, in order to provide an appropriate framework for promoting compliance with agreed conservation and management measures, and further urges enhanced coordination among all relevant States and regional fisheries management organizations and arrangements in these efforts;

58. *Encourages* further work by competent international organizations, including the Food and Agriculture Organization of the United Nations and subregional and regional fisheries management organizations and arrangements, to develop guidelines on flag State control of fishing vessels;

59. *Urges* States, individually and through relevant regional fisheries management organizations and arrangements, to establish mandatory vessel monitoring, control and surveillance systems, in particular to require that vessel monitoring systems be carried by all vessels fishing on the high seas as soon as practicable, recalling that paragraph 62 of resolution 63/112 of 5 December 2008 urged that large-scale fishing vessels be required to carry vessel monitoring systems no later than December 2008, and to share information on fisheries enforcement matters;

60. *Calls upon* States, individually and through regional fisheries management organizations or arrangements, to strengthen or establish, consistent with national and international law, positive or negative lists of vessels fishing within the areas covered by relevant regional fisheries management organizations and arrangements in order to promote compliance with conservation and management measures and to identify products from illegal, unreported and unregulated catches, and encourages improved coordination among all States and regional fisheries management organizations and arrangements in sharing and using this information, taking into account the forms of cooperation with developing States as set out in article 25 of the Agreement;

61. *Encourages* the Food and Agriculture Organization of the United Nations, in cooperation with States, regional economic integration organizations, the International Maritime Organization and, as appropriate, regional fisheries management organizations and arrangements, to expedite efforts to develop and manage a comprehensive global record, including with a unique vessel identifier system, and in this regard encourages the Committee on Fisheries at its twenty-ninth session, from 31 January to 4 February 2011, to consider the recommendations of the Technical Consul-

tation to Identify a Structure and Strategy for the Development and Implementation of the Global Record of Fishing Vessels, Refrigerated Transport Vessels and Supply Vessels;

62. *Requests* States and relevant international bodies to develop, in accordance with international law, more effective measures to trace fish and fishery products to enable importing States to identify fish or fishery products caught in a manner that undermines international conservation and management measures agreed in accordance with international law, taking into account the special requirements of developing States and the forms of cooperation with developing States as set out in article 25 of the Agreement, and at the same time to recognize the importance of market access, in accordance with provisions 11.2.4, 11.2.5 and 11.2.6 of the Code, for fish and fishery products caught in a manner that is in conformity with such international measures;

63. *Requests* States to take the necessary measures, consistent with international law, to help to prevent fish and fishery products caught in a manner that undermines applicable conservation and management measures adopted in accordance with international law from entering international trade;

64. *Invites* the Food and Agriculture Organization of the United Nations to report on the state of progress in the development of best practice guidelines for catch documentation schemes and traceability, for inclusion in the report of the Secretary-General on fisheries to the General Assembly at its sixty-seventh session;

65. *Encourages* States to establish and undertake cooperative surveillance and enforcement activities in accordance with international law to strengthen and enhance efforts to ensure compliance with conservation and management measures, and prevent and deter illegal, unreported and unregulated fishing;

66. *Urges* States, directly and through regional fisheries management organizations or arrangements, to develop and adopt effective monitoring, control and surveillance measures for trans-shipment, as appropriate, in particular at-sea trans-shipment, in order to, inter alia, monitor compliance, collect and verify fisheries data, and to prevent and suppress illegal, unreported and unregulated fishing activities, in accordance with international law, and, in parallel, to encourage and support the Food and Agriculture Organization of the United Nations in studying the current practices of trans-shipment and produce a set of guidelines for this purpose;

67. *Expresses its appreciation* for financial contributions from States to improve the capacity of the existing voluntary International Monitoring, Control and Surveillance Network for Fisheries-Related Activities, and encourages States to join and actively participate in the Network and to consider supporting, when appropriate, its transformation in accordance with international law into an international unit with dedicated resources to further assist Network members, taking into account the forms of cooperation with developing States as set out in article 25 of the Agreement;

68. *Encourages* participation in the third Global Fisheries Enforcement Training Workshop, for the African region, to be held in Maputo from 28 February to 4 March 2011, supported by the International Monitoring, Control and Surveillance Network, the Secretariat of the Food and Agriculture Organization of the United Nations, the Partnership for African Fisheries of the New Partnership for Af-

rica's Development and the Government of Mozambique, in order to share information, experiences and technologies, foster coordination and improve skills among enforcement officials;

VI

Fishing overcapacity

69. *Calls upon* States to commit themselves to urgently reducing the capacity of the world's fishing fleets to levels commensurate with the sustainability of fish stocks, through the establishment of target levels and plans or other appropriate mechanisms for ongoing capacity assessment, while avoiding the transfer of fishing capacity to other fisheries or areas in a manner that undermines the sustainable management of fish stocks, including those areas where fish stocks are overexploited or in a depleted condition, and recognizing in this context the legitimate rights of developing States to develop their fisheries for straddling fish stocks and highly migratory fish stocks consistent with article 25 of the Agreement, article 5 of the Code, and paragraph 10 of the International Plan of Action for the Management of Fishing Capacity;

70. *Reiterates its call upon* States, individually and through regional fisheries management organizations and arrangements, to ensure that the urgent actions required in the International Plan of Action for the Management of Fishing Capacity are undertaken expeditiously and that its implementation is facilitated without delay;

71. *Invites* the Food and Agriculture Organization of the United Nations to report on the state of progress in the implementation of the International Plan of Action for the Management of Fishing Capacity, as provided for in paragraph 48 of the Plan of Action;

72. *Calls upon* States individually and, as appropriate, through subregional and regional fisheries management organizations and arrangements with competence to regulate highly migratory species, urgently to address global fishing capacity for tunas, inter alia, in a way that recognizes the legitimate rights of developing States, in particular small island developing States, to participate in and benefit from such fisheries, taking into account the recommendations of the Joint Tuna Regional Fisheries Management Organizations International Workshop on RFMO Management of Tuna Fisheries, held in Brisbane, Australia, from 29 June to 1 July 2010;

73. *Encourages* those States which are cooperating to establish subregional and regional fisheries management organizations and arrangements, taking into account the best scientific information available as well as the precautionary approach, to exercise voluntary restraint of fishing effort levels in those areas that will come under the regulation of the future organizations and arrangements until adequate regional conservation and management measures are adopted and implemented, taking into account the need to ensure the long-term conservation, management and sustainable use of the relevant fish stocks and to prevent significant adverse impacts on vulnerable marine ecosystems;

74. *Urges* States to eliminate subsidies that contribute to overfishing and overcapacity and to illegal, unreported and unregulated fishing, including by accelerating work to complete World Trade Organization negotiations on fisheries subsidies in accordance with the 2001 Doha Ministerial Declaration to clarify and improve and the 2005 Hong Kong Ministerial Declaration to strengthen disciplines on

fisheries subsidies, taking into account the importance of the fisheries sector, including small-scale and artisanal fisheries, to developing countries;

VII

Large-scale pelagic drift-net fishing

75. *Expresses concern* that, despite the adoption of General Assembly resolution 46/215 of 20 December 1991, the practice of large-scale pelagic drift-net fishing still exists and remains a threat to marine living resources;

76. *Urges* States, individually and through regional fisheries management organizations and arrangements, to adopt effective measures, or strengthen existing measures, to implement and enforce the provisions of resolution 46/215 and subsequent resolutions on large-scale pelagic drift-net fishing in order to eliminate the use of large-scale pelagic drift nets in all seas and oceans, which means that efforts to implement resolution 46/215 should not result in the transfer to other parts of the world of drift nets that contravene the resolution;

77. *Also urges* States, individually and through regional fisheries management organizations and arrangements, to adopt effective measures, or strengthen existing measures, to implement and enforce the present global moratorium on the use of large-scale pelagic drift nets on the high seas, and calls upon States to ensure that vessels flying their flag that are duly authorized to use large-scale drift nets in waters under their national jurisdiction do not use such gear for fishing while on the high seas;

78. *Reaffirms* the request in paragraph 6 of resolution 46/215 for the submission of information to the Secretary-General and requests the Secretary-General to include this information in his report to the General Assembly at its sixty-seventh session;

VIII

Fisheries by-catch and discards

79. *Urges* States, subregional and regional fisheries management organizations and arrangements and other relevant international organizations that have not done so to take action, including with consideration of the interests of developing coastal States and, as appropriate, subsistence fishing communities, to reduce or eliminate by-catch, catch by lost or abandoned gear, fish discards and post-harvest losses, including juvenile fish, consistent with international law and relevant international instruments, including the Code, and in particular to consider measures including, as appropriate, technical measures related to fish size, mesh size or gear, discards, closed seasons and areas and zones reserved for selected fisheries, particularly artisanal fisheries, the establishment of mechanisms for communicating information on areas of high concentration of juvenile fish, taking into account the importance of ensuring the confidentiality of such information, and support for studies and research that will reduce or eliminate by-catch of juvenile fish, and to ensure that these measures are implemented so as to optimize their effectiveness;

80. *Urgently calls upon* States, subregional and regional fisheries management organizations and arrangements and, where appropriate, other relevant international organizations to develop and implement effective management measures to reduce the incidence of catch of non-target species;

81. *Calls upon* States, subregional and regional fisheries management organizations and arrangements to adopt or improve measures to assess the impact of their fisheries on species caught as by-catch and to improve the comprehensiveness and accuracy of information and reporting on incidental catch of species caught as by-catch, including through adequate observer coverage and the use of modern technologies, and to provide assistance to developing States to meet data collection and reporting obligations;

82. *Encourages* States and entities referred to in the Convention and in article 1, paragraph 2 (b), of the Agreement to give due consideration to participation, as appropriate, in subregional and regional instruments and organizations with mandates to conserve non-target species taken incidentally in fishing operations;

83. *Encourages* States to strengthen, if necessary, the capacity of those subregional and regional fisheries management organizations and arrangements in which they participate to ensure the adequate conservation of non-target species taken incidentally in fishing operations, taking into consideration best practices for non-target species management, and to expedite their ongoing efforts in this regard;

84. *Requests* States and regional fisheries management organizations and arrangements urgently to implement, as appropriate, the measures recommended in the 2004 Guidelines to Reduce Sea Turtle Mortality in Fishing Operations and the International Plan of Action for Reducing Incidental Catch of Seabirds in Longline Fisheries of the Food and Agriculture Organization of the United Nations in order to prevent the decline of sea turtles and seabird populations by minimizing by-catch and increasing post-release survival in their fisheries, including through research and development of gear and bait alternatives, promoting the use of available by-catch mitigation technology, and establishing and strengthening data-collection programmes to obtain standardized information to develop reliable estimates of the by-catch of these species;

85. *Recalls* paragraph 85 of resolution 64/72, and notes with satisfaction that the Food and Agriculture Organization of the United Nations has published the best practices technical guidelines for the implementation of the International Plan of Action for Reducing Incidental Catch of Seabirds in Longline Fisheries on its website;

86. *Requests* States and regional fisheries management organizations and arrangements to take urgent action to reduce the by-catch of seabirds, including albatrosses and petrels, in fisheries by adopting and implementing conservation measures that are consistent with recognized international guidelines;

IX

Subregional and regional cooperation

87. *Urges* coastal States and States fishing on the high seas, in accordance with the Convention, the Agreement and other relevant instruments, to pursue cooperation in relation to straddling fish stocks and highly migratory fish stocks, either directly or through appropriate subregional or regional fisheries management organizations or arrangements, to ensure the effective conservation and management of such stocks;

88. *Urges* States fishing for straddling fish stocks and highly migratory fish stocks on the high seas, and relevant coastal States, where a subregional or regional fisheries

management organization or arrangement has the competence to establish conservation and management measures for such stocks, to give effect to their duty to cooperate by becoming members of such an organization or participants in such an arrangement, or by agreeing to apply the conservation and management measures established by such an organization or arrangement, or to otherwise ensure that no vessel flying their flag is authorized to access the fisheries resources to which regional fisheries management organizations and arrangements or conservation and management measures established by such organizations or arrangements apply;

89. *Invites*, in this regard, subregional and regional fisheries management organizations and arrangements to ensure that all States having a real interest in the fisheries concerned may become members of such organizations or participants in such arrangements, in accordance with the Convention, the Agreement and the Code;

90. *Encourages* relevant coastal States and States fishing on the high seas for a straddling fish stock or a highly migratory fish stock, where there is no subregional or regional fisheries management organization or arrangement to establish conservation and management measures for such stocks, to cooperate to establish such an organization or enter into another appropriate arrangement to ensure the conservation and management of such stocks, and to participate in the work of the organization or arrangement;

91. *Urges* all signatory States and other States whose vessels fish within the area of the Convention on the Conservation and Management of Fishery Resources in the South-East Atlantic Ocean for fishery resources covered by that Convention to become parties to that Convention as a matter of priority and, in the interim, to ensure that vessels flying their flags fully comply with the measures adopted;

92. *Encourages* signatory States and States having a real interest to become parties to the South Indian Ocean Fisheries Agreement, and urges those States to agree on and implement interim measures, including measures in accordance with paragraphs 80 and 83 to 87 of resolution 61/105 and paragraphs 117, 119, 120, 122 and 123 of resolution 64/72, to ensure the conservation and management of the fisheries resources and their marine ecosystems and habitats in the area to which that Agreement applies until such time as that Agreement enters into force;

93. *Takes note* of recent efforts at the regional level to promote responsible fishing practices, including combating illegal, unreported and unregulated fishing;

94. *Welcomes* the recent signatures and ratification of the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean, and encourages further signatures and ratifications of that Convention with a view to its early entry into force;

95. *Encourages* States, regional economic integration organizations and the entities referred to in article 1, paragraph 2 (b), of the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean that participated in the negotiation of that Convention, to fully implement the voluntary interim measures that have been adopted to give effect to paragraphs 80 and 83 to 87 of resolution 61/105 and to voluntarily restrain fishing effort and catches to avoid overexploitation of certain pelagic fisheries resources in the area to which that Convention will apply, until it has entered into force

and conservation and management measures have been adopted, and to take into account the scientific advice given by the Science Working Group in the adoption of future interim measures that should apply to certain pelagic fisheries resources before the entry into force of that Convention;

96. *Notes with satisfaction* the progress of negotiations to establish a subregional and regional fisheries management organization in the North Pacific, urges States having a real interest to participate in and expedite such negotiations, and to apply provisions of the Convention and the Agreement to their work, and encourages those participants to implement fully interim measures adopted in accordance with paragraphs 80 and 83 to 87 of resolution 61/105 and paragraphs 117, 119, 120, 122 and 123 of resolution 64/72;

97. *Takes note* of the ongoing efforts of the members of the Indian Ocean Tuna Commission to strengthen the functioning of the Commission so that it can more effectively discharge its mandate, and invites the Food and Agriculture Organization of the United Nations to continue to provide members of the Commission with the necessary assistance to this end;

98. *Welcomes with satisfaction* the entry into force of the Convention for the Strengthening of the Inter-American Tropical Tuna Commission Established by the 1949 Convention between the United States of America and the Republic of Costa Rica, and invites all those that may consent to be bound by that Convention to consider doing so, in accordance with its terms;

99. *Urges* further efforts by regional fisheries management organizations and arrangements, as a matter of priority, in accordance with international law, to strengthen and modernize their mandates and the measures adopted by such organizations or arrangements, and to implement modern approaches to fisheries management, as reflected in the Agreement and other relevant international instruments, relying on the best scientific information available and application of the precautionary approach and incorporating an ecosystem approach to fisheries management and biodiversity considerations, including the conservation and management of ecologically related and dependent species and protection of their habitats, where these aspects are lacking, to ensure that they effectively contribute to long-term conservation and management and sustainable use of marine living resources, and welcomes those regional fisheries management organizations and arrangements that have taken steps in this direction;

100. *Calls upon* regional fisheries management organizations with the competence to conserve and manage highly migratory fish stocks that have not yet adopted effective conservation and management measures in line with the best scientific information available to conserve and manage stocks falling under their mandate to do so urgently;

101. *Urges* States to strengthen and enhance cooperation among existing and developing regional fisheries management organizations and arrangements in which they participate, including increased communication and further coordination of measures, such as through the holding of joint consultations, and to strengthen integration, coordination and cooperation by such regional fisheries management organizations and arrangements with other relevant fisheries organizations, regional seas arrangements and other relevant international organizations;

102. *Urges* the five regional fisheries management organizations with competence to manage highly migratory species to continue to take measures to implement the Course of Actions adopted at the second joint meeting of tuna regional fisheries management organizations and arrangements, encourages participation in the third joint meeting, to be held in La Jolla, United States of America, from 11 to 15 July 2011, and invites developing States parties to the Agreement to utilize the assistance available to them under the Agreement, as well as other available funding assistance, to facilitate their participation in that meeting;

103. *Welcomes* the outcomes of the joint tuna regional fisheries management organizations international workshops held in 2010 on improvement, harmonization and compatibility of monitoring, control and surveillance measures, management issues relating to by-catch, the provision of scientific advice and management of tuna fisheries, and encourages those organizations to actively consider the recommendations of the workshops;

104. *Invites* States and regional fisheries management organizations and arrangements with competence to manage straddling fish stocks to share experiences and good practices, for example by considering organizing joint meetings, where appropriate;

105. *Urges* regional fisheries management organizations and arrangements to improve transparency and to ensure that their decision-making processes are fair and transparent, rely on the best scientific information available, incorporate the precautionary approach and ecosystem approaches, address participatory rights, including through, inter alia, the development of transparent criteria for allocating fishing opportunities which reflects, where appropriate, the relevant provisions of the Agreement, taking due account, inter alia, of the status of the relevant stocks and the respective interests in the fishery;

106. *Welcomes* the fact that a number of regional fisheries management organizations and arrangements have completed performance reviews, and encourages the implementation, as appropriate, of the recommendations of their respective reviews as a matter of priority;

107. *Urges* States, through their participation in regional fisheries management organizations and arrangements that have not done so, to undertake, on an urgent basis, performance reviews of those regional fisheries management organizations and arrangements, initiated either by the organization or arrangement itself or with external partners, including in cooperation with the Food and Agriculture Organization of the United Nations, using transparent criteria based on the provisions of the Agreement and other relevant instruments, and taking into account the best practices of regional fisheries management organizations or arrangements and, as appropriate, any set of criteria developed by States or other regional fisheries management organizations or arrangements, and encourages that such performance reviews include some element of independent evaluation and propose means for improving the functioning of the regional fisheries management organization or arrangement, as appropriate;

108. *Encourages* regional fisheries management organizations and arrangements to make the results of those performance reviews publicly available and to discuss the results jointly;

109. *Urges* States to cooperate, taking into account those performance reviews, to develop best practice guidelines for regional fisheries management organizations and arrangements and to apply, to the extent possible, those guidelines to organizations and arrangements in which they participate;

110. *Encourages* the development of regional guidelines for States to use in establishing sanctions for non-compliance by vessels flying their flag and by their nationals, to be applied in accordance with national law, that are adequate in severity for effectively securing compliance, deterring further violations and depriving offenders of the benefits deriving from their illegal activities, as well as in evaluating their systems of sanctions to ensure that they are effective in securing compliance and deterring violations;

X

Responsible fisheries in the marine ecosystem

111. *Encourages* States to apply by 2010 the ecosystem approach, in accordance with paragraph 30 (d) of the Johannesburg Plan of Implementation;

112. *Urges* States, individually or through regional fisheries management organizations and arrangements, to continue their efforts to apply an ecosystem approach to fisheries;

113. *Encourages* States, individually or through regional fisheries management organizations and arrangements and other relevant international organizations, to work to ensure that fisheries and other ecosystem data collection is performed in a coordinated and integrated manner, facilitating incorporation into global observation initiatives, where appropriate;

114. *Calls upon* States and regional fisheries management organizations or arrangements, working in cooperation with other relevant organizations, including the Food and Agriculture Organization of the United Nations, the Intergovernmental Oceanographic Commission and the World Meteorological Organization, to adopt, as appropriate, measures to protect ocean data buoy systems moored in areas beyond national jurisdiction from actions that impair their operation;

115. *Encourages* States to increase scientific research in accordance with international law on the marine ecosystem;

116. *Calls upon* States, the Food and Agriculture Organization of the United Nations and other specialized agencies, subregional and regional fisheries management organizations and arrangements, where appropriate, and other appropriate intergovernmental bodies, to cooperate in achieving sustainable aquaculture, including through information exchange, developing equivalent standards on such issues as aquatic animal health and human health and safety concerns, assessing the potential positive and negative impacts of aquaculture, including socio-economics, on the marine and coastal environment, including biodiversity, and adopting relevant methods and techniques to minimize and mitigate adverse effects, and in this regard encourages the implementation of the 2007 Strategy and Outline Plan for Improving Information on Status and Trends of Aquaculture of the Food and Agriculture Organization of the United Nations, as a framework for the improvement and understanding of aquaculture status and trends;

117. *Calls upon* States to take action immediately, individually and through regional fisheries management organizations and arrangements, and consistent with the precautionary approach and ecosystem approaches, to implement the 2008 International Guidelines for the Management of Deep-sea Fisheries in the High Seas of the Food and Agriculture Organization of the United Nations ("the Guidelines") in order to sustainably manage fish stocks and protect vulnerable marine ecosystems, including seamounts, hydrothermal vents and cold water corals, from destructive fishing practices, recognizing the immense importance and value of deep sea ecosystems and the biodiversity they contain;

118. *Reaffirms* paragraphs 113 to 130 of resolution 64/72 addressing the impacts of bottom fishing on vulnerable marine ecosystems and the long-term sustainability of deep sea fish stocks, and urges States and relevant regional fisheries management organizations and arrangements to fully implement the actions called for in those paragraphs;

119. *Also reaffirms* that nothing in the paragraphs of its resolutions 61/105 and 64/72 addressing the impacts of bottom fishing on vulnerable marine ecosystems prejudices the sovereign rights of coastal States over their continental shelf or the exercise of the jurisdiction of coastal States with respect to their continental shelf under international law as reflected in the Convention, in particular article 77 thereof;

120. *Welcomes* the substantial ongoing work of the Food and Agriculture Organization of the United Nations related to the management of deep sea fisheries in the high seas and the protection of vulnerable marine ecosystems, and urges States and regional fisheries management organizations and arrangements to ensure that their actions in sustainably managing deep sea fisheries and implementing paragraphs 80 and 83 to 87 of resolution 61/105 and paragraphs 119 to 124 of resolution 64/72 are consistent with the Guidelines;

121. *Takes note* of the convening of a workshop on implementing the Guidelines in Busan, Republic of Korea, from 10 to 12 May 2010, and invites the secretariat of the Food and Agriculture Organization of the United Nations to make the report of the workshop available;

122. *Requests* the Secretary-General, in cooperation with the Food and Agriculture Organization of the United Nations, to report to the General Assembly at its sixty-sixth session on the actions taken by States and regional fisheries management organizations and arrangements in response to paragraphs 80 and 83 to 87 of resolution 61/105 and paragraphs 113 to 117 and 119 to 127 of resolution 64/72, in order to facilitate the further review of the actions taken referred to in paragraph 129 of resolution 64/72;

123. *Encourages* accelerated progress to establish criteria on the objectives and management of marine protected areas for fisheries purposes, and in this regard welcomes the proposed work of the Food and Agriculture Organization of the United Nations to develop technical guidelines in accordance with the Convention and the Code on the design, implementation and testing of marine protected areas for such purposes, and urges coordination and cooperation among all relevant international organizations and bodies;

124. *Urges* all States to implement the 1995 Global Programme of Action for the Protection of the Marine Environment from Land-based Activities and to accelerate

activity to safeguard the marine ecosystem, including fish stocks, against pollution and physical degradation;

125. *Acknowledges* the serious environmental impacts on the marine environment caused by abandoned, lost or otherwise discarded fishing gear, welcomes the 2009 report by the United Nations Environment Programme and the Food and Agriculture Organization of the United Nations, and encourages States to take action to reduce such gear, noting the recommendations of the report;

126. *Reaffirms* the importance it attaches to paragraphs 77 to 81 of resolution 60/31 of 29 November 2005 concerning the issue of lost, abandoned or discarded fishing gear and related marine debris and the adverse impacts such debris and derelict fishing gear have on, inter alia, fish stocks, habitats and other marine species, and urges accelerated progress by States and regional fisheries management organizations and arrangements in implementing those paragraphs of the resolution;

127. *Encourages* further studies, including by the Food and Agriculture Organization of the United Nations, on the impacts of underwater noise on fish stocks and fishing catch rates, as well as associated socio-economic effects;

128. *Calls upon* States, including through regional fisheries management organizations and arrangements, to play an active role in global efforts to conserve and sustainably use marine living resources, so as to contribute to marine biological diversity;

129. *Encourages* States, either individually or through regional fisheries management organizations and arrangements, as appropriate, to identify any spawning and nursery areas for fish stocks under their jurisdiction or competence and, where required, to adopt science-based measures to conserve such stocks during these critical life stages;

XI

Capacity-building

130. *Reiterates* the crucial importance of cooperation by States directly or, as appropriate, through the relevant subregional and regional organizations, and by other international organizations, including the Food and Agriculture Organization of the United Nations through its FishCode programme, including through financial and/or technical assistance, in accordance with the Agreement, the Compliance Agreement, the Code and its associated international plans of action, to increase the capacity of developing States to achieve the goals and implement the actions called for in the present resolution;

131. *Welcomes* the work of the Food and Agriculture Organization of the United Nations in developing guidance on the strategies and measures required for the creation of an enabling environment for small-scale fisheries, including the development of a code of conduct and guidelines for enhancing the contribution of small-scale fisheries to poverty alleviation and food security that include adequate provisions with regard to financial measures and capacity-building, including transfer of technology, and encourages studies for creating possible alternative livelihoods for coastal communities;

132. *Encourages* increased capacity-building and technical assistance by States, international financial institutions and relevant intergovernmental organizations and bodies for fishers, in particular small-scale fishers, in

developing countries, and in particular small island developing States, consistent with environmental sustainability, in recognition of the fact that food security and livelihoods may depend on fisheries;

133. *Encourages* the international community to enhance the opportunities for sustainable development in developing countries, in particular the least developed countries, small island developing States and coastal African States, by encouraging greater participation of those States in authorized fisheries activities being undertaken within areas under their national jurisdiction, in accordance with the Convention, by distant-water fishing nations in order to achieve better economic returns for developing countries from their fisheries resources within areas under their national jurisdiction and an enhanced role in regional fisheries management, as well as by enhancing the ability of developing countries to develop their own fisheries, as well as to participate in high seas fisheries, including access to such fisheries, in conformity with international law, in particular the Convention and the Agreement, and taking into account article 5 of the Code;

134. *Requests* distant-water fishing nations, when negotiating access agreements and arrangements with developing coastal States, to do so on an equitable and sustainable basis, including by giving greater attention to fish processing and fish-processing facilities within the national jurisdiction of the developing coastal State to assist the realization of the benefits from the development of fisheries resources, and also the transfer of technology and assistance for monitoring, control and surveillance and compliance and enforcement within areas under the national jurisdiction of the developing coastal State providing fisheries access, taking into account the forms of cooperation set out in article 25 of the Agreement and article 5 of the Code;

135. *Encourages* States, individually and through regional fisheries management organizations and arrangements, to provide greater assistance and to promote coherence in such assistance for developing States in designing, establishing and implementing relevant agreements, instruments and tools for the conservation and sustainable management of fish stocks, including in designing and strengthening their domestic regulatory fisheries policies and those of regional fisheries management organizations or arrangements in their regions, and the enhancement of research and scientific capabilities through existing funds, such as the Assistance Fund under Part VII of the Agreement, bilateral assistance, regional fisheries management organizations and arrangements assistance funds, the FishCode programme, the World Bank's global programme on fisheries and the Global Environment Facility;

136. *Encourages* States to provide technical and financial support to developing countries to address their special requirements and challenges in implementing the Guidelines;

137. *Calls upon* States to promote, through continuing dialogue and the assistance and cooperation provided in accordance with articles 24 to 26 of the Agreement, further ratification of or accession to the Agreement by seeking to address, inter alia, the issue of lack of capacity and resources that might stand in the way of developing States becoming parties;

138. *Notes with appreciation* the compilation prepared by the Secretariat of the needs of developing States for capacity-building and assistance in the conservation and management of straddling fish stocks and highly migratory fish stocks and the sources of available assistance for developing States to address such needs;

139. *Encourages* States, regional fisheries management organizations and arrangements and other relevant bodies to assist developing States in the implementation of the actions called for in paragraphs 80 and 83 to 87 of resolution 61/105 and paragraphs 113, 117 and 119 to 124 of resolution 64/72;

140. *Urges* States and regional economic integration organizations, individually and through regional fisheries management organizations and arrangements, to mainstream efforts to assist developing States, in particular the least developed and small island developing States, with other relevant international development strategies with a view to enhancing international coordination to enable them to develop their national capacity to exploit fishery resources, consistent with the duty to ensure the conservation and management of those resources, and in this regard requests the Secretary-General to fully mobilize and coordinate the agencies, funds and programmes of the United Nations system, including at the level of the regional economic commissions, within their respective mandates;

141. *Requests* States and regional fisheries management organizations to develop strategies to further assist developing States, in particular the least developed and small island developing States, in fully realizing the benefits from the catch of straddling fish stocks and highly migratory fish stocks and in strengthening regional efforts to sustainably conserve and manage such stocks, and in this regard, to make available such information;

XII

Cooperation within the United Nations system

142. *Requests* the relevant parts of the United Nations system, international financial institutions and donor agencies to support increased enforcement and compliance capabilities for regional fisheries management organizations and their member States;

143. *Invites* the Food and Agriculture Organization of the United Nations to continue its cooperative arrangements with United Nations agencies on the implementation of the international plans of action and to report to the Secretary-General, for inclusion in his annual report on sustainable fisheries, on priorities for cooperation and coordination in this work;

XIII

Sixty-sixth session of the General Assembly

144. *Requests* the Secretary-General to bring the present resolution to the attention of all States, relevant inter-governmental organizations, the organizations and bodies of the United Nations system, subregional and regional fisheries management organizations and relevant non-governmental organizations, and to invite States and regional economic integration organizations and regional fisheries management organizations and arrangements to submit detailed information to the Secretary-General in

a timely manner on actions taken pursuant to paragraphs 80 and 83 to 87 of resolution 61/105 and paragraphs 113 to 117 and 119 to 127 of resolution 64/72 to facilitate a further review of such actions;

145. *Also requests* the Secretary-General to bring the present resolution to the attention of the Inter-agency Consultative Group on Small Island Developing States in the context of paragraph 140 of the present resolution;

146. *Decides* to include in the provisional agenda of its sixty-sixth session, under the item entitled "Oceans and the law of the sea", the sub-item entitled "Sustainable fisheries, including through the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, and related instruments", and to consider the possibility of including this sub-item in future provisional agendas on a biennial basis.

Institutions created by the Convention

International Seabed Authority

Through the International Seabed Authority, established by the United Nations Convention on the Law of the Sea and the 1994 Implementation Agreement [YUN 1994, p. 1301], States organized and conducted exploration of the resources of the seabed and ocean floor and subsoil beyond the limits of national jurisdiction. In 2010, the Authority, which had 160 members as at 28 February, held its sixteenth session (Kingston, Jamaica, 26 April–7 May) [ISBA/16/A/1]. Its subsidiary bodies, namely, the Assembly, the Council, the Legal and Technical Commission and the Finance Committee, also met during the session.

The Assembly [ISBA/16/A/13] considered the annual report of the Authority's Secretary-General [ISBA/16/A/2], which reviewed the Authority's work since the fifteenth session, as well as the outcomes of the 2008–2010 programme of work. The report also outlined the main trends of the proposed programme of work for 2011–2013, covering such matters as supervision of contracts for exploration and award of new ones; progressive development of the regulatory regime for activities in the Area (the seabed and ocean floor and subsoil beyond the limits of national jurisdiction); promotion and encouragement of marine scientific research in the Area; and database development. According to the report, the ocean mining industry continued to suffer from the world economic downturn and its effect on mineral prices. There were limited signs, however, that the market for metals obtainable from seabed minerals, particularly nickel and cobalt, was recovering.

On 6 May, the Assembly considered the report of the Finance Committee [ISBA/16/A/5]. On the basis of the recommendations of the Council [ISBA/16/C/10], the Assembly adopted the budget for the financial

period 2011–2012 in the amount of \$13,014,700, and recommended that observers attending and participating in the meetings of the Authority make voluntary contributions, considering that they benefited from the facilities of the Authority.

On 7 May [ISBA/16/A/12/Rev.1], the Assembly approved the Regulations on prospecting and exploration for polymetallic sulphides in the Area [annex]. The Assembly also elected new Council members and adopted revisions of the Staff Regulations.

The Council [ISBA/16/C/14] on 5 May considered the draft regulations on prospecting and exploration for cobalt-rich ferromanganese crusts in the Area [ISBA/16/C/WP.2], and decided to take the matter up at its next (2011) session. The Council decided to seek an advisory opinion from the Seabed Disputes Chamber of the International Tribunal for the Law of the Sea on matters relating to the responsibility and liability of sponsoring States [ISBA/16/C/13].

The Legal and Technical Commission [ISBA/16/C/7] considered and evaluated the annual reports submitted by contractors [ISBA/16/LTC/6]. It recommended that the contractors prospecting and exploring for polymetallic nodules in the Area under contract with the Authority should be requested to provide with their next annual report a revised historical breakdown of reported expenditure. It expressed concern that the contractors were not providing raw data despite numerous requests from both the Commission and the Secretary-General. Most of the eight contractors would soon be completing the second five-year period of the 15-year exploration contracts granted by the Authority.

The Finance Committee [ISBA/16/A/5] took action on the proposed budget of the Authority for the financial period 2011–2012, the Working Capital Fund, the scale of assessment for 2011–2012, and the audit of the accounts of the Authority for 2009. It took note of the balance as at March 2010 of the Authority's Endowment Fund for Marine Scientific Research, in the amount of \$3,338,409, and of the balance of the Authority's Voluntary Trust Fund, in the amount of \$40,435. The Endowment Fund promoted collaborative marine scientific research in the international seabed area by supporting the participation of scientists and technical personnel from developing countries in research programmes and activities. The Trust Fund facilitated the participation of members of the Legal and Technical Commission and the Finance Committee from developing countries in the meetings of those bodies.

As at 31 December, the 1998 Protocol on the Privileges and Immunities of the International Seabed Authority [YUN 1998, p. 1226], which entered into force in 2003 [YUN 2003, p. 1353], had 28 signatories and 31 parties.

International Tribunal for the Law of the Sea

The International Tribunal for the Law of the Sea held its twenty-ninth (8–19 March) and thirtieth (20 September–1 October) sessions in Hamburg, Germany [SPLOS/222].

In the *Dispute concerning Delimitation of the Maritime Boundary between Bangladesh and Myanmar in the Bay of Bengal (Bangladesh/Myanmar)* [YUN 2009, p. 1345], the President of the Tribunal on 25 and 26 January held consultations with the representatives of the parties to ascertain their views with regard to questions of procedure. On 28 January, the President adopted an order fixing 1 July as the time limit for the filing of the memorial by Bangladesh and 1 December as the time limit for the filing of the counter-memorial by Myanmar. By an order of 17 March, the Tribunal fixed 15 March 2011 as the time limit for the filing of the reply by Bangladesh and 1 July 2011 as the time limit for the filing of the rejoinder by Myanmar. Both countries nominated judges ad hoc to sit in the case. The President chose three arbitrators, appointing one as president of the arbitral tribunal.

In the case *Responsibilities and Obligations of States Sponsoring Persons and Entities with Respect to Activities in the Area (request for advisory opinion submitted to the Seabed Disputes Chamber)*, the Council of the International Seabed Authority on 6 May [ISBA/16/C/13] requested the Seabed Disputes Chamber of the Tribunal to render an advisory opinion on the responsibilities and obligations of States sponsoring persons and entities with respect to activities in the international seabed area. On 18 May, the President of the Seabed Disputes Chamber adopted an order fixing 9 August as the time limit for presenting written statements and 14 September as the date for the opening of the oral proceedings; the time limit was subsequently extended to 19 August. Twelve States parties to the Convention, the International Seabed Authority, the Interoceanmetal Joint Organization and the International Union for Conservation of Nature (IUCN) filed written statements within the time limit. The United Nations Environment Programme filed a statement after the time limit. The Chamber met for initial deliberations on 10, 13 and 14 September. During the hearing (14–16 September), nine States parties, the International Seabed Authority, the Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific and Cultural Organization (UNESCO) and IUCN presented oral statements. The Chamber scheduled the delivery of the advisory opinion for 1 February 2011.

On 24 November, Saint Vincent and the Grenadines instituted proceedings before the Tribunal in relation to the *M/V Louisa case (Saint Vincent and the Grenadines v. Spain)*. The dispute concerned the

vessel *M/V Louisa*, flying the flag of Saint Vincent and the Grenadines, arrested on 1 February 2006 by the Spanish authorities and held since that date. Saint Vincent and the Grenadines requested provisional measures, including ordering Spain to release the *M/V Louisa*. On 8 December, Spain filed a statement in response, maintaining that the vessel had been arrested in the course of criminal proceedings for alleged violation of laws relating to the Spanish historical patrimony. By an order of 30 November, the President fixed 10 December as the date for the opening of the hearing. The Tribunal held initial deliberations on 9 December. Oral statements were presented on 10 and 11 December. On 23 December, the Tribunal delivered its order concerning the request for provisional measures and found that it had prima facie jurisdiction over the dispute. The Tribunal refrained, however, from prescribing provisional measures, holding that the circumstances were not such as to require the issuance of provisional measures, and that there was no real and imminent risk that irreparable prejudice might be caused to the rights of the parties. The decision was taken by 17 votes to 4. One judge appended a separate opinion and four judges appended dissenting opinions.

As at 31 December, the Agreement on the Privileges and Immunities of the International Tribunal for the Law of the Sea, which was adopted by the seventh Meeting of States Parties to the Convention in 1997 [YUN 1997, p. 1361] and entered into force in 2001 [YUN 2001, p. 1235], had 21 signatories and 38 parties.

Commission on the Limits of the Continental Shelf

In 2010, the Commission on the Limits of the Continental Shelf, established in 1997 [YUN 1997, p. 1362], held its twenty-fifth (15 March–23 April) [CLCS/66] and twenty-sixth (2 August–3 September) [CLCS/68 & Corr.1] sessions in New York. Among other things, it examined submissions by States regarding the establishment of the outer limits of the continental shelf beyond 200 nautical miles.

At its twenty-fifth session, the Commission adopted recommendations in regard to the submissions made by Barbados on 8 May 2008 [YUN 2008, p. 1496] and the United Kingdom in respect of Ascension Island on 9 May 2008 [ibid.]. The Commission also began consideration of the 2008 joint submission by Mauritius and Seychelles in respect of the Mascarene Plateau, and a submission by Suriname. It continued its consideration of the submissions by Indonesia in respect of North West of Sumatra Island and Japan. It decided that the submissions made by Cuba; France in respect of the French Antilles and the Kerguelen Islands; Norway in respect of Bouvetøya and Dronning Maud

Land; Micronesia, Papua New Guinea and Solomon Islands in respect of the Ontong Java Plateau; Portugal; Tonga; Spain in respect of the area of Galicia; Trinidad and Tobago; and Namibia would be addressed by way of a subcommission to be established at a future session. Regarding the submission made by the United Kingdom in respect of the Falkland Islands and of South Georgia and the South Sandwich Islands, the Commission decided that in accordance with its rules of procedure, it was not in a position to consider and qualify the submission.

At its twenty-sixth session, the Commission continued to consider the submissions made by Japan, Mauritius and Seychelles, and Suriname. It informed Barbados that although it was not in a position to reconsider its submission and the recommendations adopted at the previous session, it remained open to providing clarification on those recommendations. It also decided that the submissions made by South Africa in respect of its mainland, France and South Africa in respect of the Crozet Archipelago and the Prince Edward Islands, and India would be addressed by way of a subcommission to be established at a future session. Regarding the submission by Indonesia, it deferred consideration of the recommendations prepared by the subcommission to its next session in order to provide more time to examine them. It deferred further consideration of the submissions by Yemen in respect of south-east of Socotra Island, Palau and India. It also further deferred the establishment of a subcommission for the consideration of the submission made by Myanmar.

Other developments related to the Convention

Pursuant to General Assembly resolution 64/71 [YUN 2009, p. 1347], the Secretary-General in August submitted to the Assembly a comprehensive report [A/65/69/Add.2] on developments and issues relating to ocean affairs and the law of the sea. The report was also submitted to States parties to the United Nations Convention on the Law of the Sea, pursuant to article 319 of the Convention. The report provided an overview of the challenges faced by the international community in the sustainable development of the oceans and their resources, as human activities were taking a toll on the world's oceans and seas. Vulnerable marine ecosystems, such as corals, and important fisheries were being threatened by over-exploitation, illegal, unreported and unregulated fishing, destructive fishing practices, invasive alien species and marine pollution. Increased sea temperatures, sea level rise and ocean acidification caused by climate change posed further threats. Piracy and armed robbery at sea threatened the lives of seafarers and the safety of inter-

national shipping. Unresolved maritime boundaries delimitations presented further challenges for the users of the sea. At the core of ongoing efforts to address the pressures and challenges faced by the oceans lay the necessity to build the capacity of States to implement and enforce international instruments, foremost of which the Convention on the Law of the Sea.

A related April report [A/65/69/Add.1] summarized the submissions received from nine States, as well as the EU and its member States, pursuant to General Assembly resolution 64/71 [YUN 2009, p. 1347], on the fundamental building blocks identified in the report [ibid., p. 1360] on the results of the "assessment of assessments"—the regular process for global reporting and assessment of the state of the marine environment, including socio-economic aspects (see p. 1034).

The first part of the Secretary-General's comprehensive report on oceans and the law of the sea [A/65/69], issued in March, addressed the topic of the eleventh meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea (see p. 1373), namely capacity-building in ocean affairs and the law of the sea, including marine science. The report, submitted in response to General Assembly resolution 64/71 and pursuant to article 319 of the Convention, examined the relevance and scope of capacity-building, reviewed the capacity-building needs of States in marine science and other areas of ocean affairs and the law of the sea, and examined capacity-building activities and initiatives in those areas. It also addressed the challenges in implementing capacity-building activities and initiatives, and identified opportunities for ways to move forward.

Assessment of global marine environment

On 7 September, the Ad Hoc Working Group of the Whole on the regular process for global reporting and assessment of the state of the marine environment, including socio-economic aspects, submitted to the General Assembly a report on its work [A/65/358]. The recommendations of the Working Group, adopted at its meeting (New York, 30 August–3 September), were annexed to the report. The Assembly had established the Working Group by resolution 63/111 [YUN 2008, p. 1497] to recommend a course of action following the completion of the "assessment of assessments".

The Working Group's recommendations dealt with modalities for implementing the regular process, including key features, capacity-building and institutional arrangements; questions to be answered and primary target audiences; objective and scope of the first cycle (2010–2014) of the regular process; and financial and other support. The regular process would be an intergovernmental process and would prepare

a global integrated assessment of the state of the marine environment, including socio-economic aspects. The regular process would be overseen and guided by an Ad Hoc Working Group of the Whole of the General Assembly. Intergovernmental and non-governmental organizations (NGOs) would be invited to participate in the meetings of the Working Group, and scientific institutions and major groups could request to participate in the meetings. A group of experts, including the members of the Group of Experts appointed pursuant to Assembly resolution 64/71, would be an integral part of the regular process. The first phase of the first cycle (2010–2012) would provide for the preparation of key questions to be answered by the first integrated assessment, in order to ensure an effective science-policy relationship and the participation of all stakeholders in defining the objectives and scope of the assessments. States would be the primary target audience of the regular process.

Marine biological resources

The Ad Hoc Open-ended Informal Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction in March submitted to the General Assembly the outcome of its meeting (New York, 1–5 February), which consisted of recommendations to the Assembly [A/65/68]. The Working Group, established pursuant to Assembly resolution 59/24 [YUN 2004, p. 1333], made recommendations with regard to strengthening the information base; capacity-building and technology transfer; cooperation and coordination in implementation; cooperation and coordination for integrated ocean management and ecosystem approaches; environmental impact assessments; area-based management tools, in particular marine protected areas; marine genetic resources; and a way forward.

United Nations Open-ended Informal Consultative Process

Pursuant to General Assembly resolutions 64/71 [YUN 2009, p. 1347], the eleventh meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea (New York, 21–25 June) [A/65/164] focused its discussion on the topic “Capacity-building in ocean affairs and the law of the sea, including marine science”. The meeting was attended by representatives of 89 Member States, 27 intergovernmental organizations and other bodies and 11 NGOs. Topics included assessing the need for capacity-building; capacity-building activities and initiatives; challenges for achieving effective capacity-building; and new approaches, best practices and opportunities for im-

proved capacity-building. Also discussed were inter-agency cooperation and coordination and issues that could benefit from attention in the work of the General Assembly on oceans and the law of the sea. The General Assembly established the Open-ended Informal Consultative Process by resolution 54/33 [YUN 1999, p. 994] to facilitate its annual review of developments in ocean affairs and the law of the sea by suggesting issues to be considered.

GENERAL ASSEMBLY ACTION

On 7 December [meeting 59], the General Assembly adopted **resolution 65/37 A** [draft: A/65/L.20 & Add.1] by recorded vote (123-1-2) [agenda item 74 (a)].

Oceans and the law of the sea

The General Assembly,

Recalling its annual resolutions on the law of the sea and on oceans and the law of the sea, including resolution 64/71 of 4 December 2009, and other relevant resolutions concerning the United Nations Convention on the Law of the Sea (“the Convention”),

Having considered the report of the Secretary-General, the recommendations of the Ad Hoc Open-ended Informal Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction (“the Ad Hoc Open-ended Informal Working Group”) and the reports on the work of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea (“the Consultative Process”) at its eleventh meeting, on the twentieth Meeting of States Parties to the Convention, and on the work of the Ad Hoc Working Group of the Whole on the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socio-economic Aspects (“the Regular Process”),

Emphasizing the pre-eminent contribution provided by the Convention to the strengthening of peace, security, cooperation and friendly relations among all nations in conformity with the principles of justice and equal rights and to the promotion of the economic and social advancement of all peoples of the world, in accordance with the purposes and principles of the United Nations as set forth in the Charter of the United Nations, as well as to the sustainable development of the oceans and seas,

Emphasizing also the universal and unified character of the Convention, and reaffirming that the Convention sets out the legal framework within which all activities in the oceans and seas must be carried out and is of strategic importance as the basis for national, regional and global action and cooperation in the marine sector, and that its integrity needs to be maintained, as recognized also by the United Nations Conference on Environment and Development in chapter 17 of Agenda 21,

Recognizing the important contribution of sustainable development and management of the resources and uses of the oceans and seas to the achievement of international development goals, including those contained in the United Nations Millennium Declaration,

Conscious that the problems of ocean space are closely interrelated and need to be considered as a whole through an integrated, interdisciplinary and intersectoral approach, and reaffirming the need to improve cooperation and coordination at the national, regional and global levels, in accordance with the Convention, to support and supplement the efforts of each State in promoting the implementation and observance of the Convention, and the integrated management and sustainable development of the oceans and seas,

Reiterating the essential need for cooperation, including through capacity-building and transfer of marine technology, to ensure that all States, especially developing countries, in particular the least developed countries and small island developing States, as well as coastal African States, are able both to implement the Convention and to benefit from the sustainable development of the oceans and seas, as well as to participate fully in global and regional forums and processes dealing with oceans and law of the sea issues,

Emphasizing the need to strengthen the ability of competent international organizations to contribute, at the global, regional, subregional and bilateral levels, through cooperation programmes with Governments, to the development of national capacity in marine science and the sustainable management of the oceans and their resources,

Recalling that marine science is important for eradicating poverty, contributing to food security, conserving the world's marine environment and resources, helping to understand, predict and respond to natural events and promoting the sustainable development of the oceans and seas, by improving knowledge, through sustained research efforts and the evaluation of monitoring results, and applying such knowledge to management and decision-making,

Reiterating its deep concern at the serious adverse impacts on the marine environment and biodiversity, in particular on vulnerable marine ecosystems and their physical and biogenic structure, including coral reefs, cold water habitats, hydrothermal vents and seamounts, of certain human activities,

Emphasizing the need for the safe and environmentally sound recycling of ships,

Expressing deep concern at the adverse economic, social and environmental impacts of the physical alteration and destruction of marine habitats that may result from land-based and coastal development activities, in particular those land reclamation activities that are carried out in a manner that has a detrimental impact on the marine environment,

Noting the ministerial meeting of the Commission for the Protection of the Marine Environment of the North-East Atlantic, held in Bergen, Norway, from 20 to 24 September 2010,

Reiterating its serious concern at the current and projected adverse effects of climate change on the marine environment and marine biodiversity, and emphasizing the urgency of addressing this issue,

Expressing concern that climate change continues to increase the severity and incidence of coral bleaching throughout tropical seas and weakens the ability of reefs to withstand ocean acidification, which could have serious and irreversible negative effects on marine organisms, particularly corals, as well as to withstand other pressures, including overfishing and pollution,

Reiterating its deep concern at the vulnerability of the environment and the fragile ecosystems of the polar regions, including the Arctic Ocean and the Arctic ice cap, particularly affected by the projected adverse effects of climate change,

Recognizing the need for a more integrated and ecosystem-based approach to, further study of and the promotion of measures for enhanced cooperation, coordination and collaboration relating to, the conservation and sustainable use of marine biodiversity beyond areas of national jurisdiction,

Recognizing also that the realization of the benefits of the Convention could be enhanced by international cooperation, technical assistance and advanced scientific knowledge, as well as by funding and capacity-building,

Recognizing further that hydrographic surveys and nautical charting are critical to the safety of navigation and life at sea, environmental protection, including the protection of vulnerable marine ecosystems, and the economics of the global shipping industry, and encouraging further efforts towards electronic charting, which not only provides significantly increased benefits for safe navigation and management of ship movement, but also provides data and information that can be used for sustainable fisheries activities and other sectoral uses of the marine environment, the delimitation of maritime boundaries and environmental protection,

Emphasizing that underwater archaeological, cultural and historical heritage, including shipwrecks and watercrafts, holds essential information on the history of humankind and that such heritage is a resource that needs to be protected and preserved,

Noting with concern the continuing problem of transnational organized crime committed at sea, including illicit traffic in narcotic drugs and psychotropic substances, the smuggling of migrants and trafficking in persons, and threats to maritime safety and security, including piracy, armed robbery at sea, smuggling and terrorist acts against shipping, offshore installations and other maritime interests, and noting the deplorable loss of life and adverse impact on international trade, energy security and the global economy resulting from such activities,

Recognizing that fibre optic submarine cables transmit most of the world's data and communications and, hence, are vitally important to the global economy and the national security of all States, conscious that these cables are susceptible to intentional and accidental damage from shipping and other activities, noting that these matters have been brought to the attention of States at various workshops and seminars, and conscious of the need for States to adopt national laws and regulations to protect submarine cables and render their wilful damage or damage by culpable negligence punishable offences,

Noting the importance of the delineation of the outer limits of the continental shelf beyond 200 nautical miles and that it is in the broader interest of the international community that coastal States with a continental shelf beyond 200 nautical miles submit information on the outer limits of the continental shelf beyond 200 nautical miles to the Commission on the Limits of the Continental Shelf ("the Commission"), and welcoming the submissions to the Commission by a considerable number of States Parties on

the outer limits of their continental shelf beyond 200 nautical miles, that the Commission has continued to fulfil its role, including of making recommendations to coastal States, and that the summaries of recommendations are being made publicly available,

Noting also that many coastal States Parties have submitted preliminary information indicative of the outer limits of the continental shelf beyond 200 nautical miles, as provided for in the decision of the eighteenth Meeting of States Parties to the Convention regarding the workload of the Commission and the ability of States, particularly developing States, to fulfil the requirements of article 4 of annex II to the Convention, as well as the decision contained in SPLOS/72, paragraph (a),

Noting further that some coastal States may continue to face particular challenges in relation to preparing and presenting submissions to the Commission,

Noting that financial and technical assistance may be sought by developing countries for activities in relation to preparing and presenting submissions to the Commission, including through the voluntary trust fund established by resolution 55/7 of 30 October 2000 for the purpose of facilitating the preparation of submissions to the Commission for developing States, in particular the least developed countries and small island developing States, and compliance with article 76 of the Convention, as well as other accessible international assistance,

Recognizing the importance of the trust funds established by resolution 55/7 in facilitating the participation of members of the Commission from developing States in the meetings of the Commission and in fulfilling the requirements of article 4 of annex II to the Convention, while noting with appreciation the recent contributions made to them,

Reaffirming the importance of the work of the Commission for coastal States and for the international community,

Recognizing the significant workload of the Commission in view of the large number of submissions already received and a number of submissions yet to be received, which places additional demands and challenges on its members and the secretariat as provided by the Secretary-General of the United Nations through the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the Secretariat ("the Division"), and taking note of the information contained in the note on issues related to the workload of the Commission prepared by the Secretariat at the request of the nineteenth Meeting of States Parties to the Convention, as well as of the decision of the twentieth Meeting of States Parties regarding the workload of the Commission,

Welcoming the ongoing consideration of the workload of the Commission by the Meeting of States Parties to the Convention,

Noting with concern the projected timetable of the work of the Commission on the submissions already received by it and those yet to be received and, in this regard, the consequences of the duration of the sessions of the Commission and the meetings of its subcommissions,

Recognizing significant inequities and difficulties for States arising out of the projected timetable, including with respect to retaining expertise, when there is a considerable delay between preparation of submissions and their consideration by the Commission,

Recognizing also the need to take action to ensure that the Commission can perform its functions under the Convention expeditiously, efficiently and effectively, and maintain its high level of quality and expertise,

Recalling its decision, in resolutions 57/141 of 12 December 2002 and 58/240 of 23 December 2003, to establish a regular process under the United Nations for global reporting and assessment of the state of the marine environment, including socio-economic aspects, both current and foreseeable, building on existing regional assessments, as recommended by the World Summit on Sustainable Development, and noting the need for cooperation among all States to this end,

Recalling also its decision, in resolution 60/30 of 29 November 2005, to launch the start-up phase, the "assessment of assessments", to be completed within two years, as a preparatory stage towards the establishment of the Regular Process,

Recognizing the importance and the contribution of the work of the Consultative Process established by resolution 54/33 of 24 November 1999 to facilitate the annual review of developments in ocean affairs by the General Assembly,

Noting the responsibilities of the Secretary-General under the Convention and related resolutions of the General Assembly, in particular resolutions 49/28 of 6 December 1994, 52/26 of 26 November 1997 and 54/33, and in this context the substantial increase in activities of the Division, in particular in view of the growing number of requests to the Division for additional outputs and servicing of meetings, its increasing capacity-building activities, the need for enhanced support and assistance to the Commission and the role of the Division in inter-agency coordination and cooperation,

Reaffirming the importance of the work of the International Seabed Authority ("the Authority") in accordance with the Convention and the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 ("the Part XI Agreement"),

Reaffirming also the importance of the work of the International Tribunal for the Law of the Sea ("the Tribunal") in accordance with the Convention,

Recognizing, on the occasion of its fiftieth anniversary, the important role of the Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific and Cultural Organization,

I

Implementation of the Convention and related agreements and instruments

1. *Reaffirms* its annual resolutions on the law of the sea and on oceans and the law of the sea, including resolution 64/71, and other relevant resolutions concerning the Convention;

2. *Also reaffirms* the unified character of the Convention and the vital importance of preserving its integrity;

3. *Calls upon* all States that have not done so, in order to achieve the goal of universal participation, to become parties to the Convention and the Part XI Agreement;

4. *Calls upon* States that have not done so, in order to achieve the goal of universal participation, to become parties to the Agreement for the Implementation of the Provi-

sions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks ("the Fish Stocks Agreement");

5. *Calls upon* States to harmonize their national legislation with the provisions of the Convention and, where applicable, relevant agreements and instruments, to ensure the consistent application of those provisions and to ensure also that any declarations or statements that they have made or make when signing, ratifying or acceding to the Convention do not purport to exclude or to modify the legal effect of the provisions of the Convention in their application to the State concerned and to withdraw any such declarations or statements;

6. *Calls upon* States Parties to the Convention that have not yet done so to deposit with the Secretary-General charts or lists of geographical coordinates, as provided for in the Convention;

7. *Urges* all States to cooperate, directly or through competent international bodies, in taking measures to protect and preserve objects of an archaeological and historical nature found at sea, in conformity with the Convention, and calls upon States to work together on such diverse challenges and opportunities as the appropriate relationship between salvage law and scientific management and conservation of underwater cultural heritage, increasing technological abilities to discover and reach underwater sites, looting and growing underwater tourism;

8. *Notes* the recent deposit of instruments of ratification and acceptance of the 2001 Convention on the Protection of the Underwater Cultural Heritage, and notes in particular the rules annexed thereto, which address the relationship between salvage law and scientific principles of management, conservation and protection of underwater cultural heritage among Parties, their nationals and vessels flying their flag;

II

Capacity-building

9. *Emphasizes* that capacity-building is essential to ensure that States, especially developing countries, in particular the least developed countries and small island developing States, as well as coastal African States, are able to fully implement the Convention, benefit from the sustainable development of the oceans and seas and participate fully in global and regional forums on ocean affairs and the law of the sea;

10. *Emphasizes also* the need for international cooperation for capacity-building, including cross-sectoral cooperation, at national, regional and global levels, to address, in particular, gaps in capacity-building in ocean affairs and the law of the sea, including marine science;

11. *Calls for* capacity-building initiatives to take into account the needs of developing countries, and calls upon States, international organizations and donor agencies to make efforts to ensure the sustainability of such initiatives;

12. *Calls upon* donor agencies and international financial institutions to keep their programmes systematically under review to ensure the availability in all States, particularly in developing States, of the economic, legal, navigational, scientific and technical skills necessary for the full implementation of the Convention and the objectives of the

present resolution, as well as the sustainable development of the oceans and seas nationally, regionally and globally, and in so doing to bear in mind the interests and needs of landlocked developing States;

13. *Encourages* intensified efforts to build capacity for developing countries, in particular for the least developed countries and small island developing States, as well as coastal African States, to improve hydrographic services and the production of nautical charts, including electronic charts, as well as the mobilization of resources and building of capacity with support from international financial institutions and the donor community;

14. *Calls upon* States and international financial institutions, including through bilateral, regional and global cooperation programmes and technical partnerships, to continue to strengthen capacity-building activities, in particular in developing countries, in the field of marine scientific research by, inter alia, training personnel to develop and enhance relevant expertise, providing the necessary equipment, facilities and vessels and transferring environmentally sound technologies;

15. *Also calls upon* States and international financial institutions, including through bilateral, regional and global cooperation programmes and technical partnerships, to strengthen capacity-building activities in developing countries, in particular least developed countries and small island developing States, to develop their maritime administration and appropriate legal frameworks to establish or enhance the necessary infrastructure, legislative and enforcement capabilities to promote effective compliance with, and implementation and enforcement of, their responsibilities under international law;

16. *Emphasizes* the need to focus on strengthening South-South cooperation as an additional way to build capacity and as a cooperative mechanism to further enable countries to set their own priorities and needs;

17. *Recognizes* the importance of the work of the International Maritime Law Institute of the International Maritime Organization as a centre of education and training of Government legal advisers, mainly from developing States, confirms its effective capacity-building role in the field of international law, and urges States, intergovernmental organizations and financial institutions to make voluntary financial contributions to the budget of the Institute;

18. *Also recognizes* the importance of the World Maritime University of the International Maritime Organization as a centre for maritime education and research, confirms its effective capacity-building role in the field of maritime transportation, policy, administration, management, safety, security and environmental protection, as well as its role in the international exchange and transfer of knowledge, and urges States, intergovernmental organizations and other bodies to make voluntary financial contributions to the University;

19. *Welcomes* ongoing activities for capacity-building so as to address maritime security and safety needs and the protection of the marine environment of developing States, and encourages States and international financial institutions to provide additional funding for capacity-building programmes, including for transfer of technology, including through the International Maritime Organization and other competent international organizations;

20. *Recognizes* the considerable need to provide sustained capacity-building assistance, including on financial and technical aspects, by relevant international organizations and donors to developing States, with a view to further strengthening their capacity to take effective measures against the multiple facets of international criminal activities at sea, in line with the relevant international instruments, including the United Nations Convention against Transnational Organized Crime and the Protocols thereto;

21. *Also recognizes* the need to build the capacity of developing States to raise awareness of, and support the implementation of, improved waste management practices, noting the particular vulnerability of small island developing States to the impact of marine pollution from land-based sources and marine debris;

22. *Further recognizes* the importance of assisting developing States, in particular the least developed countries and small island developing States, as well as coastal African States, in implementing the Convention, and urges States, intergovernmental organizations and agencies, national institutions, non-governmental organizations and international financial institutions, as well as natural and juridical persons, to make voluntary financial or other contributions to the trust funds, as referred to in resolution 57/141, established for this purpose;

23. *Acknowledges* the importance of capacity-building for developing States, in particular the least developed countries and small island developing States, as well as coastal African States, for the protection of the marine environment and the conservation and sustainable use of marine resources;

24. *Recognizes* that promoting the voluntary transfer of technology is an essential aspect of building capacity in marine science;

25. *Encourages* States to use the Criteria and Guidelines on the Transfer of Marine Technology adopted by the Assembly of the Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific and Cultural Organization, and recalls the important role of the secretariat of that Commission in the implementation and promotion of the Criteria and Guidelines;

26. *Notes with satisfaction* the efforts of the Division to compile information on capacity-building initiatives, requests the Secretary-General to regularly update such information provided by States, international organizations and donor agencies and include it in his annual report to the General Assembly, invites States, international organizations and donor agencies to submit such information to the Secretary-General for this purpose, and requests the Division to post the information on capacity-building initiatives from the annual report of the Secretary-General on the website of the Division in an easily accessible manner so as to facilitate the matching of capacity-building needs with opportunities;

27. *Calls upon* States to continue to assist developing States, and especially the least developed countries and small island developing States, as well as coastal African States, at the bilateral and, where appropriate, multilateral levels, in the preparation of submissions to the Commission regarding the establishment of the outer limits of the continental shelf beyond 200 nautical miles, including the assessment of the nature and extent of the continental shelf of a coastal State, and recalls that coastal States can make

requests to the Commission for scientific and technical advice in the preparation of data for their submissions, in accordance with article 3 of annex II to the Convention;

28. *Calls upon* the Division to continue to disseminate information on relevant procedures related to the trust fund established for the purpose of facilitating the preparation of submissions to the Commission and to continue its dialogue with potential beneficiaries with a view to providing financial support to developing countries for activities to facilitate their submissions in accordance with the requirements of article 76 of the Convention and with the rules of procedure and the Scientific and Technical Guidelines of the Commission;

29. *Requests* the Secretary-General, in cooperation with States and relevant international organizations and institutions, to continue to support training and other activities to assist developing States in the preparation and presentation of their submissions to the Commission;

30. *Notes with appreciation* the regional workshop of the Tribunal, held in Nadi, Fiji, on 17 and 18 August 2010, on the role of the Tribunal in the settlement of disputes relating to the law of the sea;

31. *Invites* Member States and others in a position to do so to support the capacity-building activities of the Division, including, in particular, the training and other activities to assist developing States in the preparation of their submissions to the Commission, and invites Member States and others in a position to do so to contribute to the trust fund established by the Secretary-General for the Office of Legal Affairs to support the promotion of international law;

32. *Recognizes with appreciation* the important contribution of the Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea to the capacity-building of developing countries and the promotion of the law of the sea, notes that the twenty-third award was only made possible in 2010 thanks to the generous contribution, on an exceptional basis, of the Legal Counsel from the voluntary Trust Fund for the Office of Legal Affairs to Support the Promotion of International Law, reiterates therefore its serious concern regarding the continued lack of resources, appeals urgently to Member States and others in a position to do so to contribute generously to the further development of the Fellowship to ensure that it is awarded every year, and takes due note of the inclusion by the Secretary-General of the Fellowship on the list of trust funds for the United Nations Pledging Conference for Development Activities;

33. *Also recognizes with appreciation* the important contribution that the United Nations-Nippon Foundation of Japan Fellowship Programme which, relying on its network of host institutions, has awarded 60 fellowships to individuals from 47 Member States since 2005, and held in May 2010 a second regional alumni meeting, has made to human resources development for developing Member States in the field of ocean affairs and the law of the sea and related disciplines and the promotion of holistic and cross-sectoral approaches, emphasizing the integration of physical and social sciences and promoting interlinkages among alumni and between their organizations;

34. *Further recognizes with appreciation* the funding recently set aside by the Global Environment Facility for projects relating to oceans and marine biodiversity;

III

Meeting of States Parties

35. *Welcomes* the report of the twentieth Meeting of States Parties to the Convention;

36. *Requests* the Secretary-General to convene the twenty-first Meeting of States Parties to the Convention, in New York from 13 to 17 June 2011, and to provide the services required;

IV

Peaceful settlement of disputes

37. *Notes with satisfaction* the continued and significant contribution of the Tribunal to the settlement of disputes by peaceful means in accordance with Part XV of the Convention, and underlines the important role and authority of the Tribunal concerning the interpretation or application of the Convention and the Part XI Agreement;

38. *Pays tribute* to the important and long-standing role of the International Court of Justice with regard to the peaceful settlement of disputes concerning the law of the sea;

39. *Notes* that States Parties to an international agreement related to the purposes of the Convention may submit to, inter alia, the Tribunal or the International Court of Justice any dispute concerning the interpretation or application of that agreement submitted in accordance with that agreement, and notes also the possibility, provided for in the statutes of the Tribunal and the Court, to submit disputes to a chamber;

40. *Encourages* States Parties to the Convention that have not yet done so to consider making a written declaration choosing from the means set out in article 287 of the Convention for the settlement of disputes concerning the interpretation or application of the Convention and the Part XI Agreement, bearing in mind the comprehensive character of the dispute settlement mechanism provided for in Part XV of the Convention;

41. *Notes* the recent referral to the Tribunal of a case concerning the delimitation of a maritime boundary;

V

The Area

42. *Welcomes* the adoption by the Authority at its sixteenth session of the Regulations for Prospecting and Exploration for Polymetallic Sulphides in the Area, encourages progress on the finalization of the regulations for prospecting and exploration for cobalt-rich ferromanganese crusts in the Area, and reiterates the importance of the ongoing elaboration by the Authority, pursuant to article 145 of the Convention, of rules, regulations and procedures to ensure the effective protection of the marine environment, for, inter alia, the protection and conservation of the natural resources of the Area, and for the prevention of damage to the flora and fauna of the marine environment from harmful effects that may arise from activities in the Area;

43. *Acknowledges* the decision of the Council of the Authority to request an advisory opinion pursuant to article 191 of the Convention on the responsibilities and obligations of States with respect to sponsorship of activities in the Area, and acknowledges the considerable participation in the written and oral proceedings before the Seabed

Disputes Chamber of the Tribunal regarding the advisory opinion;

44. *Notes* the importance of the responsibilities entrusted to the Authority by articles 143 and 145 of the Convention, which refer to marine scientific research and protection of the marine environment, respectively;

VI

Effective functioning of the Authority and the Tribunal

45. *Appeals* to all States Parties to the Convention to pay their assessed contributions to the Authority and to the Tribunal in full and on time, and also appeals to States Parties in arrears with their contributions to fulfil their obligations without delay;

46. *Urges* all States Parties to the Convention to attend the sessions of the Authority, and calls upon the Authority to continue to pursue all options, including making concrete recommendations on the issue of dates, in order to improve attendance in Kingston and to ensure global participation;

47. *Calls upon* States that have not done so to consider ratifying or acceding to the Agreement on the Privileges and Immunities of the Tribunal and to the Protocol on the Privileges and Immunities of the Authority;

48. *Emphasizes* the importance of the Tribunal's rules and staff regulations in promoting the recruitment of a geographically representative staff in the Professional and higher categories, and welcomes the actions taken by the Tribunal in observance of those rules and regulations;

VII

The continental shelf and the work of the Commission

49. *Recalls* that, in accordance with article 76, paragraph 8, of the Convention, information on the limits of the continental shelf beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured shall be submitted by the coastal State to the Commission set up under annex II to the Convention on the basis of equitable geographical representation, that the Commission shall make recommendations to coastal States on matters related to the establishment of the outer limits of their continental shelf, and that the limits of the shelf established by a coastal State on the basis of these recommendations shall be final and binding;

50. *Also recalls* that, in accordance with article 77, paragraph 3, of the Convention, the rights of the coastal State over the continental shelf do not depend on occupation, effective or notional, or on any express proclamation;

51. *Notes with satisfaction* that a considerable number of States Parties to the Convention have submitted information to the Commission regarding the establishment of the outer limits of the continental shelf beyond 200 nautical miles, in conformity with article 76 of the Convention and article 4 of annex II to the Convention, taking into account the decision of the eleventh Meeting of States Parties to the Convention contained in SPLOS/72, paragraph (a);

52. *Also notes with satisfaction* that a considerable number of States Parties to the Convention have submitted to the Secretary-General, pursuant to the decision of the eighteenth Meeting of States Parties to the Convention, preliminary information indicative of the outer limits of the

continental shelf beyond 200 nautical miles and a description of the status of preparation and intended date of submission in accordance with the requirements of article 76 of the Convention and with the rules of procedure and the Scientific and Technical Guidelines of the Commission;

53. *Further notes with satisfaction* the progress in the work of the Commission and that it is giving current consideration to a number of submissions that have been made regarding the establishment of the outer limits of the continental shelf beyond 200 nautical miles;

54. *Notes with satisfaction* that the Commission, taking into account the decision of the eighteenth Meeting of States Parties to the Convention, has compiled lists of websites of organizations, data/information portals and data holders where general information and publicly available scientific and technical data can be accessed that may be relevant to the preparation of submissions, and has made this information available on its website;

55. *Takes note* of the recommendations made by the Commission on the submissions of a number of coastal States, and welcomes the fact that summaries of recommendations are being made publicly available;

56. *Notes* that the consideration by the Commission of submissions by coastal States in accordance with article 76 of and annex II to the Convention is without prejudice to the application of other parts of the Convention by States Parties;

57. *Notes with concern* that the heavy workload of the Commission, owing to the considerable number of submissions, places additional demands on and challenges before its members and the secretariat as provided by the Division, and in that regard emphasizes the need to ensure that the Commission can perform its functions expeditiously, efficiently and effectively and maintain its high level of quality and expertise;

58. *Takes note with satisfaction* of the decision of the twentieth Meeting of States Parties to the Convention regarding the workload of the Commission, which requests the Commission to consider adopting measures as appropriate on an urgent and priority basis, as contained in paragraph 1 of the decision;

59. *Welcomes* the decision of the twentieth Meeting of States Parties to continue to consider the issue of the workload of the Commission, including through its Informal Working Group facilitated by the Bureau of the Meeting of States Parties, in particular to assess further measures that may be necessary, including the possibility of a full-time Commission, and for the Informal Working Group to make recommendations to the twenty-first Meeting of States Parties, in 2011;

60. *Welcomes also* the decision of the twentieth meeting of States Parties to make an assessment in 2011 of the progress achieved, with a view to considering what measures beyond 2012 may be required to help to reduce the projected timeline in the workload of the Commission;

61. *Reiterates* the duty of States under the Convention, whose experts are serving on the Commission, to defray the expenses of the experts they have nominated while in performance of Commission duties, and urges these States to do their utmost to ensure the full participation of those experts in the work of the Commission, including the meetings of subcommissions, in accordance with the Convention;

62. *Requests* the Secretary-General to continue to take appropriate measures, within overall existing resource levels, to further strengthen the capacity of the Division, serving as the secretariat of the Commission, in order to ensure enhanced support and assistance to the Commission and its subcommissions in their consideration of submissions, as required by paragraph 9 of annex III to the rules of procedure of the Commission, in particular its human resources, taking into account the need for simultaneous work on several submissions;

63. *Urges* the Secretary-General to continue to provide all necessary secretariat services to the Commission in accordance with article 2, paragraph 5, of annex II to the Convention;

64. *Encourages* States to participate actively in and contribute constructively to the ongoing work of the Informal Working Group considering the issues related to the workload of the Commission;

65. *Requests* the Secretary-General to provide, at the request of the coordinator of the Informal Working Group, information on the standard costs, as well as financial and other implications, of all options or proposals under consideration in the Informal Working Group;

66. *Expresses its appreciation* to States that have made contributions to the voluntary trust fund established by resolution 55/7 for the purpose of facilitating the preparation of submissions to the Commission and to the voluntary trust fund also established by that resolution for the purpose of defraying the cost of participation of the members of the Commission from developing States in the meetings of the Commission, and encourages States to make additional contributions to these funds;

67. *Approves* the convening by the Secretary-General of the twenty-seventh and twenty-eighth sessions of the Commission, in New York from 7 March to 21 April 2011 and from 1 August to 2 September 2011, respectively, with full conference services for the plenary parts of these sessions, and requests the Secretary-General to make every effort to meet these requirements within overall existing resources, on the understanding that the following periods will be used for the technical examinations of submissions at the Geographic Information System laboratories and other technical facilities of the Division: 7 to 25 March 2011; 11 to 21 April 2011; 1 to 12 August 2011; and 29 August to 2 September 2011;

68. *Expresses its firm conviction* about the importance of the work of the Commission, carried out in accordance with the Convention, including with respect to the participation of coastal States in relevant proceedings concerning their submissions, and recognizes the continued need for active interaction between coastal States and the Commission;

69. *Expresses its appreciation* to States that have exchanged views in order to increase understanding of issues, including expenditures involved, arising from the application of article 76 of the Convention, thus facilitating the preparation of submissions by States, in particular developing States, to the Commission, and encourages States to continue exchanging views;

70. *Notes* the number of submissions yet to be considered by the Commission, and in this regard stresses the urgent need for States Parties to the Convention to take appropriate and prompt steps that will allow the Commis-

sion to consider the increased number of submissions in a timely, efficient and effective manner;

71. *Requests* the Secretary-General, in cooperation with Member States, to continue supporting workshops or symposiums on scientific and technical aspects of the establishment of the outer limits of the continental shelf beyond 200 nautical miles, taking into account the need to strengthen capacity-building for developing countries in preparing their submissions;

VIII

Maritime safety and security and flag State implementation

72. *Encourages* States to ratify or accede to international agreements addressing the safety and security of navigation, as well as maritime labour, and to adopt the necessary measures consistent with the Convention and other relevant international instruments aimed at implementing and enforcing the rules contained in those agreements, and emphasizes the need for capacity-building for and assistance to developing States;

73. *Recognizes* that the legal regimes governing maritime safety and maritime security may have common and mutually reinforcing objectives that may be interrelated and could benefit from synergies, and encourages States to take this into account in their implementation;

74. *Emphasizes* the need for further efforts to promote a culture of safety and security in the shipping industry and to address the shortage of adequately trained personnel, and urges the establishment of more centres to provide the required education and training;

75. *Emphasizes also* that safety and security measures should be implemented with minimal negative effects on seafarers and fishers, especially in relation to their working conditions;

76. *Notes* that the Conference of Parties to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, held in Manila from 21 to 25 June 2010, amended that Convention, and designated 25 June as the Day of the Seafarer;

77. *Invites* States that have not yet done so to ratify or accede to the Maritime Labour Convention, 2006, the Work in Fishing Convention, 2007 (No. 188) and the Seafarers' Identity Documents Convention (Revised), 2003 (No. 185) of the International Labour Organization and to effectively implement those Conventions, and emphasizes the need to provide to States, at their request, technical cooperation and assistance in that regard;

78. *Welcomes* ongoing cooperation between the Food and Agriculture Organization of the United Nations, the International Maritime Organization and the International Labour Organization relating to the safety of fishers and fishing vessels, underlines the urgent need for continued work in that area, and takes note of the decision taken at the twenty-eighth session of the Committee on Fisheries of the Food and Agriculture Organization of the United Nations to develop guidelines on best practices for safety at sea;

79. *Encourages* continued cooperation between the parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal and the International Maritime Organization on regulations on the prevention of pollution from ships;

80. *Notes* the adoption by the International Conference on the Revision of the Hazardous and Noxious Substances Convention, held in London from 26 to 30 April 2010, of the Protocol to the 1996 International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea, and encourages States to consider becoming parties to the Protocol;

81. *Recalls* that all actions taken to combat threats to maritime security must be in accordance with international law, including the principles embodied in the Charter and the Convention;

82. *Recognizes* the crucial role of international cooperation at the global, regional, subregional and bilateral levels in combating, in accordance with international law, threats to maritime security, including piracy, armed robbery at sea, terrorist acts against shipping, offshore installations and other maritime interests, through bilateral and multilateral instruments and mechanisms aimed at monitoring, preventing and responding to such threats, the enhanced sharing of information among States relevant to the detection, prevention and suppression of such threats, and the prosecution of offenders with due regard to national legislation, and the need for sustained capacity-building to support such objectives;

83. *Notes* that piracy affects the entire range of vessels engaged in maritime activities;

84. *Emphasizes* the importance of promptly reporting incidents to enable accurate information on the scope of the problem of piracy and armed robbery against ships and, in the case of armed robbery against ships, by affected vessels to the coastal State, underlines the importance of effective information-sharing with States potentially affected by incidents of piracy and armed robbery against ships, and takes note of the important role of the International Maritime Organization;

85. *Urges* all States, in cooperation with the International Maritime Organization, to actively combat piracy and armed robbery at sea by adopting measures, including those relating to assistance with capacity-building through training of seafarers, port staff and enforcement personnel in the prevention, reporting and investigation of incidents, bringing the alleged perpetrators to justice, in accordance with international law, and by adopting national legislation, as well as providing enforcement vessels and equipment and guarding against fraudulent ship registration;

86. *Encourages* States to ensure effective implementation of international law applicable to combating piracy, as reflected in the Convention, and calls upon States to take appropriate steps under their national law to facilitate the apprehension and prosecution of those who are alleged to have committed acts of piracy, also taking into account other relevant instruments that are consistent with the Convention;

87. *Invites* all States, the International Maritime Organization and the International Labour Organization to consider possible solutions for the seafarers and fishers who are victims of pirates;

88. *Takes note* of the ongoing cooperation between the International Maritime Organization, the United Nations Office on Drugs and Crime and the Division with respect to the compilation of national legislation on piracy, and

notes that copies of national legislation received by the Secretariat have been placed on the website of the Division;

89. *Encourages* continued national, bilateral and trilateral initiatives as well as regional cooperative mechanisms to address piracy and armed robbery at sea in the Asian region, and calls upon other States to give immediate attention to adopting, concluding and implementing cooperation agreements at the regional level on combating piracy and armed robbery against ships;

90. *Reiterates its serious concern* regarding continued incidents of piracy and armed robbery at sea off the coast of Somalia, expresses alarm in particular at the hijacking of vessels, supports the recent efforts to address this problem at the global and regional levels, notes the adoption by the Security Council of resolutions 1816(2008) of 2 June 2008, 1838(2008) of 7 October 2008, 1846(2008) of 2 December 2008, 1851(2008) of 16 December 2008, 1897(2009) of 30 November 2009 and 1918(2010) of 27 April 2010, as well as the statement by the President of the Security Council of 25 August 2010, and also notes that the authorization in resolution 1816(2008) and the provisions in resolutions 1838(2008), 1846(2008), 1851(2008) and 1897(2009) apply only to the situation in Somalia and do not affect the rights, obligations or responsibilities of Member States under international law, including any rights or obligations under the Convention, with respect to any other situation, and underscores, in particular, the fact that they are not to be considered as establishing customary international law;

91. *Notes with appreciation* the report of the Secretary-General of 26 July 2010, prepared pursuant to the request of the Security Council in resolution 1918(2010);

92. *Notes* the continued efforts within the Contact Group on Piracy off the Coast of Somalia, following the adoption of Security Council resolution 1851(2008), and commends contributions of all States in the efforts to fight piracy off the coast of Somalia;

93. *Recognizes* the primary role of the Transitional Federal Government of Somalia in combating piracy and armed robbery against ships, acknowledges the importance of a comprehensive and sustainable settlement of the situation in Somalia, and emphasizes the need to address the root causes of piracy and to assist Somalia and States in the region in strengthening institutional capacity to fight piracy and armed robbery against ships off the coast of Somalia and to bring to justice those involved in such acts;

94. *Notes* the approval by the International Maritime Organization of revised recommendations to Governments for preventing and suppressing piracy and armed robbery against ships, revised guidance to shipowners and ship operators, shipmasters and crews on preventing and suppressing acts of piracy and armed robbery against ships and the Code of Practice for the Investigation of the Crimes of Piracy and Armed Robbery against Ships;

95. *Invites* the Assembly of the International Maritime Organization to consider adopting a resolution on commitments to best management practices to avoid, deter or delay acts of piracy;

96. *Recalls* the adoption on 29 January 2009 of the Code of Conduct concerning the Repression of Piracy and Armed Robbery against Ships in the Western Indian Ocean and the Gulf of Aden (Djibouti Code of Conduct) under the auspices of the International Maritime Organization,

the establishment of the International Maritime Organization Djibouti Code Trust Fund, a multi-donor trust fund initiated by Japan, and the ongoing activities for the implementation of the Code of Conduct;

97. *Urges* States to ensure the full implementation of resolution A.1026(26) of the International Maritime Organization on acts of piracy and armed robbery against ships in waters off the coast of Somalia;

98. *Calls upon* States that have not yet done so to become parties to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, notes the entry into force on 28 July 2010 of the 2005 Protocol to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and of the 2005 Protocol to the 1988 Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, invites States to consider becoming parties to those Protocols, and urges States Parties to take appropriate measures to ensure the effective implementation of those instruments through the adoption of legislation, where appropriate;

99. *Calls upon* States to effectively implement the International Ship and Port Facility Security Code and the amendments to the International Convention for the Safety of Life at Sea, and to work with the International Maritime Organization to promote safe and secure shipping while ensuring freedom of navigation;

100. *Urges* all States, in cooperation with the International Maritime Organization, to improve the protection of offshore installations by adopting measures related to the prevention, reporting and investigation of acts of violence against installations, in accordance with international law, and by implementing such measures through national legislation to ensure proper and adequate enforcement;

101. *Emphasizes* the progress in regional cooperation, including the efforts of littoral States, on the enhancement of safety, security and environmental protection in the Straits of Malacca and Singapore, and the effective functioning of the Cooperative Mechanism on safety of navigation and environmental protection to promote dialogue and facilitate close cooperation between the littoral States, user States, shipping industry and other stakeholders in line with article 43 of the Convention, notes with appreciation the convening of the third Cooperation Forum and third Project Coordination Committee Meeting, in Indonesia, from 6 to 8 October 2010, and the fifth Aids to Navigation Fund Committee Meeting, in Malaysia on 11 and 12 October 2010, the three events being key pillars of the Cooperative Mechanism, notes with appreciation the important role of the Information Sharing Centre of the Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia, based in Singapore, and calls upon States to give immediate attention to adopting, concluding and implementing cooperation agreements at the regional level;

102. *Recognizes* that some transnational organized criminal activities threaten legitimate uses of the oceans and endanger the lives of people at sea;

103. *Notes* that transnational organized criminal activities are diverse and may be interrelated in some cases

and that criminal organizations are adaptive and take advantage of the vulnerabilities of States, in particular coastal and small island developing States in transit areas, and calls upon States and relevant intergovernmental organizations to increase cooperation and coordination at all levels to detect and suppress the smuggling of migrants and trafficking in persons, in accordance with international law;

104. *Recognizes* the importance of enhancing international cooperation at all levels to fight transnational organized criminal activities, including illicit traffic in narcotic drugs and psychotropic substances, within the scope of the United Nations instruments against illicit drug trafficking, as well as the smuggling of migrants and trafficking in persons and criminal activities at sea falling within the scope of the United Nations Convention against Transnational Organized Crime;

105. *Calls upon* States that have not yet done so to become parties to the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and to take appropriate measures to ensure their effective implementation;

106. *Calls upon* States to ensure freedom of navigation, the safety of navigation and the rights of transit passage, archipelagic sea lanes passage and innocent passage in accordance with international law, in particular the Convention;

107. *Welcomes* the work of the International Maritime Organization relating to the protection of shipping lanes of strategic importance and significance, and in particular in enhancing safety, security and environmental protection in straits used for international navigation, and calls upon the International Maritime Organization, States bordering straits and user States to continue their cooperation to keep such straits safe, secure and environmentally protected and open to international navigation at all times, consistent with international law, in particular the Convention;

108. *Calls upon* user States and States bordering straits used for international navigation to continue to cooperate by agreement on matters relating to navigational safety, including safety aids for navigation, and the prevention, reduction and control of pollution from ships, and welcomes developments in this regard;

109. *Calls upon* States that have accepted the amendments to regulation XI-1/6 of the International Convention for the Safety of Life at Sea, 1974, to implement the Code of International Standards and Recommended Practices for a Safety Investigation into a Marine Casualty or Marine Incident, which took effect on 1 January 2010;

110. *Calls upon* States to consider becoming members of the International Hydrographic Organization, and urges all States to work with that Organization to increase the coverage of hydrographic information on a global basis to enhance capacity-building and technical assistance and to promote safe navigation, especially in areas used for international navigation, in ports and where there are vulnerable or protected marine areas;

111. *Encourages* States to continue their efforts in the implementation of all areas of the Action Plan for the Safety of Transport of Radioactive Material, approved by

the Board of Governors of the International Atomic Energy Agency in March 2004;

112. *Notes* that cessation of the transport of radioactive materials through the regions of small island developing States is an ultimate desired goal of small island developing States and some other countries, and recognizes the right of freedom of navigation in accordance with international law; that States should maintain dialogue and consultation, in particular under the auspices of the International Atomic Energy Agency and the International Maritime Organization, with the aim of improved mutual understanding, confidence-building and enhanced communication in relation to the safe maritime transport of radioactive materials; that States involved in the transport of such materials are urged to continue to engage in dialogue with small island developing States and other States to address their concerns; and that these concerns include the further development and strengthening, within the appropriate forums, of international regulatory regimes to enhance safety, disclosure, liability, security and compensation in relation to such transport;

113. *Acknowledges*, in the context of paragraph 112 above, the potential environmental and economic impacts of maritime incidents and accidents on coastal States, in particular those related to the transport of radioactive materials, and emphasizes the importance of effective liability regimes in that regard;

114. *Encourages* States to draw up plans and to establish procedures to implement the Guidelines on Places of Refuge for Ships in Need of Assistance;

115. *Invites* States that have not yet done so to consider becoming parties to the Nairobi International Convention on the Removal of Wrecks, 2007;

116. *Requests* States to take appropriate measures with regard to ships flying their flag or of their registry to address hazards that may be caused by wrecks and drifting or sunken cargo to navigation or the marine environment;

117. *Calls upon* States to ensure that masters on ships flying their flag take the steps required by relevant instruments to provide assistance to persons in distress at sea, and urges States to cooperate and to take all necessary measures to ensure the effective implementation of the amendments to the International Convention on Maritime Search and Rescue and to the International Convention for the Safety of Life at Sea relating to the delivery of persons rescued at sea to a place of safety, as well as of the associated Guidelines on the Treatment of Persons Rescued at Sea;

118. *Recognizes* that all States must fulfil their search and rescue responsibilities and the ongoing need for the International Maritime Organization and other relevant organizations to assist, in particular, developing States both to increase their search and rescue capabilities, including through the establishment of additional rescue coordination centres and regional sub-centres, and to take effective action to address, to the extent feasible, the issue of unseaworthy ships and small craft within their national jurisdiction;

119. *Welcomes* the ongoing work of the International Maritime Organization in relation to disembarkation of persons rescued at sea, and notes in this regard the need to implement all relevant international instruments;

120. *Calls upon* States to continue to cooperate in developing comprehensive approaches to international migration and development, including through dialogue on all their aspects;

121. *Also calls upon* States to take measures to protect fibre optic submarine cables and to fully address issues relating to these cables, in accordance with international law, as reflected in the Convention; encourages greater dialogue and cooperation among States and the relevant regional and global organizations to promote the security of such critical communications infrastructure, and in this regard notes the attention given to this matter in the Okinawa Declaration of the eighth Asia-Pacific Economic Cooperation ministerial meeting on the telecommunications and information industry, held in Okinawa, Japan, on 30 and 31 October 2010;

122. *Reaffirms* that flag, port and coastal States all bear responsibility for ensuring the effective implementation and enforcement of international instruments relating to maritime security and safety, in accordance with international law, in particular the Convention, and that flag States have primary responsibility that requires further strengthening, including through increased transparency of ownership of vessels;

123. *Urges* flag States without an effective maritime administration and appropriate legal frameworks to establish or enhance the necessary infrastructure, legislative and enforcement capabilities to ensure effective compliance with, and implementation and enforcement of, their responsibilities under international law, in particular the Convention, and, until such action is taken, to consider declining the granting of the right to fly their flag to new vessels, suspending their registry or not opening a registry, and calls upon flag and port States to take all measures consistent with international law necessary to prevent the operation of substandard vessels;

124. *Recognizes* that international shipping rules and standards adopted by the International Maritime Organization in respect of maritime safety, efficiency of navigation and the prevention and control of marine pollution, complemented by best practices of the shipping industry, have led to a significant reduction in maritime accidents and pollution incidents, encourages all States to participate in the Voluntary International Maritime Organization Member State Audit Scheme, and notes the decision of the International Maritime Organization on a phased-in introduction of the Audit Scheme as an institutionalized process;

125. *Notes* the work of the International Maritime Organization to develop a mandatory code for ships operating in polar waters, and encourages States and competent international organizations and bodies to contribute to this work through participation in the relevant committees and processes of the International Maritime Organization;

126. *Recognizes* that maritime safety can also be improved through effective port State control, the strengthening of regional arrangements and increased coordination and cooperation among them, and increased information-sharing, including among safety and security sectors;

127. *Encourages* flag States to take appropriate measures sufficient to achieve or maintain recognition by inter-governmental arrangements that recognize satisfactory flag State performance, including, as appropriate, satisfactory

port State control examination results on a sustained basis, with a view to improving quality shipping and furthering flag State implementation of relevant instruments under the International Maritime Organization as well as relevant goals and objectives of the present resolution;

IX

Marine environment and marine resources

128. *Emphasizes once again* the importance of the implementation of Part XII of the Convention in order to protect and preserve the marine environment and its living marine resources against pollution and physical degradation, and calls upon all States to cooperate and take measures consistent with the Convention, directly or through competent international organizations, for the protection and preservation of the marine environment;

129. *Notes* the work of the Intergovernmental Panel on Climate Change, including its findings on the acidification of oceans, and in this regard encourages States and competent international organizations and other relevant institutions, individually and in cooperation, to urgently pursue further research on ocean acidification, especially programmes of observation and measurement, noting in particular paragraph 4 of decision IX/20 adopted at the ninth meeting of the Conference of the Parties to the Convention on Biological Diversity, held in Bonn, Germany, from 19 to 30 May 2008, and the continued work of the Convention on Biological Diversity, and to increase national, regional and international efforts to address levels of ocean acidity and the negative impact of such acidity on vulnerable marine ecosystems, particularly coral reefs;

130. *Encourages* States, individually or in collaboration with relevant international organizations and bodies, to enhance their scientific activity to better understand the effects of climate change on the marine environment and marine biodiversity and develop ways and means of adaptation;

131. *Encourages* States that have not yet done so to become parties to international agreements addressing the protection and preservation of the marine environment and its living marine resources against the introduction of harmful aquatic organisms and pathogens and marine pollution from all sources, including the dumping of wastes and other matter, and other forms of physical degradation, as well as agreements that provide for preparedness for, response to and cooperation on pollution incidents and that include provisions on liability and compensation for damage resulting from marine pollution, and to adopt the necessary measures consistent with international law, including the Convention, aimed at implementing and enforcing the rules contained in those agreements;

132. *Encourages* States, directly or through competent international organizations, to consider the further development, as appropriate and consistent with international law, including the Convention, of environmental impact assessment processes covering planned activities under their jurisdiction or control that may cause substantial pollution of, or significant and harmful changes to, the marine environment;

133. *Encourages* States that have not done so to become parties to regional seas conventions addressing the protection and preservation of the marine environment;

134. *Encourages* States, in accordance with international law, including the Convention and other relevant instruments, either bilaterally or regionally, to jointly develop and promote contingency plans for responding to pollution incidents, as well as other incidents that are likely to have significant adverse effects on the marine environment and biodiversity;

135. *Recognizes* the importance of improving understanding of the impact of climate change on oceans and seas;

136. *Welcomes* the activities of the United Nations Environment Programme relating to marine debris carried out in cooperation with relevant United Nations bodies and organizations, and encourages States to further develop partnerships with industry and civil society to raise awareness of the extent of the impact of marine debris on the health and productivity of the marine environment and consequent economic loss;

137. *Urges* States to integrate the issue of marine debris into national strategies dealing with waste management in the coastal zone, ports and maritime industries, including recycling, reuse, reduction and disposal, and to encourage the development of appropriate economic incentives to address this issue, including the development of cost recovery systems that provide an incentive to use port reception facilities and discourage ships from discharging marine debris at sea, and support for measures to prevent, reduce and control pollution from any source, including land-based sources, such as community-based coastal and waterway clean-up and monitoring activities, and encourages States to cooperate regionally and subregionally to identify potential sources and coastal and oceanic locations where marine debris aggregates, and to develop and implement joint prevention and recovery programmes for marine debris;

138. *Notes* the work of the International Maritime Organization to prevent pollution by garbage from ships, including the current review by the Marine Environment Protection Committee of the provisions of annex V to the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, on the prevention of pollution by garbage from ships, and encourages States and relevant international organizations to contribute to this work through participation in the relevant processes of the Committee;

139. *Takes note* of the adoption of amendments regarding special requirements for the use or carriage of oils in the Antarctic area to annex I to the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, on the prevention of pollution by oil from ships, which prohibit the carriage in bulk as cargo or carriage and use as fuel of heavy grade oils in the Antarctic area;

140. *Encourages* States that have not done so to become parties to the Protocol of 1997 (Annex VI-Regulations for the Prevention of Air Pollution from Ships) to the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, and the 1996 Protocol to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972 ("the London Protocol"), and furthermore to ratify or accede to the International Convention for the Control and Management of Ships' Ballast Water

and Sediments, 2004, thereby facilitating its early entry into force;

141. *Welcomes* the entry into force on 1 July 2010 of the amendments to the Protocol of 1997 to the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, to reduce harmful emissions from ships;

142. *Notes* the ongoing work of the International Maritime Organization in accordance with its resolution on International Maritime Organization policies and practices related to the reduction of greenhouse gas emissions from ships;

143. *Urges* States to cooperate in correcting the shortfall in port waste reception facilities in accordance with the action plan to address the inadequacy of port waste reception facilities developed by the International Maritime Organization;

144. *Recognizes* that most of the pollution load of the oceans emanates from land-based activities and affects the most productive areas of the marine environment, and calls upon States as a matter of priority to implement the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities and to take all appropriate measures to fulfil the commitments of the international community embodied in the Beijing Declaration on Furthering the Implementation of the Global Programme of Action;

145. *Expresses its concern* regarding the spreading of hypoxic dead zones in oceans as a result of eutrophication fuelled by riverine run-off of fertilizers, sewage outfall and reactive nitrogen resulting from the burning of fossil fuels and resulting in serious consequences for ecosystem functioning, and calls upon States to enhance their efforts to reduce eutrophication and, to this effect, to continue to cooperate within the framework of relevant international organizations, in particular the Global Programme of Action;

146. *Calls upon* all States to ensure that urban and coastal development projects and related land-reclamation activities are carried out in a responsible manner that protects the marine habitat and environment and mitigates the negative consequences of such activities;

147. *Notes* the first session of the Intergovernmental Negotiating Committee to prepare a global legally binding instrument on mercury, held in Stockholm from 7 to 11 June 2010, pursuant to the agreement of the twenty-fifth session of the United Nations Environment Programme Governing Council/Global Ministerial Environment Forum;

148. *Welcomes* the continued work of States, the United Nations Environment Programme and regional organizations in the implementation of the Global Programme of Action, and encourages increased emphasis on the link between freshwater, the coastal zone and marine resources in the implementation of international development goals, including those contained in the United Nations Millennium Declaration, and of the time-bound targets in the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"), in particular the target on sanitation, and the Monterrey Consensus of the International Conference on Financing for Development;

149. *Recalls* the resolution of the thirtieth Consultative Meeting of Contracting Parties to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972 ("the London Convention") and the third Meeting of Contracting Parties to the London Protocol, held from 27 to 31 October 2008, on the regulation of ocean fertilization, in which the Contracting Parties agreed, *inter alia*, that the scope of the London Convention and Protocol includes ocean fertilization activities and that, given the present state of knowledge, ocean fertilization activities other than for legitimate scientific research should not be allowed, and that scientific research proposals should be assessed on a case-by-case basis using an assessment framework to be developed by the scientific groups under the London Convention and Protocol, and also agreed that, to this end, such other activities should be considered as contrary to the aims of the London Convention and Protocol and should not currently qualify for any exemption from the definition of dumping in article III, paragraph 1 (b), of the London Convention and article 1, paragraph 4.2, of the London Protocol;

150. *Notes* the resolution of the thirty-second Consultative Meeting of Contracting Parties to the London Convention and the fifth Meeting of Contracting Parties to the London Protocol, held from 11 to 15 October 2010, on the Assessment Framework for Scientific Research Involving Ocean Fertilization;

151. *Recalls* decision IX/16 C adopted at the ninth meeting of the Conference of the Parties to the Convention on Biological Diversity, in which the Conference of the Parties, *inter alia*, bearing in mind the ongoing scientific and legal analysis occurring under the auspices of the London Convention and Protocol requested parties and urged other Governments, in accordance with the precautionary approach, to ensure that ocean fertilization activities were not carried out until there was an adequate scientific basis on which to justify such activities, including an assessment of associated risks, and that a global, transparent and effective control and regulatory mechanism was in place for those activities, with the exception of small-scale scientific research studies within coastal waters, and stated that such studies should be authorized only if justified by the need to gather specific scientific data, should be subject to a thorough prior assessment of the potential impacts of the research studies on the marine environment, should be strictly controlled and should not be used for generating and selling carbon offsets or for any other commercial purposes, and notes decision X/29, adopted at the tenth meeting of the Conference of the Parties to the Convention on Biological Diversity, held in Nagoya, Japan, from 18 to 29 October 2010, in which the Conference of the Parties requested parties to implement decision IX/16 C;

152. *Takes note* of the amendment to the London Protocol adopted by the fourth Meeting of Contracting Parties to the London Protocol, held from 26 to 30 October 2009, to allow the export of carbon dioxide streams for disposal into sub-seabed geological formations;

153. *Reaffirms* paragraph 119 of resolution 61/222 of 20 December 2006 regarding ecosystem approaches and oceans, including the proposed elements of an ecosystem approach, means to achieve implementation of an ecosystem approach and requirements for improved application of an ecosystem approach, and in this regard:

(a) *Notes* that continued environmental degradation in many parts of the world and increasing competing demands require an urgent response and the setting of priorities for management actions aimed at conserving ecosystem integrity;

(b) *Notes* that ecosystem approaches to ocean management should be focused on managing human activities in order to maintain and, where needed, restore ecosystem health to sustain goods and environmental services, provide social and economic benefits for food security, sustain livelihoods in support of international development goals, including those contained in the Millennium Declaration, and conserve marine biodiversity;

(c) *Recalls* that States should be guided in the application of ecosystem approaches by a number of existing instruments, in particular the Convention, which sets out the legal framework for all activities in the oceans and seas, and its implementing Agreements, as well as other commitments, such as those contained in the Convention on Biological Diversity and the World Summit on Sustainable Development call for the application of an ecosystem approach by 2010;

(d) *Encourages* States to cooperate and coordinate their efforts and take, individually or jointly, as appropriate, all measures, in conformity with international law, including the Convention and other applicable instruments, to address impacts on marine ecosystems within and beyond areas of national jurisdiction, taking into account the integrity of the ecosystems concerned;

154. *Encourages* competent organizations and bodies that have not yet done so to incorporate an ecosystem approach into their mandates, as appropriate, in order to address impacts on marine ecosystems;

155. *Invites* States, in particular those States with advanced technology and marine capabilities, to explore prospects for improving cooperation with, and assistance to, developing States, in particular least developed countries and small island developing States, as well as coastal African States, with a view to better integrating into national policies and programmes sustainable and effective development in the marine sector;

156. *Encourages* the competent international organizations, the United Nations Development Programme, the World Bank and other funding agencies to consider expanding their programmes within their respective fields of competence for assistance to developing countries and to coordinate their efforts, including in the allocation and application of Global Environment Facility funding;

157. *Notes* the information compiled by the Secretariat in relation to the assistance available to and measures that may be taken by developing States, in particular the least developed countries and small island developing States, as well as coastal African States, to realize the benefits of sustainable and effective development of marine resources and uses of the oceans, as provided by States and competent international organizations and global and regional funding agencies, and urges them to provide further information for the annual report of the Secretary-General and for incorporation on the website of the Division;

158. *Encourages* States to consider ratifying or acceding to the Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships, 2009, to facilitate its early entry into force;

159. *Takes note* of the role of the Basel Convention in protecting the marine environment against the adverse effects which may result from such wastes;

160. *Notes with concern* the potential for serious environmental consequences resulting from oil spill incidents;

X

Marine biodiversity

161. *Reaffirms* its central role relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction, notes the work of States and relevant intergovernmental organizations and bodies on those issues, and invites them to contribute to its consideration of these issues within the areas of their respective competence;

162. *Welcomes* the meeting of the Ad Hoc Open-ended Informal Working Group, convened in New York from 1 to 5 February 2010 in accordance with paragraph 146 of resolution 64/71, and endorses its recommendations;

163. *Requests* the Secretary-General to convene, in accordance with paragraph 73 of resolution 59/24 of 17 November 2004 and paragraphs 79 and 80 of resolution 60/30, with full conference services, a meeting of the Ad Hoc Open-ended Informal Working Group, to take place from 31 May to 3 June 2011, to provide recommendations to the General Assembly, and requests the Secretary-General to make every effort to meet the requirement for full conference services within existing resources;

164. *Encourages* the Ad Hoc Open-ended Informal Working Group to improve progress on all outstanding issues on its agenda;

165. *Notes* the discussion on the relevant legal regime on marine genetic resources in areas beyond national jurisdiction in accordance with the Convention, and calls upon States to further consider this issue in the context of the mandate of the Ad Hoc Open-ended Informal Working Group, taking into account the views of States on Parts VII and XI of the Convention, with a view to making further progress on this issue;

166. *Invites* States to further consider, at the upcoming meeting of the Ad Hoc Open-ended Informal Working Group, in the context of its mandate, issues of marine protected areas and environmental impact assessment processes;

167. *Requests* the Secretary-General to include, in the annual report on oceans and the law of the sea, information on environmental impact assessments undertaken with respect to planned activities in areas beyond national jurisdiction, including capacity-building needs, on the basis of information requested from States and competent international organizations;

168. *Recognizes* the abundance and diversity of marine genetic resources and their value in terms of the benefits, goods and services they can provide;

169. *Also recognizes* the importance of research on marine genetic resources for the purpose of enhancing the scientific understanding, potential use and application, and enhanced management of marine ecosystems;

170. *Encourages* States and international organizations, including through bilateral, regional and global cooperation programmes and partnerships, to continue in

a sustainable and comprehensive way to support, promote and strengthen capacity-building activities, in particular in developing countries, in the field of marine scientific research, taking into account, in particular, the need to create greater taxonomic capabilities;

171. *Welcomes* the high-level meeting of the General Assembly on 22 September 2010 as a contribution to the International Year of Biodiversity;

172. *Notes* the work under the Jakarta Mandate on Marine and Coastal Biological Diversity and the Convention on Biological Diversity elaborated programme of work on marine and coastal biological diversity, and, while reiterating the central role of the General Assembly relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction, notes the work done by the Conference of the Parties to the Convention on Biological Diversity at its tenth meeting;

173. *Reaffirms* the need for States, individually or through competent international organizations, to urgently consider ways to integrate and improve, based on the best available scientific information and the precautionary approach and in accordance with the Convention and related agreements and instruments, the management of risks to the marine biodiversity of seamounts, cold water corals, hydrothermal vents and certain other underwater features;

174. *Calls upon* States and international organizations to urgently take further action to address, in accordance with international law, destructive practices that have adverse impacts on marine biodiversity and ecosystems, including seamounts, hydrothermal vents and cold water corals;

175. *Notes* the work of the expert workshop of the Convention on Biological Diversity on scientific and technical aspects relevant to environmental impact assessment in marine areas beyond national jurisdiction, held in Manila from 18 to 20 November 2009;

176. *Calls upon* States to strengthen, in a manner consistent with international law, in particular the Convention, the conservation and management of marine biodiversity and ecosystems and national policies in relation to marine protected areas;

177. *Reaffirms* the need for States to continue and intensify their efforts, directly and through competent international organizations, to develop and facilitate the use of diverse approaches and tools for conserving and managing vulnerable marine ecosystems, including the possible establishment of marine protected areas, consistent with international law, as reflected in the Convention, and based on the best scientific information available, and the development of representative networks of any such marine protected areas by 2012;

178. *Notes* the work of States, relevant intergovernmental organizations and bodies, including the Convention on Biological Diversity, in the assessment of scientific information on, and compilation of ecological criteria for the identification of, marine areas that require protection, in light of the objective of the World Summit on Sustainable Development to develop and facilitate the use of diverse approaches and tools, such as ecosystem approaches and the establishment of marine protected areas consistent with international law, as reflected in the Convention, and

based on scientific information, including representative networks, by 2012;

179. *Encourages* States to further progress towards the 2012 target for the establishment of marine protected areas, including representative networks, and calls upon States to further consider options to identify and protect ecologically or biologically significant areas, consistent with international law and on the basis of the best available scientific information;

180. *Recalls* that the Conference of the Parties to the Convention on Biological Diversity, at its ninth meeting, adopted scientific criteria for identifying ecologically or biologically significant marine areas in need of protection in open-ocean waters and deep-sea habitats and scientific guidance for selecting areas to establish a representative network of marine protected areas, including in open-ocean waters and deep-sea habitats, and further recalls that the Food and Agriculture Organization of the United Nations has developed guidance for the identification of vulnerable marine ecosystems through the International Guidelines for the Management of Deep-sea Fisheries in the High Seas;

181. *Acknowledges* the Micronesia Challenge, the Eastern Tropical Pacific Seascape project, the Caribbean Challenge and the Coral Triangle Initiative, which in particular seek to create and link domestic marine protected areas to better facilitate ecosystem approaches, and reaffirms the need for further international cooperation, coordination and collaboration in support of such initiatives;

182. *Reiterates its support* for the International Coral Reef Initiative, takes note of the International Coral Reef Initiative General Meeting, held in Monaco from 12 to 15 January 2010, and supports the work under the Jakarta Mandate on Marine and Coastal Biological Diversity and the elaborated programme of work on marine and coastal biological diversity related to coral reefs;

183. *Encourages* States and relevant international institutions to improve efforts to address coral bleaching by, inter alia, improving monitoring to predict and identify bleaching events, supporting and strengthening action taken during such events and improving strategies to manage reefs to support their natural resilience and enhance their ability to withstand other pressures, including ocean acidification;

184. *Encourages* States to cooperate, directly or through competent international bodies, in exchanging information in the event of accidents involving vessels on coral reefs and in promoting the development of economic assessment techniques for both restoration and non-use values of coral reef systems;

185. *Emphasizes* the need to mainstream sustainable coral reef management and integrated watershed management into national development strategies, as well as into the activities of relevant United Nations agencies and programmes, international financial institutions and the donor community;

186. *Notes* that ocean noise is a potential threat to living marine resources, affirms the importance of sound scientific studies in addressing this matter, encourages further research, studies and consideration of the impacts of ocean noise on marine living resources, and requests the Division to continue to compile the peer-reviewed scientific studies

it receives from Member States and intergovernmental organizations pursuant to paragraph 107 of resolution 61/222 and, as appropriate, to make them, or references and links to them, available on its website;

XI

Marine science

187. *Calls upon* States, individually or in collaboration with each other or with relevant international organizations and bodies, to continue to strive to improve understanding and knowledge of the oceans and the deep sea, including, in particular, the extent and vulnerability of deep sea biodiversity and ecosystems, by increasing their marine scientific research activities in accordance with the Convention;

188. *Invites* all relevant organizations, funds, programmes and bodies within the United Nations system, in consultation with interested States, to coordinate relevant activities with regional and national marine scientific and technological centres in small island developing States, as appropriate, to ensure the more effective achievement of their objectives in accordance with relevant United Nations small island developing States development programmes and strategies;

189. *Takes note with appreciation* of the work of the Intergovernmental Oceanographic Commission, with the advice of the Advisory Body of Experts on the Law of the Sea, on the development of procedures for the implementation of Parts XIII and XIV of the Convention, and also takes note of the review of the Advisory Body of Experts to be conducted by an open-ended working group with representatives from member States;

190. *Encourages* the Advisory Body of Experts to continue its work, in cooperation with the Division, on the practice of member States related to marine scientific research and transfer of marine technology within the framework of the Convention, taking into account the outcome of the review;

191. *Notes with appreciation* the work carried out by the group of experts to assist the Division in the revision of the publication entitled *Marine Scientific Research: A guide to the implementation of the relevant provisions of the United Nations Convention on the Law of the Sea*, and requests the Secretariat to expedite publication of the revised version;

192. *Notes* the contribution of the Census of Marine Life to marine biodiversity research over the past ten years, and notes with appreciation the publication of the report entitled "First Census of Marine Life 2010: Highlights of a Decade of Discovery";

193. *Stresses* the importance of increasing the scientific understanding of the oceans-atmosphere interface, including through participation in ocean observing programmes and geographic information systems, such as the Global Ocean Observing System, sponsored by the Intergovernmental Oceanographic Commission, the United Nations Environment Programme, the World Meteorological Organization and the International Council for Science, particularly considering their role in monitoring and forecasting climate change and variability and in the establishment and operation of tsunami warning systems;

194. *Takes note with appreciation* of the progress made by the Intergovernmental Oceanographic Commission and Member States towards the establishment of regional and

national tsunami warning and mitigation systems, welcomes the continued collaboration of the United Nations and other intergovernmental organizations in this effort, and encourages Member States to establish and sustain their national warning and mitigation systems, within a global, ocean-related multi-hazard approach, as necessary, to reduce loss of life and damage to national economies and strengthen the resilience of coastal communities to natural disasters;

195. *Stresses* the need for continued efforts in developing mitigation and preparedness measures for natural disasters, particularly following recent tsunami events caused by earthquakes in Chile, Haiti, Samoa and Tonga;

196. *Expresses its concern* at the intentional or unintentional damage to platforms used for ocean observation and marine scientific research, such as moored buoys and tsunameters, and urges States to take necessary action and to cooperate in relevant organizations, including the Food and Agriculture Organization of the United Nations, the Intergovernmental Oceanographic Commission and the World Meteorological Organization, to address such damage;

XII

Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socio-economic Aspects

197. *Reiterates* the need to strengthen the regular scientific assessment of the state of the marine environment in order to enhance the scientific basis for policymaking;

198. *Takes note with appreciation* of the responses and suggestions made by the Group of Experts established pursuant to paragraph 180 of resolution 64/71 to respond and make suggestions on the issues listed in paragraph 60 of the report on the results of the “assessment of assessments”;

199. *Welcomes* the meeting of the Ad Hoc Working Group of the Whole to recommend a course of action to the General Assembly at its sixty-fifth session, convened in New York from 30 August to 3 September 2010 in accordance with paragraph 178 of resolution 64/71;

200. *Endorses* the recommendations adopted by the Ad Hoc Working Group of the Whole that propose modalities for the implementation of the Regular Process, including the key features, institutional arrangements, capacity-building and financing;

201. *Reaffirms* the principles guiding the Regular Process and the objective and scope of its first cycle (2010–2014) as agreed upon at the first meeting of the Ad Hoc Working Group of the Whole in 2009;

202. *Decides* that the Regular Process, as established under the United Nations, is accountable to the General Assembly and shall be an intergovernmental process guided by international law, including the Convention and other applicable international instruments, and take into account relevant Assembly resolutions;

203. *Decides also* that the Regular Process shall be overseen and guided by an Ad Hoc Working Group of the Whole of the General Assembly, composed of Member States, and requests the Secretary-General to convene the first meeting of the Ad Hoc Working Group of the Whole from 14 to 18 February 2011;

204. *Decides further* that the meetings of the Ad Hoc Working Group of the Whole shall be open to Member States and observers of the United Nations, that, in accordance with past practice of the United Nations, relevant intergovernmental organizations and non-governmental organizations in consultative status with the Economic and Social Council shall be invited to participate in the meetings of the Ad Hoc Working Group of the Whole, and that relevant scientific institutions and major groups identified in Agenda 21 may request an invitation to participate in the meetings of the Ad Hoc Working Group of the Whole;

205. *Emphasizes* that the first cycle of the Regular Process has begun and that the deadline for the first integrated assessment is 2014;

206. *Notes* that the first phase of the first cycle of the Regular Process (2010–2012) will provide for the preparation of key questions to be answered by the first integrated assessment, at all regional levels, to ensure an effective science-policy relationship and the participation of all relevant stakeholders, in particular local experts, in defining specific objectives and scope of the assessments;

207. *Decides* that the meetings of the Ad Hoc Working Group of the Whole shall be coordinated by two co-chairs representing developing and developed countries, who will be appointed by the President of the General Assembly in consultation with regional groups;

208. *Recommends* that the Ad Hoc Working Group of the Whole establish, with agreement on terms of reference and other relevant elements, a management and review mechanism composed of States from among its members, on the basis of equitable geographic representation;

209. *Decides* to establish a group of experts to be an integral part of the Regular Process, requests the members of the Group of Experts, who have been appointed by Member States pursuant to paragraph 180 of resolution 64/71, to continue serving on the Group of Experts for the duration of the first phase of the first assessment cycle, and encourages regional groups that have not yet done so to appoint experts to the Group of Experts in accordance with paragraph 180 of resolution 64/71;

210. *Requests* the Secretary-General to designate the Division to provide secretariat support to the Regular Process, including its established institutions;

211. *Also requests* the Secretary-General to invite the Intergovernmental Oceanographic Commission, the United Nations Environment Programme, the International Maritime Organization and the Food and Agriculture Organization of the United Nations, and other competent United Nations specialized agencies, as appropriate, to provide technical and scientific support to the Regular Process;

212. *Requests* the Group of Experts to work, with the assistance of the secretariat of the Regular Process, to develop a set of options necessary to achieve the deadline of 2014 recommended in the report on the work of the Ad Hoc Working Group of the Whole to recommend a course of action to the General Assembly on the Regular Process, for the completion of the first cycle of the Regular Process, to be presented by the Group of Experts for consideration and adoption, as appropriate, by the Ad Hoc Working Group of the Whole at its meeting in 2011;

213. *Requests* the secretariat of the Regular Process to convene a meeting of the Group of Experts, as appropriate and subject to the availability of resources, prior to the first meeting of the Ad Hoc Working Group of the Whole;

214. *Notes with appreciation* the support provided by the Division to the Regular Process, and notes also with appreciation the technical and logistical support of the United Nations Environment Programme and the Intergovernmental Oceanographic Commission;

215. *Requests* the Secretary-General to promptly take appropriate measures, by mobilizing all available extrabudgetary and existing resources, including through the redeployment of staff, to further strengthen the capacity of the Division, in particular its human resources, serving as the secretariat of the Regular Process, including in the context of the programme budget for the current biennium and the proposed programme budget for the biennium 2012–2013;

216. *Welcomes* the establishment by the Secretary-General of the voluntary trust fund for the purpose of supporting the operations of the first five-year cycle of the Regular Process, including for the provision of assistance to the experts referred to in paragraph 209 above from developing countries, in particular least developed countries, small island developing States and landlocked developing States, attending the meeting of the Ad Hoc Working Group of the Whole in 2011, and the scholarship fund to support training programmes for developing countries, notes with appreciation the contributions made to the funds, and urges Member States, international financial institutions, donor agencies, intergovernmental organizations, non-governmental organizations and natural and juridical persons to make financial contributions to those funds established pursuant to paragraph 183 of resolution 64/71 and to make other contributions to the Regular Process;

217. *Decides* that the scholarship fund is intended for individuals from developing countries, between 25 and 40 years of age, working in assessment and monitoring of the state of the marine environment or related disciplines, either in government or educational institutions and bodies, with at least five years of work-related experience, and decides further that the duration of a fellowship shall be a minimum of six months in a university or educational institution, followed by a practice period of at least three months in a relevant United Nations specialized agency, fund or programme or other relevant intergovernmental organization;

XIII

Regional cooperation

218. *Notes* that there have been a number of initiatives at the regional level, in various regions, to further the implementation of the Convention, takes note in that context of the Caribbean-focused Assistance Fund, which is intended to facilitate, mainly through technical assistance, the voluntary undertaking of maritime delimitation negotiations between Caribbean States, takes note once again of the Fund for Peace: Peaceful Settlement of Territorial Disputes, established by the General Assembly of the Organization of American States in 2000 as a primary mechanism, given its broader regional scope, for the prevention and resolution of pending territorial, land border and maritime boundary disputes, and calls upon States and others in a position to do so to contribute to these funds;

219. *Notes with appreciation* efforts at the regional level to further the implementation of the Convention and respond, including through capacity-building, to issues related to maritime safety and security, the conservation and sustainable use of living marine resources, the protection and preservation of the marine environment and the conservation and sustainable use of marine biodiversity;

220. *Welcomes* the publication of the results of the International Polar Year, 2007–2008, with particular emphasis on new knowledge about the linkages between environmental change in the polar regions and global climate systems, encourages States and scientific communities to strengthen their cooperation in this respect, and notes the International Polar Year “From Knowledge to Action” Conference to be held in Montreal, Canada, from 22 to 27 April 2012;

221. *Welcomes* regional cooperation, and in this regard notes the Pacific Oceanscape Framework as an initiative to enhance cooperation among coastal States in the Pacific island region to foster marine conservation and sustainable development;

XIV

Open-ended Informal Consultative Process on Oceans and the Law of the Sea

222. *Welcomes* the report on the work of the Consultative Process at its eleventh meeting, which focused on capacity-building in ocean affairs and the law of the sea, including marine science;

223. *Recognizes* the role of the Consultative Process as a unique forum for comprehensive discussions on issues related to oceans and the law of the sea, consistent with the framework provided by the Convention and chapter 17 of Agenda 21, and that the perspective of the three pillars of sustainable development should be further enhanced in the examination of the selected topics;

224. *Welcomes* the work of the Consultative Process and its contribution to improving coordination and cooperation between States and strengthening the annual debate of the General Assembly on oceans and the law of the sea by effectively drawing attention to key issues and current trends;

225. *Also welcomes* efforts to improve and focus the work of the Consultative Process, and in that respect recognizes the primary role of the Consultative Process in integrating knowledge, the exchange of opinions among multiple stakeholders and coordination among competent agencies, and enhancing awareness of topics, including emerging issues, while promoting the three pillars of sustainable development, and recommends that the Consultative Process devise a transparent, objective and inclusive process for the selection of topics and panellists so as to facilitate the work of the General Assembly during informal consultations concerning the annual resolution on oceans and the law of the sea;

226. *Recalls* the need to strengthen and improve the efficiency of the Consultative Process, and encourages States, intergovernmental organizations and programmes to provide guidance to the Co-Chairs to this effect, particularly before and during the preparatory meeting for the Consultative Process;

227. *Decides* to continue the Consultative Process for the next two years, in accordance with resolution 54/33, with a further review of its effectiveness and utility by the General Assembly at its sixty-seventh session;

228. *Requests* the Secretary-General to convene, in accordance with paragraphs 2 and 3 of resolution 54/33, the twelfth meeting of the Consultative Process, in New York from 20 to 24 June 2011, to provide it with the necessary facilities for the performance of its work and to arrange for support to be provided by the Division, in cooperation with other relevant parts of the Secretariat, as appropriate;

229. *Expresses its serious concern* regarding the lack of resources available in the voluntary trust fund established by resolution 55/7 for the purpose of assisting developing countries, in particular least developed countries, small island developing States and landlocked developing States, in attending the meetings of the Consultative Process, and urges States to make additional contributions to the trust fund;

230. *Decides* that those representatives from developing countries who are invited by the Co-Chairs, in consultation with Governments, to make presentations during the meetings of the Consultative Process shall receive priority consideration in the disbursement of funds from the voluntary trust fund established by resolution 55/7 in order to cover the costs of their travel, and shall also be eligible to receive daily subsistence allowance subject to the availability of funds after the travel costs of all other eligible representatives from those countries mentioned in paragraph 229 above have been covered;

231. *Also decides* that, in its deliberations on the report of the Secretary-General on oceans and the law of the sea, the Consultative Process will focus its discussions at its twelfth meeting on contributing to the assessment, in the context of the United Nations Conference on Sustainable Development, of progress to date and the remaining gaps in the implementation of the outcomes of the major summits on sustainable development and addressing new and emerging challenges, and at its thirteenth meeting on marine renewable energies;

XV

Coordination and cooperation

232. *Encourages* States to work closely with and through international organizations, funds and programmes, as well as the specialized agencies of the United Nations system and relevant international conventions, to identify emerging areas of focus for improved coordination and cooperation and how best to address these issues;

233. *Encourages* bodies established by the Convention to strengthen coordination and cooperation, as appropriate, in fulfilling their respective mandates;

234. *Requests* the Secretary-General to bring the present resolution to the attention of heads of intergovernmental organizations, the specialized agencies, funds and programmes of the United Nations engaged in activities relating to ocean affairs and the law of the sea, as well as funding institutions, and underlines the importance of their constructive and timely input for the report of the Secretary-General on oceans and the law of the sea and of their participation in relevant meetings and processes;

235. *Welcomes* the work done by the secretariats of relevant United Nations specialized agencies, programmes,

funds and bodies and the secretariats of related organizations and conventions to enhance inter-agency coordination and cooperation on ocean issues, including through UN-Oceans, the inter-agency coordination mechanism on ocean and coastal issues within the United Nations system;

236. *Encourages* continued updates to Member States by UN-Oceans regarding its priorities and initiatives, in particular with respect to the proposed participation in UN-Oceans;

XVI

Activities of the Division for Ocean Affairs and the Law of the Sea

237. *Expresses its appreciation* to the Secretary-General for the annual comprehensive report on oceans and the law of the sea, prepared by the Division, as well as for the other activities of the Division, which reflect the high standard of assistance provided to Member States by the Division;

238. *Notes with satisfaction* the second observance by the United Nations of World Oceans Day on 8 June 2010, recognizes with appreciation the efforts deployed by the Division in organizing its celebration, and invites the Division to continue to promote and facilitate international cooperation on the law of the sea and ocean affairs in the context of the future observance of World Oceans Day, as well as through its participation in other events such as the World Expo to be held in Yeosu, Republic of Korea, in 2012;

239. *Requests* the Secretary-General to continue to carry out the responsibilities and functions entrusted to him in the Convention and by the related resolutions of the General Assembly, including resolutions 49/28 and 52/26, and to ensure the allocation of appropriate resources to the Division for the performance of its activities under the approved budget for the Organization;

XVII

Sixty-sixth session of the General Assembly

240. *Requests* the Secretary-General to prepare a comprehensive report, in its current extensive format and in accordance with established practice, for consideration by the General Assembly at its sixty-sixth session, on developments and issues relating to ocean affairs and the law of the sea, including the implementation of the present resolution, in accordance with resolutions 49/28, 52/26 and 54/33, and to make the section of the report related to the topic that is the focus of the twelfth meeting of the Consultative Process available at least six weeks in advance of the meeting of the Consultative Process;

241. *Emphasizes* the critical role of the annual comprehensive report of the Secretary-General, which integrates information on developments relating to the implementation of the Convention and the work of the Organization, its specialized agencies and other institutions in the field of ocean affairs and the law of the sea at the global and regional levels, and as a result constitutes the basis for the annual consideration and review of developments relating to ocean affairs and the law of the sea by the General Assembly as the global institution having the competence to undertake such a review;

242. *Notes* that the report referred to in paragraph 240 above will also be submitted to States Parties pursuant to article 319 of the Convention regarding issues of a general nature that have arisen with respect to the Convention;

243. *Also notes* the desire to further improve the efficiency of, and effective participation of delegations in, the informal consultations concerning the annual General Assembly resolution on oceans and the law of the sea and the resolution on sustainable fisheries, decides that the period of the informal consultations on both resolutions should not exceed a maximum of four weeks in total and that the consultations should be scheduled in such a way that the Division has sufficient time to produce the report referred to in paragraph 240 above, and invites States to submit text proposals for inclusion in the resolutions to the coordinators of the informal consultations at the earliest possible date;

244. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled “Oceans and the law of the sea”.

RECORDED VOTE ON RESOLUTION 65/37 A:

In favour: Albania, Algeria, Andorra, Argentina, Armenia, Australia, Austria, Bahamas, Bahrain, Bangladesh, Belgium, Belize, Bolivia, Bosnia and Herzegovina, Brazil, Brunei Darussalam, Burkina Faso, Canada, Chile, China, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Eritrea, Estonia, Fiji, Finland, France, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, India, Indonesia, Ireland, Israel, Italy, Japan, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia, Monaco, Mongolia, Montenegro, Morocco, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Peru, Philippines, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Tuvalu, Ukraine, United Arab Emirates, United Kingdom, United States, Viet Nam, Yemen, Zambia.

Against: Turkey.

Abstaining: Colombia, Venezuela.

Division for Ocean Affairs and the Law of the Sea

During 2010, the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs continued to fulfil its role as the substantive unit of the UN Secretariat responsible for reviewing and monitoring all developments related to the law of the sea and ocean affairs, as well as for the implementation of the United Nations Convention on the Law of the Sea and related General Assembly resolutions.

The Division carried out capacity-building activities aimed at assisting States, in particular developing States, in the uniform and consistent application of the Convention and the 1995 Fish Stocks Agreement. Those activities included fellowship programmes, the management of trust funds and the organization of briefings, workshops and training courses. The Train-Sea-Coast Global Programme of Action—an inter-agency collaboration between the UNESCO-IHE Institute for Water Education, the Division and the United Nations Development Programme—continued to deliver training courses on improving municipal wastewater management in coastal cities.

The twenty-third Hamilton Shirley Amerasinghe Fellowship on the Law of the Sea, established in 1981 [YUN 1981, pp. 130 & 139], was awarded to Killey Mwitasi of the United Republic of Tanzania.

The United Nations-Nippon Foundation of Japan Fellowship Programme, implemented in partnership with over 40 academic host institutions, provided capacity-building opportunities to developing States in ocean affairs and the law of the sea and related disciplines. The 2010–2011 Fellows were nationals of Bangladesh, Brazil, Colombia, the Congo, Indonesia, Malaysia, Papua New Guinea, Sierra Leone, the United Republic of Tanzania and Tonga.

PART FIVE

Institutional, administrative and budgetary questions

United Nations restructuring and institutional matters

In 2010, the General Assembly took concerted steps to strengthen UN coherence system-wide by streamlining institutional arrangements for gender equality and the empowerment of women, consolidating governance of operational activities for development, and improving the funding for those activities. In June, a High-level Tripartite Conference of the eight “Delivering as one” pilot countries reviewed lessons learned from the programme and made proposals for the way forward. In July, the General Assembly adopted a resolution on system-wide coherence, in which it established the United Nations Entity for Gender Equality and the Empowerment of Women, to be known as UN-Women, by consolidating and transferring to the Entity the mandates and functions of the Office of the Special Adviser on Gender Issues and Advancement of Women, the Division for the Advancement of Women, the United Nations Development Fund for Women, and the United Nations International Research and Training Institute for the Advancement of Women. The Assembly also welcomed the Assembly President’s proposal to designate as the special theme for the general debate of its sixty-fifth session “Reaffirming the central role of the United Nations in global governance” and his intention to organize in 2011 an informal thematic debate on global governance, and considered the Secretary-General’s proposal on a new accountability architecture for the Secretariat.

The Ad Hoc Working Group on the Revitalization of the General Assembly focused on the Assembly’s working methods, its role and relationship to the other principal UN organs, the selection and appointment of the Secretary-General and the strengthening of the institutional memory of the Office of the President of the General Assembly. The Assembly resumed its sixty-fourth session, and opened its sixty-fifth session on 14 September. It held its fourth High-level Dialogue on Financing for Development; a summit on the Millennium Development Goals; high-level meetings on the International Year of Biodiversity and on revitalizing the work of the Conference on Disarmament and taking forward multilateral disarmament negotiations; the five-year review of the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States; and a commemorative meeting on the fiftieth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

The Security Council held 187 formal meetings to deal with regional conflicts, peacekeeping operations and other issues related to the maintenance of international peace and security.

In addition to its organizational and substantive sessions, the Economic and Social Council held a special high-level meeting with the Bretton Woods institutions (the World Bank Group and the International Monetary Fund), the World Trade Organization and the United Nations Conference on Trade and Development.

In other coordination matters, the Committee for Programme and Coordination considered the annual overview report of the United Nations System Chief Executives Board for Coordination, while the Assembly considered a number of reports by the Secretary-General on cooperation activities between the United Nations and regional organizations.

Restructuring matters

Programme of reform

UN system-wide coherence

In 2010, the General Assembly continued consultations on system-wide coherence through informal consultations and interactive meetings, led by the co-facilitators of the system-wide coherence process (Estonia and Tunisia), including a plenary of informal consultations held on 4 February. Those consultations addressed strengthening institutional arrangements for gender equality and the empowerment of women; strengthening governance of operational activities for development of the UN system for enhanced system-wide coherence; improving the funding system of UN operational activities for development; the “Delivering as one” programme; and the harmonization of business practices. The consultations were supported by discussion documents prepared by the Secretary-General. The co-facilitators reported periodically on the results of those consultations.

Delivering as one. A High-level Tripartite Conference on the theme “Delivering as one: Lessons from Country-led Evaluations and Way Forward” was held in Hanoi, Viet Nam, from 14 to 16 June. The meeting was attended by representatives of the eight “Delivering as one” programme pilot countries (Albania, Cape Verde, Mozambique, Pakistan, Rwanda, United

Republic of Tanzania, Uruguay, Viet Nam), those countries that had indicated voluntary adoption of the approach and those invited to learn of the experience, donor governments, the Asian Development Bank and the United Nations. In its Statement of Outcome and Way Forward, participants noted the findings, lessons and recommendations of the country-led evaluations carried out in Albania, Mozambique, Rwanda, United Republic of Tanzania, Uruguay and Viet Nam, as well as in Malawi, a voluntary adopter. The implementation of the “Delivering as one” approach had given renewed government leadership to UN programmes and led to better alignment to national priorities. Substantive progress at the country level had led to increased expectations that reform would be pursued with vigour at the regional and global levels, and that the role and contribution of the UN system would become more coherent, effective and relevant to better support Governments in achieving internationally agreed development goals, including the Millennium Development Goals (MDGs) [YUN 2000, p. 51]. The Conference reaffirmed the relevance of the “Delivering as one” approach in middle-income countries in addressing development challenges. Moving forward, the challenge was for all pilot countries, those voluntarily adopting the approach, the United Nations and donors to support it in a more enhanced and committed manner, and for the reporting of programme results to be further streamlined. To ensure the implementation of General Assembly resolution 62/208 [YUN 2007, p. 877], participants encouraged the Assembly to decide on modalities for approval of common country programmes, as called for in Assembly resolution 63/311 [YUN 2009, p. 1368]; called on Member States to promote the “Delivering as one” approach across country programmes; and called on donors to make the approach sustainable and attractive to Member States for UN development activities, and to provide multi-year, predictable and unearmarked funds to “One United Nations” funds. The Secretary-General should examine, with Member States, the modality for the set-up and sustainable operation of “One United Nations” funds in programme countries. Furthermore, Resident Coordinators should be given a level of authority to match their responsibilities and accountabilities. Incentives for the harmonization of business practices to reduce administrative costs should be established, and the UN system should implement critical changes in rules and procedures at Headquarters in areas such as finance and human resources. Participants requested the Secretary-General to develop, in consultation with programme pilot countries, guidelines, benchmarks and results to be achieved in implementing the “Delivering as one” approach.

Institutional arrangements for gender issues. In response to Assembly resolution 63/311 [YUN 2009,

p. 1368], the Secretary-General submitted a January report [A/64/588] presenting a comprehensive proposal for a composite entity for gender equality and the empowerment of women. The report set out the mission statement and organizational arrangements of the entity, including an organizational chart and provisions related to funding and an Executive Board to oversee operational activities. The proposed composite entity, which would be a subsidiary organ of the Assembly, would combine the mandates and assets of the four gender equality entities—the Office of the Special Adviser on Gender Issues and Advancement of Women, the Division for the Advancement of Women, the United Nations Development Fund for Women (UNIFEM) and the United Nations International Research and Training Institute for the Advancement of Women (INSTRAW). The entity would report to the Assembly through the Economic and Social Council and would be led by an Under-Secretary-General. The Commission on the Status of Women would play a crucial role in guiding its work and an Executive Board would oversee its operational activities. The Secretary-General also proposed a Headquarters structure to cover the new functions and to implement existing mandates.

Funding for the entity from assessed and voluntary contributions was estimated at some \$125 million per annum, as well as an additional \$375 million per annum in the initial phase to respond to country-level requests for UN programmatic support. The entity would sharpen the focus and impact of the gender equality activities of the entire UN system by ensuring clarity of roles and responsibilities and support for a more coherent and scaled-up response, and would play a key role in addressing gaps and challenges in the current response. To put the new arrangements in place, the Assembly would need to dissolve the Voluntary Fund for the United Nations Decade for Women, including its Consultative Committee, request the Economic and Social Council to abolish INSTRAW, and transfer to the new entity the responsibility for implementing the programmes, projects and activities of the Office of the Special Adviser on Gender Issues and Advancement of Women, the Division for the Advancement of Women, UNIFEM and INSTRAW.

GENERAL ASSEMBLY ACTION

On 2 July [meeting 104], the General Assembly adopted **resolution 64/289** [draft: A/64/L.56] without vote [agenda item 114].

System-wide coherence

The General Assembly,

Recalling the 2005 World Summit Outcome,

Recalling also its resolution 62/277 of 15 September 2008, setting out five areas for consideration by Mem-

ber States with a view to enhancing United Nations system-wide coherence,

Recalling further its resolution 63/311 of 14 September 2009,

Reaffirming the Beijing Declaration and Platform for Action, the outcome of the twenty-third special session of the General Assembly, the Convention on the Elimination of All Forms of Discrimination against Women and international law, in particular international human rights and humanitarian law,

Reaffirming also its resolution 62/208 of 19 December 2007 on the triennial comprehensive policy review of operational activities for development of the United Nations system,

Reaffirming further its resolution 2(I) of 1 February 1946,

Reaffirming that the fundamental characteristics of the operational activities for development of the United Nations system should be, inter alia, their universal, voluntary and grant nature, their neutrality and their multilateralism,

Reaffirming also the key importance of national ownership and national leadership, and underscoring the fact that there is no “one size fits all” approach to development and that development assistance by the United Nations development system should be able to respond to the varying demands of programme countries and should be in alignment with their national development plans and strategies in accordance with established mandates,

Taking note of the reports of the Secretary-General entitled “Comprehensive proposal for the composite entity for gender equality and the empowerment of women” and “Follow-up to General Assembly resolution 63/311 on system-wide coherence related to operational activities for development”,

Strengthening governance of operational activities for development of the United Nations system for enhanced system-wide coherence

1. *Requests* the Secretary-General, starting at the sixty-fifth session of the General Assembly, and as background material for the comprehensive policy review, to make available a compilation of all relevant legislation on the roles and responsibilities of the Assembly, the Economic and Social Council, including its subsidiary bodies, the executive boards of funds and programmes of the United Nations and the governing bodies of the specialized agencies in the governance of United Nations operational activities for development;

2. *Also requests* the Secretary-General to circulate information on the coherence of the calendars, agendas and programmes of work of the governing bodies responsible for United Nations operational activities for development, with a view to enabling them to consider measures to enhance coherence when setting their agendas and programmes of work;

3. *Invites* the President and the Bureau of the Economic and Social Council to convene informal coordination meetings with the bureaux of the governing bodies responsible for United Nations operational activities for development, in accordance with their mandates, in order to discuss ways and means to enhance the coherence of their work, and to provide a summary of such informal coordination meetings to Member States;

4. *Reaffirms* the need for enhancing the transparency of the activities of the United Nations System Chief Executives Board for Coordination, in particular to ensure its effective interaction with Member States, while respecting the mandates and working methods of the Chief Executives Board and its member organizations, and in this regard requests:

(a) The Secretary-General, in his capacity as Chair of the Chief Executives Board, to further enhance the quality and quantity of information on the Board’s website and to publish and make available to Member States the Board’s inter-agency agreements and decisions;

(b) The Secretary-General, in his capacity as the Chair of the Chief Executives Board, to ensure a transparent and balanced approach in its priority-setting, to implement and report on the decisions of relevant intergovernmental bodies and to include appropriate information on the work of the Board in its annual overview report to the Economic and Social Council, which is also studied by the Committee for Programme and Coordination, in order to promote more effective dialogue;

(c) The President of the Economic and Social Council to continue to convene periodic briefings for Member States with the Secretariat following the biannual sessions of the Chief Executives Board, taking into account the need to schedule the briefings within a time frame that permits the full utilization of such opportunities by Member States for an effective dialogue with the Board regarding its activities;

5. *Requests* the United Nations Institute for Training and Research, in consultation with the secretariats of the governing bodies responsible for United Nations operational activities for development, as appropriate and in accordance with its statute, and in line with paragraph 3 of section I of General Assembly resolution 64/260 of 29 March 2010, to prepare and carry out orientation and training courses for representatives of Member States, in particular the delegates of the permanent missions of Member States, on the functioning of United Nations operational activities for development, including on the roles and responsibilities of governing bodies;

6. *Requests* the Economic and Social Council and the executive boards of United Nations funds and programmes and the governing bodies of the specialized agencies to consider measures to facilitate the effective participation of national policymakers of developing countries in the operational activities segment of the substantive session of the Council and the regular sessions of the executive boards of the United Nations funds and programmes and the governing bodies of the specialized agencies, giving priority to national policymakers of programme countries, in particular the least developed countries. Such measures could include the establishment of new trust funds or the use of existing mechanisms, as appropriate, taking into account the financial situation and arrangements of each organization;

7. *Invites* the United Nations funds and programmes, as appropriate, based on their analysis of good practices, to improve the preparations for and discussions during meetings of their executive boards, taking into account the views expressed by Member States and, in that regard, to include their findings and adopted measures in their annual reports to the Economic and Social Council;

8. *Takes note* of the progress in the creation of a central repository of information on operational activities for development, and requests the Secretary-General to ensure that an update on the advances in the establishment of that mechanism is presented at the substantive session of the Economic and Social Council in 2011 in the context of the comprehensive policy review of operational activities for development;

9. *Encourages* the governing bodies of the funds, programmes and specialized agencies of the United Nations development system to include in their strategic plans, as appropriate, specific provisions for the full implementation of policy guidance provided in the comprehensive policy review of operational activities for development of the General Assembly, and requests the secretariats of the funds, programmes and specialized agencies of the United Nations development system to report on the implementation of those provisions in their regular reporting to the Assembly through the Economic and Social Council;

10. *Requests* the Secretary-General, under the auspices of the Economic and Social Council and in cooperation with United Nations resident coordinators, to prepare and put in place a periodic survey, directed to Governments, on the effectiveness, efficiency and relevance of the support of the United Nations system in order to provide feedback on the strengths and main challenges encountered in their interactions with the United Nations development system, with a view to enabling intergovernmental bodies to address them, and also requests that the results of such surveys be published and made available to Member States;

Independent system-wide evaluation mechanism

11. *Recognizes* that the current multi-tiered evaluation system of operational activities for development within the United Nations consists of a number of entities with distinct roles and responsibilities, including the United Nations Evaluation Group, the evaluation offices of individual United Nations organizations, the Office of Internal Oversight Services, the Department of Economic and Social Affairs and the Office for the Coordination of Humanitarian Affairs of the Secretariat and the Joint Inspection Unit;

12. *Requests* the Secretary-General, in consultation with the United Nations Evaluation Group and the Joint Inspection Unit, to commission a comprehensive review of the existing institutional framework for the system-wide evaluation of operational activities for development of the United Nations system, and to submit a report, with recommendations, to the General Assembly at its sixty-sixth session;

13. *Affirms*, in this regard, that the establishment of an independent system-wide evaluation mechanism within the United Nations system should be aimed at fully utilizing and strengthening the existing institutional framework and capacities;

Approval of common country programmes

14. *Emphasizes* the principle of national ownership and leadership, supports the initiative of some countries to use, on a voluntary basis, common country programme documents, and emphasizes its support for all countries that wish to continue using the existing frameworks and processes for country-level programming;

15. *Recognizes* that local consultative processes could strengthen the principle of national ownership and facilitate the effective participation of national policymakers in setting the priority areas of common country programmes;

16. *Invites* those countries presenting a common country programme document on a voluntary basis to prepare it consistent with the United Nations Development Assistance Framework, where it exists, and to present in the common country programme the critical actions that will be taken to achieve the agreed results with available or indicative resources, as well as actions to ensure coherence of the assistance provided by the United Nations system at the country level, attaching, as an annex, a brief description of the agreed results and indicative resources for each of the relevant United Nations agencies;

17. *Invites* the governing body of each fund, programme and specialized agency, where relevant, and in accordance with its mandate, to consider and approve its role and the resources it will require for the implementation of the common country programme on the basis of the agency-specific annex;

18. *Notes* that the approval of the contribution of each fund, programme and specialized agency, where relevant, will be based on an assessment of whether the elements in the agency-specific annex reflect the priorities of its strategic plan and overall mandate, as well as their alignment with national priorities and strategies;

19. *Recognizes* that informal discussions during the joint meeting of the Executive Boards of the United Nations Development Programme/United Nations Population Fund, the United Nations Children's Fund and the World Food Programme on cross-cutting issues, synergies, gaps and duplication, including those related to common country programmes, could provide a useful context for the work of the individual funds and programmes at the country level;

"Delivering as one"

20. *Welcomes* the intergovernmental meetings of programme country pilots held in Kigali, from 19 to 21 October 2009, and in Hanoi, from 14 to 16 June 2010, takes note with appreciation of the Kigali and Hanoi declarations, and in this regard also takes note of the progress made by "delivering as one" countries in their own country-led evaluations, with the participation of relevant stakeholders and with the technical support of the United Nations Evaluation Group, to be completed by 1 July 2010;

21. *Encourages* the Secretary-General to proceed with the modality for the independent evaluation of lessons learned from the "delivering as one" pilots, as outlined by the Secretariat, after consultation, covering all aspects of the initiative, and looks forward to receiving the outcome at the sixty-sixth session of the General Assembly;

Improving the funding system of operational activities for development of the United Nations system for enhanced system-wide coherence

General principles

22. *Acknowledges* efforts by developed countries to increase resources for development, including commitments by some developed countries to increase official develop-

ment assistance, calls for the fulfilment of all official development assistance commitments, including the commitments by many developed countries to achieve the target of 0.7 per cent of gross national income for official development assistance by 2015 and to reach at least 0.5 per cent of gross national income for official development assistance by 2010, as well as the target of 0.15 per cent to 0.20 per cent for least developed countries, and urges those developed countries that have not yet done so to make concrete efforts in this regard in accordance with their commitments;

23. *Welcomes* the growing number of countries making financial contributions to the operational activities of the United Nations development system, as well as the diversification of funding sources and mechanisms within the system, and also welcomes, in this regard, the significant growth in funds contributed to United Nations development operations, from 13 billion United States dollars in 2003 to 22 billion dollars in 2008, the highest level ever;

24. *Stresses* that core resources, because of their untied nature, continue to be the bedrock of the operational activities for development of the United Nations system, notes with concern, in that regard, the long-term decline in the share of core contributions to the United Nations development system, which, since 2005, has levelled off at about 34 per cent, and recognizes the need for organizations to attain, on a continuous basis, an adequate balance between core and non-core resources, taking into account the unique mandate structure and programmes of individual entities, while noting that non-core resources represent an important supplement to the regular resource base of the United Nations development system to support operational activities for development;

25. *Emphasizes* that increasing the financial contributions to the United Nations development system is key to achieving the internationally agreed development goals, including the Millennium Development Goals, and in this regard recognizes the mutually reinforcing links between increased effectiveness, efficiency and coherence of the United Nations development system, achieving concrete results in assisting developing countries in eradicating poverty and achieving sustained economic growth and sustainable development through operational activities for development and the overall resourcing of the United Nations development system;

26. *Stresses* the need for adequate quantity and quality of funding for operational activities as well as the need to make funding more predictable, effective and efficient;

27. *Affirms*, in this context, the importance of accountability, transparency and improved results-based management and further harmonized results-based reporting on the work of the United Nations funds, programmes and specialized agencies for increased quantity and quality of funding for operational activities;

Ensuring adequate funding

28. *Stresses* that funding for operational activities should be aligned with the national priorities and plans of the programme countries as well as the strategic plans, mandates, resource frameworks and priorities of the United Nations funds, programmes and specialized agencies, and underscores, in that regard, the need to further strengthen the results-based frameworks of funds, programmes and agencies of the United Nations development system and

for the agencies, funds and programmes to improve their reporting on outputs and nationally owned outcomes;

29. *Emphasizes* the importance of taking measures to broaden the donor base and increase the number of donor countries and other partners making financial contributions to the United Nations development system in order to reduce the reliance of the system on a limited number of donors;

30. *Recognizes* the potential positive impact of determining the level of “critical mass” of core funding for United Nations development agencies, and notes, in that regard, that the concept of critical mass may include the level of resources adequate to respond to the needs of the programme countries and to produce the results expected in strategic plans, including administrative, management and programme costs;

31. *Invites* the governing bodies of the United Nations funds and programmes to initiate further discussion with a view to exploring the most appropriate definition of, and a process towards arriving at, a critical mass of core funding for each fund and programme, according to their individual mandates;

32. *Invites* the governing bodies of the relevant specialized agencies, within the context of their 2012–2013 budgets, to consider exploring the most appropriate concept of and process for arriving at a critical mass of core funding, according to their individual mandates;

33. *Requests* the funds and programmes to report on their efforts and conclusions on critical mass in their annual or biennial reports to the Economic and Social Council, beginning in 2011, and in that regard encourages the specialized agencies, where relevant, to report on their efforts and conclusions on critical mass to the Council;

Improving the quality of funding

34. *Urges* Member States, when legislative and budgetary provisions allow, to make financial contributions to development-related activities of the United Nations system in the form of multi-year commitments in order to improve the predictability of resources;

35. *Urges* all Member States making non-core contributions to operational activities, as well as the United Nations funds, programmes and specialized agencies, to ensure that these resources are fully aligned with strategic plans and mandates and are in accordance with the priorities of the programme countries within the United Nations Development Assistance Framework;

36. *Urges* the executive boards of the United Nations funds and programmes and the governing bodies of the specialized agencies to take measures to improve their governance and oversight of programme and project-specific non-core funding by including in their annual reports an assessment of how such funding is aligned with the strategic plans of the respective organizations;

37. *Requests* the Secretary-General to include information on all existing multi-donor trust funds and thematic trust funds, including information on their mandates, performance and governance structures, in the annual report on financial statistics to the Economic and Social Council, with a view to further improving the participation of Member States in their governance;

38. *Requests* United Nations agencies administering multi-donor trust funds to report on the administration of those funds to their respective governing bodies on an annual basis in order to ensure better complementarity between funds provided through multi-donor trust funds and other funding sources;

39. *Acknowledges* the ongoing efforts being undertaken by the United Nations Development Group with a view to avoiding the subsidization of non-core resources by core resources, in that regard requests the United Nations funds and programmes, and urges the specialized agencies, to avoid using core/regular resources to cover costs related to the management of extrabudgetary funds and their programme activities, and urges Member States making non-core contributions to reduce transaction costs and streamline reporting requirements, where possible;

Improving information to monitor funding trends

40. *Takes note* of the improved reporting on funding for operational activities of the United Nations development system, and requests that further improvements be made in order to more accurately reflect the diversity in non-core funding streams, such as multi-donor trust funds, including funds pooled at the global, regional and country levels;

41. *Requests*, in this regard, that future reporting on funding for the United Nations development system more clearly distinguish between funding for development and funding for humanitarian activities, and better differentiate self-supporting contributions from other non-core funding flows;

42. *Requests* the Secretary-General to report on the predictability of funding for the United Nations development system, including the impact of rapid growth in non-core contributions compared to core funding, significant exchange rate fluctuations and the limited use of multi-year pledges, in the annual report to the Economic and Social Council on the results achieved and measures and processes implemented in follow-up to resolution 62/208, to be considered by Member States in the context of the comprehensive policy review of operational activities for development of the United Nations system;

Harmonization of business practices

43. *Notes* the submission of the information provided by the United Nations System Chief Executives Board for Coordination regarding the progress made in the area of simplification and harmonization of business practices within the United Nations development system;

44. *Reiterates* that the objective of the simplification and harmonization of business practices within the United Nations development system is to harmonize and simplify rules and procedures wherever this can lead to significant cost savings and/or a reduction in the administrative and procedural burden on the organizations of the United Nations development system and national partners, bearing in mind the special circumstances of programme countries, and to enhance the efficiency, accountability and transparency of the United Nations development system;

45. *Encourages* the United Nations funds and programmes to identify additional efficiency savings, including at their headquarters, through common strategies and common operations, for example in the fields of human re-

sources management, information technology and administration, while ensuring that such common strategies and operations are consistent with relevant intergovernmentally agreed policies, including those related to the United Nations common system, and to take into account the ongoing reforms on administrative and budgetary matters, and recommends, in that regard, that they submit annual reports on progress to their respective governing bodies and, as appropriate, keep the General Assembly abreast of such progress through their respective processes for reporting to the Economic and Social Council;

46. *Reiterates its call upon* the United Nations funds, programmes and specialized agencies to ensure, to the extent possible, that savings resulting from reductions in transaction and overhead costs accrue to development programmes in the same countries;

47. *Stresses* that simplification and harmonization of business practices within the United Nations development system, including in the field of procurement, shall be in compliance with relevant intergovernmental mandates, including those established by the General Assembly;

48. *Requests* the Secretary-General, in consultation with the United Nations System Chief Executives Board for Coordination, to brief the Economic and Social Council regularly on progress made and challenges encountered in the simplification and harmonization of business practices and to refer any matter requiring an intergovernmental decision to the relevant intergovernmental bodies;

Strengthening the institutional arrangements for support of gender equality and the empowerment of women

Establishment of the Entity

49. *Decides* to establish, by the present resolution, as a composite entity, to be operational by 1 January 2011, the United Nations Entity for Gender Equality and the Empowerment of Women, to be known as UN-Women, by consolidating and transferring to the Entity the existing mandates and functions of the Office of the Special Adviser on Gender Issues and Advancement of Women and the Division for the Advancement of Women of the Secretariat, as well as those of the United Nations Development Fund for Women and the International Research and Training Institute for the Advancement of Women, to function as a secretariat and also to carry out operational activities at the country level;

50. *Also decides* to establish an Executive Board as the governing body of the Entity to provide intergovernmental support to and supervision of its operational activities;

General principles

51. *Decides* that:

(a) The Charter of the United Nations, the Beijing Declaration and Platform for Action, including its twelve critical areas of concern, the outcome of the twenty-third special session of the General Assembly and applicable United Nations instruments, standards and resolutions that support, address and contribute to gender equality and the empowerment and the advancement of women will provide a framework for the work of the Entity;

(b) Based on the principle of universality, the Entity shall provide, through its normative support functions and

operational activities, guidance and technical support to all Member States, across all levels of development and in all regions, at their request, on gender equality, the empowerment and rights of women and gender mainstreaming;

(c) The Entity shall operate on the basis of principles agreed to through the process of the comprehensive policy review of its operational activities, in particular by responding to the needs of and priorities determined by Member States, upon their request;

(d) The Entity shall work in consultation with the respective national machineries for women and/or the focal points designated by the Member States;

(e) Data used by the Entity, including information provided by national official sources, must be verifiable, accurate, reliable and disaggregated by age and sex;

52. *Also decides* that the establishment of the Entity and the conduct of its work should lead to more effective coordination, coherence and gender mainstreaming across the United Nations system;

53. *Further decides* that the mandate and functions of the Entity shall consist of the consolidated mandates and functions of the Office of the Special Adviser on Gender Issues and Advancement of Women, the Division for the Advancement of Women, the United Nations Development Fund for Women and the International Research and Training Institute for the Advancement of Women, with the additional role of leading, coordinating and promoting the accountability of the United Nations system in its work on gender equality and the empowerment of women, and that any new mandates shall be subject to approval by intergovernmental process;

54. *Recognizes* that civil society organizations, in particular women's organizations, play a vital role in promoting women's rights, gender equality and the empowerment of women;

55. *Requests* the head of the Entity to continue the existing practice of effective consultation with civil society organizations, and encourages their meaningful contribution to the work of the Entity;

56. *Notes* that the Entity will operate as part of the resident coordinator system, within the United Nations country team, leading and coordinating the work of the country team on gender equality and the empowerment of women, under the overall leadership of the resident coordinator;

Governance of the Entity

57. *Decides*:

(a) That the General Assembly, the Economic and Social Council and the Commission on the Status of Women shall constitute the multi-tiered intergovernmental governance structure for the normative support functions and shall provide normative policy guidance to the Entity;

(b) That the General Assembly, the Economic and Social Council and the Executive Board of the Entity shall constitute the multi-tiered intergovernmental governance structure for the operational activities and shall provide operational policy guidance to the Entity;

58. *Emphasizes* that support of gender mainstreaming across the United Nations system will be an integral part of the work of the Entity;

59. *Decides* that the Executive Board shall carry out functions as outlined in annex I to General Assembly res-

olution 48/162 of 20 December 1993, taking into account the provisions of the present resolution;

60. *Also decides* that the Executive Board shall consist of forty-one members, as follows:

(a) Ten from the Group of African States;

(b) Ten from the Group of Asian States;

(c) Four from the Group of Eastern European States;

(d) Six from the Group of Latin American and Caribbean States;

(e) Five from the Group of Western European and Other States;

(f) Six from contributing countries;

61. *Further decides* that the six seats allocated to contributing countries shall be distributed as follows:

(a) Four seats to be allocated to four of the largest providers of voluntary core contributions to the Entity, to be selected by and from among the top ten such providers;

(b) Two seats to be allocated to two developing countries not members of the Development Assistance Committee of the Organization for Economic Cooperation and Development, which provide voluntary core contributions to the Entity, to be selected from among the top ten of such providers by the developing countries not members of the Development Assistance Committee, with due consideration to be given to geographical balance;

62. *Decides* that the above allocations should be in accordance with the list provided by the Secretary-General of the average annual voluntary contributions of Member States, in the previous three calendar years, to the core budget of the Entity or, for the interim period, to the United Nations Development Fund for Women, for which statistical data are available;

63. *Also decides* that a Member State can be selected from only one category at any one time;

64. *Further decides* that the Economic and Social Council shall elect members to the Executive Board for a term of three years, in accordance with established practice, and requests the Council to conduct the first elections not later than 31 December 2010;

65. *Decides* that the Executive Board shall report annually on its programme and activities to the General Assembly, through the Economic and Social Council at its substantive session;

66. *Also decides* to include the Executive Board of the Entity in the joint meeting of the Executive Boards of the United Nations Development Programme/United Nations Population Fund, the United Nations Children's Fund and the World Food Programme in order to promote effective coordination and coherence among operational activities on gender mainstreaming and the empowerment of women;

67. *Emphasizes* the need to establish concrete results-based reporting mechanisms, as well as the need for coherence, consistency and coordination between the normative and operational aspects of the work of the Entity and in that regard requests:

(a) The Commission on the Status of Women and the Executive Board of the Entity to work closely together to provide coherent guidance and direction in their respective areas;

(b) The Economic and Social Council at its substantive session of 2010 to establish appropriate and concrete linkages between the Commission and the Executive Board to ensure consistency between the overall policy guidance

set by the Commission and the operational strategies and operational activities approved by the Executive Board;

(c) The head of the Entity to submit to the Commission an annual report on the normative aspects of the Entity's work and on its implementation of the policy guidance provided by the Commission;

(d) The head of the Entity to submit an annual report on operational activities for the consideration of the Executive Board, and to report on those activities to the Economic and Social Council during its operational activities segment;

(e) That the Economic and Social Council in turn submit its report to the General Assembly;

Administration and human resources

68. *Decides* that the Entity shall provide support to intergovernmental policy and normative processes and programmes of operational activities to support Member States, upon their request;

69. *Also decides:*

(a) That the Entity shall be headed by an Under-Secretary-General, to be appointed by the Secretary-General, in consultation with Member States, for a term of four years, with the possibility of renewal for one term, in accordance with the relevant provisions of Article 101 of the Charter, the position to be financed from the regular budget;

(b) That the Under-Secretary-General/head of the Entity shall report to the Secretary-General and shall be a full member of the United Nations System Chief Executives Board for Coordination;

70. *Encourages* the Secretary-General to appoint the Under-Secretary-General/head of the Entity to the Policy Committee, the Senior Management Group and other relevant internal United Nations decision-making mechanisms;

71. *Decides* that the Entity should be accountable to Member States in accordance with applicable rules and standards;

72. *Also decides* that the Under-Secretary-General/head of the Entity shall appoint and administer the staff of the Entity, including for its operational activities, in accordance with the Staff Regulations and Rules of the United Nations and that the Secretary-General shall delegate to the Under-Secretary-General/head of the Entity formal authority in personnel matters, while ensuring that the Entity shall be subject to the oversight bodies;

73. *Further decides* that the composition and selection of staff of the Entity shall be in accordance with the provisions of Article 101 of the Charter, with due regard to geographical representation and gender balance;

74. *Requests* the Under-Secretary-General/head of the Entity to establish appropriate mechanisms to assist and support the realization of all the strategic objectives and actions agreed upon in the Beijing Declaration and Platform for Action, as well as the national and international commitments stipulated in the outcome of the twenty-third special session of the General Assembly;

Financing

75. *Decides* that the resources required to service the normative intergovernmental processes shall be funded from the regular budget and approved by the General Assembly; the resources required to service the operational intergovernmental processes and operational activities at

all levels shall be funded from voluntary contributions and approved by the Executive Board;

76. *Requests* the Secretary-General to submit to the General Assembly for its approval during the main part of its sixty-fifth session a report containing a revised proposal for the use of regular budget resources approved for the biennium 2010–2011 for the normative support functions of the new Entity, in accordance with all relevant United Nations rules and procedures, including a detailed organizational chart of the Entity and options for administrative arrangements for its regular budget;

77. *Requests* the Under-Secretary-General/head of the Entity to submit a report to the Executive Board, including the organizational chart referred to in paragraph 76 above, together with a revised draft strategic plan and proposal for the use of voluntary resources for the support budget for the biennium 2010–2011;

78. *Decides* that the structure of the Entity as set out in the organizational chart shall reflect the universal coverage of the Entity;

79. *Also decides* that the operational activities of the Entity shall have financial regulations and rules similar to those of other operational United Nations funds and programmes, and consistent with the Financial Regulations and Rules of the United Nations, and in that regard requests the Under-Secretary-General/head of the Entity to present a proposal for financial regulations, for consideration and adoption by the Executive Board, and to promulgate the financial rules;

80. *Stresses* the need to ensure adequate funding for the Entity, invites Member States, when legislative and budgetary provisions allow, to provide core, multi-year, predictable, stable and sustainable voluntary contributions to the Entity, and decides that reporting on funding should be transparent and easily accessible to Member States, including through the creation of an online registry that contains such financial information;

Transitional arrangements

81. *Decides*, with reference to paragraph 49 above, that a transitional period will start on the date of adoption of the present resolution and continue until 31 December 2010;

82. *Also decides* that all the activities, including training programmes and research, of the United Nations Development Fund for Women, the Office of the Special Adviser on Gender Issues and Advancement of Women, the Division for the Advancement of Women and the International Research and Training Institute for the Advancement of Women shall continue in accordance with the operational arrangements established before the date of adoption of the present resolution until replaced by new arrangements;

83. *Further decides* to transfer the existing mandates, functions, assets, including facilities and infrastructure, and liabilities, including contractual obligations, of the Office of the Special Adviser on Gender Issues and Advancement of Women, the Division for the Advancement of Women, the United Nations Development Fund for Women and the International Research and Training Institute for the Advancement of Women to the Entity upon the adoption of the present resolution, and requests the Secretary-General to address all staffing issues in accordance with the Staff Regulations and Rules of the United Nations;

84. *Decides* that the process of consolidation of the institutional and operational arrangements, partnerships and brands of the Office of the Special Adviser on Gender Issues and Advancement of Women, the Division for the Advancement of Women, the United Nations Development Fund for Women and the International Research and Training Institute for the Advancement of Women shall start from the date of adoption of the present resolution and continue under the leadership and authority of the Under-Secretary-General/head of the Entity, once appointed;

85. *Requests* the Secretary-General to appoint the Under-Secretary-General/head of the Entity by the beginning of the sixty-fifth session of the General Assembly in order to oversee the transitional arrangements of the Entity before its operationalization, and decides that the position of the Under-Secretary-General/head of the Entity shall be funded from existing temporary assistance funds pending the submission of the report on the revised regular budget required to be submitted to the Assembly at its sixty-fifth session;

86. *Decides* to dissolve the United Nations Development Fund for Women as of the date of adoption of the present resolution;

87. *Requests* the Economic and Social Council to dissolve the International Research and Training Institute for the Advancement of Women as of the date of adoption of the pertinent resolution;

88. *Decides* that any expansion of the capacity of the Entity should be orderly, based on a proposal by the Under-Secretary-General/head of the Entity to the Executive Board, building on the field presence and infrastructure of the United Nations Development Fund for Women and the International Research and Training Institute for the Advancement of Women;

Review of implementation

89. *Requests* the Secretary-General to submit a progress report to the General Assembly at its sixty-sixth and sixty-seventh sessions on the implementation of the part of the present resolution entitled "Strengthening the institutional arrangements for support of gender equality and the empowerment of women";

90. *Decides* to review the work of the United Nations Entity for Gender Equality and the Empowerment of Women at its sixty-eighth session, and requests the Secretary-General to present to the General Assembly at its sixty-eighth session a comprehensive report in that regard.

On 9 September, by **decision 2010/261**, the Economic and Social Council decided that the election of the 41 members of the Executive Board for the United Nations Entity for Gender Equality and the Empowerment of Women would be held by November, and to discuss further the staggering of terms, so as to reach agreement on the modalities prior to the elections.

On 20 July, the Council, by **resolution 2010/7**, dissolved INSTRAW.

Accountability architecture

Responding to General Assembly resolution 63/276 [YUN 2009, p. 1371], the Secretary-General submitted a January report [A/64/640] that outlined

the weaknesses of accountability structures in the UN Secretariat and made suggestions for remedial action. Annexed to the report were an overview of the current accountability system in the UN Secretariat, a proposed plan and road map for implementation of the enterprise risk management and internal control framework, and an overview of Secretariat actions to strengthen accountability mechanisms in response to the weaknesses identified by the Independent Inquiry Committee in relation to internal monitoring, inspection and accountability regarding the management of the oil-for-food programme [YUN 1995, p. 475]. The report focused on defining accountability and roles and responsibilities; performance reporting; implementation of recommendations of oversight bodies; personal and institutional accountability; selection and appointment of senior managers; reform of the performance appraisal system; delegation of authority; implementation of the results-based management framework; introducing a results-based management information system; and implementation of enterprise risk management and an internal control framework. It also addressed how the current and proposed accountability mechanism would have addressed the flaws in the management of the oil-for-food programme. The Secretary-General proposed that accountability be defined as the obligation of the Organization and that its staff members be answerable for delivering specific results determined through a clear and transparent assignment of responsibility. That included achieving objectives and results in response to mandates, fair and accurate reporting on performance results, stewardship of funds, and all aspects of performance in accordance with regulations, rules and standards, including a clearly defined system of rewards and sanctions.

To enable more performance-informed decision-making by Member States regarding programme plans and budgets, the Secretary-General proposed supplementing the comprehensive biennial programme performance report with an interim report at the end of the first year of each biennium on progress made by the Secretariat in achieving expected results. He requested Member States to continue supporting implementation of the Umoja (enterprise resource planning) project [YUN 2008, p. 1591], which incorporated the development of interoperable information management tools for supporting results-based budgeting and management, linking resources to objectives and allowing assessment of programme performance relative to resources; the work of UN oversight bodies, which played an important role in promoting a culture of compliance and integrity and in deterring mismanagement; and that of the Management Committee in introducing the findings and recommendations of the oversight bodies into executive management processes, ensuring the timely follow-up

and implementation of those recommendations and strengthening the dialogue with the oversight bodies.

The Secretary-General proposed the establishment of a Results Management Unit in the Department of Management to support the implementation of the results-based management methodology throughout the Secretariat; an enterprise risk management and internal control framework in the Secretariat with a view to integrating the framework into major managerial processes; and a dedicated enterprise risk management and control function, the Enterprise Risk Management and Control Section, in the Office of the Under-Secretary-General for Management.

The Advisory Committee on Administrative and Budgetary Questions (ACABQ), in its comments and recommendations on the Secretary-General's proposals [A/64/683 & Corr.1], noted that the report failed to explain why the current accountability components were not fully functional, stopped short of addressing gaps or specifying proposals for improvement, and did not address fully all the requests in Assembly resolution 63/276. ACABQ emphasized that an accountability framework could not in itself create a culture of accountability, which required a change in the mindset of staff. It recognized that while gaps existed in the report, some opportunities for a way forward were presented. Notwithstanding improvements being planned or implemented for some of the existing tools, a strong underlying framework was indispensable to ensure that all the components of an accountability system, as set out in the report, would successfully interact with each other. ACABQ was not in a position to recommend that the Assembly endorse the elements of accountability in the report, as they were not fully developed. Existing and anticipated mechanisms should be implemented and utilized prior to the next overall assessment of accountability in the Secretariat.

GENERAL ASSEMBLY ACTION

On 29 March [meeting 81], the General Assembly, on the recommendation of the Fifth (Administrative and Budgetary) Committee, adopted **resolution 64/259** [A/64/596/Add.1] without vote [agenda item 130].

Towards an accountability system in the United Nations Secretariat

The General Assembly,

Recalling its resolutions 59/272 of 23 December 2004 and 60/254 of 8 May 2006, section I of its resolution 60/260 of 8 May 2006 and its resolutions 60/283 of 7 July 2006, 61/245 of 22 December 2006 and 63/276 of 7 April 2009,

Recalling also its resolutions 55/231 of 23 December 2000, 56/253 of 24 December 2001, 57/290 B of 18 June 2003 and 59/296 of 22 June 2005 and paragraph 2 of its resolution 60/257 of 8 May 2006,

Reaffirming its commitment to strengthening accountability in the United Nations Secretariat and the accountability of the Secretary-General for the performance of the Secretariat to all Member States,

Stressing that accountability is a central pillar of effective and efficient management that requires attention and strong commitment at the highest level of the Secretariat,

Aware of the significant flaws in terms of internal monitoring, inspection and accountability regarding, for example, the management of the United Nations oil-for-food programme,

Noting that since its sixtieth session, the General Assembly has included in its agenda the item entitled "Follow-up to the recommendations on administrative management and internal oversight of the Independent Inquiry Committee into the United Nations Oil-for-Food Programme",

Noting also that the absence of a comprehensive accountability system at the United Nations could lead to mismanagement, waste and risks in the Organization,

Recognizing and reaffirming the important role of the oversight bodies in the development of an accountability system that is relevant to the United Nations,

Having considered the report of the Secretary-General entitled "Towards an accountability system in the United Nations Secretariat", the related report of the Advisory Committee on Administrative and Budgetary Questions and the report of the Office of Internal Oversight Services on the review of the practice of the Secretariat regarding the sharing of information contained in reports of consultants on management-related issues,

1. *Takes note* of the report of the Secretary-General;
2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions, subject to the provisions of the present resolution;
3. *Reaffirms* its role with regard to the structure of the Secretariat, and stresses that proposals to amend the overall departmental structure, as well as the format of the programme budget and the biennial programme plan, are subject to its review and prior approval;
4. *Requests* the Joint Inspection Unit to submit to the General Assembly, for consideration at the main part of its sixty-seventh session, a comparative analysis report on various accountability frameworks in the United Nations system;
5. *Reaffirms* its commitment to strengthening accountability in the United Nations Secretariat and the accountability of the Secretary-General to Member States and the achievement of results, and urges the Secretary-General to further strengthen consultation with the oversight bodies with a view to ensuring accountability in the Secretariat;
6. *Stresses* the importance of promoting a culture of accountability, results-based management, enterprise risk management and internal controls at all levels in the Secretariat through the continued leadership and commitment of senior managers, and requests the Secretary-General to take appropriate measures to this end, including, inter alia, the training of relevant staff;
7. *Also stresses*, as one of the essential components of accountability, the importance of compliance with the Charter of the United Nations, its resolutions and the regulations and rules;

A. Definition of accountability and roles and responsibilities

8. *Decides* that accountability shall be defined as follows:

Accountability is the obligation of the Secretariat and its staff members to be answerable for all decisions made and actions taken by them, and to be responsible for honouring their commitments, without qualification or exception.

Accountability includes achieving objectives and high-quality results in a timely and cost-effective manner, in fully implementing and delivering on all mandates to the Secretariat approved by the United Nations intergovernmental bodies and other subsidiary organs established by them in compliance with all resolutions, regulations, rules and ethical standards; truthful, objective, accurate and timely reporting on performance results; responsible stewardship of funds and resources; all aspects of performance, including a clearly defined system of rewards and sanctions; and with due recognition to the important role of the oversight bodies and in full compliance with accepted recommendations.

9. *Requests* the Secretary-General to continue to draw on lessons learned, experience and expertise from the United Nations programmes and funds and other United Nations entities when developing the accountability system of the United Nations Secretariat;

B. Performance reporting

10. *Recalls* paragraph 9 (b) of its resolution 63/276 and section II.B of the report of the Advisory Committee on Administrative and Budgetary Questions, and requests the Secretary-General, in future budget performance reports, to make efforts to provide a greater degree of analysis of data on the utilization of resources and to include subsequent trends over past budget periods in order to make the performance reports a more useful accountability and monitoring tool for Member States;

11. *Also recalls* paragraph 25 of the report of the Advisory Committee on Administrative and Budgetary Questions, and requests the Secretary-General to identify appropriate methods and tools to portray the efficiency with which the Secretariat undertakes its work;

C. Implementation of the recommendations of oversight bodies

12. *Emphasizes* the importance of the full and timely implementation of the recommendations of oversight bodies, and stresses, in this regard, the role of the Management Committee for monitoring and ensuring that accepted recommendations are followed up and implemented in a timely manner, and the need for transparency in the work of the Committee;

D. Personal and institutional accountability

13. *Emphasizes* the importance of establishing and fully implementing real, effective and efficient mechanisms that foster institutional and personal accountability at all levels;

14. *Recalls* section I, paragraph 4, of its resolution 63/250 of 24 December 2008, and requests the Secretary-General to analyse the impact of his proposed human resources management reform measures on personal accountability;

15. *Requests* the Secretary-General to propose concrete and comprehensive measures to strengthen personal accountability at all levels within the Secretariat, based on the definition of accountability as outlined in paragraph 8

above; and its link with institutional accountability towards Member States on results achieved and resources used;

16. *Also requests* the Secretary-General to further improve the managers' evaluation system, and to clearly identify the critical linkages between institutional and personal accountability through the senior managers' compacts, and the performance appraisal system of all staff below the level of Assistant Secretary-General, and to establish proper accountability mechanisms for under-performance at all levels;

17. *Further requests* the Secretary-General to further develop and take appropriate measures to hold staff accountable for mismanagement and wrongful or improper decisions and to strengthen efforts to increase recovery actions by those convicted of fraud in the Organization;

18. *Notes* the measures taken by the Secretary-General to improve assessment of each senior manager's performance, and requests the Secretary-General to ensure that the weaknesses identified by the Management Performance Board are fully and appropriately addressed;

E. Selection and appointment of senior managers

19. *Recalls* the conclusion of the Advisory Committee on Administrative and Budgetary Questions in paragraph 28 of its report, and in this regard requests the Joint Inspection Unit to submit a report on possible measures to further enhance transparency in the selection and appointment process of senior managers at the main part of its sixty-sixth session, to be considered in conjunction with the report on the implementation of the present resolution referred to in paragraph 33 below;

F. Reform of the performance appraisal system

20. *Notes with concern* the delay in the implementation of Inspira and its impact on the ability of the Secretary-General to provide a comprehensive reform effort regarding performance management, emphasizes the need for its timely implementation, and further stresses that the value added by such systems is dependent on its effective utilization by staff to achieve the intended results;

G. Delegation of authority

21. *Recalls* paragraph 36 of the report of the Advisory Committee on Administrative and Budgetary Questions, and requests the Secretary-General to urgently address the continued deficiencies in the current delegation of authority system through the promulgation of well-defined roles and responsibilities of individuals at all levels to whom authority is delegated, the systemic reporting mechanisms on monitoring and exercise of delegated authority and actions to be taken in cases of mismanagement or abuse of authority;

H. Implementation of the results-based management framework

22. *Reaffirms* paragraphs 7 to 9 of its resolution 55/231;

23. *Requests* the Secretary-General to take appropriate measures to accelerate the implementation of results-based management, taking into account paragraph 43 of the report of the Advisory Committee on Administrative and Budgetary Questions;

24. *Stresses* that results-based management will require the Organization to create a sustained focus on results, and in this regard requests the Secretary-General to take concrete measures to achieve a cultural change throughout the Organization;

25. *Notes* that the effective implementation of results-based management requires the sustained and focused engagement by senior management, and in this regard encourages the Secretary-General to assign the responsibility for the successful implementation of results-based management methodology throughout the Secretariat to a relevant member of his senior management team, and to communicate this assigned responsibility to all stakeholders as a matter of priority;

26. *Stresses* the need to focus on attaining results within approved mandates, which is ultimately the responsibility of the Secretary-General;

27. *Reaffirms its commitment* to improving the effectiveness of the operational capacity of the Secretariat by the use of results-based management;

I. Results-based management information system

28. *Requests* the Secretary-General to include in his report referred to in paragraph 33 below the results of his consultations to be undertaken with other entities that have implemented the enterprise resource planning systems to derive lessons learned regarding the contribution made by such systems to strengthening accountability, and concrete measures to strengthen managerial commitment in this regard for the better utilization of the system;

29. *Also requests* the Secretary-General to include in his report referred to in paragraph 33 below concrete measures taken to ensure managerial commitment to utilize the full potential of the enterprise resource planning project in all aspects of the performance of the Organization, including strengthening individual and institutional accountability;

J. Enterprise risk management and internal control framework

30. *Emphasizes* that the risk management should be dynamic, that it is the inherent responsibility of staff at all levels in the Secretariat, and that each department is accountable for the risk assessment in the delivery of its respective mandate;

31. *Regrets* the absence of an effective and integrated internal control framework, which is a serious gap in the existing accountability system, and requests the Secretary-General to work on enhancing the current capabilities in the Secretariat responsible for risk assessment and mitigation and internal control, on the basis of the recommendations in paragraphs 49 and 50 of the report of the Advisory Committee on Administrative and Budgetary Questions and annex II to the report of the Secretary-General;

K. How the current and proposed accountability mechanisms in the Secretariat would have addressed the flaws in the management of the United Nations oil-for-food programme

32. *Requests* the Secretary-General, building on lessons learned as outlined in section K of his report, to include in his report referred to in paragraph 33 below concrete measures to prevent potential conflict of interest in the current process governing procurement, and measures aimed at improving recovery actions;

Reporting

33. *Requests* the Secretary-General to report to the General Assembly at the main part of its sixty-sixth session on the implementation of the present resolution.

Strengthening of UN system

In 2010, the General Assembly continued its consideration of the agenda item on strengthening the United Nations system. It had before it the Secretary-General's progress report [A/64/866-S/2010/386] on peacebuilding in the immediate aftermath of conflict (see p. 53), and his note [A/65/71 & Add.1] transmitting the Joint Inspection Unit report on selection and conditions of service of executive heads in UN system organizations and his comments thereon.

On 24 December, by **decision 65/544**, the Assembly decided that the item on strengthening the United Nations system would remain for consideration during its resumed sixty-fifth (2011) session.

UN central role in global governance

On 14 September [A/65/PV.1], at the opening of the sixty-fifth session of the General Assembly, its President, in his opening statement, proposed that the session's special theme should be "reaffirming the central role of the United Nations in global governance".

Opening the general debate on 23 September [A/65/PV.11], the Assembly President said that the United Nations had unique legitimacy to play a central role in global governance. The Assembly was a near-universal body and reflected the diversity of the situations and interests at stake. As an operational entity, the United Nations had the expertise and the presence on the ground to play that central role, especially its peacekeeping missions, humanitarian operations and natural-disaster-response activities, as well as all the work carried out far from the media spotlight. There was a danger, however, of it being marginalized as other actors emerged on the international scene. The Organization had been criticized for not being effective or efficient enough. While determining action through a more restricted forum could seem easier and more expeditious, and the economic and financial crisis highlighted the importance of a rapid and coordinated response, there was pressing need to bridge the efforts of different actors. The Assembly President stated that the mechanisms for communication, consultation and cooperation between those entities and Member States had to be improved, and only the United Nations and its Assembly could do so. To comprehensively fulfil its global governance role, the Organization had to be strong, inclusive and open, and establish close connections with States, the private sector, civil society and regional actors. A decisive effort was needed to revitalize the Assembly, reform the Security Council, review the work of the Human Rights Council and the Peacebuilding Commission, and strengthen the economic organizations, enabling them fully to serve the purpose for which they were established. The Assembly President stated that it was up to Member States to make the

United Nations a strong instrument that could take centre stage in confronting global challenges, and indicated his intention to convene informal meetings on the topic of inclusive global governance.

GENERAL ASSEMBLY ACTION

On 8 December [meeting 60], the General Assembly adopted **resolution 65/94** [draft: A/65/L.28 & Add.1, as orally revised] without vote [agenda item 120].

The United Nations in global governance

The General Assembly,

Reaffirming its respect for the purposes and principles of the Charter of the United Nations,

Acknowledging the vital importance of an inclusive, transparent and effective multilateral system in order better to address the urgent global challenges of today, recognizing the universality of the United Nations, and reaffirming its commitment to promote and strengthen the effectiveness and efficiency of the United Nations system,

Reaffirming the role and authority of the General Assembly on global matters of concern to the international community, as set out in the Charter,

Welcoming the proposal of the President of the General Assembly to designate “Reaffirming the central role of the United Nations in global governance” as the theme of the general debate at its sixty-fifth session, and welcoming also his intention to organize in 2011 an informal thematic debate on global governance,

1. *Recognizes* the need for inclusive, transparent and effective multilateral approaches to managing global challenges, and in this regard reaffirms the central role of the United Nations in ongoing efforts to find common solutions to such challenges;

2. *Decides* to include in the provisional agenda of its sixty-sixth session, under the item entitled “Strengthening of the United Nations system”, a new sub-item entitled “Central role of the United Nations system in global governance”;

3. *Requests* the Secretary-General, in this regard, to submit to the General Assembly at its sixty-sixth session an analytical report focusing on global economic governance and development, to be prepared in consultation with Member States and relevant organizations of the United Nations system, taking into account such relevant inputs as the informal thematic debate on global governance to be organized by the President of the Assembly, without prejudice to the focus of possible future debates on this issue to be determined by the Assembly.

Institutional matters

Intergovernmental machinery

Revitalization of the work of the General Assembly

In response to General Assembly resolution 58/316 [YUN 2004, p. 1374], the Secretary-General in July submitted a report [A/64/854] on the revitalization of the

work of the Assembly, which outlined the draft programme of work of the plenary and five of the six Main Committees of the Assembly for its sixty-fifth (2010) session. An addendum to the report [A/64/854/Add.1] contained the status of documentation for that session as at 3 August 2010.

Ad Hoc Working Group report. Pursuant to Assembly resolution 63/309 [YUN 2009, p. 1373], the Ad Hoc Working Group on the Revitalization of the General Assembly submitted a September report [A/64/903] summarizing its activities and presenting recommendations for further progress. The Working Group held seven meetings, conducting its work programme through a general discussion and exchange of views, as well as thematic meetings focused on implementation of Assembly resolutions on revitalization and its working methods; its role and relationship to other principal organs; its role and responsibilities in the selection and appointment of the Secretary-General; and strengthening the institutional memory of the Office of the Assembly President. The Working Group recommended a draft resolution for adoption by the Assembly (see below).

GENERAL ASSEMBLY ACTION

On 13 September [meeting 121], the General Assembly adopted **resolution 64/301** [draft: A/64/903] without vote [agenda item 118].

Revitalization of the work of the General Assembly

The General Assembly,

Reaffirming its previous resolutions relating to the revitalization of its work, including resolutions 46/77 of 12 December 1991, 47/233 of 17 August 1993, 48/264 of 29 July 1994, 51/241 of 31 July 1997, 52/163 of 15 December 1997, 55/14 of 3 November 2000, 55/285 of 7 September 2001, 56/509 of 8 July 2002, 57/300 of 20 December 2002, 57/301 of 13 March 2003, 58/126 of 19 December 2003, 58/316 of 1 July 2004, 59/313 of 12 September 2005, 60/286 of 8 September 2006, 61/292 of 2 August 2007, 62/276 of 15 September 2008 and 63/309 of 14 September 2009,

Stressing the importance of implementing resolutions on the revitalization of its work,

Recognizing the role of the General Assembly in addressing issues of peace and security, in accordance with the Charter of the United Nations;

Recognizing also the need to further enhance the role, authority, effectiveness and efficiency of the General Assembly,

Noting the important role and the activities of the Office of the President of the General Assembly,

1. *Welcomes* the report of the Ad Hoc Working Group on the Revitalization of the General Assembly;

2. *Decides* to establish, at its sixty-fifth session, an ad hoc working group on the revitalization of the General Assembly, open to all Member States:

(a) To identify further ways to enhance the role, authority, effectiveness and efficiency of the Assembly, inter alia, by building on previous resolutions and evaluating the status of their implementation;

(b) To submit a report thereon to the Assembly at its sixty-fifth session;

3. *Also decides* that the Ad Hoc Working Group, at the sixty-fifth session, shall undertake a comprehensive review of the inventory contained in the annex to the report of the Ad Hoc Working Group submitted at the sixty-third session, and requests the Secretary-General to submit an update of the provisions of the General Assembly resolutions on revitalization that have been addressed to the Secretariat for implementation that have not yet been implemented, with an indication of the constraints and reasons that are behind any lack of implementation, for further consideration by the Ad Hoc Working Group;

Role and authority of the General Assembly

4. *Reaffirms* the role and authority of the General Assembly, including on questions relating to international peace and security, as stipulated in Articles 10 to 14 and 35 of the Charter of the United Nations, where appropriate, using the procedures set forth in rules 7 to 10 of the rules of procedure of the Assembly which enable swift and urgent action by the Assembly, bearing in mind that the Security Council has primary responsibility for the maintenance of international peace and security in accordance with Article 24 of the Charter;

5. *Welcomes* the holding of thematic debates on current issues of critical importance to the international community, and invites the President of the General Assembly to continue with this practice in consultation with Member States;

6. *Also welcomes* the periodic informal briefings by the Secretary-General to the General Assembly on his priorities, travels and most recent activities, and encourages him to continue with this practice;

7. *Stresses* the importance of ensuring increased cooperation, coordination and exchange of information among the principal organs, and in this regard welcomes the holding of periodic meetings between the Presidents of the General Assembly, the Security Council and the Economic and Social Council;

8. *Welcomes* the practice of the President of the General Assembly of informing Member States about the outcome of these informal meetings through letters on a regular basis, and encourages future Presidents to continue with this practice;

9. *Also welcomes* the improvements that have been made in the quality of the annual reports of the Security Council to the General Assembly, encourages the Council to make further improvements as necessary, and takes note of the holding of informal meetings of the President of the Council with all Member States before the preparation of the report;

10. *Requests* the Secretary-General to submit proposals in the context of the proposed programme budget for the biennium 2012–2013, to review the budget allocation to the Office of the President of the General Assembly in accordance with existing procedures;

11. *Also requests* the Secretary-General to endeavour to ensure, within existing resources, that the President of the General Assembly is provided with proper protocol and security services and adequate office space, with a view to enabling the President to carry out his or her functions in a manner commensurate with the dignity and stature of the Office;

12. *Welcomes* the establishment of the Trust Fund in support of the Office of the President of the General Assembly, and invites Member States to contribute to the Fund;

13. *Invites* the Presidents of the General Assembly to periodically brief Member States on their recent activities, including official travels;

Selection and appointment of the Secretary-General

14. *Reaffirms its commitment* to continuing, in the Ad Hoc Working Group at the sixty-fifth session, in accordance with the provisions of Article 97 of the Charter, its consideration of the revitalization of the role of the General Assembly in the selection and appointment of the Secretary-General, and calls for the full implementation of all relevant resolutions, including, 11(I) of 24 January 1946, 51/241, and 60/286, in particular paragraphs 17 to 22 of the annex thereto, which read as follows:

“17. Recalls Article 97 of the Charter, as well as the provisions of General Assembly resolutions 11(I) of 24 January 1946 and 51/241, as relevant to the role of the Assembly in appointing the Secretary-General, upon the recommendation of the Security Council;

“18. Emphasizes, bearing in mind the provisions of Article 97 of the Charter, the need for the process of selection of the Secretary-General to be inclusive of all Member States and made more transparent and that, in the course of the identification and appointment of the best candidate for the post of Secretary-General, due regard should be given to regional rotation and gender equality, and invites the Security Council to regularly update the General Assembly on the steps it has taken in this regard;

“19. Encourages, without prejudice to the role of the principal organs as enshrined in Article 97 of the Charter, the President of the General Assembly to consult with Member States to identify potential candidates endorsed by a Member State and, upon informing all Member States of the results, to forward those results to the Security Council;

“20. Also encourages formal presentation of candidatures for the position of Secretary-General in a manner that allows sufficient time for interaction with Member States, and requests candidates to present their views to all States members of the General Assembly;

“21. Recalls paragraph 61 of its resolution 51/241, in which it is stated that, in order to ensure a smooth and efficient transition, the Secretary-General should be appointed as early as possible, preferably no later than one month before the date on which the term of the incumbent expires;

“22. Emphasizes the importance of candidates for the post of Secretary-General possessing and displaying, inter alia, commitment to the purposes and principles of the Charter of the United Nations, extensive leadership, and administrative and diplomatic experience;”

Strengthening the institutional memory of the Office of the President of the General Assembly

15. *Welcomes* the submission by the President of the General Assembly to the Ad Hoc Working Group of his views on the strengthening of the institutional memory of the Office of the President of the Assembly, in accordance with paragraph 5 of resolution 63/309;

16. *Takes note* of the recommendations contained in the annex to the report of the Ad Hoc Working Group;

17. *Requests* the outgoing Presidents of the General Assembly to brief their successors on the lessons learned and best practices;

Working methods

18. *Requests* that the General Assembly and its Main Committees, at the sixty-fifth session, in consultation with Member States, make proposals for the further biennialization, triennialization, clustering and elimination of items on the agenda of the Assembly, taking into account the relevant recommendations of the Ad Hoc Working Group, including through the introduction of the sunset clause, with the clear consent of the sponsoring State or States;

19. *Takes note* of the briefing on documentation provided to the Ad Hoc Working Group, and encourages Member States to make full use of the e-services provided by the Secretariat, taking into account the cost savings and the reduced environmental impact that may accrue from this exercise, in order to improve the quality and distribution of documents;

20. *Stresses* the importance of further enhancing public and media awareness of the work and decisions of the General Assembly, and requests continued consideration of this issue in the Special Political and Decolonization Committee (Fourth Committee) at the sixty-fifth session under the item entitled "Questions relating to information";

21. *Decides* that the Ad Hoc Working Group, during the sixty-fifth session of the General Assembly, shall consider options for more time-effective, efficient and secure balloting, reiterating the need to ascertain the credibility, reliability and confidentiality of the balloting process, and requests the Secretariat to submit an update on the latest developments.

On 24 December, by **decision 65/544**, the Assembly decided that the item on the revitalization of its work would remain for consideration during its resumed sixty-fifth (2011) session.

Review of Security Council membership and related matters

On 13 September, the General Assembly, by **decision 64/568**, decided to continue intergovernmental negotiations on Security Council reform in informal plenary of the Assembly's sixty-fifth (2010) session, building on the progress achieved during its sixty-fourth (2009) session, as well as the positions of and proposals made by Member States, while noting the initiatives and efforts of the Assembly President and the Working Group Chairperson, with a view to an early comprehensive reform of the Council. The Assembly also decided to convene the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council during its sixty-fifth session, if Member States so decided, and to include in the agenda of that session an item entitled "Question of equitable representation on and increase in the membership of the Security Council and other matters related to the Security Council".

On 24 December, by **decision 65/544**, the Assembly decided that the agenda item on the equitable repre-

sentation on and increase in the membership of the Security Council and related matters would remain for consideration at its resumed sixty-fifth (2011) session.

Institutional machinery

General Assembly

The General Assembly met throughout 2010. It resumed and concluded its sixty-fourth session and held the major part of its sixty-fifth session. The sixty-fourth session resumed in plenary meetings on 22 January and closed on 14 September. The sixty-fifth session opened on 14 September and continued until its suspension on 14 December.

The Assembly held a High-level Interactive Dialogue on implementation of the International Decade for Action, "Water for Life", 2005–2015, and the realization of the internationally agreed water-related goals (22 March) (see p. 1002); its fourth High-level Dialogue on Financing for Development (23–24 March) (see p. 954); a special commemorative meeting on the occasion of the International Day of Remembrance of the Victims of Slavery and the Transatlantic Slave Trade (25 March) (see p. 749); a special meeting on the occasion of International Mother Earth Day (April 23) (see p. 1043); a special meeting in commemoration of all victims of the Second World War (6 May); a special high-level meeting on crime prevention and criminal justice (17 June); a High-level Plenary Meeting on the Millennium Development Goals (20–22 September) (see p. 813); a high-level meeting as a contribution to the International Year of Biodiversity (22 September) (see p. 1030); a high-level meeting on revitalizing the work of the Conference on Disarmament and taking forward multilateral disarmament negotiations (24 September) (see p. 508); the Mauritius Strategy +5 Review Meeting (Five-year Review of the Mauritius Strategy for the Further Implementation of the Barbados Programme of Action for the Sustainable Development of Small Island Developing States) (24–25 September) (see p. 850); and a commemorative meeting on the fiftieth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples (14 December) (see p. 583). On 6 July, Her Majesty Queen Elizabeth II addressed the General Assembly at its 105th plenary meeting.

Organization of Assembly sessions

Resumed sixty-fourth (2010) session

On 23 February (**decision 64/551**), the General Assembly decided to hold its fourth High-level Dialogue on Financing for Development on 23 and 24 March, instead of 16 and 17 March, as previously decided [YUN 2009, p. 945].

On 25 March, the Assembly decided to convene on that day a special commemorative meeting on the occasion of the International Day of Remembrance of the Victims of Slavery and the Transatlantic Slave Trade (**decision 64/552**). On 15 April, it decided to convene on 22 April a special meeting on the occasion of International Mother Earth Day (**decision 64/556**).

On 13 September, the Assembly, on the proposal of its President, postponed the date of the closure of its sixty-fourth resumed (2010) session from Monday, 13 September, to Tuesday, 14 September (**decision 64/502 B**).

Sixty-fifth session

On 15 April, by **decision 64/555**, the General Assembly decided that the general debate of its sixty-fifth session would be held from 23 to 25 and from 27 to 30 September.

By **decision 65/501** of 14 September, the Assembly authorized a number of subsidiary bodies to meet in New York during the main part of that session. On 17 September, by **decision 65/502**, the Assembly adopted a number of provisions concerning the organization of the sixty-fifth session [A/65/250 & Add.1,2].

In other decisions related to that session, also by decision 64/555 of 15 April, the Assembly decided to hold on 24 and 25 September a high-level meeting to assess progress made in addressing the vulnerabilities of small island developing States through the implementation of the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States, and a high-level meeting, on 22 September, as a contribution to the International Year of Biodiversity.

On 20 September, by **decision 65/504**, the Assembly decided, without setting a precedent, to hear statements by five observers at the end of the high-level plenary meeting of its sixty-fifth session on the MDGs, after representatives of Member States had spoken.

Agenda

During the resumed sixty-fourth (2010) session, the General Assembly, by **decision 64/503 B**, decided to include additional items on the agenda of that session to be considered directly in plenary and to re-open consideration of a number of items and sub-items.

The Assembly decided to defer consideration of, and include in the agenda of its sixty-fifth session, the following items: the situation in the occupied territories of Azerbaijan (**decision 64/562**); preven-

tion of armed conflict (**decision 64/563**); follow-up to the recommendations on administrative management and internal oversight of the Independent Inquiry Committee into the United Nations Oil-for-Food programme (**decision 64/569**); financing of the United Nations Mission in East Timor (**decision 64/570**); the report of the fifty-seventh session of the United Nations Scientific Committee on the Effects of Atomic Radiation, on the recommendation of the Fourth Committee (**decision 64/559**); and the Secretary-General's reports on the updated financial position of closed peacekeeping missions as at 30 June 2008 and 30 June 2009, and the reports thereon of the Advisory Committee on Administrative and Budgetary Questions, on the recommendation of the Fifth Committee (**decision 64/548 B**).

At its sixty-fifth session, on the recommendation of the General Committee [A/65/250 & Add.1,2], the Assembly, by **decision 65/503 A**, adopted the agenda [A/65/251 & Corr.1] and the allocation of agenda items [A/65/252 & Corr.1] for its sixty-fifth session. The Assembly included in the agenda of that session the item "Question of the Comorian island of Mayotte", on the understanding that there would be no consideration of the item by the Assembly until further notice; an additional item entitled "Follow-up to the high-level meeting held on 24 September 2010: revitalizing the work of the Conference on Disarmament and taking forward multilateral disarmament negotiations" and to consider it directly in plenary meeting. It also decided to consider the sub-item entitled "Cooperation between the United Nations and the African Union" at a later date. The Assembly, on 24 December, decided to retain 83 items for consideration during its resumed sixty-fifth (2011) session (**decision 65/544**).

On 8 December, the Assembly included in the provisional agenda of its sixty-sixth (2011) session the item entitled "Role of science and technology in the context of international security and disarmament" (**decision 65/516**), and the item entitled "Missiles" (**decision 65/517**). On the same date, the Assembly included in the provisional agenda of its sixty-seventh (2012) session the item entitled "Maintenance of international security—good-neighbourliness, stability and development in South-Eastern Europe" (**decision 65/515**).

Credentials

The Credentials Committee, at its meeting on 18 November [A/65/583 & Rev.1], had before it a memorandum by the Secretary-General indicating that 137 Member States had submitted the formal credentials of their representatives. Information concerning the representatives of 55 other Member States had also been communicated. On 22 December, the Secretary-General submitted the updated version of the creden-

tials of the representative of Côte d'Ivoire. The Committee, noting the 9 December decision of the African Union to recognize the results proclaimed by the Independent Electoral Commission and Alassane Ouattara as President-elect of Côte d'Ivoire, accepted the updated credentials of the representative of that country.

The Committee adopted a resolution accepting the credentials received, and recommended a draft resolution to the Assembly for adoption. On 23 December, the Assembly, by **resolution 65/237**, approved the Committee's report.

First, Second, Third, Fourth and Sixth Committees

The General Assembly, on 8 December, approved the proposed programme of work and timetable of the First (Disarmament and International Security) Committee for 2011 (**decision 65/518**). It approved the proposed programme of work and timetable of the Fourth (Special Political and Decolonization) Committee on 10 December (**decision 65/522**), the Second (Economic and Financial) Committee on 20 December (**decision 65/529**), and the Third (Social, Humanitarian and Cultural) Committee on 21 December (**decision 65/539**) for the Assembly's sixty-sixth (2011) session, and noted the provisional programme of work adopted by the Sixth (Legal) Committee for that session (**decision 65/511**).

With regard to improving the working methods of the Second Committee, the General Assembly, on 20 December, decided, among other things, to explore possibilities for rationalizing debates on individual agenda items; and to continue efforts to improve its working methods, including the rationalization of its agenda, as requested in resolutions 60/286 [YUN 2006, p. 1586] and 64/301 (see p. 1407), within the framework of the existing item entitled "Revitalization of the work of the General Assembly" (**decision 65/530**).

Security Council

The Security Council held 210 formal meetings, adopted 59 resolutions and issued 30 presidential statements. It considered 46 questions (see APPENDIX IV). The President made 54 statements to the press on behalf of Council members. Monthly assessments of the Council's work in 2010 were issued by the successive Council Presidents [S/2010/107, S/2010/286, S/2010/399, S/2010/275, S/2010/396, S/2010/438, S/2010/439, S/2010/501, S/2010/546, S/2010/668, S/2010/691, S/2011/538]. The Council held an open debate on its working methods on 22 April [S/PV.6300]. In a 2 September note [A/65/300], the Secretary-General, in accordance with Article 12, paragraph 2 of the UN Charter and with the consent of the Council, notified the General Assembly of 83 matters relative to the maintenance of peace and security that were being

dealt with by the Council since his previous annual notification [YUN 2009, p. 1379]. Items with which the Council had ceased to deal had been deleted and were recorded in a summary statement [S/2010/10/Add.9]. The Assembly took note of the Secretary-General's notification on 11 November (**decision 65/509**).

On 12 November, the Assembly took note of the Council's report for the period from 1 August 2009 to 31 July 2010 [A/65/2 & Corr.1] (**decision 65/510**). On 24 December, the Assembly decided that the item on the Council's report would remain for consideration during its resumed sixty-fifth (2011) session (**decision 65/544**).

Economic and Social Council

The Economic and Social Council held its organizational session for 2010 on 19 January and 9 and 12 February; a resumed organizational session on 28 April and 21 May; its special high-level meeting with the Bretton Woods institutions (the World Bank Group and the International Monetary Fund), the World Trade Organization (WTO) and the United Nations Conference on Trade and Development (UNCTAD) on 18 and 19 March; its substantive session from 28 June to 23 July; and its resumed substantive session on 9 September, 25 October, 10 November and 14 and 15 December, all in New York. The Council's work for 2010 was covered in its report to the General Assembly [A/65/3/Rev.1].

On 19 January, the Council elected its Bureau (a President and four Vice-Presidents) for 2010 (see APPENDIX III) and adopted the agenda of its organizational session [E/2010/2 & Add.1 & Corr.1].

On 9 February, the Council approved the provisional agenda and documentation of its 2010 substantive session (**decision 2010/203**), and decided on the working arrangements for that session (**decision 2010/205**). On 28 June, the Council adopted the agenda of its 2010 substantive session [E/2010/100], approved the programme of work and list of documents of that session [E/2010/L.5 & E/2010/L.6], and approved the requests for hearings from non-governmental organizations (NGOs) [E/2010/97] (**decision 2010/210**).

The General Assembly, by **decision 65/544** of 24 December, decided that the report of the Economic and Social Council would remain for consideration during its resumed sixty-fifth (2011) session.

Sessions and segments

During 2010, the Economic and Social Council adopted 38 resolutions and 65 decisions [E/2010/99]. On 9 February, the Council decided that the operational activities segment of its substantive session should be devoted to the progress on and implemen-

tation of General Assembly resolutions 62/208 [YUN 2007, p. 877], 63/232 [YUN 2008, p. 962] and 64/220 [YUN 2009, p. 852] and Economic and Social Council resolution 2009/1 [ibid., p. 847] concerning operational activities for development of the UN system (**decision 2010/206**), and that the high-level meeting with the Bretton Woods institutions, WTO and UNCTAD would be held in New York on 18 and 19 March (**decision 2010/202**).

On 28 April, by **decision 2010/208**, the Council decided that the theme for the humanitarian affairs segment of its 2010 substantive session would be “Strengthening of the coordination of humanitarian assistance”; and that it would convene two panels on humanitarian assistance operations in highly hazardous or insecure and unsafe environments; and strengthening preparedness for humanitarian emergencies and the coordinated provision of humanitarian assistance, in particular addressing the humanitarian needs of the affected populations and the factors that increase susceptibility to humanitarian emergencies. On the same date, it decided that the theme for the item on regional cooperation of its substantive session would be “Gender equality and empowerment of women in the implementation of the Millennium Development Goals” (**decision 2010/207**). The Council also decided that the event to discuss transition from relief to development would be held on 13 July under the title “From relief to recovery, lessons learned from the experience of Haiti”; consist of one panel; and have no negotiated outcome (**decision 2010/209**).

On 10 November, the Council decided that the theme for the thematic discussion of the high-level segment of its 2011 substantive session would be “Current global and national trends and challenges and their impact on education” (**decision 2010/262**).

Work programme

On 9 February, the Economic and Social Council took note of the questions for inclusion in its programme of work for 2011 [E/2010/1], and the list of documents for each agenda item (**decision 2010/204**).

Coordination, monitoring and cooperation

Institutional mechanisms

CEB activities

In its annual overview report for 2010–2011 [E/2011/104], the United Nations System Chief Executives Board for Coordination (CEB) highlighted its activities to enhance system-wide coordination, par-

ticularly efforts to improve coherence and coordination in achieving the MDGs and internationally agreed development goals, and to further cooperation in advancing accountability and transparency in CEB activities.

During the reporting period, the Secretary-General and CEB members welcomed the outcome of the High-level Plenary Meeting on the MDGs (see p. 813). CEB had taken measures, through an integration implementation framework and through the MDGs acceleration framework, to enhance accountability and support country efforts in meeting the MDG targets. It also issued a statement of support to the fourth United Nations Conference on the Least Developed Countries (see p. 846) and indicated its commitment to an effective system-wide response to contribute to the full implementation, monitoring and follow-up of the outcome of the Conference at the national, regional and global levels. In response to a number of issues before it, such as meeting the challenge of climate change, preparing for the 2012 United Nations Conference on Sustainable Development and achieving gender equality and the empowerment of women, CEB sought to strengthen integrated efforts among its three pillars—the High-level Committee on Management, the United Nations Development Group and the High-level Committee on Programmes. With regard to UN development system activities, the report provided an update on the roll-out of the United Nations Development Assistance Frameworks in response to Assembly resolution 62/208 [YUN 2007, p. 877] and development of common country programme documents; the implementation of the management and accountability system; and the provision of technical assistance to the implementation of post-disaster and post-conflict needs assessments. Other CEB activities included giving paramount importance to the safety and security of UN personnel; supporting harmonized business practices in information and communications technology, procurement, human resources and financial management; strengthening support for the implementation of the triennial comprehensive policy review of operational activities for development of the UN system; and focusing system efforts towards initiatives for developing countries. CEB also welcomed UN-Women (see p. 1178) as its newest member.

CEB held two regular sessions in 2010: the first in Vienna (9 April) [CEB/2010/1] and the second in New York (5 November) [CEB/2010/2]. Its principal subsidiary bodies met as follows: the High-level Committee on Management, nineteenth (Turin, Italy, 22–23 February [CEB/2010/3] and twentieth (Washington, D.C., 27–28 September) [CEB/2010/5] sessions; and the High-level Committee on Programmes, nineteenth (Geneva, 3–4 March) [CEB/2010/4] and twentieth (Geneva, 30 September–1 October) [CEB/2010/6] sessions.

CEB report

CPC consideration. The Committee for Programme and Coordination (CPC) [A/65/16] considered the CEB annual overview report for 2009/10 [YUN 2009, p. 1380].

CPC recommended that the General Assembly bring to the Secretary-General's attention the need for CEB to continue enhancing system-wide coordination; and request that, in developing joint crisis initiatives, he should ensure that they were in line with intergovernmental mandates. The Secretary-General encouraged the Board to focus its initiatives on developing countries; ensure that the work of the High-level Advisory Group on Climate Change Financing and the High-level Panel under the Copenhagen Accord did not prejudice the negotiations on the sixteenth Conference of the Parties to the United Nations Framework Convention on Climate Change (see p. 1019); foster dialogue between CEB and Member States; publicize all inter-agency decisions and enhance the quantity and quality of information on the CEB website, in order to improve the Board's transparency and accountability to Member States; and take into account the recommendations of the Joint Inspection Unit (JIU) on the comprehensive review of the implementation of the management and accountability system to take place in 2010. CPC also stressed that the issue of enhanced capacity of resident coordinators in crisis and post-crisis countries had not been considered by the relevant intergovernmental bodies. It recommended that the Secretary-General, in developing measures relating to system-wide coherence and the concept of "One United Nations", should ensure that they were in line with intergovernmental mandates. The Secretary-General should take into consideration the ongoing intergovernmental negotiations relating to system-wide coherence when adopting decisions regarding the harmonization of business practices. CPC reiterated that any criteria and methodology for the comprehensive evaluation of the eight "Delivering as one" pilot projects should first be approved by the Assembly and that UN support to those projects should not prejudice the outcome of the Assembly's deliberations on system-wide coherence. It recommended that the Assembly bring to the Secretary-General's attention the need to better address the issue of increasing the participation of developing countries and countries with economies in transition in the Organization's procurement process. CPC encouraged CEB to strengthen cooperation with the International Civil Service Commission (ICSC) and JIU through the more frequent participation of those bodies in the meetings of the High-level Committees on Management and on Programmes and the United Nations Development Group.

The Economic and Social Council took note of the report on 16 July (**decision 2010/211**).

Programme coordination

The Committee for Programme and Coordination held its organizational meeting (29 April) and its fiftieth session (7 June–2 July) in New York [A/65/16].

CPC considered the programme performance of the United Nations for the 2008–2009 biennium (see p. 1447); the proposed strategic framework for the period 2012–2013 (see p. 1446); the triennial review of the implementation of recommendations made by the Committee at its forty-seventh session on the in-depth evaluation of political affairs (see p. 1447); coordination questions, including the CEB annual report for 2009/2010 (see above); the New Partnership for Africa's Development (see p. 908); and reports of the JIU.

The Economic and Social Council took note of the CPC report on its fiftieth session on 16 July (**decision 2010/211**).

Other matters

Follow-up to international conferences

In response to Economic and Social Council resolution 2009/29 [YUN 2009, p. 1382], the Secretary-General, in June [A/65/84-E/2010/90], updated his previous report [ibid.] on the Council's role in the integrated and coordinated implementation of the outcomes of and follow-up to major UN conferences and summits. The report illustrated developments in the integrated follow-up to conferences, including preparations for the Assembly's High-level Plenary Meeting on the MDGs (see p. 813) and follow-up at the country and intergovernmental levels. It also reviewed civil society and private sector participation in UN conferences and summits; efforts to streamline the Council's programme of work at its substantive session; and the scope and periodicity of future reporting of the Secretary-General.

The Secretary-General recommended that Member States designate the Council as the intergovernmental mechanism to review the implementation of the outcome of the 2010 High-level Plenary Meeting on the MDGs (see p. 814), particularly through the annual ministerial review and the Development Cooperation Forum, as well as assess the value of holding that Forum annually rather than biennially; decide that, in preparation for the annual ministerial review, meetings should be convened in all five regions to highlight issues of particular concern to them and to strengthen the link between country-level operations, regional activities and global-level discussions; and promote the Economic and Social Council's informal Special Event on Philanthropy and the Global Public Health Agenda to strengthen dialogue and partnership with the philanthropic and private communities for accelerating progress in achieving the MDGs.

The question of integrated conference follow-up should be included in the Secretary-General's report prepared for the annual ministerial review, or considered every five years to ensure that the Secretary-General's comprehensive report on the Council's role in integrated conference follow-up coincided with the five-year review cycle of the MDGs. The Council should also review the scope and periodicity of the report in connection with the review by the Assembly of resolution 61/16 [YUN 2006, p. 1589] on the strengthening of the Council. The Council's agenda and programme of work for the substantive session should be examined to avoid duplication and overlap between its coordination and general segments when reviewing the implementation of resolution 61/16 at the Assembly's sixty-fifth (2010) session.

On 23 July, by **decision 2010/252**, the Council took note of the report and decided that the scope and periodicity of future reports on the subject should be analysed in connection with the Assembly's review of the implementation of resolution 61/16.

On 24 December, by **decision 65/544**, the Assembly decided that the agenda item on the integrated and coordinated implementation of and follow-up to the outcomes of the major UN conferences and summits in the economic, social and related fields would remain for consideration during its resumed sixty-fifth (2011) session.

UN and other organizations

Cooperation with organizations

In response to General Assembly resolution 58/316 [YUN 2004, p. 1374], the Secretary-General submitted a September consolidated report [A/65/382-S/2010/490] on cooperation between the United Nations and regional and other organizations, including the African Union (see p. 111); the Asian-African Legal Consultative Organization; the Association of Southeast Asian Nations (see p. 982); the Black Sea Economic Cooperation Organization (see p. 986); the Caribbean Community (see p. 335); the Collective Security Treaty Organization (see p. 432); the Community of Portuguese-speaking Countries (see below); the Council of Europe (see p. 433); the Economic Community of Central African States (see p. 974); the Economic Cooperation Organization (see p. 979); the Eurasian Economic Community (see p. 985); the International Organization of la Francophonie; national parliaments and the Inter-Parliamentary Union (see p. 1417); the Latin American Economic System (see p. 993); the League of Arab States (see p. 1415); the Organization for the Prohibition of Chemical Weapons (see p. 553); the Organization for

Security and Cooperation in Europe (see p. 436); the Organization of American States; the Organization of the Islamic Conference (see p. 1419); the Pacific Islands Forum (see p. 979); the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization (see p. 529); the Shanghai Cooperation Organization (see p. 1421); and the Southern African Development Community (see p. 111).

On 24 December, by **decision 65/544**, the Assembly decided that the agenda item on cooperation between the United Nations and regional and other organizations would remain for consideration during its resumed sixty-fifth (2011) session.

Community of Portuguese-speaking countries

In his consolidated report on cooperation between the United Nations, regional and other organizations [A/65/382-S/2010/490], the Secretary-General reviewed cooperation activities between the United Nations and the Community of Portuguese-speaking countries, which was a member of the Guinea-Bissau Configuration of the United Nations Peacebuilding Commission (see p. 230). The Food and Agriculture Organization of the United Nations had increased its assistance to the Community through cooperation agreements, particularly in the field of land tenure and land management. The United Nations Institute for Training and Research and the Community signed a memorandum of understanding in 2009 on capacity development actions regarding human rights, environmental projects, and programmes to strengthen institutional capacity to reinforce public administration in Portuguese-speaking countries. In 2010, the Community and the Joint United Nations Programme on HIV/AIDS (UNAIDS) formalized their cooperation in response to AIDS in countries of the Community through a memorandum of understanding. Each year, the International Day of the Portuguese Language was celebrated at the United Nations Educational, Scientific and Cultural Organization headquarters.

GENERAL ASSEMBLY ACTION

On 16 December [meeting 68], the General Assembly adopted **resolution 65/139** [draft: A/65/L.23/Rev.2 & Add.1] without vote [agenda item 122 (g)].

Cooperation between the United Nations and the Community of Portuguese-speaking Countries

The General Assembly,

Recalling its resolution 54/10 of 26 October 1999, by which it granted observer status to the Community of Portuguese-speaking Countries and considered it mutually advantageous to provide for cooperation between the United Nations and the Community, as well as its resolutions 59/21 of 8 November 2004, 61/223 of 20 December 2006 and 63/143 of 11 December 2008,

Recalling also the Articles of the Charter of the United Nations, in particular of Chapter VIII, that encourage activities through regional cooperation for the promotion of the purposes and principles of the United Nations, and Security Council resolution 1809(2008) of 16 April 2008 on peace and security in Africa,

Considering that the activities of the Community of Portuguese-speaking Countries complement and support the work of the United Nations,

Considering also the relevance of the Portuguese language in international affairs, unifying 240 million people in eight countries and four continents, and noting the political commitment of the Community of Portuguese-speaking Countries to promote the Portuguese language in international and regional organizations, including the United Nations and its specialized agencies, funds and programmes,

Welcoming the celebration by the United Nations Educational, Scientific and Cultural Organization, for the fifth consecutive year, of Portuguese Language Day, on 12 May 2010,

1. *Notes with appreciation* the outcome of the eighth Conference of Heads of State and Government of the Community of Portuguese-speaking Countries, held in Luanda on 23 July 2010, under the theme “Solidarity in the diversity of the lusophone space”, which emphasizes its cultural diversity and socio-economic development, the importance of solidarity in the political and diplomatic arenas, aid to development and the promotion and dissemination of the Portuguese language, which is a unifying factor among the eight States members of the Community and their 240 million inhabitants whose official language is Portuguese;

2. *Stresses* the importance of reinforcing synergies between the Community of Portuguese-speaking Countries and United Nations specialized agencies and other entities and programmes and regional and subregional organizations that have a direct impact on Portuguese-speaking countries;

3. *Expresses satisfaction* with the strengthening of cooperation between the Community of Portuguese-speaking Countries and United Nations specialized agencies and other entities and programmes, in particular the Office of the United Nations High Commissioner for Human Rights, the United Nations Educational, Scientific and Cultural Organization, the Food and Agriculture Organization of the United Nations, the International Fund for Agricultural Development, the International Labour Organization, the World Intellectual Property Organization, the World Health Organization and the Joint United Nations Programme on HIV/AIDS;

4. *Welcomes* the signature, on 30 July 2009, of a co-operation agreement between the Executive Secretariat of the Community of Portuguese-speaking Countries and the United Nations Institute for Training and Research to jointly develop and implement capacity-building and training projects in the fields of human rights, the environment, public administration and leadership training for young people;

5. *Also welcomes* the signature of two memorandums of understanding related to the health sector between the Community of Portuguese-speaking Countries and the United Nations system, namely the World Health Organization, on 18 January 2010, to provide technical sup-

port for the implementation of the Community’s Strategic Health Cooperation Plan, and the Joint United Nations Programme on HIV/AIDS, on 17 March 2010, which outlines the terms and conditions for cooperation between the two organizations with the aim of ensuring universal access to HIV prevention, treatment and care, in accordance with the objectives of the Community’s Strategic Health Cooperation Plan 2009–2012 and the Joint United Nations Programme on HIV/AIDS Outcome Framework 2009–2011;

6. *Notes with appreciation* the signature of the memorandum of understanding between the Community of Portuguese-speaking Countries and the Alliance of Civilizations, on 6 April 2009 in Istanbul, Turkey, whereby the Community is to promote the objectives and activities of the Alliance;

7. *Recognizes* the importance of the decision of the Community of Portuguese-speaking Countries, taken in Luanda in May 2009, to create centres of excellence for the training of trainers in the area of peacekeeping operations, with a view to continuing and, where possible, further enhancing the contributions of States members of the Community to United Nations peacekeeping operations;

8. *Notes with appreciation* the approval of the Community of Portuguese-speaking Countries’ strategic workplan for the oceans, in March 2010, which will allow for a better interaction on sea matters with entities of the United Nations system, namely the Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific and Cultural Organization;

9. *Acknowledges* the relevance of the inaugural meeting of the Parliamentary Assembly of the Community of Portuguese-speaking Countries, held in Sao Tome on 27 and 28 April 2009, and of the second meeting, held in Lisbon from 8 to 10 March 2010;

10. *Welcomes* the efforts made by the Community of Portuguese-speaking Countries and the international community to consolidate political stability in Guinea-Bissau, and recognizes the positive role played by the Peacebuilding Commission in this regard;

11. *Requests* the Secretary-General to submit to the General Assembly at its sixty-seventh session a report on the implementation of the present resolution;

12. *Decides* to include in the provisional agenda of its sixty-seventh session the sub-item entitled “Cooperation between the United Nations and the Community of Portuguese-speaking Countries”.

League of Arab States

In his consolidated report on cooperation between the United Nations, regional and other organizations [A/65/382-S/2010/490], the Secretary-General reviewed cooperation activities between the United Nations and the League of Arab States (LAS). Consultations with the LAS Secretary-General focused on conflict prevention, peacekeeping, peacebuilding and the fight against terrorism. LAS impressed upon parties to the Comprehensive Peace Agreement in the Sudan [YUN 2005, p. 301] the need to expedite preparations for the forthcoming referendums, and hosted several meetings of the UN-chaired International Contact

Group on Somalia. The United Nations and LAS assisted Lebanon to affirm its sovereignty, territorial integrity and political independence, and the League's engagement on Iraq focused on the electoral process and promotion of political dialogue and national reconciliation. The Economic and Social Commission for Western Asia and LAS prepared a convention on multimodal transport and drafted a joint regional report on the attainment of the MDGs in the Arab region. The United Nations International Strategy for Disaster Reduction provided technical support, guidance and policy advice to LAS on establishing the Regional Centre for Disaster Risk Reduction–Training and Research. Collaboration between the United Nations Development Programme (UNDP) and LAS included sponsorship of editions of the Arab Human Development Report and support for the establishment of a “crisis centre” within LAS to coordinate crisis prevention and response measures. LAS, the Counter-Terrorism Implementation Task Force and the Executive Directorate of the Counter-Terrorism Committee worked together on initiatives to implement the United Nations Global Counter-Terrorism Strategy.

GENERAL ASSEMBLY ACTION

On 13 December [meeting 64], the General Assembly adopted **resolution 65/126** [draft: A/65/L.33] without vote [agenda item 122 (o)].

Cooperation between the United Nations and the League of Arab States

The General Assembly,

Recalling its previous resolutions on cooperation between the United Nations and the League of Arab States,

Having considered the report of the Secretary-General on cooperation between the United Nations and regional and other organizations,

Recalling article 3 of the Pact of the League of Arab States, which entrusts the Council of the League with the function of determining the means whereby the League will collaborate with the international organizations which may be created in the future to guarantee peace and security and organize economic and social relations,

Noting the desire of both organizations to consolidate, develop and enhance further the ties existing between them in the political, economic, social, humanitarian, cultural, technical and administrative fields, and to build the capacities of persons working in those fields,

Taking into consideration the report of the Secretary-General entitled “An Agenda for Peace” and, in particular, section VII concerning cooperation with regional arrangements and organizations, and the “Supplement to an Agenda for Peace”,

Convinced of the need for more efficient and coordinated utilization of available economic and financial resources in order to promote the common objectives of the two organizations,

Recognizing the need for the further strengthening of cooperation between the United Nations system and the League of Arab States and its specialized organizations for the realization of the common goals and objectives of the two organizations,

1. *Takes note with satisfaction* of the report of the Secretary-General;

2. *Commends* the continued efforts of the League of Arab States to promote multilateral cooperation among Arab States, and requests the United Nations system to continue to lend its support;

3. *Expresses its appreciation* to the Secretary-General for the follow-up action taken by him to implement the proposals adopted at the meetings between representatives of the Secretariat of the United Nations and other organizations of the United Nations system and the General Secretariat of the League of Arab States and its specialized organizations, including the general meeting on cooperation that was held in 2008 and the sectoral meeting in 2009 on the theme of climate change;

4. *Requests* the Secretariat of the United Nations and the General Secretariat of the League of Arab States, within their respective fields of competence, to intensify further their cooperation for the realization of the purposes and principles embodied in the Charter of the United Nations, the strengthening of international peace and security, economic and social development, disarmament, decolonization, self-determination and the eradication of all forms of racism and racial discrimination;

5. *Requests* the Secretary-General to continue his efforts to strengthen cooperation and coordination between the United Nations and other organizations and agencies of the United Nations system and the League of Arab States and its specialized organizations in order to enhance their capacity to serve the mutual interests and objectives of the two organizations in the political, economic, social, humanitarian, cultural, administrative and technical fields;

6. *Calls upon* the specialized agencies and other organizations and programmes of the United Nations system:

(a) To continue to cooperate with the Secretary-General and among themselves, as well as with the League of Arab States and its specialized organizations, in the follow-up of multilateral proposals aimed at strengthening and expanding cooperation in all fields between the United Nations system and the League of Arab States and its specialized organizations;

(b) To strengthen the capacity of the League of Arab States and of its institutions and specialized organizations to benefit from globalization and information technology and meet development challenges;

(c) To intensify cooperation and coordination with the specialized organizations of the League of Arab States in the organization of seminars and training courses and in the preparation of studies;

(d) To maintain and increase contacts and improve the mechanism of consultation with the counterpart programmes, organizations and agencies concerned regarding projects and programmes in order to facilitate their implementation;

(e) To participate whenever possible with organizations and institutions of the League of Arab States in the

execution and implementation of development projects in the Arab region;

(f) To inform the Secretary-General of the progress made in their cooperation with the League of Arab States and its specialized organizations and, in particular, of the follow-up action taken on the multilateral and bilateral proposals adopted at the previous meetings between the two organizations;

7. *Also calls upon* the specialized agencies and other organizations and programmes of the United Nations system to increase their cooperation with the League of Arab States and its specialized organizations in the priority sectors of finance and banking, promotion of the role of the private sector, development of the agricultural sector, food security, housing, new and renewable energy, climate change, industrial development, trade, finance and investment, transport and communications, communications and information technology, statistical data and databases, achievement of the Millennium Development Goals by 2015, education and scientific research, health services, curbing unemployment, migration, youth, women, nuclear energy and civil society;

8. *Requests* the Secretary-General of the United Nations, in cooperation with the Secretary-General of the League of Arab States, to encourage periodic consultation between representatives of the Secretariat of the United Nations and of the General Secretariat of the League of Arab States in order to review and strengthen coordination mechanisms with a view to accelerating implementation of, and follow-up action on, the multilateral projects, proposals and recommendations adopted at the meetings between the two organizations;

9. *Recommends* that the United Nations and all organizations of the United Nations system make the greatest possible use of Arab institutions and technical expertise in projects undertaken in the Arab region;

10. *Reaffirms* that, in order to enhance cooperation and for the purpose of the review and appraisal of progress, a general meeting between representatives of the United Nations system and the League of Arab States should be held once every two years and that joint inter-agency sectoral meetings should also be convened on a biennial basis to address priority areas of major importance to the development of Arab States, on the basis of agreement between the United Nations system and the League of Arab States and its specialized organizations;

11. *Also reaffirms* the importance of holding the sectoral meeting between the United Nations and the League of Arab States and its specialized organizations during 2011 and also of holding the general meeting on cooperation between representatives of the secretariats of the organizations of the United Nations system and the General Secretariat of the League of Arab States and its specialized organizations during 2012;

12. *Requests* the Secretary-General to submit to the General Assembly at its sixty-seventh session a report on the implementation of the present resolution;

13. *Decides* to include in the provisional agenda of its sixty-seventh session the sub-item entitled "Cooperation between the United Nations and the League of Arab States".

National parliaments and the Inter-Parliamentary Union

In his consolidated report on cooperation between the United Nations, regional and other organizations [A/65/382-S/2010/490], the Secretary-General reported on cooperation activities between the United Nations and national parliaments and the Inter-Parliamentary Union (IPU). The Third World Conference of Speakers of Parliament (Geneva, 21 July) adopted a Declaration on Securing Global Democratic Accountability for the Common Good, which reaffirmed the commitment of national parliaments and IPU to support the work of the United Nations and continue efforts to fill a "democracy gap" in international relations. At the time of the Speakers' conference, IPU released a global survey on how national parliaments worked with the United Nations. It showed that while parliamentary engagement with the United Nations had grown, the potential for interaction remained largely untapped, particularly at the country level. The IPU Committee on United Nations Affairs continued its work during the second IPU assemblies in 2008 and 2009. The Committee's Advisory Group closely followed the "One United Nations" reform process and undertook field missions to pilot countries to help facilitate parliamentary involvement in national development strategies. In 2010, IPU and UNDP signed a new memorandum of understanding expanding the scope of joint activities, and two annual Joint IPU-UN Parliamentary Hearings were held in 2008 and 2009. The report also reviewed cooperation between the UN and IPU with regard to major UN events, peace and security, economic, social and environmental development, democracy and human rights, and gender issues.

Communication. On 10 August [A/65/289], Namibia, on behalf of the IPU Presidency, transmitted the following texts adopted at the third World Conference of Speakers of Parliament: the Declaration adopted by the Conference; the report on how parliamentarians organized their work with the United Nations; the report on strengthening IPU and its relationship with the United Nations; and the report on building global standards for democratic parliaments.

GENERAL ASSEMBLY ACTION

On 13 December [meeting 64], the General Assembly adopted **resolution 65/123** [draft: A/65/L.11 & Add.1] without vote [agenda item 122 (m)].

Cooperation between the United Nations, national parliaments and the Inter-Parliamentary Union

The General Assembly,

Having considered the report of the Secretary-General of 20 September 2010, which attests to the broad and sub-

stantive cooperation between the United Nations and the Inter-Parliamentary Union over the past two years,

Taking note of the resolutions adopted by the Inter-Parliamentary Union and circulated in the General Assembly and the many activities undertaken by the organization in support of the United Nations,

Taking note also of the outcome of the Third World Conference of Speakers of Parliament, including the Declaration on Securing Global Democratic Accountability for the Common Good, which reaffirms the commitment of national parliaments and the Inter-Parliamentary Union to support the work of the United Nations and continue efforts to bridge the democracy gap in international relations,

Taking note further of the findings and recommendations of the report of the Inter-Parliamentary Union on how parliaments organize their work with the United Nations,

Welcoming the annual parliamentary hearings at the United Nations as joint United Nations-Inter-Parliamentary Union events during the sessions of the General Assembly, as well as other specialized parliamentary meetings organized by the Inter-Parliamentary Union in cooperation with the United Nations in the context of major United Nations conferences and events,

Taking into consideration the Cooperation Agreement between the United Nations and the Inter-Parliamentary Union of 1996, which laid the foundation for cooperation between the two organizations,

Recalling the United Nations Millennium Declaration, as well as the 2005 World Summit Outcome, in which Heads of State and Government resolved to strengthen further cooperation between the United Nations and national parliaments through their world organization, the Inter-Parliamentary Union, in all fields of the work of the United Nations, including the effective implementation of United Nations reform,

Recalling also its resolution 57/32 of 19 November 2002, in which the Inter-Parliamentary Union was invited to participate in the work of the General Assembly in the capacity of observer, as well as resolutions 57/47 of 21 November 2002, 59/19 of 8 November 2004, 61/6 of 20 October 2006 and 63/24 of 18 November 2008,

Welcoming the close cooperation between the Inter-Parliamentary Union and the Peacebuilding Commission in fostering political dialogue and building national capacities for good governance,

Welcoming also the contribution of the Inter-Parliamentary Union in shaping the agenda and work of the new Development Cooperation Forum held by the Economic and Social Council,

Recognizing the importance of the provision of continued parliamentary support to the work of the Human Rights Council,

Recognizing also the work of the Inter-Parliamentary Union in the areas of gender equality, the empowerment of women and combating violence against women, and the close and systematic cooperation between the Inter-Parliamentary Union and the relevant United Nations bodies, including the Commission on the Status of Women and the Committee on the Elimination of Discrimination against Women,

Acknowledging the role and responsibility of national parliaments in regard to national plans and strategies, as well as in ensuring greater transparency and accountability,

1. *Welcomes* the efforts made by the Inter-Parliamentary Union to provide for a greater parliamentary contribution and enhanced support to the United Nations;

2. *Encourages* the United Nations and the Inter-Parliamentary Union to continue to cooperate closely in various fields, in particular peace and security, economic and social development, international law, human rights and democracy and gender issues, bearing in mind the significant benefits of cooperation between the two organizations, to which the report of the Secretary-General attests;

3. *Encourages* the Inter-Parliamentary Union to strengthen further its contribution to the work of the General Assembly, including its revitalization, and in relation to the process of United Nations reform and system-wide coherence;

4. *Invites* the Peacebuilding Commission to continue to work closely with the Inter-Parliamentary Union in engaging national parliaments in the countries under consideration by the Commission in efforts to promote democratic governance, national dialogue and reconciliation;

5. *Encourages* the Inter-Parliamentary Union to continue to work closely with the Development Cooperation Forum and bring a robust parliamentary contribution to the Forum process and the broader development cooperation agenda, including in the context of the current Economic and Social Council reform process;

6. *Also encourages* the Inter-Parliamentary Union to continue its efforts in mobilizing parliamentary support and action towards the achievement of the Millennium Development Goals by the target date of 2015;

7. *Further encourages* the Inter-Parliamentary Union to strengthen its contribution to the United Nations human rights treaty body system and to the Human Rights Council, particularly as it relates to the universal periodic review of the fulfilment of human rights obligations and commitments by Member States;

8. *Invites* the new United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) to work closely with the Inter-Parliamentary Union in such areas as the empowerment of women, institutional gender mainstreaming, support to parliaments in promoting gender-sensitive legislation, combating violence against women and the implementation of relevant United Nations resolutions;

9. *Encourages* the Inter-Parliamentary Union to further assist in developing closer cooperation between the United Nations and parliaments at the national level, including in terms of strengthening parliamentary capacities, reinforcing the rule of law and helping to align national legislation with international commitments;

10. *Welcomes* the growing practice of including legislators as members of national delegations to major United Nations meetings and events, as appropriate, and invites Member States to continue this practice in a more regular and systematic manner;

11. *Calls for* the further development of the annual parliamentary hearings at the United Nations as a joint United Nations-Inter-Parliamentary Union event and for

the circulation of the hearings summary report as a document of the General Assembly;

12. *Decides* more systematically to engage with the Inter-Parliamentary Union in organizing and integrating a parliamentary component of and contribution to major United Nations deliberative processes and the review of international commitments;

13. *Welcomes* the proposal for a regular annual exchange between the United Nations System Chief Executives Board for Coordination and the senior leadership of the Inter-Parliamentary Union, with a view to building greater coherence in the work of the two organizations, maximizing parliamentary support for the United Nations and helping to forge a strategic partnership between the two organizations;

14. *Decides*, in recognition of the unique role of national parliaments in support of the work of the United Nations, to include in the provisional agenda of its sixty-sixth session an item entitled "Interaction between the United Nations, national parliaments and the Inter-Parliamentary Union".

Organization of the Islamic Conference

In his consolidated report on cooperation between the United Nations, regional and other organizations [A/65/382-S/2010/490], the Secretary-General, reporting on UN cooperation activities with the Organization of the Islamic Conference (OIC), stated that his meetings with the OIC Secretary-General focused on conflict prevention, peacekeeping, peacebuilding, the fight against terrorism, and the activities of the Alliance of Civilizations. OIC officials participated in UN seminars and other training opportunities in conflict prevention, negotiations, mediation and elections. The 2010 general meeting on cooperation between the United Nations and OIC (Istanbul, Turkey, 29 June–1 July) reviewed joint activities undertaken since 2008; outlined follow-up mechanisms; and agreed to focus future collaboration on conflict prevention, capacity-building electoral assistance, counter-terrorism, fighting extremism and countering Islamophobia. The United Nations also worked with OIC to restore peace and security in Somalia. OIC hosted the International Contact Group meeting on Somalia in Jeddah in 2009 [YUN 2009, p. 271], at which it announced the opening of an office in Mogadishu to assist in Somalia's reconstruction. Links between OIC and the Alliance of Civilizations were reinforced by the signing of a memorandum of understanding in 2009, as well as the signing of a two-year action plan on cooperation and interaction (2010–2012) during the Rio de Janeiro Forum in 2010. OIC was active in the work of the Peacebuilding Commission in Sierra Leone, specifically in resource mobilization, and joint efforts by the Economic and Social Commission for Western Asia and OIC were conducted in the areas of sustainable development, financing for development, transport and trade.

GENERAL ASSEMBLY ACTION

On 16 December [meeting 68], the General Assembly adopted **resolution 65/140** [draft: A/65/L.43 & Add.1] without vote [agenda item 122 (s)].

Cooperation between the United Nations and the Organization of the Islamic Conference

The General Assembly,

Recalling its resolutions 37/4 of 22 October 1982, 38/4 of 28 October 1983, 39/7 of 8 November 1984, 40/4 of 25 October 1985, 41/3 of 16 October 1986, 42/4 of 15 October 1987, 43/2 of 17 October 1988, 44/8 of 18 October 1989, 45/9 of 25 October 1990, 46/13 of 28 October 1991, 47/18 of 23 November 1992, 48/24 of 24 November 1993, 49/15 of 15 November 1994, 50/17 of 20 November 1995, 51/18 of 14 November 1996, 52/4 of 22 October 1997, 53/16 of 29 October 1998, 54/7 of 25 October 1999, 55/9 of 30 October 2000, 56/47 of 7 December 2001, 57/42 of 21 November 2002, 59/8 of 22 October 2004, 61/49 of 4 December 2006 and 63/114 of 5 December 2008,

Recalling also its resolution 3369(XXX) of 10 October 1975, by which it decided to invite the Organization of the Islamic Conference to participate in the sessions and the work of the General Assembly and of its subsidiary organs in the capacity of observer,

Welcoming the efforts of the Organization of the Islamic Conference, which have been undertaken in coordination with the United Nations and in full respect of the Charter of the United Nations, in strengthening its role in conflict prevention, confidence-building, peacekeeping, conflict resolution and post-conflict rehabilitation, including conflict situations involving Muslim communities,

Noting the adoption by the Islamic Summit Conference at its third extraordinary session, held in Mecca, Saudi Arabia, on 7 and 8 December 2005, of the Ten-year Programme of Action to Meet the Challenges Facing the Muslim Ummah in the Twenty-first Century and the adoption on 14 March 2008 by the Islamic Summit Conference at its eleventh session, held in Dakar on 13 and 14 March 2008, of the amended Charter of the Organization of the Islamic Conference,

Having considered the report of the Secretary-General on cooperation between the United Nations and regional and other organizations,

Taking into account the desire of the two organizations to continue to cooperate closely in the political, economic, social, humanitarian, cultural and scientific fields and in their common search for solutions to global problems, such as questions relating to international peace and security, disarmament, self-determination, the promotion of a culture of peace through dialogue and cooperation, decolonization, fundamental human rights, economic and social development, and combating international terrorism,

Recalling the Articles of the Charter of the United Nations that encourage activities through regional cooperation for the promotion of the purposes and principles of the United Nations,

Noting that the Secretary-General, in his report, recognizes the strengthening of practical cooperation and the building of complementarity between the United Nations, its specialized agencies, funds and programmes and the

Organization of the Islamic Conference, its subsidiary organs and its specialized and affiliated institutions,

Noting also the encouraging progress made in the ten priority areas of cooperation between the two organizations and their respective agencies and institutions, as well as in the identification of other areas of cooperation between them,

Noting further that the Secretaries-General of the two organizations have met regularly and consultations among senior officials of the two organizations have enhanced cooperation,

Convinced that the strengthening of cooperation between the United Nations and other organizations of the United Nations system and the Organization of the Islamic Conference and its organs and institutions contributes to the promotion of the purposes and principles of the United Nations,

Taking note of the results of the general meeting of the organizations and agencies of the United Nations system and the Organization of the Islamic Conference and its subsidiary organs and specialized and affiliated institutions, held in Istanbul, Turkey, from 29 June to 1 July 2010, to review and appraise the level of cooperation in the fields of international peace and security, science and technology, trade and development, implementation of the Millennium Development Goals, protection of and assistance to refugees, human rights, human resource development, food security and agriculture, environment, health and population, arts and crafts, and the promotion of heritage, and of the fact that these meetings are now being held every two years, with the next one scheduled for 2012,

Recalling that the Organization of the Islamic Conference remains an important partner of the United Nations in peace, security and the fostering of a culture of peace at the global level, and noting various decisions reached by the two sides, including the agreement to continue cooperation in conflict prevention and resolution, peacekeeping and peacebuilding, combating international terrorism, fighting extremism, countering religious intolerance, including Islamophobia, promoting and protecting all human rights and fundamental freedoms for all, humanitarian assistance and capacity-building in electoral assistance, and the agreement to improve the follow-up mechanism,

Taking note of the contribution of the Organization of the Islamic Conference in promoting intercultural dialogue and understanding within the framework of the United Nations Alliance of Civilizations and other initiatives in this regard,

Taking note with appreciation of the close and multifaceted cooperation between the specialized agencies of the United Nations and the specialized and affiliated institutions of the Organization of the Islamic Conference with a view to strengthening the capacities of the two organizations in addressing challenges to development and social progress, including ongoing discussions between the United Nations Children's Fund and the Organization of the Islamic Conference on formalizing their partnership through specific initiatives linked to the Millennium Development Goals, as part of the Organization of the Islamic Conference Ten-year Programme of Action to Meet the Challenges Facing the Muslim Ummah in the Twenty-first Century,

Welcoming the existing cooperation between the Organization of the Islamic Conference and the Office for the Coordination of Humanitarian Affairs of the Secretariat, including dialogue between the two entities on reaching out to non-governmental organizations and other humanitarian actors in States members of the Organization of the Islamic Conference as well as participation in joint activities and events and information-sharing, with a view to furthering proactive engagement and implementing concrete programmes in capacity-building, emergency assistance and strategic partnerships,

Noting the request of the Organization of the Islamic Conference for greater interaction between the secretariats of the United Nations and the Organization of the Islamic Conference extending beyond the current biennial arrangement so as to include periodic reviews of cooperation, in the light of the expanding areas of cooperation between the two organizations,

Noting with appreciation the determination of the two organizations to strengthen further the existing cooperation by developing specific proposals in the designated priority areas of cooperation, as well as in the political field,

1. *Takes note with satisfaction* of the report of the Secretary-General;

2. *Urges* the United Nations system to cooperate with the Organization of the Islamic Conference in areas of mutual interest, as appropriate;

3. *Notes with satisfaction* the active participation of the Organization of the Islamic Conference in the work of the United Nations towards the realization of the purposes and principles embodied in the Charter of the United Nations;

4. *Affirms* that the United Nations and the Organization of the Islamic Conference share a common goal of promoting and facilitating the Middle East peace process so that it can reach its objective of establishing a just and comprehensive peace in the Middle East;

5. *Requests* the United Nations and the Organization of the Islamic Conference to continue to cooperate in their common search for solutions to global problems, such as questions relating to international peace and security, disarmament, self-determination, promotion of a culture of peace through dialogue and cooperation, decolonization, human rights and fundamental freedoms, terrorism, capacity-building, health-related issues such as combating pandemic and endemic diseases, emergency relief and rehabilitation and technical cooperation;

6. *Requests* the secretariats of the two organizations to strengthen cooperation in addressing the social and economic issues that affect the efforts of Member States to eradicate poverty and achieve sustainable development and the internationally agreed development goals, including the Millennium Development Goals;

7. *Welcomes* the efforts of the United Nations and the Organization of the Islamic Conference to continue to strengthen cooperation between the two organizations in areas of common concern and to review and explore innovative ways and means of enhancing the mechanisms of such cooperation;

8. *Also welcomes* the cooperation between the Special Unit for South-South Cooperation hosted by the United Nations Development Programme and the Organization of the Islamic Conference and its specialized and affiliated

institutions in promoting South-South cooperation in areas of common interest;

9. *Encourages* the United Nations and the Organization of the Islamic Conference, as well as their subsidiary, specialized and affiliated institutions, to intensify actions in creating bilateral frameworks for cooperation in the area of human and industrial capacity development, trade promotion, transportation and tourism;

10. *Invites* the United Nations system to cooperate with the Organization of the Islamic Conference and its member States in their efforts to implement the internationally agreed development goals, including the Millennium Development Goals;

11. *Welcomes with appreciation* the continuing cooperation between the United Nations and the Organization of the Islamic Conference in the fields of peacemaking, preventive diplomacy, peacekeeping and peacebuilding, and notes the close cooperation between the two organizations in reconstruction and development in Afghanistan, Bosnia and Herzegovina, Sierra Leone and Somalia;

12. *Appreciates* the hosting by the Organization of the Islamic Conference, at its General Secretariat in Jeddah, Saudi Arabia, on 17 December 2009, of the sixteenth meeting of the International Contact Group on Somalia, welcomes the recent opening of the Organization of the Islamic Conference Coordination Office in Mogadishu, announced at the seventeenth meeting of the Contact Group, and calls for closer cooperation in the field between the Organization of the Islamic Conference and the United Nations agencies;

13. *Welcomes* the efforts of the secretariats of the two organizations to strengthen information exchange, coordination and cooperation between them in areas of mutual interest in the political field and to develop practical modalities of such cooperation;

14. *Also welcomes* the signing of a memorandum of understanding between the Alliance of Civilizations and the Organization of the Islamic Conference on the sidelines of the second Alliance of Civilizations Forum, held on 6 and 7 April 2009 in Istanbul, and the subsequent signing, on the margins of the third Alliance of Civilizations Forum, held in Rio de Janeiro, Brazil, from 27 to 29 May 2010, of an action plan that aimed at setting out joint plans and programmes to be implemented by the Organization of the Islamic Conference and the Alliance of Civilizations over the period from 2010 to 2012;

15. *Notes with satisfaction* the increasing cooperation between the Organization of the Islamic Conference and the United Nations Educational, Scientific and Cultural Organization, which is marked by the forthcoming opening of the representation office of the former in the latter's headquarters in Paris;

16. *Welcomes* the periodic high-level meetings between the Secretary-General of the United Nations and the Secretary-General of the Organization of the Islamic Conference, as well as between senior secretariat officials of the two organizations, and encourages their participation in important meetings of the two organizations;

17. *Encourages* the specialized agencies and other organizations of the United Nations system to continue to expand their cooperation with the subsidiary organs and specialized and affiliated institutions of the Organization

of the Islamic Conference, particularly in the domains of science and technology, higher education, health and environment, by negotiating cooperation agreements, and through necessary contacts and meetings of the respective focal points for cooperation in priority areas of interest to the United Nations and the Organization of the Islamic Conference;

18. *Urges* the United Nations and other organizations of the United Nations system, especially the lead agencies, to provide increased technical and other forms of assistance to the Organization of the Islamic Conference and its subsidiary organs and specialized and affiliated institutions in order to strengthen their capacities for cooperation;

19. *Expresses its appreciation* to the Secretary-General for his continued efforts to strengthen cooperation and coordination between the United Nations and other organizations of the United Nations system and the Organization of the Islamic Conference and its subsidiary organs and specialized and affiliated institutions to serve the mutual interests of the two organizations in the political, economic, social, cultural, humanitarian and scientific fields;

20. *Requests* the Secretary-General to report to the General Assembly at its sixty-seventh session on the state of cooperation between the United Nations and the Organization of the Islamic Conference;

21. *Decides* to include in the provisional agenda of its sixty-seventh session the sub-item entitled "Cooperation between the United Nations and the Organization of the Islamic Conference".

Shanghai Cooperation Organization

In his consolidated report on cooperation between the United Nations, regional and other organizations [A/65/382-S/2010/490], the Secretary-General reported on cooperation activities between the United Nations and the Shanghai Cooperation Organization (SCO). Contacts between the two organizations continued through inter-agency forums and formats, and the partnership was enhanced in 2010 with the signing in Tashkent, Uzbekistan, of a joint declaration detailing areas of potential cooperation between the two secretariats, including conflict prevention and resolution; the fight against terrorism; preventing the proliferation of weapons of mass destruction and their means of delivery; combating transnational crime; and addressing environmental degradation. The United Nations Regional Centre for Preventive Diplomacy for Central Asia and the SCO secretariat regularly exchanged information on mutual activities and developments in the region. The Economic and Social Commission for Asia and the Pacific continued to work closely with SCO in the implementation of the Busan Declaration and Regional Action Plan on Transport Development in Asia and the Pacific [YUN 2006, p. 1161], as well as the Bangkok Declaration on Transport Development in Asia [YUN 2009, p. 977].

Communication. In a 20 July letter [A/65/170], Kazakhstan transmitted to the Secretary-General the

Declaration of the tenth meeting of the Council of the heads of States members of the Shanghai Cooperation Organization (Tashkent, Uzbekistan, 10–11 June), which, among other things, welcomed the signature on 5 April in Tashkent of the Joint Declaration on SCO/UN Secretariat Cooperation establishing the main principles and areas for cooperation between the two organizations.

GENERAL ASSEMBLY ACTION

On 13 December [meeting 64], the General Assembly adopted **resolution 65/124** [draft: A/65/L.29] without vote [agenda item 122 (v)].

Cooperation between the United Nations and the Shanghai Cooperation Organization

The General Assembly,

Recalling that one of the objectives of the United Nations is to achieve cooperation in maintaining international peace and security and solving international problems of an economic, social, cultural or humanitarian character,

Recalling also the Articles of the Charter of the United Nations that encourage activities on the basis of regional cooperation to promote the goals and objectives of the United Nations,

Recalling further its resolution 59/48 of 2 December 2004, by which it granted observer status to the Shanghai Cooperation Organization,

Taking into consideration the fact that countries with economies in transition are among the members of the Shanghai Cooperation Organization, and in this regard recalling its resolution 61/210 of 20 December 2006, in which it proposed that the United Nations system enhance dialogue with regional and subregional cooperation organizations whose membership includes countries with economies in transition and increase support provided to them,

Recalling its resolution 64/183 of 18 December 2009 on cooperation between the United Nations and the Shanghai Cooperation Organization,

Noting with satisfaction that the declaration on the establishment of the Shanghai Cooperation Organization confirms the commitment of its member States to the principles of the Charter,

Noting that the Shanghai Cooperation Organization has become an essential regional organization for addressing security in the region in all its dimensions,

Convinced that strengthening cooperation between the United Nations and other organizations of the United Nations system and the Shanghai Cooperation Organization helps to promote the goals and objectives of the United Nations,

1. *Takes note* of the activities of the Shanghai Cooperation Organization aimed at strengthening peace, security and stability in the region, countering terrorism, separatism and extremism, drug trafficking and other types of criminal activity of a transnational character and promoting regional cooperation in various areas such as trade and economic development, energy, transportation, agriculture and agro-industry, the regulation of migration, banking

and finance, information and telecommunications, science and new technology, customs, education, public health, environmental protection and reducing the danger of natural disasters, as well as in other related areas;

2. *Welcomes* the Joint Declaration on Cooperation between the Secretariats of the United Nations and of the Shanghai Cooperation Organization, signed by the Secretary-General of the United Nations and the Secretary-General of the Shanghai Cooperation Organization on 5 April 2010 in Tashkent;

3. *Emphasizes* the importance of strengthening dialogue, cooperation and coordination between the United Nations system and the Shanghai Cooperation Organization, and proposes that the Secretary-General, for this purpose, continue to hold regular consultations with the Secretary-General of the Shanghai Cooperation Organization through the existing inter-agency forums and formats, including the annual consultations between the Secretary-General of the United Nations and the heads of regional organizations;

4. *Proposes* that the specialized agencies, organizations, programmes and funds of the United Nations system cooperate with the Shanghai Cooperation Organization with a view to jointly implementing programmes to achieve their goals, and in this regard recommends that the heads of such entities commence consultations with the Secretary-General of the United Nations;

5. *Requests* the Secretary-General to submit to the General Assembly at its sixty-seventh session a report on the implementation of the present resolution;

6. *Decides* to include in the provisional agenda of its sixty-seventh session the sub-item entitled “Cooperation between the United Nations and the Shanghai Cooperation Organization”.

Cooperation in the maintenance of peace and security

On 13 January, the Security Council, in presidential statement **S/PRST/2010/1** (see p. 47), welcomed the existing strong cooperation initiatives between the United Nations and regional organizations, and expressed its intention to consider further steps to promote closer and more operational cooperation with regional and subregional organizations in the fields of conflict early warning, prevention, peacemaking, peacekeeping and peacebuilding.

Participation in UN work

Non-governmental organizations

Committee on NGOs

The Committee on Non-Governmental Organizations held its regular 2010 session (25 January–3 February) [E/2010/32 (Part I)] and its resumed session (26 May–4 June and 18 June) [E/2010/32 (Part II)] in New York. At its regular session, the Committee considered 242 applications from non-governmental

organizations (NGOs) for consultative status, including applications deferred from its 1999–2009 sessions. It recommended 76 applications for consultative status, deferred consideration of 149, took note of one NGO that had withdrawn its application, closed consideration without prejudice of 14 applications and closed consideration of two others. The Committee also had before it one request for reclassification of consultative status, which it recommended. It took note of 170 quadrennial reports and heard representatives from 21 NGOs attending the session.

The Committee also considered the strengthening of the NGO Branch of the Department of Economic and Social Affairs of the Secretariat; reviewed its methods of work relating to the implementation of Economic and Social Council resolution 1996/31 [YUN 1996, p. 1360], including the process of accreditation of NGO representatives, and Council decision 1995/304 [YUN 1995, p. 1445]; and considered special reports and complaints by Member States.

On 19 July, the Council granted consultative status to 76 organizations; reclassified one; and noted that the Committee had taken note of the request of one NGO to withdraw its application, taken note of 170 quadrennial reports, closed consideration of 14 applications after failures to respond to queries by members of the Committee, suspended consideration of one application, and closed consideration of two others (**decision 2010/213**).

On the same day, the Council withdrew the consultative status of one organization (**decision 2010/214**), and suspended the status of another (**decision 2010/215**). The Council also took note of the Committee's report on its 2010 regular session (**decision 2010/216**).

At its resumed session in May and June, the Committee considered 253 applications for consultative status, including applications deferred from previous sessions. It recommended granting consultative status to 55 NGOs, suspending consideration of one, deferring 182 for further consideration in 2011 and closing consideration of 15. The Committee noted the termination activities of seven NGOs and the name change of 12. Of the three requests before it, the Committee recommended one for reclassification, closed the request of another and deferred consideration of one. It also had before it 246 quadrennial reports from 241 organizations and took note of 222 such reports; heard representatives of 14 NGOs; and recommended nine draft decisions for action by the Council.

The Committee also considered the strengthening of the Non-Governmental Organizations Branch of the Department of Economic and Social Affairs of the

Secretariat; reviewed its methods of work relating to the implementation of Economic and Social Council resolution 1996/31, including the process of accreditation of NGO representatives, and Council decision 1995/304; special reports and complaints by Member States, and implementation of Council resolution 2006/46 [YUN 2006, p. 1001] and decision 2008/217 [YUN 2008, p. 927].

On 19 July, the Council granted consultative status to 55 NGOs, reclassified one from special to general consultative status, and closed the consideration of the request for reclassification of another. It noted that the Committee had taken note of the name change of 12 NGOs; closed consideration of the applications of four NGOs as their activities and programmes did not meet the criteria set out in Council resolution 1996/31, as well as of 11 after failure to respond to queries by Committee members; and suspended one application. The Council withdrew the consultative status of six organizations that had terminated their activities or ceased to exist, and noted that the Committee had taken note of quadrennial reports of 222 organizations for the period 2005–2008 and earlier (**decision 2010/217**).

On the same date, the Council suspended for one year the consultative status of 77 NGOs with outstanding quadrennial reports and requested the Secretary-General to advise them of its decision (**decision 2010/218**); reinstated the consultative status of 16 NGOs that had submitted their outstanding quadrennial reports (**decision 2010/219**); withdrew consultative status of 78 NGOs with outstanding quadrennial reports and requested the Secretary-General to advise them accordingly (**decision 2010/220**); suspended consultative status of one NGO for two years, with the request that it submit to the Committee before the expiration of that period a letter confirming that it would conform at all times to the principles governing the establishment and nature of its consultative relations with the Council (**decision 2010/221**); approved the Committee's recommendation to withdraw agenda item 7 (Implementation of Economic and Social Council resolution 2006/46 and decision 2008/217) from the agenda of the Committee's 2011 session (**decision 2010/222**); and granted special consultative status to one NGO (**decision 2010/225**);

The Council took note of the Committee's report on its resumed 2010 session (**decision 2010/224**), decided that the Committee's 2011 regular session would be held from 24 January to 2 February and its resumed session from 16 to 24 May, and approved the provisional agenda for that session (**decision 2010/223**).

United Nations financing and programming

During 2010, the financial situation of the United Nations was generally mixed, with improvement in some areas. By year's end, aggregate assessments had increased to \$12.5 billion, compared with \$9 billion in 2009. Total unpaid assessments were higher, with \$351 million for the regular budget and just under \$2.5 billion for peacekeeping operations, up from \$335 million and \$1.85 billion, respectively, in 2009.

Cash balances were lower for all categories, except peacekeeping, with \$412 million available for the regular budget, while debt owed to Member States for troops, formed police units and contingent-owned equipment was \$539 million. The number of Member States paying their regular budget assessments in full and on time increased to 138.

In December, the General Assembly adopted revised budget appropriations for the 2010–2011 biennium of \$5,367,234,700, representing an increase of \$208,273,500 over the revised appropriation of \$5,158,961,200 approved in March. It also invited the Secretary-General to prepare his proposed 2012–2013 programme budget on the basis of a preliminary estimate of \$5,396,697,200.

The Committee on Contributions continued to review the methodology for preparing the scale of assessments of Member States' contributions to the budget and to encourage the payment of arrears through multi-year payment plans. The General Assembly continued to review the efficiency of the administrative and financial functioning of the Organization.

The Assembly also examined the proposed strategic framework for 2012–2013 and endorsed the biennial programme plan that had been proposed for that period.

Financial situation

The overall financial situation in 2010 was generally mixed, with improvement in some areas. In October [A/65/519], the Secretary-General reported that unpaid assessed contributions remained highly concentrated among a few Member States, particularly for the regular budget, the international tribunals and the capital master plan (CMP). As at 5 October, aggregate assessments stood at \$12.3 billion

(compared to \$8.7 billion in 2009). That amount included assessments for the regular budget (\$2,167 million), the two international tribunals (\$256 million), peacekeeping (\$9,510 million) and a fixed amount for the CMP (\$341 million). Meanwhile, the cash flow situation of peacekeeping operations would be monitored constantly to maximize quarterly payments based on available cash.

As at 5 October, unpaid assessments for the regular budget, peacekeeping and the tribunals totalled \$4 billion, which included \$3.2 billion for peacekeeping (compared to \$2.1 billion at 13 October 2009); \$787 million for the regular budget (\$43 million less than in 2009); and \$50 million for the tribunals (\$13 million less than in 2009). Member States that had paid their regular budget assessments in full as at 5 October 2010 numbered 119, which was one less than at 13 October 2009.

In his end-of-year review [A/65/519/Add.1] of the financial situation, the Secretary-General noted that the performance of the four main indicators of the Organization's financial health reflected improvement as compared to 31 December 2009: although aggregate assessments were higher at \$12.5 billion (compared to \$8.95 billion in 2009), due to a \$3.9 billion increase for peacekeeping operations (from \$5,765 million to \$9,671 million), assessments for the regular budget and the international tribunals decreased.

Unpaid assessments increased slightly for all categories, with \$351 million for the regular budget, up from \$335 million in 2009, and just under \$2.5 billion for peacekeeping operations, up from \$1.85 billion in 2009.

Outstanding assessments for the two tribunals decreased from \$37 million to \$27 million. Cash balances were lower for the regular budget, the international tribunals and CMP, but were offset by the increase in the cash balance for peacekeeping operations, resulting in a net increase of \$772 million at year's end. Cash available for the regular budget amounted to \$412 million at year's end.

Debt owed to Member States for troops, formed police units and contingent-owned equipment was \$539 million. The number of Member States paying their regular budget assessments in full was 138, two more than in 2009.

On 24 December, the General Assembly decided that the agenda item on improving the financial situ-

ation of the United Nations would remain for consideration at its resumed sixty-fifth (2011) session (decision 65/544).

UN budget

Budget for 2010–2011

Revised appropriations

In the first performance report on the 2010–2011 programme budget [A/65/589], the Secretary-General identified adjustments to the level of appropriations as a result of variations in the rates of inflation and exchange, adjustments to standard costs, unforeseen and extraordinary items, as well as additional mandates approved by the General Assembly and the Security Council.

The adjustments yielded revised requirements of \$5,148.6 million, a decrease of \$10.3 million from the revised appropriation of \$5,158.9 million approved by resolutions 64/244 A [YUN 2009, p. 1403], 64/260 (see p. 1437) and 64/288 (see p. 111), and an increase in income of \$26.2 million, resulting in a revised income estimate of \$580.6 million. Consequently, the revised net requirements for the

2010–2011 biennium amounted to \$4,568.0 million, a decrease of \$36.5 million.

In December [A/65/604], the Advisory Committee on Administrative and Budgetary Questions (ACABQ) recommended that the Assembly approve the revised estimates submitted by the Secretary-General, subject to such adjustments resulting from the Committee's consideration of matters before the Assembly, including the consolidated statement of revised estimates and programme budget implications.

GENERAL ASSEMBLY ACTION

On 24 December [meeting 73], the General Assembly, on the recommendation of the Fifth (Administrative and Budgetary) Committee [A/65/646/Add.1], adopted **resolution 65/260 A–C** without vote [agenda item 129].

Programme budget for the biennium 2010–2011

A

REVISED BUDGET APPROPRIATIONS FOR THE BIENNIUM 2010–2011

The General Assembly

Resolves that, for the biennium 2010–2011, the amount of 5,158,961,200 United States dollars appropriated by it in its resolutions 64/244 A of 24 December 2009, 64/260 of 29 March 2010 and 64/288 of 24 June 2010 shall be adjusted by 208,273,500 dollars, as follows:

Section	Amount approved in resolutions 64/244 A, 64/260 and 64/288	Increase/ (decrease)	Revised appropriations
<i>(United States dollars)</i>			
Part I. Overall policymaking, direction and coordination			
1. Overall policymaking, direction and coordination	101,004,300	766,000	101,770,300
2. General Assembly and Economic and Social Council affairs and conference management	676,592,200	(3,756,900)	672,835,300
TOTAL, part I	777,596,500	(2,990,900)	774,605,600
Part II. Political affairs			
3. Political affairs	1,109,991,000	203,285,700	1,313,276,700
4. Disarmament	22,299,100	(164,300)	22,134,800
5. Peacekeeping operations	107,710,900	5,192,900	112,903,800
6. Peaceful uses of outer space	8,437,400	(414,400)	8,023,000
TOTAL, part II	1,248,438,400	207,899,900	1,456,338,300
Part III. International justice and law			
7. International Court of Justice	51,010,200	(4,404,400)	46,605,800
8. Legal affairs	45,845,000	(448,500)	45,396,500
TOTAL, part III	96,855,200	(4,852,900)	92,002,300
Part IV. International cooperation for development			
9. Economic and social affairs	166,217,100	(7,106,200)	159,110,900
10. Least developed countries, landlocked developing countries and small island developing States	7,422,500	(16,400)	7,406,100
11. United Nations support for the New Partnership for Africa's Development	12,786,400	(145,400)	12,641,000
12. Trade and development	140,432,100	(3,802,300)	136,629,800
13. International Trade Centre UNCTAD/WTO	30,541,400	1,251,900	31,793,300
14. Environment	14,406,200	(194,900)	14,211,300
15. Human settlements	21,510,400	(945,700)	20,564,700
16. International drug control, crime and terrorism prevention and criminal justice	40,995,600	(1,804,500)	39,191,100
TOTAL, part IV	434,311,700	(12,763,500)	421,548,200

		Amount approved in resolutions 64/244 A, 64/260 and 64/288	Increase/ (decrease)	Revised appropriations
Section		(United States dollars)		
Part V. Regional cooperation for development				
17.	Economic and social development in Africa	132,697,100	(9,034,600)	123,662,500
18.	Economic and social development in Asia and the Pacific	93,919,300	4,407,500	98,326,800
19.	Economic development in Europe	67,876,000	(2,328,900)	65,547,100
20.	Economic and social development in Latin America and the Caribbean	111,654,000	(1,524,100)	110,129,900
21.	Economic and social development in Western Asia	66,602,800	(3,304,400)	63,298,400
22.	Regular programme of technical cooperation	53,706,900	(1,460,700)	52,246,200
37.	United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women)	—	6,957,100	6,957,100
TOTAL, part V		526,456,100	(6,288,100)	520,168,000
Part VI. Human rights and humanitarian affairs				
23.	Human rights	142,743,800	(1,552,400)	141,191,400
24.	International protection, durable solutions and assistance to refugees	80,544,200	3,173,300	83,717,500
25.	Palestine refugees	48,744,700	(5,032,300)	43,712,400
26.	Humanitarian assistance	29,904,900	(505,000)	29,399,900
TOTAL, part VI		301,937,600	(3,916,400)	298,021,200
Part VII. Public information				
27.	Public information	186,707,400	(1,710,800)	184,996,600
TOTAL, part VII		186,707,400	(1,710,800)	184,996,600
Part VIII. Common support services				
28A.	Office of the Under-Secretary-General for Management	26,173,800	(47,700)	26,126,100
28B.	Office of Programme Planning, Budget and Accounts	38,697,400	(144,900)	38,552,500
28C.	Office of Human Resources Management	74,775,900	(161,300)	74,614,600
28D.	Office of Central Support Services	174,779,100	92,000	174,871,100
28E.	Administration, Geneva	121,680,100	5,098,600	126,778,700
28F.	Administration, Vienna	39,756,000	(629,000)	39,127,000
28G.	Administration, Nairobi	32,457,900	(3,321,600)	29,136,300
29.	Office of Information and Communications Technology	72,160,600	(40,600)	72,120,000
TOTAL, part VIII		580,480,800	845,500	581,326,300
Part IX. Internal oversight				
30.	Internal oversight	39,438,800	(513,800)	38,925,000
TOTAL, part IX		39,438,800	(513,800)	38,925,000
Part X. Jointly financed administrative activities and special expenses				
31.	Jointly financed administrative activities	12,109,800	(116,400)	11,993,400
32.	Special expenses	113,138,400	995,700	114,134,100
TOTAL, part X		125,248,200	879,300	126,127,500
Part XI. Capital expenditures				
33.	Construction, alteration, improvement and major maintenance	61,265,500	(938,700)	60,326,800
TOTAL, part XI		61,265,500	(938,700)	60,326,800
Part XII. Safety and security				
34.	Safety and security	239,288,500	(840,800)	238,447,700
TOTAL, part XII		239,288,500	(840,800)	238,447,700
Part XIII. Development Account				
35.	Development Account	23,651,300	—	23,651,300
TOTAL, part XIII		23,651,300	—	23,651,300
Part XIV. Staff assessment				
36.	Staff assessment	517,285,200	33,464,700	550,749,900
TOTAL, part XIV		517,285,200	33,464,700	550,749,900
GRAND TOTAL		5,158,961,200	208,273,500	5,367,234,700

BREVISED INCOME ESTIMATES
FOR THE BIENNIUM 2010–2011*The General Assembly*

Resolves that, for the biennium 2010–2011, the estimates of income of 554,435,500 United States dollars approved by it in its resolutions 64/244 B of 24 December 2009, 64/260 of 29 March 2010 and 64/288 of 24 June 2010 shall be increased by 38,536,300 dollars, as follows:

	Amount approved in resolutions 64/244 B, 64/260 and 64/288	Increase/ (decrease)	Revised estimates
Income section	(United States dollars)		
1. Income from staff assessment	521,447,400	33,593,600	555,041,000
TOTAL, income section 1	521,447,400	33,593,600	555,041,000
2. General income	31,176,500	9,311,300	40,487,800
3. Services to the public	1,811,600	(4,368,600)	(2,557,000)
TOTAL, income sections 2 and 3	32,988,100	4,942,700	37,930,800
GRAND TOTAL	554,435,500	38,536,300	592,971,800

CFINANCING OF THE APPROPRIATIONS
FOR THE YEAR 2011*The General Assembly*

Resolves that, for the year 2011:

1. Budget appropriations totalling 2,789,220,150 United States dollars and consisting of 2,578,014,550 dollars, being half of the appropriation initially approved for the biennium 2010–2011 in its resolution 64/244 A of 24 December 2009, 2,932,100 dollars, being the additional appropriation approved for the biennium in its resolutions 64/260 of 29 March 2010 and 64/288 of 24 June 2010 and 208,273,500 dollars, being the increase approved in resolution A above, shall be financed in accordance with regulations 3.1 and 3.2 of the Financial Regulations and Rules of the United Nations, as follows:

(a) 140,681,450 dollars, consisting of:

(i) 16,494,050 dollars, being half of the estimated income other than staff assessment income approved for the biennium in its resolution 64/244 B of 24 December 2009;

(ii) 4,942,700 dollars, being the increase in income other than staff assessment income approved for the biennium in resolution B above;

(iii) 119,244,700 dollars, being the balance in the surplus account as at 31 December 2009 of 121,824,000 dollars, offset by the amount of 2,579,300 dollars relating to staff assessment for the biennium 2008–2009 as approved in resolutions 63/268 of 7 April 2009 and 63/283 of 30 June 2009, which was not assessed in 2010;

(b) 2,648,538,700 dollars, being the assessment on Member States in accordance with its resolution 64/248 of 24 December 2009;

2. There shall be set off against the assessment on Member States, in accordance with the provisions of General Assembly resolution 973(X) of 15 December 1955, their respective share in the Tax Equalization Fund in the total amount of 299,848,350 dollars, consisting of:

(a) 260,591,850 dollars, being half of the estimated staff assessment income approved by the Assembly in its resolution 64/244 B;

(b) 263,700 dollars, being the estimated increase in income from staff assessment approved by the Assembly in its resolutions 64/260 and 64/288;

(c) 33,593,600 dollars, being the estimated increase in income from staff assessment approved by the Assembly in resolution B above;

(d) 5,399,200 dollars, being the increase in income from staff assessment for the biennium 2008–2009, compared with the revised estimates approved by the Assembly in its resolution 64/242 B of 24 December 2009.

Also on 24 December, the Assembly, by **decision 65/544**, decided that the agenda item on the programme budget for the 2010–2011 biennium would remain for consideration during its resumed sixty-fifth (2011) session.

**Questions relating to the
2010–2011 programme budget***Revised estimates in respect of special political
missions, good offices and other political initiatives*

In January [A/64/349/Add.6], the Secretary-General submitted proposed additional net requirements for 2010 in the amount of \$1,044,000 for the United Nations Representative on the International Advisory and Monitoring Board of the Development Fund for Iraq (see p. 301), the Analytical Support and Sanctions Monitoring Team concerning Al-Qaida and the Taliban, and the Monitoring Group on Somalia.

In February [A/64/7/Add.21], ACABQ recommended that the General Assembly approve the additional requested resources, to be accommodated from the provision of \$569,526,500 approved by the Assembly in resolution 64/245 [YUN 2009, p. 1406].

In October [A/65/328], the Secretary-General submitted proposed requirements for 2011 for 29 special political missions, which amounted to \$685,008,400 net (\$725,487,200 gross).

In December [A/65/602], ACABQ recommended that the Assembly approve the requested resources subject to the Committee's recommendations.

The General Assembly, in section XIII of resolution 65/259 of 24 December (see p. 1433), approved budgets totalling \$643,094,800 for the 29 special political missions.

Strengthening of Department of Political Affairs

In July [A/65/161 & Corr.1], the Secretary-General reported on the implementation of the resolution 63/261 [YUN 2008, p. 49], which dealt with the strengthening of the Department of Political Affairs (DPA). The Assembly's decision to strengthen DPA, the

Secretary-General said, had reinforced the Department's ongoing transformation into a more proactive and operational platform for conflict prevention, mediation and peacebuilding. The Department's ability to respond quickly and in a cost-effective manner to emerging crises had led to an increased demand for its services in prevention, mediation and capacity-building.

In December [A/65/602], ACABQ submitted its comments and observations on the report.

Revised estimates resulting from Economic and Social Council action

In August [A/65/319], the Secretary-General submitted additional requirements resulting from resolutions and decisions adopted by the Economic and Social Council at its 2010 substantive session, relating to the activities of the Ad Hoc Advisory Group on Haiti and realignment of the functions of the United Nations Office on Drugs and Crime, and changes to the strategic framework.

In October [A/65/505], ACABQ stated that it had no objection to the Secretary-General's proposed expenditure requirements.

Revised estimates resulting from Human Rights Council action

In August [A/65/333 & Corr.1], the Secretary-General submitted revised estimated requirements totalling \$4,708,500 for the 2010–2011 biennium, resulting from resolutions and decisions adopted by the Human Rights Council at its twelfth, thirteenth and fourteenth sessions held in 2009 and 2010. Additional requirements for the biennium amounted to an estimated 3,424,100. Provisions of \$1,284,400 had already been included in the programme budget, and it was proposed to meet the amount of \$2,940,300 from the resources already appropriated for the biennium. For the remaining balance, the Secretary-General requested the General Assembly to authorize him to enter into commitments in the amount of \$483,800 under the 2010–2011 programme budget.

In October [A/65/548], ACABQ recommended that the additional requirements for \$3,424,100 be accommodated within the resources appropriated under the programme budget for the 2010–2011 biennium.

In November [A/65/333/Add.1 & Corr.1], the Secretary-General submitted revised estimated requirements totalling \$7,911,400 for the 2010–2011 biennium, resulting from resolutions and decisions adopted by the Council at its fifteenth session in 2010.

In November [A/65/548/Add.1], ACABQ recommended that the General Assembly approve the re-

quested resources subject to its recommendations. It also recommended that the Secretary-General streamline and synchronize the resources requested in relation to the resolutions and decisions of the Council with the resources requested in relation to the biennial proposed programme budget.

Contingency Fund

The contingency fund, established by General Assembly resolution 41/213 [YUN 1986, p. 1024], accommodated additional expenditures relating to each biennium that derived from legislative mandates not provided for in the proposed programme budget or from revised estimates. Guidelines for its use were annexed to Assembly resolution 42/211 [YUN 1987, p. 1098].

In a December report [A/C.5/65/14] on the contingency fund, the Secretary-General submitted the consolidated statement of programme budget implications and revised estimates for the fund, which included potential new charges amounting to \$5,991,700 and would result in a remaining fund balance of \$22,408,100.

Other questions

The General Assembly considered a number of other questions related to the 2010–2011 programme budget, including revised estimates for the enterprise resource planning project (Umoja) (see p. 1462) and the International Public Sector Accounting Standards; revised estimates resulting from the increase in the membership of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Committee on the Rights of Persons with Disabilities and the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (see p. 639); revised estimates related to the Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict; the revised proposal for the use of regular budget resources for the normative support functions of the United Nations Entity for Gender Equality and the Empowerment of Women (see p. 1181); the revised security management framework and revised estimates related to a strengthened and unified security management system for the United Nations (see p. 1477); the first performance report on the 2010–2011 programme budget (see p. 1425); a request for a subvention to the Special Court for Sierra Leone (see p. 221); overseas property management and construction projects in progress, and revised estimates relating to the relocation of the subregional headquarters in Mexico of the Economic Commission for Latin America and the Caribbean (see p. 1465);

after-service health insurance: medical and dental reserve funds (see p. 1473); financial implications of the administration of justice at the United Nations (see p. 1494); administrative and financial implications of the decisions and recommendations contained in the report of the International Civil Service Commission for 2010 (see p. 1466); information and communications technology (see p. 1461); and administrative and financial implications arising from the report of the United Nations Joint Staff Pension Board (see p. 1487).

GENERAL ASSEMBLY ACTION

On 24 December [meeting 73], the General Assembly, on the recommendation of the Fifth Committee [A/65/646/Add.1], adopted **resolution 65/259** by recorded vote (142-1-3) [agenda item 129].

Questions relating to the programme budget for the biennium 2010–2011

The General Assembly,

I

Administrative and financial implications arising from the report of the United Nations Joint Staff Pension Board

Having considered the report of the Secretary-General on the administrative and financial implications arising from the report of the United Nations Joint Staff Pension Board and the related report of the Advisory Committee on Administrative and Budgetary Questions,

Takes note of the report of the Secretary-General;

II

Revised estimates under section 28A (Office of the Under-Secretary-General for Management) of the programme budget for the biennium 2010–2011 and under the support account for peacekeeping operations (enterprise resource planning project (Umoja)) and International Public Sector Accounting Standards

Recalling section II of its resolution 60/283 of 7 July 2006, sections II and V of its resolution 63/262 of 24 December 2008, and its resolution 64/243 of 24 December 2009,

Having considered the second progress report of the Secretary-General on the enterprise resource planning project and revised estimates under section 28A (Office of the Under-Secretary-General for Management) of the programme budget for the biennium 2010–2011 and under the support account for peacekeeping operations, and the third progress report of the Secretary-General on the adoption of the International Public Sector Accounting Standards by the United Nations, as well as the related reports of the Advisory Committee on Administrative and Budgetary Questions,

1. *Takes note* of the reports of the Secretary-General;
2. *Endorses* the conclusions and recommendations contained in the reports of the Advisory Committee on Administrative and Budgetary Questions, subject to the provisions of the present resolution;

A. Enterprise resource planning project

3. *Recalls* paragraph 113 of its resolution 64/243, and requests the Secretary-General to continue to make efforts to deploy the enterprise resource planning project (Umoja) on the basis of lower-cost options, while also looking for opportunities to reduce cost projections, without altering the approach approved by the General Assembly;

4. *Urges* the Secretary-General to make every effort to fill the vacancies in the enterprise resource planning project team as a matter of priority and to explore all possibilities for expediting the process, so as to minimize any adverse impact on project implementation;

5. *Stresses* that the temporary posts related to the implementation of Umoja are limited to the duration of that project;

6. *Decides* not to appropriate the amount of 12,416,300 United States dollars, in the light of the subsequent proposal of the Secretary-General contained in paragraph 18 of his first performance report on the programme budget for the biennium 2010–2011;

B. International Public Sector Accounting Standards

7. *Notes* the continued dependency between the timeline for the implementation of the International Public Sector Accounting Standards and the enterprise resource planning project (Umoja);

8. *Requests* the Secretary-General to ensure that the implementation of the International Public Sector Accounting Standards at the United Nations is completed no later than 2014;

III

Overseas property management and construction projects in progress, and revised estimates under section 20 (Economic and social development in Latin America and the Caribbean) of the programme budget for the biennium 2010–2011 relating to the relocation of the subregional headquarters in Mexico

Recalling its resolution 56/270 of 27 March 2002, section IV of its resolution 58/272 of 23 December 2003, sections IX and X of its resolution 62/238 of 22 December 2007, section I of its resolution 63/263 of 24 December 2008, and its resolution 64/243 of 24 December 2009,

Having considered the reports of the Secretary-General on overseas property management and construction projects in progress and on revised estimates under section 20 (Economic and social development in Latin America and the Caribbean) of the programme budget for the biennium 2010–2011 relating to the relocation of the subregional headquarters in Mexico, as well as the related report of the Advisory Committee on Administrative and Budgetary Questions,

1. *Takes note* of the reports of the Secretary-General;
2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions, subject to the provisions of the present resolution;
3. *Requests* the Secretary-General to expeditiously assess the status of conference facilities at the Economic Commission for Africa, in particular Africa Hall and Con-

ference Room 1, to ensure that they are in strict compliance with the highest international standards for conference facilities, and to report thereon in the context of his next annual progress report on the construction of additional conference facilities at the Commission;

4. *Welcomes* the recent efforts of the Secretary-General to utilize additional funding arrangements to ensure that the project for the construction of additional office facilities at the Commission proceeds as originally designed, and requests the Secretary-General to provide regular briefings to Member States on the implementation of the project;

5. *Authorizes* the Secretary-General to enter into commitments in an amount up to 1,758,800 dollars under section 20 (Economic and social development in Latin America and the Caribbean) of the programme budget for the biennium 2010–2011 and to report, in the context of his second performance report for the biennium 2010–2011, on the actual expenditure incurred;

IV

After-service health insurance: medical and dental reserve funds

Having considered the report of the Secretary-General entitled "After-service health insurance: medical and dental reserve funds" and the related report of the Advisory Committee on Administrative and Budgetary Questions,

1. *Takes note* of the report of the Secretary-General;

2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions;

3. *Notes* the significant variation in the levels of reserve balances maintained for the United Nations medical and dental reserve funds mentioned in the report of the Secretary-General, and therefore requests the Secretary-General to establish guidelines to ensure greater consistency in future in this regard;

4. *Takes note* of the information provided by the Secretariat that it will continue to use premium holidays to distribute surpluses in excess of six to seven months of costs in the CIGNA Dental, Aetna and Van Breda reserve funds and that, in relation to the Medical Insurance Plan reserve fund, this and/or other methods will be used to distribute surpluses, given the high number of surpluses available;

5. *Requests* the Secretary-General to include, in future performance reports on the budget, information regarding the medical and dental reserve funds, the number of months that premium holidays have been applied during the budgetary period, other surplus fund distribution methods used, and the financial impact on the budgets;

6. *Recalls* paragraph 3 of its resolution 64/241 of 24 December 2009, and requests the Secretary-General to include, in his report to the General Assembly at its sixty-seventh session, an analysis of options for the judicious use of reserves in excess of reasonable industry and United Nations standards, in the context of the forthcoming analysis of pay-as-you-go and long-term financing strategies for after-service health insurance liabilities;

V

Revised estimates under the programme budget for the biennium 2010–2011 relating to the Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict

Having considered the report of the Secretary-General on revised estimates under the programme budget for the biennium 2010–2011 relating to the Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict and the related report of the Advisory Committee on Administrative and Budgetary Questions,

1. *Takes note* of the report of the Secretary-General;

2. *Reaffirms* that the Fifth Committee is the Main Committee of the General Assembly entrusted with responsibility for administrative and budgetary matters, and reaffirms the role of the Committee in carrying out a thorough analysis of and approving human and financial resources and policies, with a view to ensuring the full, effective and efficient implementation of all mandated programmes and activities and the implementation of policies in this regard;

3. *Also reaffirms* its role with regard to the structure of the Secretariat, and stresses that proposals to amend the overall departmental structure, as well as the format of the programme budget and the biennial programme plan, are subject to its review and prior approval;

4. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions, subject to the provisions of the present resolution;

5. *Recalls* paragraph 7 of the report of the Advisory Committee, and expresses concern about the apparent failure of the Secretary-General to follow the procedure for establishing posts funded through extrabudgetary resources, as set forth in General Assembly resolution 35/217 of 17 December 1980;

6. *Recognizes* the strategic role played by senior-level staff in the work of the Organization, and in this regard recalls paragraph 33 of its resolution 64/243 and requests the Secretary-General to continue to provide the General Assembly with comprehensive information on all decisions involving established and temporary high-level posts, including equivalent positions financed from the regular budget and from extrabudgetary resources;

7. *Expresses concern* over the lack of detailed analysis presented by the Secretary-General with regard to costing the establishment of a website for the Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict;

8. *Requests* the Secretary-General to take all steps necessary to ensure the maximum level of cooperation, coordination and integration of efforts in order to avoid duplication and overlaps between the Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict and other relevant entities, including the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), the Special Representative of the Secretary-General for Children and Armed Conflict, and the Special Representative of the Secretary-General on Violence against Children, and also requests the Secretary-General to report to the General Assembly on his efforts

in this regard in the context of the proposed programme budget for the biennium 2012–2013;

9. *Also requests* the Secretary-General to provide detailed information on the function of the team of experts and the specific types of funding of the posts and positions used, and to report thereon to the General Assembly in the context of the proposed programme budget for the biennium 2012–2013;

10. *Further requests* the Secretary-General to ensure that the most cost-effective, timely and secure services, as well as support-related issues, are considered in the creation of a website for the Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict;

11. *Recalls* paragraph 13 of the report of the Advisory Committee on Administrative and Budgetary Questions, and requests the Secretary-General to consider, as appropriate, through the relevant offices, including the Department of Public Information and the Office of Information and Communications Technology of the Secretariat, the cost-effective and timely provision of such services in-house;

12. *Decides* to establish nine posts (1 Under-Secretary-General, 1 D-1, 1 P-5, 1 P-4, 2 P-3 and 3 General Service (Other level)) for the Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict, effective 1 January 2011, under the programme budget for the biennium 2010–2011;

13. *Also decides* to appropriate a total amount of 1,724,900 dollars, at 2010–2011 initial rates, under the programme budget for the biennium 2010–2011, comprising 1,127,000 dollars under section 1 (Overall policymaking, direction and coordination), 462,900 dollars under section 28 D (Office of Central Support Services), and 135,000 dollars under section 36 (Staff assessment), to be offset by a corresponding amount under income section 1 (Income from staff assessment);

VI

Revised proposal for the use of regular budget resources for the normative support functions of the United Nations Entity for Gender Equality and the Empowerment of Women

Recalling its resolution 64/289 of 2 July 2010,

Having considered the report of the Secretary-General on the revised proposal for the use of regular budget resources for the normative support functions of the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), and the related report of the Advisory Committee on Administrative and Budgetary Questions,

1. *Takes note* of the report of the Secretary-General;

2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions, subject to the provisions of the present resolution;

3. *Welcomes* the establishment of UN-Women as an important ongoing effort by the Organization to strengthen its system-wide capacity to achieve gender equality and the empowerment of women and to lead, coordinate and promote the accountability of the United Nations system in its work;

4. *Stresses* the importance of the fundamental principles of universality and national ownership for the work of UN-Women;

5. *Requests* the Secretary-General to take all steps necessary to ensure the maximum level of cooperation, coordination and integration of efforts in order to avoid duplication and overlaps between UN-Women and other relevant entities, including the Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict, the Special Representative of the Secretary-General for Children and Armed Conflict, and the Special Representative of the Secretary-General on Violence against Children, and also requests the Secretary-General to report to the General Assembly on his efforts in this regard in the context of the proposed programme budget for the biennium 2012–2013;

6. *Recalls* paragraph 13 of the report of the Advisory Committee on Administrative and Budgetary Questions, and encourages UN-Women to make the best possible use of human and financial resources at its disposal, without undermining the implementation of mandated programmes and activities;

7. *Notes* that, for the biennium 2010–2011, 1.4 per cent of the total estimated budget for UN-Women is proposed to be financed from the regular budget, and that most of the senior management posts, at the Assistant Secretary-General and Director levels included in the organizational chart, were proposed to be funded through voluntary contributions;

8. *Requests* the Secretary-General to further elaborate, in the proposed programme budget for the biennium 2012–2013, the normative intergovernmental processes undertaken by UN-Women to implement its mandate, as referred to in paragraph 75 of its resolution 64/289, in order to specify whether the activities of UN-Women, including administrative, evaluation, coordination, research and analytical policy functions, would support or be considered normative intergovernmental processes; operational intergovernmental processes and operational activities; or a combination thereof;

9. *Also requests* the Secretary-General to reflect, in the proposed programme budget for the biennium 2012–2013, the necessary budget allocation resulting from the information requested in paragraph 8 above so as to ensure an appropriate source of funding of the financial resources required, including the funding of senior-level posts;

10. *Recalls* its resolution 58/269 of 23 December 2003, and requests the Secretary-General to submit a revised strategic framework for the bienniums 2010–2011 and 2012–2013 reflecting the revision of the programmatic aspects arising from the creation of UN-Women through the Committee for Programme and Coordination, to the General Assembly at its sixty-sixth session for consideration;

11. *Emphasizes* the importance of adequate and transparent financing for UN-Women for the effective discharge of its mandate;

12. *Approves* the use of a grant arrangement pertaining to the regular budget portion of UN-Women, as proposed in paragraphs 19 to 21 of the report of the Secretary-General, and decides that posts financed by the grant from the regular budget shall be requested on a post-by-post basis in future regular budget proposals;

13. *Stresses* that the use of the grant modality should not lessen in any way the requirement for detailed reporting to the General Assembly on the utilization of regular budget resources;

14. *Reiterates its decision* that the composition and selection of staff of UN-Women shall be in accordance with the provisions of Article 101 of the Charter of the United Nations, with due regard to geographical representation and gender balance;

15. *Decides* to establish three new posts (1 Under-Secretary-General, 1 D-2 and 1 General Service (Other level)) under section 37 (UN-Women) of the programme budget for the biennium 2010–2011;

16. *Also decides* to approve an additional amount of 430,100 dollars, at 2010–2011 initial rates, under the programme budget for the biennium 2010–2011, comprising 367,800 dollars under section 37 (UN-Women), and 62,300 dollars under section 36 (Staff assessment), to be offset by a corresponding amount under income section 1 (Income from staff assessment);

17. *Further decides* that the additional amount of 430,100 dollars would represent a charge against the contingency fund for the biennium 2010–2011;

VII

Revised estimates resulting from resolutions and decisions adopted by the Economic and Social Council at its substantive session of 2010

Having considered the report of the Secretary-General on revised estimates resulting from resolutions and decisions adopted by the Economic and Social Council at its substantive session of 2010 and the related report of the Advisory Committee on Administrative and Budgetary Questions,

1. *Takes note* of the report of the Secretary-General;
2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions;
3. *Approves*, under section 16 (International drug control, crime and terrorism prevention and criminal justice) of the programme budget, the redeployment of one P-5 post of Chief, Strategic Planning Unit, from subprogramme 2 (Policy and trend analysis) to executive direction and management, as Chief, Independent Evaluation Unit;

VIII

Revised estimates arising from the increase in the membership of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families

Having considered the report of the Secretary-General on revised estimates arising from the increase in the membership of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families and the related report of the Advisory Committee on Administrative and Budgetary Questions,

1. *Takes note* of the report of the Secretary-General;
2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions;

IX

Revised estimates resulting from resolutions and decisions adopted by the Human Rights Council at its twelfth, thirteenth, fourteenth and fifteenth sessions

Having considered the reports of the Secretary-General on revised estimates resulting from resolutions and decisions adopted by the Human Rights Council at its twelfth, thirteenth, fourteenth and fifteenth sessions and the related reports of the Advisory Committee on Administrative and Budgetary Questions,

1. *Takes note* of the reports of the Secretary-General;
2. *Endorses* the conclusions and recommendations contained in the reports of the Advisory Committee on Administrative and Budgetary Questions, subject to the provisions of the present resolution;
3. *Takes note* of paragraph 7 of the report of the Advisory Committee on Administrative and Budgetary Questions on revised estimates resulting from resolutions and decisions adopted by the Human Rights Council at its fifteenth session and decides to provide, under general temporary assistance, four posts (1 P-4, 1 P-3, 1 P-2 and 1 General Service (Other level)), as well as to provide for consultant services for the duration of nine months in connection with the adoption of Council resolution 15/23 of 1 October 2010 on the elimination of discrimination against women;
4. *Also takes note* of paragraph 8 of the report of the Advisory Committee on Administrative and Budgetary Questions;

X

Revised estimates under section 23 (Human rights) of the programme budget for the biennium 2010–2011 resulting from the increase in the membership of the Committee on the Rights of Persons with Disabilities

Having considered the report of the Secretary-General on revised estimates under section 23 (Human rights) of the programme budget for the biennium 2010–2011 resulting from the increase in the membership of the Committee on the Rights of Persons with Disabilities, and the related report of the Advisory Committee on Administrative and Budgetary Questions,

1. *Takes note* of the report of the Secretary-General;
2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions;
3. *Decides* to establish, under section 23 (Human rights) of the programme budget for the biennium 2010–2011, one P-3 Human Rights Officer post, effective 1 January 2011, to assist the Committee on the Rights of Persons with Disabilities with the examination of reports of States parties;
4. *Also decides* to approve, as a charge against the contingency fund for the biennium 2010–2011, at 2010–2011 initial rates, the amount of 309,100 dollars under section 23 (Human rights), and the amount of 10,600 dollars under section 36 (Staff assessment), to be offset by an equivalent amount under income section 1 (Income from staff assessment);

XI

Revised estimates resulting from the increase in the membership of the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment pursuant to article 5 of the Optional Protocol

Having considered the report of the Secretary-General on revised estimates resulting from the increase in the membership of the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment pursuant to article 5 of the Optional Protocol and the related report of the Advisory Committee on Administrative and Budgetary Questions,

1. *Takes note* of the report of the Secretary-General;
2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions;
3. *Decides* to establish six temporary posts for the year 2011, within existing resources, as follows: (a) two P-5 and two P-4 posts, under section 2 (General Assembly and Economic and Social Council affairs and conference management) and (b) one P-3 and one General Service (Other level) posts, under section 23 (Human rights) and requests the Secretary-General to report on the expenditures incurred, in the context of his second performance report on the programme budget for the biennium 2010–2011;
4. *Also decides* to approve, as a charge against the contingency fund for the biennium 2010–2011, an amount of 791,800 dollars, at 2010–2011 initial rates, for non-post resources, comprising 36,600 dollars under section 28E (Administration, Geneva) and 755,200 dollars under section 23 (Human rights) of the programme budget for the biennium;

XII

Request for a subvention to the Special Court for Sierra Leone

Recalling its resolution 58/284 of 8 April 2004, section VII of its resolution 59/276 of 23 December 2004, and section II of its resolution 59/294 of 22 June 2005,

Having considered the report of the Secretary-General on the request for a subvention to the Special Court for Sierra Leone and the related report of the Advisory Committee on Administrative and Budgetary Questions,

1. *Takes note* of the report of the Secretary-General;
2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions, subject to the provisions of the present resolution;
3. *Takes note* of paragraphs 15 and 16 of the report of the Advisory Committee;
4. *Notes*, as an exceptional measure, the funding requirement for the Special Court for Sierra Leone of up to 12,239,344 dollars, covering the periods from 1 January to 31 December 2011 and from 1 January to 29 February 2012, to supplement the voluntary financial resources of the Court;
5. *Authorizes* the Secretary-General, as an exceptional measure, to enter into commitments in an amount not to exceed 9,882,594 dollars to supplement the voluntary

financial resources of the Special Court, for the period from 1 January to 31 December 2011;

6. *Decides* that the amount referred to in paragraph 5 above is authorized on the understanding that:

(a) Any regular budget funds appropriated for the Special Court will be refunded to the United Nations at the time of the liquidation of the Court, should sufficient voluntary contributions be received;

(b) The United Nations Secretariat and the Management Committee, the Registrar and other senior officials of the Special Court will intensify their efforts to fund the activities of the Court through voluntary contributions;

7. *Requests* the Secretary-General to report to the General Assembly at its sixty-sixth session on the implementation of the present resolution;

XIII

Estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council, and implementation of Assembly resolution 63/261 on the strengthening of the Department of Political Affairs

Recalling its resolutions 64/244 A and B of 24 December 2009, section VI of its resolution 64/245 of 24 December 2009 and section IV of its resolution 64/260 of 29 March 2010,

Recalling also its resolution 63/261 of 24 December 2008 on the strengthening of the Department of Political Affairs of the Secretariat,

Recalling further the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation, and the Financial Regulations and Rules of the United Nations,

Reaffirming the role of the General Assembly and its relevant intergovernmental and expert bodies, within their respective mandates, in planning, programming, budgeting, monitoring and evaluation,

Having considered the reports of the Secretary-General on estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council and on the implementation of Assembly resolution 63/261 on the strengthening of the Department of Political Affairs, as well as the related report of the Advisory Committee on Administrative and Budgetary Questions,

1. *Takes note* of the reports of the Secretary-General;
2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions subject to the provisions of the present resolution;
3. *Welcomes* the continuing efforts by the Department of Political Affairs to fulfil the requirements of resolution 63/261, and in this regard requests that further efforts be made to ensure the full implementation thereof;
4. *Regrets* the recurrent late introduction of the reports on the matter under consideration, which hinders their proper examination by the General Assembly, and requests the Secretary-General and the Advisory Committee on Administrative and Budgetary Questions to submit their reports in a timely manner;

5. *Reaffirms* paragraphs 38 to 41 of resolution 64/243, and recalls paragraph 16 of the report of the Advisory Committee on Administrative and Budgetary Questions, and in this regard requests the Secretary-General to provide the information referred to therein in future proposed budgets for special political missions;

6. *Stresses* that budget presentations for special political missions should consistently include information on actual and budgeted vacancy rates, and resource requirement changes, a clear description of the functions of new positions proposed, and organizational charts, including current and proposed posts and grade levels, and should indicate whether a position proposed reflects the resubmission of a previous request;

7. *Recalls* its resolutions 61/279 of 29 June 2007 and 62/250 of 20 June 2008 and section VI of its resolution 64/245 of 24 December 2009, as well as paragraph 12 of the report of the Advisory Committee on Administrative and Budgetary Questions, and requests the Secretary-General to conduct a thorough review of the current funding and backstopping arrangements for the special political missions with a view to identifying possible alternatives, and to report thereon to the General Assembly at its sixty-sixth session;

8. *Stresses* the need for greater transparency in the presentation of resources for travel and consultancies under thematic cluster II so that the General Assembly may make well-informed decisions regarding the resource requirements for special political missions;

9. *Takes note* of paragraph 26 of the report of the Advisory Committee on Administrative and Budgetary Questions, and requests the Secretary-General to submit proposals for more cost-effective support arrangements for all special political missions in the context of his next report on those missions;

10. *Encourages* increased cooperation between and among missions operating in the same geographical location with a view to achieving efficiency and cost-effectiveness;

11. *Takes note* of paragraph 43 of the report of the Advisory Committee on Administrative and Budgetary Questions, and decides to approve the three positions for the Office of the Special Adviser to the Secretary-General on the Prevention of Genocide, as proposed by the Secretary-General;

12. *Requests* the Secretary-General to make additional efforts to ensure that support sought in the form of consultancies is not already available in-house or in situ;

13. *Notes* the intention of the Secretary-General to establish a support office in Kuwait for the United Nations Assistance Mission in Afghanistan, and requests the Secretary-General to explore possibilities for cost-sharing between the United Nations Assistance Mission in Afghanistan and the United Nations Assistance Mission for Iraq and to report to the General Assembly in the context of his proposed programme budget for the biennium 2012–2013;

14. *Requests* the Secretary-General to submit resource requirements for 2011 for the United Nations Integrated Office in Burundi or its successor for consideration by the General Assembly at the first part of its resumed sixty-fifth session;

15. *Notes* that the interim funding provided for the United Nations Integrated Office should not affect the contractual conditions of the staff;

16. *Approves* budgets totalling 643,094,800 dollars gross (631,162,600 dollars net) for the twenty-nine special political missions authorized by the General Assembly and/or the Security Council, as listed in table 1 of the report of the Secretary-General;

17. *Decides* to appropriate, under the procedure provided for in paragraph 11 of annex I to General Assembly resolution 41/213 of 19 December 1986, an amount of 200,689,200 dollars under section 3 (Political affairs) of the programme budget for the biennium 2010–2011;

18. *Also decides* to appropriate an amount of 11,932,100 dollars under section 36 (Staff assessment), to be offset by a corresponding amount under income section 1 (Income from staff assessment) of the programme budget for the biennium 2010–2011;

XIV

Revised security management framework and revised estimates under section 5 (Peacekeeping operations) of the programme budget for the biennium 2010–2011 relating to a strengthened and unified security management system for the United Nations

Recalling its resolutions 64/243, 64/244 A and B and 64/245,

Having considered the report of the Secretary-General on the revised security management framework and revised estimates under section 5 (Peacekeeping operations) of the programme budget for the biennium 2010–2011 relating to a strengthened and unified security management system for the United Nations, and the related report of the Advisory Committee on Administrative and Budgetary Questions,

1. *Takes note* of the report of the Secretary-General;

2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions, subject to the provisions of the present resolution;

3. *Reaffirms* that the Organization is based on the principle of the sovereign equality of all its Members, and notes with concern that, during the general debate of the General Assembly at its sixty-fifth session, the movement of some heads of delegation on the United Nations premises was restricted, and requests the Secretary-General to ensure that due protocol and equal treatment are uniformly accorded to all heads of delegation;

4. *Requests* the Secretary-General to ensure that access for heads of delegation and their respective vehicles to the United Nations premises is not unduly restricted, in particular during the general debate;

5. *Takes note* of the revised framework for accountability for the United Nations security management system;

6. *Reaffirms* the importance of ensuring the safety and security of United Nations staff, operations and premises;

7. *Also reaffirms* that the primary responsibility for ensuring the safety and security of the United Nations staff and premises rests with the host country, and emphasizes the role of the relevant host country agreements in defining this responsibility;

8. *Stresses* the importance of close coordination and consultation with host Governments in operationalizing the new security level system from 1 January 2011;

9. *Requests* the Secretary-General to submit to the General Assembly at its sixty-seventh session detailed information and analysis on the effectiveness of the new security level system within the context of the report on a comprehensive safety and security policy framework at the United Nations, which provides the basis for threat and risk assessment, cooperation with the host countries, cost-sharing arrangements and operations of the Department of Safety and Security of the Secretariat;

10. *Recalls* paragraph 16 of the report of the Advisory Committee on Administrative and Budgetary Questions, notes that the Operational Working Group of the Steering Committee on Safety and Security of the High-level Committee on Management is examining the question of programme criticality with a view to establishing clear definitions and a clear framework for decision-making, and requests the Secretary-General to report the conclusions of the High-level Working Group on Programme Criticality to the General Assembly at its sixty-sixth session for consideration;

11. *Decides* not to approve one armoured truck for Srinagar;

12. *Decides* to approve the establishment, effective 1 January 2011, of one Chief Security Officer post at the P-4 level and one Security Information Assistant post at the Local level for the United Nations Military Observer Group in India and Pakistan under the programme budget for the biennium 2010–2011;

13. *Also decides* to appropriate a total amount of 3,041,100 dollars, at 2010–2011 initial rates, under the programme budget for the biennium 2010–2011, comprising increases of 3,018,700 dollars under section 5 (Peacekeeping operations) and 22,400 dollars under section 36 (Staff assessment), to be offset by a corresponding amount under income section 1 (Income from staff assessment);

XV

Financial implications of the administration of justice at the United Nations

Recalling its resolution 65/251 of 24 December 2010 on the administration of justice at the United Nations,

1. *Decides* to approve a total amount of 1,148,000 dollars, at 2010–2011 initial rates, under the programme budget for the biennium 2010–2011, reflecting an increase comprising 109,900 dollars under section 1 (Overall policymaking, direction and coordination), 1 million dollars under section 2 (General Assembly and Economic and Social Council affairs and conference management) and 38,100 dollars under section 28D (Office of Central Support Services);

2. *Also decides* that the additional amount of 1,148,000 dollars would represent a charge against the contingency fund for the biennium 2010–2011;

3. *Further decides* to establish one temporary P-3 position in Nairobi, effective 1 January 2011, to be funded from the budget of the support account for peacekeeping operations for the period from 1 July 2010 to 30 June 2011, and requests the Secretary-General to report to the General Assembly on the related costs in the context of the performance report on the support account for the period;

XVI

Administrative and financial implications of the decisions and recommendations contained in the report of the International Civil Service Commission for 2010

Recalling its resolution 65/248 of 24 December 2010, entitled “United Nations common system: report of the International Civil Service Commission”,

1. *Takes note* of the statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly on the administrative and financial implications of the decisions and recommendations contained in the report of the International Civil Service Commission for 2010 and the related report of the Advisory Committee on Administrative and Budgetary Questions;

2. *Recalls* paragraph 1 of section A.1 and the operative paragraphs of sections B.1 and B.3 of its resolution 65/248;

3. *Requests* the Secretary-General to report, in the context of the performance reports for the biennium 2010–2011, on any requirements arising from the implementation of paragraph 2 above;

XVII

Information and communications technology

Recalling section II of its resolution 60/283 of 7 July 2006, and its resolutions 62/250 of 20 June 2008, 63/262 of 24 December 2008, 63/269 of 7 April 2009 and 64/243 of 24 December 2009,

Having considered the report of the Secretary-General on the status of implementation of the information and communications technology strategy for the United Nations Secretariat and the related report of the Advisory Committee on Administrative and Budgetary Questions,

1. *Takes note* of the report of the Secretary-General;

2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions, subject to the provisions of the present resolution;

3. *Underlines* the importance of information and communications technology in meeting the growing demands of the Organization as it becomes increasingly reliant on its information and communications technology infrastructure;

4. *Also underlines* the importance of information and communications technology in strengthening oversight and accountability and in increasing the availability of accurate and timely information to support decision-making;

5. *Re-emphasizes* the importance of strong central leadership for the establishment and implementation of Organization-wide information and communications technology standards and activities in order to ensure the efficient utilization of resources, the modernization of information systems and improvement in the information and communications technology services available to the United Nations;

6. *Recalls* the mandate of the Office of Information and Communications Technology of the Secretariat, as approved in resolution 63/262;

7. *Welcomes* the comprehensive structural review and the presentation of an Organization-wide perspective on information and communications technology resources and the information and communications technology environment;

8. *Requests* the Secretary-General to review the proposals contained in his report and to submit new and/or revised proposals to the General Assembly in the context of the proposed programme budget for the biennium 2012–2013;

9. *Also requests* the Secretary-General to report on the progress made in the establishment of a secondary data centre as described in paragraph 71 of his report, including, as appropriate, financial resources proposed for its implementation, in the context of the proposed programme budget for the biennium 2012–2013;

10. *Further requests* the Secretary-General to submit to the General Assembly more than one option for locating any other future facilities related to the information and communications technology strategy;

11. *Recalls* paragraph 10 (c) of section I of its resolution 63/262, and regrets that the report of the Secretary-General did not contain an in-depth assessment of the organizational arrangement of the Office of Information and Communications Technology;

12. *Requests* the Secretary-General to submit, for consideration by the General Assembly at its sixty-eighth session, a comprehensive report on the most appropriate organizational arrangements for the Office of Information and Communications Technology, including the possibility of changing the placement of the Office within the structure of the Organization;

13. *Decides* not to approve any funding related to projects 1 or 2;

14. *Authorizes* the Secretary-General to proceed with the implementation of project 3 (rationalize information and communications technology organization), and decides that funding in the amount of 1.5 million dollars shall be provided from within the resources approved for the biennium 2010–2011 and that actual expenditure will be reported in the context of the second performance report on the programme budget for the biennium;

15. *Recalls* paragraph 101 (c) of the report of the Advisory Committee on Administrative and Budgetary Questions, and decides to approve general temporary assistance equivalent to seven P-4 positions for 2011, of which five positions are to be met from within existing resources, and that actual expenditure will be reported in the context of the second performance report;

16. *Decides* to approve additional resources amounting to 254,166 dollars, to be appropriated as follows:

(a) Regular budget:

(i) An amount of 140,190 dollars, at 2010–2011 initial rates, for the biennium 2010–2011, comprising 63,390 dollars under section 29 (Office of Information and Communications Technology) and 76,800 dollars under section 28 D (Office of Central Support Services), which would represent a charge against the contingency fund;

(ii) An amount of 7,770 dollars under section 36 (Staff assessment), to be offset by an equivalent amount under income section 1 (Income from staff assessment);

(b) Support account for peacekeeping operations:

An amount of 106,206 dollars under the support account for the period from 1 July 2010 to 30 June 2011; and to finance an amount of 78,798 dollars from extrabudgetary resources;

XVIII

First performance report on the programme budget for the biennium 2010–2011

Having considered the first performance report of the Secretary-General on the programme budget for the biennium 2010–2011 and the related report of the Advisory Committee on Administrative and Budgetary Questions,

Recalling its resolutions 64/244 A and B of 24 December 2009, 64/260 of 29 March 2010 and 64/288 of 24 June 2010,

1. *Reaffirms* the budgetary process as approved in its resolutions 41/213 of 19 December 1986 and 42/211 of 21 December 1987 and reaffirmed in subsequent resolutions;

2. *Takes note* of the first performance report of the Secretary-General;

3. *Endorses* the observations and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions, subject to the provisions of the present resolution;

4. *Recalls* section III of its resolution 60/283 as well as section III of its resolution 64/260, and requests the Secretary-General to implement their provisions and to report thereon in the context of his second performance report for the biennium 2010–2011;

5. *Requests* the Secretary-General to continue to ensure that, whenever new proposals lead to requests for additional resources, including when activities are taken forward with commitment authority, sufficient efforts are made to meet the new requirements using existing resources without undermining the implementation of mandated programmes and activities;

6. *Takes note* of paragraph 21 of the report of the Advisory Committee on Administrative and Budgetary Questions, and stresses that the United Nations is a non-profit organization;

7. *Approves* a net decrease of 15.3 million dollars in the appropriation approved for the biennium 2010–2011 and a net increase of 26.2 million dollars in the estimates of income for the biennium, to be apportioned among expenditure and income sections as indicated in the first performance report of the Secretary-General;

XIX

Contingency fund

Notes that a balance of 22,408,100 dollars remains in the contingency fund.

RECORDED VOTE ON RESOLUTION 65/259:

In favour: Afghanistan, Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burundi, Cambodia, Cameroon, Canada, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Eritrea, Estonia, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab

Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, United States, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Iran.

Abstaining: Democratic People's Republic of Korea, Myanmar, Syrian Arab Republic.

Special subjects relating to the programme budget for 2010–2011

In March, the General Assembly had before it the Secretary-General's report on the financing of the core diplomatic training activities of the United Nations Institute for Training and Research [YUN 2008, p. 1246] and the related ACABQ report [YUN 2009, p. 1109]; the Secretary-General's report on revised estimates of the programme budget for the 2010–2011 biennium relating to the Emergency Preparedness and Support Unit and the related ACABQ report (see p. 1478); the Secretary-General's report on limited budgetary discretion [YUN 2009, p. 1394] and the related ACABQ report [ibid.]; and the Secretary-General's January report on estimates in respect of special political missions, good offices and other political initiatives authorized by the Assembly and/or the Security Council: additional requirements for special political missions for 2010 and the related ACABQ report (see p. 1427).

GENERAL ASSEMBLY ACTION

On 29 March [meeting 81], the General Assembly, on the recommendation of the Fifth Committee [A/64/548/Add.2], adopted **resolution 64/260** without vote [agenda item 132].

Special subjects relating to the programme budget for the biennium 2010–2011

The General Assembly,

I

Financing of the United Nations Institute for Training and Research

Recalling section X of its resolution 59/276 of 23 December 2004 and section XII of its resolution 60/248 of 23 December 2005,

Having considered the report of the Secretary-General on the financing of the core diplomatic training activities of the United Nations Institute for Training and Research

and the related report of the Advisory Committee on Administrative and Budgetary Questions,

1. *Takes note* of the report of the Secretary-General and the related report of the Advisory Committee on Administrative and Budgetary Questions;

2. *Welcomes* the Institute's 2010–2012 strategic plan and the priority assigned to mobilizing self-generated income through the implementation of the Institute's new business model;

3. *Also welcomes* in that context the Institute's initiative to create a fellowship fund which would be established with the purpose of ensuring that core diplomatic training remains a service for all Member States by defraying the costs of core diplomatic training to diplomats from developing countries and least-developed countries;

4. *Appeals* to Member States, private institutions and other entities to give financial support to the fellowship fund;

II

Revised estimates under sections 28 C (Office of Human Resources Management), 28D (Office of Central Support Services) and 36 (Staff assessment) of the programme budget for the biennium 2010–2011 relating to the Emergency Preparedness and Support Unit

Recalling its resolution 64/243 of 24 December 2009,

Recognizing the risk to United Nations personnel resulting from malicious acts, natural disasters and other emergency situations,

Stressing the duty of the Organization to care for United Nations personnel and their family members affected by such incidents,

Having considered the report of the Secretary-General on revised estimates under sections 28 C (Office of Human Resources Management), 28D (Office of Central Support Services) and 36 (Staff assessment) of the programme budget for the biennium 2010–2011 relating to the Emergency Preparedness and Support Unit, as well as the related report of the Advisory Committee on Administrative and Budgetary Questions,

1. *Takes note* of the report of the Secretary-General;

2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions, subject to the provisions of the present resolution;

3. *Emphasizes* the importance of emergency preparedness and support for victims and affected families;

4. *Requests* the Secretary-General to address, as a matter of priority, the needs of the families of United Nations personnel who are victims of malicious acts, natural disasters and other emergency incidents;

5. *Also requests* the Secretary-General to address, as a matter of priority, the needs specific to United Nations staff directly affected by malicious acts, natural disasters and other emergency situations in the immediate aftermath of such incidents;

6. *Stresses* the need for a comprehensive and coordinated approach to emergency management, including preparedness and support based on close cooperation and the sharing of best practices and lessons learned among relevant units, agencies, funds and programmes, and on a systematic analysis of existing capacities;

7. *Takes note* of paragraphs 13 and 15 to 20 of the report of the Advisory Committee on Administrative and Budgetary Questions;

8. *Decides* to approve two P-5, one P-4, one P-2 and one General Service (Other level) positions for the emergency preparedness and support team, to be funded from general temporary assistance;

9. *Also decides* to approve an additional amount of 2,745,000 United States dollars for the biennium 2010–2011 under sections 28C (Office of Human Resources Management) (2,249,800 dollars), 28D (Office of Central Support Services) (261,900 dollars), and 36 (Staff assessment) (233,300 dollars), to be offset by a corresponding amount under income section 1 (Income from staff assessment) of the programme budget for the biennium 2010–2011;

10. *Further decides* that the additional amount of 2,745,000 dollars would represent a charge against the contingency fund;

11. *Requests* the Secretary-General to develop a comprehensive emergency management framework, including, inter alia, emergency preparedness and victim support components, which would draw upon international best practices, and to submit a proposal in the context of the proposed programme budget for the biennium 2012–2013;

III

Limited budgetary discretion

Recalling section III of its resolution 60/283 of 7 July 2006 and paragraph 142 of its resolution 64/243 of 24 December 2009,

Having considered the report of the Secretary-General on limited budgetary discretion and the related report of the Advisory Committee on Administrative and Budgetary Questions,

1. *Takes note* of the report of the Secretary-General;
2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions;

IV

Estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council

Recalling its resolution 64/244 A of 24 December 2009 and section VI of its resolution 64/245 of 24 December 2009,

Having considered the report of the Secretary-General entitled “Estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council: additional requirements for special political missions for the period from 1 January to 31 December 2010”, as well as the related report of the Advisory Committee on Administrative and Budgetary Questions,

1. *Takes note* of the report of the Secretary-General;
2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions;
3. *Approves*, for 2010, additional requirements totaling 1,021,900 dollars gross (1,020,800 dollars net) for the United Nations Representative on the International

Advisory and Monitoring Board of the Development Fund for Iraq, the Analytical Support and Sanctions Monitoring Team established pursuant to Security Council resolution 1526(2004) concerning Al-Qaida and the Taliban and associated individuals and entities and the Monitoring Group on Somalia;

4. *Decides* that the additional requirements shall be accommodated from the provision of 569,526,500 dollars approved for the biennium 2010–2011 by the General Assembly in its resolution 64/245.

Working capital fund

The General Assembly established the Working Capital Fund for the 2010–2011 biennium at \$150 million in 2009 [YUN 2009, p. 1409]. As in the past, the Fund was to be used to finance appropriations, pending the receipt of assessed contributions, to pay for unforeseen and extraordinary expenses, as well as for miscellaneous self-liquidating purchases and advance insurance premiums, and to enable the Tax Equalization Fund to meet commitments pending the accumulation of credits.

In December, the Secretariat issued an assessment [ST/ADM/SER.B/828] of Member States’ advances to the Fund and contributions to the UN regular budget as at 31 December 2010.

Unforeseen and extraordinary expenses

Under the terms of General Assembly resolution 64/246 [YUN 2009, p. 1409], the Secretary-General was authorized, with the prior concurrence of ACABQ, to enter into commitments to meet unforeseen and extraordinary expenses arising during or subsequent to the 2010–2011 biennium, without reverting to the Assembly for approval.

In his first performance report [A/65/589] on the 2010–2011 programme budget, the Secretary-General informed the Assembly that he had entered into commitments in the amount of \$6,911,200, of which \$6,501,200 was for activities relating to the maintenance of peace and security and \$410,000 was for commitments certified by the President of the International Court of Justice as relating to unforeseen expenses in respect of the Court.

Programme budget outline for 2012–2013

Report of Secretary-General. In November [A/65/560 & Corr.1], the Secretary-General presented the proposed programme budget outline for the 2012–2013 biennium, describing the preliminary estimates of resources, priorities, real growth compared with the previous budget, and the size of the contingency fund as a percentage of the overall level of resources. The preliminary estimate for the 2012–2013

biennium, expressed in 2010–2011 prices, amounted to \$5,456.1 million.

The preliminary estimate (\$4,215.9 million), before the inclusion of special political missions, represented an increase of \$56.9 million, or 1.4 per cent, compared with the 2010–2011 biennium. Taking account of the full inclusion of provisions for those missions, the total preliminary estimate of \$5,456.1 million represented an increase of \$297.1 million, or 5.8 per cent, compared with the 2010–2011 biennium.

Noting that the size of the contingency fund was set at 0.75 per cent of the overall resource level, the Secretary-General recommended that the level again be set at the same rate, or \$40.9 million, for the 2012–2013 biennium.

ACABQ report. With regard to the preliminary estimate of \$5,456.1 million for the 2012–2013 budget outline, ACABQ, in December [A/65/611], agreed with the adjustments proposed by the Secretary-General to reflect the delayed impact in 2012–2013 of regular budget posts established during the current biennium and the non-requirement for resources provided in the 2010–2011 biennium for one-time costs. As for the estimated increase of \$81.0 million proposed to account for programmatic changes during the 2012–2013 biennium, the Committee was of the view that, when presenting his budget proposals, the Secretary-General should demonstrate that he had exhausted all the opportunities offered by the review process. It was premature to conclude that additional resources would be required to accommodate those changes. Expressing its concern about the potential budgetary impact of extending positions funded under general temporary assistance that were originally approved for time-limited functions, the Committee recommended that the Secretary-General provide the Assembly with an indication of the number of positions funded under general temporary assistance during the 2010–2011 biennium and the functions associated with those positions. It also recommended that the level of the contingency fund remain at 0.75 per cent.

GENERAL ASSEMBLY ACTION

On 24 December [meeting 73], the General Assembly, on the recommendation of the Fifth Committee [A/64/645], adopted **resolution 65/262** without vote [agenda item 128].

Proposed programme budget outline for the biennium 2012–2013

The General Assembly,

Reaffirming its resolution 41/213 of 19 December 1986, in which it requested the Secretary-General to submit in off-budget years an outline of the proposed programme budget for the following biennium,

Reaffirming also section VI of its resolution 45/248 B of 21 December 1990,

Reaffirming further rule 153 of its rules of procedure,

Recalling its resolution 58/269 of 23 December 2003,

Having considered the report of the Secretary-General on the proposed programme budget outline for the biennium 2012–2013 and the recommendations contained in the related report of the Advisory Committee on Administrative and Budgetary Questions,

1. *Endorses* the observations and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions;

2. *Reaffirms* that the Fifth Committee is the appropriate Main Committee of the General Assembly entrusted with responsibilities for administrative and budgetary matters;

3. *Emphasizes* that the proposed programme budget outline should be submitted sufficiently early in order that it may serve as a practical tool in the budget preparation process and, in this regard, requests the Secretary-General to issue future budget outlines at least thirty days prior to their scheduled introduction, but no later than 15 November of the off-budget year;

4. *Reaffirms* that the budget outline should provide a greater level of predictability of resources required for the following biennium and promote greater involvement of Member States in the budgetary process, thereby facilitating the broadest possible agreement on the programme budget;

5. *Also reaffirms* that the proposed programme budget outline shall contain an indication of the following:

(a) A preliminary estimate of resources needed to accommodate the proposed programme of activities during the biennium;

(b) Priorities, reflecting general trends of a broad sectoral nature;

(c) Real growth, positive or negative, compared with the previous budget;

(d) Size of the contingency fund expressed as a percentage of the overall level of resources;

6. *Notes* that the budget proposal will reflect the benefit of further reviews of possible obsolete activities, additional cost-effective measures and simplified procedures and, in this regard, requests the Secretary-General to rigorously pursue this in accordance with regulation 5.6 of the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation, and established practices;

7. *Reaffirms* that the budget proposals of the Secretary-General should reflect resource levels commensurate with mandates for their full, efficient and effective implementation;

8. *Stresses* that the budget outline is a preliminary estimate of resources;

9. *Invites* the Secretary-General to prepare his proposed programme budget for the biennium 2012–2013 on the basis of a preliminary estimate of 5,396,697,200 United States dollars at revised 2010–2011 rates;

10. *Decides* that the proposed programme budget for the biennium 2012–2013 shall contain provisions for re-costing on the basis of the existing methodology;

11. *Reiterates its request* to the Secretary-General to include, in the proposed programme budget for the biennium

nium 2012–2013, the total amount of resources that he should have at his disposal, from all sources of financing, in order to implement fully all mandated programmes and activities;

12. *Notes* that the preliminary estimates provided by the Secretary-General for the proposed programme budget for the biennium 2012–2013 do not include provisions for the implementation of those requirements that are under discussion by the General Assembly and that the requirements pertinent to the regular budget should be reflected in the programme budget for the biennium 2012–2013, subject to approval by the Assembly and in accordance with its resolutions 41/213 of 19 December 1986 and 42/211 of 21 December 1987;

13. *Decides* that the priorities for the biennium 2012–2013 shall be the following:

(a) Promotion of sustained economic growth and sustainable development, in accordance with the relevant resolutions of the General Assembly and recent United Nations conferences;

(b) Maintenance of international peace and security;

(c) Development of Africa;

(d) Promotion of human rights;

(e) Effective coordination of humanitarian assistance efforts;

(f) Promotion of justice and international law;

(g) Disarmament;

(h) Drug control, crime prevention and combating international terrorism in all its forms and manifestations;

14. *Requests* the Secretary-General to reflect the priorities outlined in paragraph 13 above when presenting the proposed programme budget for the biennium 2012–2013;

15. *Reaffirms its request* to the Secretary-General to propose, in future budget submissions, measures to offset budget increases, wherever possible, without undermining the implementation of mandated programmes and activities;

16. *Decides* that the contingency fund shall be set at the level of 0.75 per cent of the preliminary estimate, namely, at 40,475,200 dollars, that this amount shall be in addition to the overall level of the preliminary estimate, and that it shall be used in accordance with the procedures for the use and operation of the contingency fund.

Contributions

According to the Secretary-General's report [A/65/519/Add.1] on improving the financial situation of the United Nations, unpaid assessed contributions to the UN budget at the end of 2010 totalled \$351 million (compared to \$335 million in 2009); outstanding peacekeeping arrears were just under \$2.5 billion (compared to \$1.85 billion in 2009); and total unpaid assessments to the international tribunals decreased to \$27 million (compared to \$37 million in 2009).

The number of Member States paying their regular budget assessments in full increased slightly to 138 (compared to 136 at the end of 2009).

Assessments

The Committee on Contributions, at its seventieth session (New York, 7–25 June) [A/65/11], considered the review of the methodology for preparing the scale of assessments, multi-year payment plans, the application of Article 19 of the UN Charter and other matters. The outline of the methodology used for preparing the scale of assessments for the 2010–2012 period was annexed to the session report.

The General Assembly took action on the Committee's recommendations in October and December (see p. 1441).

Application of Article 19

Committee on Contributions. The Committee on Contributions [A/65/11] reviewed requests from six Member States for exemption under Article 19 of the UN Charter, whereby a Member would lose its vote in the General Assembly if the amount of its arrears should equal or exceed the amount of contributions due from it for the preceding two full years. The Committee noted the Members' written and oral presentations and evaluated them against their payment records and economic and political circumstances.

Having determined that the failure of the Central African Republic, the Comoros, Guinea-Bissau, Liberia, Sao Tome and Principe and Somalia to pay the full minimum amount of their arrears necessary to avoid the application of Article 19 was due to conditions beyond their control, and recalling the Article's provision that a Member might be permitted to vote due to such conditions, the Committee recommended that they be allowed to vote until the end of the sixty-fifth session of the Assembly. The Committee urged the Central African Republic, which had not made a contribution in over a decade, and Sao Tome and Principe, which had made no payment since 2002, to consider the multi-year payment plan system, and to at least pay amounts equivalent to their current annual assessments. It expressed appreciation for the efforts of Liberia to address its arrears by making an annual payment, more than three times its annual assessment, thereby contributing to reducing its arrears. It also urged the Comoros to submit a multi-year plan and to ensure that payments exceeded the level of its annual contributions.

Reports of Secretary-General. During the year, the Secretary-General reported to the Assembly on payments made by certain Member States to reduce their level of arrears below that specified in Article 19, so that they could vote in the Assembly. As at 20 January [A/64/631], 19 Member States were below the gross amount assessed for the preceding two full years (2008–2009). By a series of letters from February to May [A/64/631/Add.1–10] that number was reduced to six and remained at that number through 8 September [A/65/359].

GENERAL ASSEMBLY ACTION

On 8 October [meeting 27], the General Assembly, on the recommendation of the Fifth Committee [A/65/492], adopted **resolution 65/3** without vote [agenda item 133].

Scale of assessments for the apportionment of the expenses of the United Nations: requests under Article 19 of the Charter

The General Assembly,

Having considered chapter V of the report of the Committee on Contributions on its seventieth session,

Reaffirming the obligation of Member States under Article 17 of the Charter of the United Nations to bear the expenses of the Organization as apportioned by the General Assembly,

1. *Reaffirms* its role in accordance with the provisions of Article 19 of the Charter of the United Nations and the advisory role of the Committee on Contributions in accordance with rule 160 of the rules of procedure of the General Assembly;

2. *Also reaffirms* its resolution 54/237 C of 23 December 1999;

3. *Requests* the Secretary-General to continue to bring to the attention of Member States the deadline specified in resolution 54/237 C, including through an early announcement in the *Journal of the United Nations* and through direct communication;

4. *Urges* all Member States requesting exemption under Article 19 of the Charter to submit as much information as possible in support of their requests and to consider submitting such information in advance of the deadline specified in resolution 54/237 C so as to enable the collation of any additional detailed information that may be necessary;

5. *Agrees* that the failure of the Central African Republic, the Comoros, Guinea-Bissau, Liberia, Sao Tome and Principe and Somalia to pay the full minimum amount necessary to avoid the application of Article 19 of the Charter was due to conditions beyond their control;

6. *Decides* that the Central African Republic, the Comoros, Guinea-Bissau, Liberia, Sao Tome and Principe and Somalia shall be permitted to vote in the General Assembly until the end of its sixty-fifth session.

Multi-year payment plans

Pursuant to General Assembly resolutions 57/4 B [YUN 2002, p. 1385] and 64/248 [YUN 2009, p. 1412], the Secretary-General submitted a March report [A/65/65] on multi-year payment plans, which provided information on the payment plans/schedules submitted by Liberia and Sao Tome and Principe, and on the status of their implementation as at 31 December 2009. Under the plans, each year a Member State would pay for the current year's assessments and a part of its arrears, so as to eliminate the arrears within six years. Liberia continued to make payments during 2010, while Sao Tome and Principe fell short of the

amount foreseen in its plan. The Secretary-General recommended that the Assembly encourage Member States with significant arrears to consider submitting a multi-year payment plan.

The Committee on Contributions [A/65/11] concluded that the system of multi-year payment plans continued to serve as a viable means for Member States to reduce their unpaid assessed contributions and demonstrate their commitment to meeting their financial obligations to the United Nations. It also noted that no new multi-year payment plans had been submitted.

Other matters related to payment of assessed contributions

The General Assembly considered the recommendations of the Committee on Contributions on the methodology for future scales of assessments.

GENERAL ASSEMBLY ACTION

On 24 December [meeting 73], the General Assembly, on the recommendation of the Fifth Committee [A/65/492/Add.1], adopted **resolution 65/246** without vote [agenda item 133].

Scale of assessments for the apportionment of the expenses of the United Nations

The General Assembly,

Recalling its previous resolutions and decisions on the scale of assessments for the apportionment of the expenses of the United Nations, including its resolutions 55/5 B and C of 23 December 2000, 57/4 B of 20 December 2002, 58/1 B of 23 December 2003 and 64/248 of 24 December 2009,

Having considered the report of the Committee on Contributions on its seventieth session as well as the report of the Secretary-General on multi-year payment plans,

1. *Takes note* of the report of the Committee on Contributions on its seventieth session;

2. *Also takes note* of the report of the Secretary-General on multi-year payment plans.

On 24 December, the Assembly decided that the agenda item on the scale of assessments for the apportionment of UN expenses would remain for consideration during its resumed sixty-fifth (2011) session (**decision 65/544**).

Scale methodology

Pursuant to General Assembly resolution 58/1 B [YUN 2003, p. 1424], the Committee on Contributions [A/65/11] continued to review the methodology for preparing future scales of assessments, focusing on income measure, conversion rates, base period, debt-burden adjustment, low per capita income adjustment, minimum (floor) and maximum (ceiling) assessment rates, annual recalculation and large scale-to-scale increases in rates of assessments.

With regard to income measure, the Committee recommended that the scale of assessments be based on the most current, comprehensive and comparable gross national income (GNI) data. It encouraged Member States to submit the required statistical information under the 1993 System of National Accounts (SNA) [YUN 1993, p. 1112] and to take further steps to implement the 2008 SNA [YUN 2008, p. 1380] as recommended by the Statistical Commission. Following its discussions at previous sessions regarding the use of purchasing power parity rates instead of market exchange rates to convert GNI data to a common monetary unit, the Committee decided to further study that element of the methodology on the basis of additional information from the UN Statistics Division and in the light of the guidance of the Assembly. It also decided to further consider the debt-burden adjustment and the low per capita income adjustment at its next session; study the question of annual recalculation at future sessions; and consider the feasibility of applying a systematic measure of transitional relief for Member States facing large scale-to-scale increases in their assessment rates. It concluded that, once chosen, there were advantages in using the same base period for as long as possible.

Accounts and auditing

The General Assembly, at its resumed sixty-fourth (2010) session, considered the report of the Board of Auditors on UN peacekeeping operations for the period from 1 July 2008 to 30 June 2009 [A/64/5 (Vol. II)], together with the Secretary-General's report on the implementation of the Board's recommendations [A/64/702] and the related ACABQ comments and recommendations [A/64/708].

On 24 June, the Assembly, in **resolution 64/268**, endorsed the recommendations of the report (see p. 95).

Board of Auditors reports. The Chairman of the Board of Auditors transmitted to the Secretary-General the financial reports and audited financial statements for the biennium ended 31 December 2009 on the United Nations [A/65/5 (Vol. I)] and on the following 15 entities: the International Trade Centre UNCTAD/WTO [A/65/5 (Vol. III) & Corr.1]; the United Nations University [A/65/5 (Vol. IV)]; the Capital Master Plan [A/65/5 (Vol. V)]; the United Nations Development Programme [A/65/5/Add.1 & Corr.1]; the United Nations Children's Fund [A/65/5/Add.2]; the United Nations Relief and Works Agency for Palestine Refugees in the Near East [A/65/5/Add.3]; the United Nations Institute for Training and Research [A/65/5/Add.4]; the voluntary funds administered by the United Nations High Commissioner for Refugees [A/65/5/Add.5]; the Fund of the United

Nations Environment Programme [A/65/5/Add.6]; the United Nations Population Fund [A/65/5/Add.7]; the United Nations Human Settlements Programme [A/65/5/Add.8]; the United Nations Office on Drugs and Crime [A/65/5/Add.9 & Corr.1]; the United Nations Office for Project Services [A/65/5/Add.10]; the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994 [A/65/5/Add.11]; and the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia Since 1991 [A/65/5/Add.12]. The Board submitted its report on the financial statements of the United Nations Joint Staff Pension Fund for the biennium ended 31 December 2009, which was incorporated into the report of the United Nations Joint Staff Pension Board [A/65/9]. The Board also submitted, through the Secretary-General, its report on the financial statements of the United Nations Compensation Commission for the biennium ended 31 December 2009 [S/2010/626].

Introducing the reports in the Fifth Committee on 15 October [A/C.5/65/SR.7], the Chair of the Board stated that nine of the reports on the financial statements reflected unmodified audit opinions, indicating that there were no material issues affecting the fair presentation of the financial statements. In the case of the United Nations Population Fund (UNFPA), however, the Board considered that a deficiency in the management of nationally executed expenditure constituted a significant risk, and it had therefore issued a qualified audit opinion on the financial statements. In the remaining six reports, and in the report on UNFPA, the Board drew attention to several issues that should be addressed urgently, including the funding of end-of-service and post-retirement liabilities, and losses on investments—both realized and unrealized—due to recent global market turmoil. The detailed reports also reflected several matters of general concern: the delay in implementing the International Public Sector Accounting Standards, which had been pushed ahead from 2012 to 2014 in the Secretariat, mainly because the new enterprise resource planning system was not in place; disclosure and funding of after-service health insurance and end-of-service liabilities, given that some organizations might not be able to discharge their liabilities as and when they fell due unless funding strategies were considered; the lack of uniformity with respect to nationally executed expenditure; and deficiencies in the management of expendable and non-expendable property, especially

with regard to record-keeping, periodic physical verifications, reconciliations, investigation of discrepancies and taking prompt corrective action. In addition, the reports contained some 500 findings and recommendations on such matters as programme expenditure, procurement, and information and communications technology. With respect to follow-up on previous recommendations, the Board found that out of 518 recommendations made in the 2006–2007 biennium, 59 per cent had been fully implemented, 33 per cent had been partially implemented, 3 per cent had not been implemented and 5 per cent had been overtaken by events. There had been little change in the overall implementation rate.

In July [A/65/169], the Secretary-General transmitted to the General Assembly a concise summary of the principal findings and conclusions on the 16 audited organizations contained in the Board's reports.

In August, the Secretary-General submitted a report on the implementation of the Board's recommendations as contained in its reports on the United Nations for the biennium ended 31 December 2009 and on the capital master plan for the year ended 31 December 2009 [A/65/296]; and a report on the implementation of the Board's recommendations contained in its reports on 14 UN funds and programmes for the financial period ended 31 December 2009 [A/65/296/Add.1]. In October [A/65/498], ACABQ submitted its related comments and observations.

GENERAL ASSEMBLY ACTION

On 24 December [meeting 73], the General Assembly, on the recommendation of the Fifth Committee [A/65/594], adopted **resolution 65/243 A** without vote [agenda item 127].

Financial reports and audited financial statements, and reports of the Board of Auditors

The General Assembly,

Recalling its resolutions 50/222 of 11 April 1996, 51/218 E of 17 June 1997, 52/212 B of 31 March 1998, 53/204 of 18 December 1998, 53/221, section VIII, of 7 April 1999, 54/13 B of 23 December 1999, 55/220 A, B and C of 23 December 2000 and 12 April and 14 June 2001, 57/278 A of 20 December 2002, 60/234 A and B of 23 December 2005 and 30 June 2006, 61/233 A and B of 22 December 2006 and 29 June 2007, 62/223 A and B of 22 December 2007 and 20 June 2008, 63/246 A and B of 24 December 2008 and 30 June 2009, 64/227 of 22 December 2009 and 64/268 of 24 June 2010,

Having considered, for the period ended 31 December 2009, the financial reports and audited financial statements and the reports and audit opinions of the Board of Auditors on the United Nations, the International Trade Centre UNCTAD/wto, the United Nations University, the United Nations Development Programme, the United Nations Children's Fund, the United Nations Relief and Works Agency for

Palestine Refugees in the Near East, the United Nations Institute for Training and Research, the voluntary funds administered by the United Nations High Commissioner for Refugees, the Fund of the United Nations Environment Programme, the United Nations Population Fund, the United Nations Human Settlements Programme, the United Nations Office on Drugs and Crime, the United Nations Office for Project Services, the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 and the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, the concise summary of principal findings and conclusions contained in the reports prepared by the Board of Auditors, the reports of the Secretary-General on the implementation of the recommendations of the Board of Auditors contained in its report on the United Nations for the biennium ended 31 December 2009, and on the implementation of the recommendations of the Board of Auditors contained in its reports on the United Nations funds and programmes for the financial period ended 31 December 2009, and the report of the Advisory Committee on Administrative and Budgetary Questions,

1. *Accepts* the financial reports and audited financial statements and the reports and audit opinions of the Board of Auditors for the above-mentioned organizations;
2. *Approves* the recommendations and conclusions contained in the reports of the Board of Auditors;
3. *Endorses* the observations and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions;
4. *Notes with concern* the delay in the implementation of the International Public Sector Accounting Standards by all entities, from January 2010 to January 2012, with the United Nations and its entities further delaying implementation to January 2014;
5. *Decides* to consider the report requested in paragraph 19 of the report of the Advisory Committee on Administrative and Budgetary Questions in the context of the annual progress report of the Secretary-General on the International Public Sector Accounting Standards;
6. *Emphasizes* that the Board of Auditors shall be completely independent and solely responsible for the conduct of the audit;
7. *Decides* to consider further the reports of the Board of Auditors on the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia under the respective agenda items relating to the Tribunals;
8. *Commends* the Board of Auditors for the superior quality of its reports, in particular with respect to its comments on the management of resources and improving the presentation of financial statements;
9. *Takes note* of the reports of the Secretary-General on the implementation of the recommendations of the Board of Auditors on the accounts of the United Nations and on the capital master plan for the financial period ended

31 December 2009, and on the implementation of the recommendations of the Board on the financial statements of the United Nations funds and programmes for the financial period ended 31 December 2009;

10. *Reaffirms* its resolution 62/208 of 19 December 2007, in particular paragraphs 4, 10, 39, 40 and 86, and its resolution 64/289 of 2 July 2010, in particular the eighth preambular paragraph and paragraph 14;

11. *Notes* the concerns as contained in the qualified audit opinion of the Board of Auditors on the financial statements of the United Nations Population Fund for the biennium ended 31 December 2009, also notes the measures taken so far by the Fund in this regard, including strengthening internal control and increasing capacity in decentralized offices, and requests the Fund to further implement the recommendations of the Board;

12. *Notes with deep concern* the recurrence of system-wide problems previously identified by the Board of Auditors with regard to the improper management of non-expendable and expendable property;

13. *Recognizes* that the improper management of non-expendable and expendable property poses a financial and reputational risk to the Organization and, in this regard, calls upon the Secretary-General to take swift action to address the concerns identified by the Board of Auditors at all management levels, and to develop timelines, with benchmarks to monitor progress towards better recordkeeping;

14. *Recognizes also* the value of the observations and recommendations with regard to the efficiency of the administration and management of the United Nations and its funds and programmes, including the financial procedures, the accounting systems and the internal financial controls, without compromising the quality of the financial audit, and supports the continuation of these efforts;

15. *Reiterates its request* to the Secretary-General and the executive heads of the funds and programmes of the United Nations to ensure full implementation of the recommendations of the Board of Auditors and the related recommendations of the Advisory Committee on Administrative and Budgetary Questions in a prompt and timely manner and to continue to hold programme managers accountable for non-implementation of the recommendations;

16. *Requests* the Secretary-General to provide in his reports on the implementation of the recommendations of the Board of Auditors on the accounts of the United Nations, as well as on the financial statements of its funds and programmes, a full explanation for the delays in the implementation of the recommendations of the Board, in particular those recommendations not yet fully implemented that are two or more years old;

17. *Also requests* the Secretary-General to indicate in future reports an expected time frame for the implementation of the recommendations of the Board of Auditors, as well as the priorities for their implementation and the office holders to be held accountable.

Also on 24 December, the Assembly decided that the agenda item on financial reports and audited financial statements and reports of the Board of Auditors would remain for consideration during its resumed sixty-fifth (2011) session (**decision 65/544**).

Financial management practices

International Public Sector Accounting Standards

In compliance with resolution 60/283 [YUN 2006, p. 1580], the Secretary-General, in August, submitted the third progress report [A/65/308] on the adoption of the International Public Sector Accounting Standards (IPSAS) by the United Nations. The report reviewed progress made in implementing IPSAS from 1 August 2009 to 31 July 2010.

The High-Level Committee on Management (HLCM) of the United Nations System Chief Executives Board for Coordination (CEB) had approved a four-year (2006–2009) jointly funded system-wide project to support, facilitate and guide UN system organizations in the adoption and implementation of IPSAS in 2006 [YUN 2006, p. 1610]. Responsibilities of the system-wide project team included developing harmonized system-wide accounting policies and guidance, monitoring of organizations' implementation progress, sharing of information, providing input into the development of new standards issued by the IPSAS Board communicating IPSAS information, and developing IPSAS training material. During the reporting period, the system-wide team pursued the areas of work previously identified by HLCM, including: providing support to the Task Force and Steering Committee meetings; preparation and follow-up of progress reports on IPSAS implementation to HLCM and the General Assembly; drafting frameworks and working tools in support of a harmonized approach to IPSAS implementation; preparing and supporting the external review of the project; activation of thematic working groups on specific IPSAS implementation issues; follow-up and monitoring of IPSAS training activities and system-wide training materials; monitoring of the IPSAS Board activities and preparation of updates to the Task Force; and ad hoc support to UN system organizations on IPSAS policy and implementation issues. Estimated expenditures for implementing IPSAS under the 2010–2011 biennium amounted to \$662,100 as at 31 July.

In November [A/65/577], ACABQ shared the Board's concerns with respect to the numerous cases of inconsistent application of policies for the treatment of similar transactions from entity to entity including inventory, funds advanced to implementing partners and contributions, as well as inconsistencies in the format and layout of financial statements, even though the entities in question operated under the common framework of the UN system accounting standards. ACABQ also considered it necessary that the external auditors of the different entities provide advice and guidance to the IPSAS implementation teams, particularly on complex issues and accounting policies.

It emphasized the need to resolve outstanding questions relating to accounting policies and other complex issues prior to the finalization of the design and specification of the enterprise resource planning solutions. It welcomed the steps taken to strengthen the governance model of the IPSAS project and to broaden representation of IPSAS stakeholders on the project's Steering Committee. ACABQ recommended that the Secretary-General be requested to pursue consultations with the funds and programmes and the Board of Auditors on the IPSAS requirement for consolidated statements and its applicability and/or application for the UN system. It also reiterated the need to determine, in advance of the planned transition to IPSAS in 2014, the impact of the adoption of IPSAS on the reporting requirements of Member States, as well as on the role and activities of the Board of Auditors and any associated resource implications, and noted that the Secretary-General should consult with the Audit Operations Committee on that matter.

Review of UN administrative and financial functioning

In 2010, the General Assembly continued its consideration of the efficiency of the administrative and financial functioning of the United Nations. To that end, the Secretary-General issued a report on the Independent Audit Advisory Committee (see below) and a report entitled "Towards an accountability system in the United Nations Secretariat" (see p. 1494).

Administrative and budgetary coordination

CEB report. In August, the Secretary-General transmitted to the General Assembly the United Nations System Chief Executives Board (CEB) for Coordination statistical report [A/65/187] on the budgetary and financial situation of UN system organizations, comprising 15 specialized agencies, 6 funds and programmes, and 9 other entities. The report included information on regular resources, extrabudgetary resources, total expenditure, assessed contributions and working capital funds. Approved regular budgets for the United Nations and 30 other UN system organizations amounted to \$9,173,658,326 for 2010 and \$9,215,230,566 for 2011. Projected receipts from extrabudgetary resources from all sources amounted to \$12,114,639,586 in income and \$23,740,000 in kind for 2010, and to \$10,153,601,726 in income and \$18,431,000 in kind for 2011. Extrabudgetary resources received from Member States amounted to \$13,196,136,000 in 2009. Extrabudgetary contributions received from non-State donors, such as the European Commission, international organizations, non-governmental organizations, foundations and private companies, amounted to \$5,041,313,000

in 2009. Total expenditure in 2009 amounted to \$36,726,923,505—\$13,863,911,616 from the regular budget, \$17,566,637 from extrabudgetary resources and \$159,991,934 in-kind. Assessed contributions amounted to \$5,473,272,272 in 2010 and \$5,172,867,923 in 2011.

The General Assembly took note of the report on 24 December (**decision 65/541**). On the same date, the Assembly decided that the agenda items on the administrative and budgetary coordination of the United Nations with the specialized agencies and the International Atomic Energy Agency, and on the review of the efficiency of the administrative and financial functioning of the United Nations, would remain for consideration during its resumed sixty-fifth (2011) session (**decision 65/544**).

Independent Audit Advisory Committee

Pursuant to General Assembly resolution 61/275 [YUN 2007, p. 1471], the Secretary-General in August submitted a report [A/65/329] on the activities of the Independent Audit Advisory Committee, established in 2007 to serve in an expert advisory capacity and to assist the Assembly in fulfilling its oversight responsibilities [YUN 2007, p. 1471]. The report covered the period from 1 August 2009 to 31 July 2010, in which the Committee held four sessions.

The Committee reiterated its recommendations on completion of comprehensive and residual risk-based analyses, and work planning with the Office of Internal Oversight Services (OIOS). After noting that OIOS had adjusted its risk assessment to consider the residual risk in its work planning process by taking into account internal controls that management had put in place to mitigate risks, the Committee stated that it looked forward to reviewing the progress made by OIOS during the Committee's review of future budget proposals for the Office. The Committee also recommended that in responding to the General Assembly's request in **resolution 64/259** (see p. 1404), the Secretary-General should integrate enterprise risk management into the programme planning process as part of the logical framework analysis; such integration would present an appropriate method of ensuring that programme managers considered managing risks as an integral part of their planning process and ongoing responsibilities. Furthermore, the requirement to report on risks and how managers intended to manage risks might compel them to adopt a standardized risk management framework sooner. The Committee further recommended that the Management Committee continue the initiative of meeting with the oversight bodies, including the Independent Audit Advisory Committee, at least once per year; consideration should be given to inviting OIOS to attend meetings of the Management Committee as observers during

meetings that addressed oversight matters. The Committee considered that OIOS could add value to its oversight work by conducting more audits of cross-cutting and systemic issues; it therefore recommended that in preparing its workplan, OIOS place greater emphasis on audits of cross-cutting issues (horizontal audits) in order to identify prevalent systemic issues that needed to be addressed by management as a priority. It also recommended that the system of accountability used in the Secretariat should not only be clearly defined, but should also be consistently applied, effectively implemented, evaluated periodically and continuously improved.

Taking note of the recommendations of the report in section II of **resolution 65/250** of 24 December (see p. 1452), the General Assembly requested the Secretary-General to ensure their full implementation.

Programme planning

Strategic framework for 2012–2013

In April, the Secretary-General submitted the proposed strategic framework for 2012–2013 [A/65/6 (Part one)]. The framework comprised two parts: the plan outline reflecting the Organization's longer-term objectives (Part one) and the biennial programme plan (Part two), covering 27 programmes, usually carried out by a department. The framework constituted the principal policy directive of the United Nations and served as the basis for programme planning, budgeting, monitoring and evaluation.

The priorities for the 2012–2013 biennium, proposed for reaffirmation by the Assembly, were: promotion of sustained economic growth and sustainable development; maintenance of international peace and security; development of Africa; promotion of human rights; coordination of humanitarian assistance; promotion of justice and international law; disarmament; and drug control, crime prevention and combating international terrorism.

The Committee for Programme and Coordination (CPC) [A/65/16], having examined the Secretary-General's proposed 2012–2013 strategic framework, recommended that the Assembly approve the priorities for the 2012–2013 biennium contained in the plan outline in Part one and the programme narrative of the 27 programmes in Part two, subject to a number of modifications. It also recommended that the General Assembly request the Secretary-General to present concrete measures and actions taken to promote a culture of accountability within the Secretariat in future plan outlines and biennial programme plans of the strategic framework.

On 6, 8, 10, 20, and 21 December, the General Assembly took note, respectively, of the reports of the Sixth (Legal) Committee [A/65/477] (**decision 65/512**), First (Disarmament and International Security) Committee [A/65/419] (**decision 65/519**), Fourth (Special Political and Decolonization) Committee [A/65/432] (**decision 65/523**), Second (Economic and Financial) Committee [A/65/445] (**decision 65/531**) and Third (Social, Humanitarian and Cultural) Committee [A/65/460] (**decision 65/540**).

GENERAL ASSEMBLY ACTION

On 24 December [meeting 73], the General Assembly, on the recommendation of the Fifth Committee [A/65/544], adopted **resolution 65/244** without vote [agenda item 130].

Programme planning

The General Assembly,

Recalling its resolutions 37/234 of 21 December 1982, 38/227 A of 20 December 1983, 41/213 of 19 December 1986, 55/234 of 23 December 2000, 56/253 of 24 December 2001, 57/282 of 20 December 2002, 58/268 and 58/269 of 23 December 2003, 59/275 of 23 December 2004, 60/257 of 8 May 2006, 61/235 of 22 December 2006, 62/224 of 22 December 2007, 63/247 of 24 December 2008 and 64/229 of 22 December 2009,

Recalling also the terms of reference of the Committee for Programme and Coordination, as outlined in the annex to Economic and Social Council resolution 2008(LX) of 14 May 1976,

Recalling further the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation, by which the relevant programmes and subprogrammes of the proposed strategic framework shall be reviewed by the relevant sectoral, functional and regional intergovernmental bodies, if possible during the regular cycle of their meetings,

Having considered the report of the Committee for Programme and Coordination on the work of its fiftieth session, the proposed strategic framework for the period 2012–2013: part one: plan outline and part two: biennial programme plan and the report of the Secretary-General on the programme performance of the United Nations for the biennium 2008–2009,

1. *Reaffirms* the role of the Committee for Programme and Coordination as the main subsidiary organ of the General Assembly and the Economic and Social Council for planning, programming and coordination;

2. *Endorses* the conclusions and recommendations of the Committee for Programme and Coordination on the proposed strategic framework for the period 2012–2013, contained in chapter II, section A, of its report on the work of its fiftieth session, and on the programme performance of the United Nations for the biennium 2008–2009, contained in chapter II, section B;

3. *Decides* that the priorities of the United Nations for the period 2012–2013 shall be the following:

(a) Promotion of sustained economic growth and sustainable development in accordance with the relevant resolutions of the General Assembly and recent United Nations conferences;

(b) Maintenance of international peace and security;

(c) Development of Africa;

(d) Promotion of human rights;

(e) Effective coordination of humanitarian assistance efforts;

(f) Promotion of justice and international law;

(g) Disarmament;

(h) Drug control, crime prevention and combating international terrorism in all its forms and manifestations;

4. *Stresses* that setting the priorities of the United Nations is the prerogative of the Member States, as reflected in legislative mandates;

5. *Also stresses* the need for Member States to participate fully in the budget preparation process, from its early stages and throughout the process;

6. *Requests* the Secretary-General to prepare the proposed programme budget for the biennium 2012–2013 on the basis of the above priorities and the strategic framework as adopted in the present resolution;

7. *Endorses* the conclusions and recommendations of the Committee for Programme and Coordination on the in-depth evaluation of political affairs, contained in chapter II, section C, of its report; on the annual overview report of the United Nations System Chief Executives Board for Coordination for 2009/10, contained in chapter III, section A; and on United Nations support for the New Partnership for Africa's Development, contained in chapter III, section B; and requests the Secretary-General to ensure the timely implementation of the above-mentioned recommendations.

On 24 December, the Assembly decided that the agenda item on programme planning would remain for consideration during its resumed sixty-fifth (2011) session (**decision 65/544**).

Programme performance

Reporting in April [A/65/70 & Corr.1] on the programme performance of the United Nations for the 2008–2009 biennium, the Secretary-General reviewed the key results achieved, delivery of outputs and resource utilization, and programme performance by section of the programme budget. The

report examined the results achieved by the Organization in terms of expected accomplishments as well as the production of outputs. It included a detailed recounting of the results obtained by each individual budget section on 712 expected accomplishments implemented under the 34 sections of the programme budget. The analysis of programme performance in regard to the outputs indicated that the production of outputs was maintained at the same level of the previous biennium, when it reached 89 per cent. More than 32,100 outputs were implemented during the 2008–2009 biennium.

CPC consideration. CPC [A/65/16] stressed the need to include all activities and outputs mandated by Member States in budget preparation. The Committee recommended that the General Assembly encourage programme managers to further improve the qualitative aspects of indicators of achievements in order to enable better evaluation of results; and request the Secretary-General: to present future plan outlines of the proposed strategic frameworks taking fully into account the guidelines provided by the Assembly in resolutions 59/275 [YUN 2004, p. 1401], 61/235 [YUN 2006, p. 1636], 62/224 [YUN 2007, p. 1464] and 63/247 [YUN 2008, p. 1563], as well as subsequent resolutions, to ensure that they captured more accurately the Organization's longer-term objectives; to fully implement Assembly **resolution 64/259** (see p. 1404) in order to achieve objectives and high-quality results in a timely and cost-effective manner; and to present concrete measures and actions taken to promote a culture of accountability within the Secretariat in future plan outlines and biennial programme plans of the strategic framework.

Evaluation

OIOS report to CPC. In March [E/AC.51/2010/2], OIOS transmitted to CPC its report on the triennial review of the implementation of recommendations made by CPC at its forty-seventh (2007) session on the in-depth evaluation of political affairs.

CPC comments and recommendations on that report were contained in the report on its 2010 session [A/65/16].

Administrative and staff matters

During 2010, the General Assembly and its subsidiary bodies continued to review the administrative functioning of the Organization, including internal and external oversight activities and matters related to United Nations staff.

The Committee on Conferences considered meetings management and utilization of conference services and facilities; the impact of the capital master plan (CMP), which covered the renovation of the United Nations Headquarters building, on meetings held in New York; progress in integrated global management; and matters related to documentation, translation and interpretation. The Assembly, in December, requested the Secretary-General to ensure continued maintenance of information technology facilities during the implementation of CMP.

With regard to the Organization's information and communications technology strategy, which comprised three programmes dealing with the management of knowledge, resources and infrastructure, the Assembly approved additional resources for the strategy's implementation.

Significant progress was achieved in implementing CMP, including the relocation of several thousand UN staff to off-site and on-site swing space, the inauguration of the North Lawn building and the commencement of construction in the Conference and Secretariat buildings. The Assembly, in December, authorized the rollover into 2011 of the unspent balance of the funding for associated costs approved in 2010.

During the year, the International Civil Service Commission reviewed the conditions of service of staff of the UN common system. The Commission's recommendations relating to various aspects of the conditions of service were adopted by the Assembly in December.

United Nations personnel continued to be subjected to violent attacks in 2010, with personnel suffering death and injury. In response, the Organization took measures to strengthen the unified security structure, developed a new security level system and adopted guidelines for acceptable risk. In December, the Assembly condemned all acts of violence against UN staff and urged States to take stronger action to investigate such attacks.

Regarding human resources management, the Assembly approved the granting of continuing contracts as at 1 January 2011, requested the Secretary-General

to increase his efforts to achieve gender parity in the Secretariat, in particular at the senior levels, and took note of the new provisional Staff Rules promulgated by the Secretary-General. The new system of administration of justice for UN Secretariat staff, which became operational in 2009, comprised the United Nations Dispute Tribunal; the United Nations Appeals Tribunal; the Management Evaluation Unit; the Office of Staff Legal Assistance; and the Office of the Ombudsman and Mediation Services. The Assembly, in December, noted the achievements of the new system and took steps to enhance it.

Other action taken by the Assembly in 2010 related to procurement, the Office of Internal Oversight Services, the Joint Inspection Unit, conditions of service of ad litem judges of the international tribunals for Rwanda and the former Yugoslavia, conditions of service and compensation for officials other than Secretariat officials, and the United Nations Joint Staff Pension Fund. The Secretary-General also reported on the role of multilingualism in the Secretariat, and protection from sexual exploitation and abuse.

Administrative matters

Managerial reform and oversight

Procurement

In accordance with decision 64/548 A [YUN 2009, p. 1422], the General Assembly in 2010 had before it a number of reports on the subject of procurement: the report of the Secretary-General on UN procurement activities [ibid., p. 1419], with addenda on procurement governance arrangements within the United Nations [ibid., p. 1420] and on sustainable procurement [ibid.]; the related report of the Advisory Committee on Administrative and Budgetary Questions (ACABQ) [ibid., p. 1421]; and the report of the Office of Internal Oversight Services (OIOS) on the audit of procurement management in the Secretariat [ibid.].

Reports of Joint Inspection Unit. In March, the Secretary-General transmitted to the Assembly the report of the Joint Inspection Unit (JIU) [A/65/63] on offshoring in UN system organizations: offshore service centres. JIU assessed offshoring (the relocation of business processes from one country to another) policies, practices and experiences in the UN system,

and identified best practices and lessons learned. It recommended that UN system organizations, before offshoring services, develop an offshoring policy based on a cost-benefit analysis of all sourcing options for the delivery of services, in line with the organizations' corporate strategies. All inter-agency opportunities, including common/joint policy and project development, should be explored before preparing offshoring policies. In addition, UN organizations should maintain their international character in staffing offshore service centres and should exercise oversight on offshoring activities.

In July [A/65/63/Add.1], the Secretary-General transmitted to the Assembly his comments and those of the United Nations System Chief Executives Board for Coordination (CEB) on the JIU report. CEB member organizations agreed that implementing offshoring facilities could lead to economic advantages through economies of scale and lower-cost staffing. They generally agreed with the JIU recommendations, especially those that called for a complete analysis of the benefits and the drawbacks of an offshore facility, as well as the need for agencies to share experiences.

In September [A/65/346], the Secretary-General transmitted to the Assembly the JIU report entitled "Environmental profile of the United Nations system of organizations". JIU assessed the environmental policies and practices of UN system organizations on their sustainable use of resources, including energy consumption, in light of their mission to promote environmental conventions. It highlighted best practices and identified norms and benchmarks of the business policies and measures to be promoted throughout the UN system.

Recommendations included developing and implementing in-house sustainable policies, such as climate neutrality, energy savings and use of new sources of energy, sustainable procurement, and waste and other resources management; increasing the accountability of the organizations vis-à-vis Member States; and reporting regularly to the Assembly on the state of implementation of the climate-neutral UN initiative, in particular carbon offsetting.

The Secretary-General, in September, transmitted to the Assembly his comments and those of CEB on the JIU report [A/65/346/Add.1]. UN system entities supported the report's main recommendations, including the need for common guidelines for developing environmental management systems adapted to their needs, and the necessity to properly record expenses associated with reducing carbon emissions. Organizations also generally agreed with the recommendations regarding establishing common practices for sustainable procurement; however, those recommendations could not be implemented until Member States addressed that issue.

GENERAL ASSEMBLY ACTION

On 24 December [meeting 73], the General Assembly, on the recommendation of the Fifth (Administrative and Budgetary) Committee [A/65/645], adopted **resolution 65/261** without vote [agenda item 128].

Procurement

The General Assembly,

Having considered the comprehensive report of the Secretary-General on United Nations procurement activities, and the addenda to the comprehensive report on procurement governance arrangements within the United Nations and on sustainable procurement, the related report of the Advisory Committee on Administrative and Budgetary Questions and the report of the Office of Internal Oversight Services on the audit of procurement management in the Secretariat,

Having also considered the reports of the Joint Inspection Unit on offshoring in United Nations system organizations and on the environmental profile of the United Nations system of organizations, as well as the notes by the Secretary-General transmitting his comments and those of the United Nations System Chief Executives Board for Coordination thereon,

1. *Requests* the Secretary-General to submit an updated comprehensive report on United Nations procurement activities for consideration by the General Assembly at the first part of its resumed sixty-seventh session;
2. *Decides* to consider further the reports referenced in the present resolution at the first part of its resumed sixty-seventh session.

Oversight

Role of General Assembly

In March, the General Assembly reviewed the implementation of its resolutions 48/218 B [YUN 1994, p. 1362], 54/244 [YUN 1999, p. 1274] and 59/272 [YUN 2004, p. 1370]. The Assembly had before it the annex to the annual report of the Independent Audit Advisory Committee [YUN 2009, p. 1417], which contained the Committee's observations, comments and recommendations on the effectiveness, efficiency and impact of the audit activities and other oversight functions of the Office of Internal Oversight Services.

GENERAL ASSEMBLY ACTION

On 29 March [meeting 81], the General Assembly, on the recommendation of the Fifth Committee [A/64/723], adopted **resolution 64/263** without vote [agenda item 141].

Review of the implementation of General Assembly resolutions 48/218 B, 54/244 and 59/272

The General Assembly,

Reaffirming the relevant Articles of the Charter of the United Nations,

Recalling its resolutions 48/218 B of 29 July 1994, 54/244 of 23 December 1999 and 59/272 of 23 December 2004,

Recalling also its resolution 61/275 of 29 June 2007,

Reaffirming that the purpose of the Office of Internal Oversight Services of the Secretariat is to assist the Secretary-General in fulfilling his internal oversight responsibilities in respect of the resources and staff of the Organization,

Having considered the annex to the annual report of the Independent Audit Advisory Committee,

1. *Reaffirms* its resolutions 48/218 B, 54/244 and 59/272;

2. *Also reaffirms* its primary role in the consideration of and action on reports submitted to it;

3. *Further reaffirms* its oversight role and the role of the Fifth Committee in administrative and budgetary matters;

4. *Reaffirms* the independence and the separate and distinct roles of internal and external oversight mechanisms;

5. *Endorses* the observations, comments and recommendations on the effectiveness, efficiency and impact of the Office of Internal Oversight Services contained in the annex to the annual report of the Independent Audit Advisory Committee, requests the Secretary-General to ensure the full implementation of paragraphs 20 (a) to (c), 20 (e), 27, 29, 33, 35 and 39 of the annex, taking into account the provisions of the resolutions of the General Assembly relevant to the work of the Office, and further requests the Secretary-General to take no action on paragraphs 19, 20 (d), 21, 22, 24, 42 and 43 of the annex;

6. *Decides* to revert to the issues and recommendations contained in paragraphs 19, 20 (d), 21, 22, 24, 42 and 43 of the annex to the annual report of the Independent Audit Advisory Committee no later than at the main part of the sixty-sixth session of the General Assembly, and in this regard invites the Independent Audit Advisory Committee to provide further advice on relevant issues as it deems necessary;

7. *Requests* the Secretary-General to entrust the Office of Internal Oversight Services with comprehensively defining and compiling key oversight terms in close consultation with relevant departments and offices, including the Department of Management and the Office of Legal Affairs of the Secretariat, bearing in mind existing definitions used by the Board of Auditors and the Joint Inspection Unit, and taking into account the views of the Independent Audit Advisory Committee;

8. *Also requests* the Secretary-General to entrust the Office of Internal Oversight Services with submitting to the General Assembly, no later than at the main part of its sixty-sixth session, terms whose definitions require the guidance of the Assembly;

9. *Recalls* that the Office of Internal Oversight Services shall exercise operational independence under the authority of the Secretary-General relating to the performance of its internal oversight functions, in accordance with the relevant resolutions;

10. *Reaffirms* that the Office of Internal Oversight Services is an internal body under the authority of the Secretary-General, and that, as such, it shall comply with all relevant regulations, rules, policies and procedures of the United Nations;

11. *Notes* the role of the Management Committee in monitoring closely the implementation of the recommendations of oversight bodies, and stresses the importance of follow-up with programme managers to ensure the full implementation of those recommendations in a prompt and timely manner;

12. *Recalls* that reports referred to in paragraph 1 (c) of its resolution 59/272 are, upon request, available only to Member States;

13. *Decides* to evaluate and review at its sixty-ninth session the functions and reporting procedures of the Office of Internal Oversight Services and any other matter which it deems appropriate, and to that end to include in the provisional agenda of that session an item entitled "Review of the implementation of General Assembly resolutions 48/218 B, 54/244, 59/272 and 64/263".

Internal oversight

OIOS report. In August, the Office of Internal Oversight Services (OIOS) submitted to the General Assembly a report [A/65/271 (Part I) & Corr.1] on its activities from 1 July 2009 to 30 June 2010. Oversight of peacekeeping activities was covered in a separate report [A/65/271 (Part II)]. During the reporting period, OIOS issued 382 oversight reports, including 12 reports to the Assembly and 89 closure reports. Recommendations to improve internal controls, accountability mechanisms and organizational efficiency and effectiveness totalled 1,992. Of those recommendations, 669 were classified as critical to the Organization. The financial implications of OIOS recommendations issued during the period amounted to approximately \$5 million. The recommendations were aimed at cost savings, recoveries of overpayment, efficiency gains and other improvements. The financial implications of similar recommendations that were satisfactorily implemented during the period totalled some \$19 million. Assignments conducted during the reporting period underscored the need for the Organization to develop an accountability framework, including a formal internal control framework, to ensure that risks were managed consistently and systematically through focused control processes.

An addendum [A/65/271 (Part I)/Add.1] & Corr.1 provided an analysis of the status of implementation of the recommendations, a breakdown of recommendations with financial implications and an analysis of recommendations of particular concern. As at 30 June, programme managers had implemented 912 (52 per cent) of all recommendations issued between 1 July 2009 and 31 May 2010 and 272 (44 per cent) of critical recommendations issued during the same period.

Other reports submitted to the Assembly by OIOS in 2010 dealt with programme evaluation of the performance and the achievement of results by the United Nations Mission in Liberia [A/64/712] (see p. 211); triennial review of the implementation of recommendations made by the Committee for Programme and Coordination at its forty-seventh session on the in-depth evaluation of political affairs [E/AC.51/2010/2] (see p. 1447); and thematic evaluation of gender mainstreaming in the United Nations Secretariat [A/65/266] (see p. 1170).

Appointment. On 28 July, the General Assembly approved the appointment by the Secretary-General of Carman Lapointe as Under-Secretary-General for Internal Oversight Services for one fixed term of five years beginning on 13 September 2010 and ending on 12 September 2015 (**decision 64/427**).

Independent Audit Advisory Committee. In August [A/65/329], the five-member Independent Audit Advisory Committee—an expert advisory body established by the Assembly in resolution 60/248 [YUN 2005, p. 1496] to assist it in fulfilling its oversight responsibilities—reported on its activities between 1 August 2009 and 31 July 2010. The Committee held four sessions: the eighth (Geneva, 2–4 December 2009); ninth (New York, 17–19 February 2010); tenth (New York, 19–21 May); and eleventh (New York, 21–23 July). As at 30 June, the Committee had made 55 recommendations in its reports. Seven of the 55 recommendations made in the Committee’s previous annual report [YUN 2009, p. 1423] were before the Assembly. The remaining 48 recommendations included 12 that the Assembly had taken note of, 26 that had been implemented and 10 that were being implemented. Topics addressed by the Committee included the status of the recommendations of UN oversight bodies; risk management and internal control framework; strengthening investigations; financial reporting; coordination among UN oversight bodies; and cooperation and access. Annexes to the report contained the Committee’s observations, comments and recommendations on the effectiveness, efficiency and impact of audit activities and other oversight functions of OIOS; the terms of reference for the Committee; and the implementation of Assembly **resolution 64/259** on an accountability system in the UN Secretariat (see p. 1404).

GENERAL ASSEMBLY ACTION

On 24 December [meeting 73], the General Assembly, on the recommendation of the Fifth Committee [A/65/649], adopted **resolution 65/250** without vote [agenda items 128 & 139].

Report of the Office of Internal Oversight Services on its activities

The General Assembly,

I

Activities of the Office of Internal Oversight Services

Recalling its resolutions 48/218 B of 29 July 1994, 54/244 of 23 December 1999, 59/272 of 23 December 2004, 60/259 of 8 May 2006, 63/265 of 24 December 2008, 63/287 of 30 June 2009, 64/232 of 22 December 2009 and 64/263 of 29 March 2010,

Having considered the report of the Office of Internal Oversight Services on its activities for the period from 1 July 2009 to 30 June 2010,

1. *Reaffirms* its primary role in the consideration of and action taken on reports submitted to it;
2. *Also reaffirms* its oversight role and the role of the Fifth Committee in administrative and budgetary matters;
3. *Further reaffirms* the independence and the separate and distinct roles of the internal and external oversight mechanisms;
4. *Recalls* that the Office of Internal Oversight Services of the Secretariat shall exercise operational independence under the authority of the Secretary-General relating to the performance of its internal oversight functions, in accordance with the relevant resolutions;
5. *Encourages* the Office of Internal Oversight Services to enhance its analysis in future annual reports of general trends and strategic challenges regarding internal oversight in the United Nations;
6. *Encourages* United Nations internal and external oversight bodies to further enhance the level of cooperation with one another, such as through joint work planning sessions, without prejudice to the independence of each;
7. *Takes note* of the report of the Office of Internal Oversight Services on its activities for the period from 1 July 2009 to 30 June 2010;
8. *Requests* the Secretary-General to ensure that all relevant resolutions pertaining to the work of the Office of Internal Oversight Services are brought to the attention of the relevant managers;
9. *Also requests* the Secretary-General to ensure that all relevant resolutions, including resolutions of a cross-cutting nature, are brought to the attention of relevant managers, and that the Office of Internal Oversight Services also takes those resolutions into account in the conduct of its activities;
10. *Encourages* the Office of Internal Oversight Services to continue its efforts aimed at enhancing its audit, investigation, inspection and evaluation functions;
11. *Notes with concern* the status of implementation of recommendations contained in the report of the Office of Internal Oversight Services on its activities for the period from 1 July 2009 to 30 June 2010;
12. *Requests* the Secretary-General to implement outstanding and recurring accepted recommendations of the Office of Internal Oversight Services dealing with issues that are systemic in nature;
13. *Also requests* the Secretary-General to ensure the full implementation of the accepted recommendations of the Office of Internal Oversight Services, including those relating to cost avoidance, recovery of overpayments, efficiency gains and other improvements, in a prompt and timely manner and to provide detailed justifications in cases where recommendations of the Office are not accepted;
14. *Expresses concern* over the persistently high vacancy rates in the Office of Internal Oversight Services, in particular those at senior levels that could adversely affect the work of the Office;
15. *Reiterates its requests* to the Secretary-General to make every effort to fill vacancies in the Office of Internal Oversight Services as a matter of priority, in accordance with the relevant provisions governing recruitment in the United Nations;
16. *Notes* that two successive appointments of the Under-Secretary-General for Internal Oversight Services were made from the same regional group;

17. *Requests* the Secretary-General to ensure that future appointments of the Under-Secretary-General for Internal Oversight Services are made in full conformity with paragraph 5 (b) of resolution 48/218 B;

18. *Notes* the role of the Management Committee in monitoring closely the implementation of the recommendations of oversight bodies, and stresses the importance of follow-up with programme managers to ensure the full implementation of those recommendations in a prompt and timely manner;

19. *Requests* the Secretary-General to consider inviting the Office of Internal Oversight Services to participate as an observer during meetings of the Management Committee that address oversight matters;

II

Activities of the Independent Audit Advisory Committee

Recalling its resolution 61/275 of 29 June 2007,

Having considered the annual report of the Independent Audit Advisory Committee for the period from 1 August 2009 to 31 July 2010,

1. *Notes with appreciation* the work of the Independent Audit Advisory Committee;

2. *Recalls* paragraph 5 of its resolution 61/275, and in that regard emphasizes the role of the Independent Audit Advisory Committee in ensuring the operational independence of the Office of Internal Oversight Services;

3. *Takes note* of sections II and III and annex I to the annual report of the Independent Audit Advisory Committee, and requests the Secretary-General to ensure the full implementation of the recommendations contained therein, taking into account the provisions of its resolutions 48/218 B, 54/244, 59/272 and 64/263;

4. *Reaffirms* the terms of reference of the Independent Audit Advisory Committee, as contained in the annex to resolution 61/275;

5. *Stresses* that any modification of the terms of reference of the Independent Audit Advisory Committee remains solely the prerogative of the General Assembly;

6. *Decides* to review the terms of reference of the Independent Audit Advisory Committee at its seventieth session;

7. *Encourages* United Nations oversight bodies to continue sharing experience, knowledge, best practices and lessons learned with the Independent Audit Advisory Committee, in order for the Committee to better conduct its roles and responsibilities under its terms of reference, without prejudice to the respective mandates of United Nations oversight bodies;

8. *Encourages* the Independent Audit Advisory Committee to enhance its activities with respect to advising the General Assembly under its terms of reference;

9. *Decides* to revert to the issues and recommendations contained in annex III to the annual report of the Independent Audit Advisory Committee in the context of its consideration of the report requested in paragraph 33 of its resolution 64/259 of 29 March 2010, and in this regard invites the Committee to provide further advice on relevant issues under its terms of reference, as it deems necessary.

On 24 December, the Assembly decided that the item on the report on OIOS activities would remain for consideration during its resumed sixty-fifth (2011) session (**decision 65/544**).

External oversight

Joint Inspection Unit

At its resumed sixty-fourth session, the General Assembly had before it the annual report of the Joint Inspection Unit (JIU) for 2009 and its programme of work for 2010 [YUN 2009, p. 1426].

Note of General Assembly President. In January [A/64/667], in accordance with General Assembly resolution 61/238 [YUN 2006, p. 1653], the Assembly President reported on the effective application of the selection procedures outlined in the resolution on enhancing efficiency in implementing article 3, paragraph 2, of the JIU statute. The President stated that, beginning on 1 January 2008, when drawing up the list of countries that were requested to propose candidates, he had invited Member States to submit the names of the countries and their respective candidates simultaneously, on the understanding that the candidates submitted would be the candidates that the respective Member States intended to propose for appointment by the Assembly. Member States fully observed the provisions of resolution 61/238, and no further action was requested.

Note of Secretary-General. In a February note [A/64/642], submitted in response to Assembly resolution 63/272 [YUN 2009, p. 1425], the Secretary-General reported on the support provided to JIU by the member organizations of CEB. In his capacity as Chair of CEB, the Secretary-General provided extensive support to JIU, beginning with the circulation of its reports. The CEB secretariat circulated all reports of system-wide concern to UN system organizations and compiled the comments received. In 2009, the CEB secretariat prepared comments for seven JIU reports. In each case, organizations were requested to comment on the final version of the report, including the methodology used and the content of the recommendations. Those comments reflected the overall consensus of the UN system. In addition, the CEB secretariat worked closely with JIU on preparing the annual programme of work. Furthermore, the CEB secretariat maintained a constant dialogue with both the JIU inspectors and the JIU Executive Secretary to ensure the smooth preparation of reports and to identify methods for enhancing the value of the reports.

GENERAL ASSEMBLY ACTION

On 29 March [meeting 81], the General Assembly, on the recommendation of the Fifth Committee [A/64/724], adopted **resolution 64/262** without vote [agenda item 138].

**Report of the Joint Inspection Unit
for 2009 and programme of work for 2010**

The General Assembly,

I

Reaffirming its previous resolutions on the Joint Inspection Unit, in particular resolutions 31/192 of 22 December 1976, 50/233 of 7 June 1996, 54/16 of 29 October 1999, 55/230 of 23 December 2000, 56/245 of 24 December 2001, 57/284 A and B of 20 December 2002, 58/286 of 8 April 2004, 59/267 of 23 December 2004, 60/258 of 8 May 2006, 61/238 of 22 December 2006, 61/260 of 4 April 2007, 62/226 of 22 December 2007, 62/246 of 3 April 2008 and 63/272 of 7 April 2009,

Reiterating that the impact of the work of the Unit on the cost-effectiveness of activities within the United Nations system is a shared responsibility of the Member States, the Unit and the secretariats of the participating organizations,

Reaffirming the commitment by the Unit, the legislative organs and the secretariats of the participating organizations to implement a system of follow-up to the recommendations of the Unit, as set out in resolution 54/16,

Reaffirming also the statute of the Unit and the unique role of the Unit as the only external and independent system-wide inspection, evaluation and investigation body,

Having considered the report of the Unit for 2009 and programme of work for 2010, and the note by the Secretary-General,

1. *Recalls* its resolutions 61/260, 62/246 and 63/272;
2. *Takes note with appreciation* of the report of the Joint Inspection Unit for 2009 and programme of work for 2010;
3. *Takes note* of the note by the Secretary-General;
4. *Affirms* that oversight is a shared responsibility of Member States, the organizations and the internal and external oversight bodies;
5. *Welcomes* the continued progress in the reform process of the Unit, particularly the results-based management approach, and its improved collaboration with participating organizations and other oversight bodies;
6. *Notes* the ongoing progress of the development of a web-based follow-up system;
7. *Invites* the Unit to report to the General Assembly on further progress made in the reform process, including the web-based follow-up system, and requests the Secretary-General to report to the Assembly in the context of the proposed programme budget for the biennium 2012–2013 on any related resource implications and funding options;
8. *Reiterates its request* to the Unit, in line with its mandate, to continue to focus its work and reports on system-wide issues of interest and relevance to the participating organizations and the States Members of the United Nations and to provide advice on ways to ensure the avoidance of duplication and overlap and more efficient and effective use of resources in implementing the mandates of the Organization;
9. *Reiterates its request* to the executive heads of the participating organizations to fully comply with the statutory procedures for consideration of the reports of the Unit and, in particular, to submit their comments and to distribute reports in time for their consideration by legislative organs;
10. *Reiterates its request* to the Secretary-General and the other executive heads of the participating organizations

to fully assist the Unit with the timely provision of all information requested by it;

11. *Reiterates its invitation* to the legislative organs of the participating organizations to fully consider and take concrete action on the relevant recommendations issued by the Unit;

12. *Requests* the Secretary-General, in his capacity as Chairman of the United Nations System Chief Executives Board for Coordination, to expedite the implementation of the present resolution, including through the expected provision of support to the Unit by the secretariats of the participating organizations in the preparation of its reports, notes and confidential letters, and the consideration of and action on the recommendations of the Unit in the light of pertinent resolutions of the General Assembly, and to report to the Assembly on an annual basis on the results achieved;

13. *Welcomes* the coordination of the Unit with the Board of Auditors and the Office of Internal Oversight Services of the Secretariat, and encourages those bodies to continue sharing experiences, knowledge, best practices and lessons learned with other United Nations audit and oversight bodies, as well as with the Independent Audit Advisory Committee, with a view to avoiding overlap or duplication and achieving further synergy, cooperation, effectiveness and efficiency, without prejudice to the respective mandates of oversight bodies;

14. *Stresses* the need for the Unit to continuously update and improve its medium- and long-term strategy for 2010–2019, taking into account the dynamics and challenges of the environment in which it undertakes its activities;

15. *Notes* that the 2010 programme of work of the Unit was adjusted in line with existing resources, and requests the Secretary-General, in the light of the ongoing development of the medium- and long-term strategy approach, to reflect relevant resource requests in the context of future proposed programme budgets;

16. *Recalls* paragraph 8 of its resolution 63/311 of 14 September 2009, and in this regard requests the Secretary-General, in his capacity as Chairman of the United Nations System Chief Executives Board for Coordination, to ensure the appropriate involvement of the Unit in the ongoing relevant consultations, taking into account its role and mandate;

17. *Notes with concern* that some Member States did not abide by its resolutions on the issuance of visas for the official travel of some inspectors and staff of the Unit, and in this regard requests Member States to extend, without conditions, the requisite facilitation to enable the individual inspectors and the staff of the Unit to undertake their tasks;

18. *Requests* the Unit to keep the General Assembly informed, as necessary, about any difficulty or delay in obtaining visas for the official travel of the inspectors and members of its secretariat;

II

Having considered the note by the President of the General Assembly on the implementation of the procedures for the appointment of inspectors of the Unit,

Recalling section II of its resolution 61/238,

Takes note of the note by the President of the General Assembly on the implementation of the procedures for the appointment of inspectors of the Unit.

JIU activities. In its annual report to the General Assembly [A/65/34], JIU reviewed its activities in 2010, during which it issued 10 reports: environmental profile of the UN system organizations [JIU/REP/2010/1]; review of travel arrangements within the UN system [JIU/REP/2010/2]; ethics in the UN system [JIU/REP/2010/3]; review of enterprise risk management in the UN system [JIU/REP/2010/4]; review of the audit function of the UN system [JIU/REP/2010/5]; preparedness of the UN system organizations for international public sector accounting standards (IPSAS) [JIU/REP/2010/6]; policies and procedures for the administration of trust funds in UN system organizations [JIU/REP/2010/7]; staff mobility and work/life balance in UN system organizations [JIU/REP/2010/8]; corporate partnerships: the role of the Global Compact, best practices and lessons learned [JIU/REP/2010/9]; and review of management and administration in the United Nations Office on Drugs and Crime [JIU/REP/2010/10]. JIU also issued a management letter on the United Nations Office at Geneva Security and Safety Section [JIU/ML/2010/1].

Eight of the topics addressed were in response to suggestions made in 2009 by participating organizations and oversight or coordinating bodies; many of them coincided with proposals made by the inspectors. The process of establishing the work programme closely involved the CEB secretariat, which, at the request of JIU, received, compiled and shared the system-wide suggestions. Consultations also took place with the Board of Auditors and OIOS.

The inspectors noted with concern that an increasing number of legislative organs did not fully table, consider and discuss JIU reports, and thus failed to act upon recommendations addressed to them. In particular, at the United Nations, including the Assembly and the Economic and Social Council, few reports had been acted upon and most of them were merely taken note of, which contradicted repeated calls for a follow-up system. The situation was not much better in some of the participating organizations.

JIU had requested participating organizations to provide information on all 389 recommendations issued between 2007 and 2009, and had received information from all but three organizations—the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), the Office of the United Nations High Commissioner for Refugees (UNHCR) and the World Intellectual Property Organization (WIPO). An analysis of data concerning the 182 recommendations contained in single-organization reports and notes issued in 2007, 2008 and 2009 showed a lower acceptance rate compared to previous triennial reporting periods, with a 62 per cent rate. An analysis of available data on the 207 recommendations contained in system-wide and sev-

eral organization reports and notes issued between 2007–2009 showed a low rate of acceptance reported for 2009, as many reports had yet to be discussed by governing bodies. The relatively low overall approval/acceptance rate of 50 per cent resulted from the fact that no information was provided for 42 per cent of the recommendations.

The data on approved or accepted recommendations normally showed lower rates of implementation for the most recent reports and recommendations. At the end of 2010, however, data available for single-organization reports and notes presented ascending rates in 2007, 2008 and 2009, with 57 per cent of recommendations implemented and 20 per cent in progress. No information on the status of implementation was received for 22 per cent of the accepted recommendations. The implementation of accepted or approved recommendations in system-wide and several organization reports and notes issued in 2007, 2008 and 2009 showed no positive variance, with 44 per cent of the recommendations implemented and 32 per cent in progress. The rate of recommendations for which implementation had not started remained stable at 5 per cent. No information on the status of implementation was received for 19 per cent of the accepted recommendations. JIU also presented its work programme for 2011.

On 24 December, the Assembly decided that the item on JIU would remain for consideration during its resumed sixty-fifth (2011) session (**decision 65/544**).

Oil-for-food programme

On 13 September (**decision 64/569**), the General Assembly deferred consideration of the item entitled “Follow-up to the recommendations on administrative management and internal oversight of the Independent Inquiry Committee into the United Nations Oil-for-Food Programme” [YUN 2005, p. 1475] and included it in the draft agenda of its sixty-fifth (2010) session.

On 24 December (**decision 65/544**), the Assembly decided that the item would remain for consideration during its resumed sixty-fifth (2011) session.

Other administrative matters

Conference management

Committee on Conferences

The Committee on Conferences held an organizational meeting on 30 March and its substantive session from 30 August to 3 September [A/65/32]. It had before it a Secretariat note containing the biennial calendar of UN conferences and meetings for 2010 and 2011 [A/AC.172/2010/2 & Add.1] and considered requests

for changes to the approved 2010 calendar. The Committee discussed meetings management: utilization of conference services and facilities; the impact of the capital master plan (CMP) (renovation of UN Headquarters in New York) on meetings held at Headquarters; integrated global management; and matters related to documentation, publication, translation and interpretation. (The Committee's deliberations and recommendations on those matters are detailed in the sections below.)

The Committee also considered a Secretariat note [A/AC.51/2010/CRP.1] containing information from the proposed strategic framework for 2012–2013 [A/65/6(Prog.1)].

The Committee recommended that the General Assembly authorize seven bodies, listed in letters of 31 August [A/65/337] and 14 October [A/65/337/Add.1] from the Committee Chairman, to meet in New York during the main part of the Assembly's sixty-fifth (2010) session.

The Assembly, on 14 September and 20 October (**decision 65/501**) authorized those bodies to meet as recommended.

Report of Secretary-General. In response to Assembly resolutions 64/230 [YUN 2009, p. 1432] and 64/243 [ibid., p. 1395], the Secretary-General submitted a July report on the pattern of conferences [A/65/122] that provided input to the deliberations of the Committee. The report addressed issues relating to conference management, outlined progress made in implementing integrated global management, proposed means to address challenges, and put forward suggestions on steps that could contribute to the optimal functioning of the management of conferences and meetings. Topics covered included the evaluation by Member States of the quality of conference services; the impact of freelance recruitment on the quality of interpretation; financial and administrative implications of raising or waiving the mandatory age of separation for language staff, including interpreters, translators and editors; and specific challenges faced by the United Nations Office at Nairobi (UNON).

ACABQ report. In October [A/65/484 & Corr.1], the Advisory Committee on Administrative and Budgetary Questions (ACABQ) submitted its comments on the Secretary-General's report. It emphasized the need to ensure, throughout the period of implementation of CMP, the full and uninterrupted provision of quality services; stated that raising or waiving the mandatory age of separation for language staff was a human resources policy question and, as such, should not be addressed in the context of the pattern of conferences; and emphasized that any savings or efficiencies arising from the increased use of contractual translation should not come at the expense of quality.

Use of conference services and facilities

The Committee on Conferences [A/65/32] noted that, in 2009, the overall utilization factor at the four main duty stations—New York, Geneva, Vienna and Nairobi—was 86 per cent (85 per cent in 2008). Meeting cancellations remained high in New York compared to other duty stations. Regarding provision of interpretation services to meetings of bodies entitled to meet “as required”, the Committee noted that a comparative analysis showed an increase in provision of services in New York to 95 per cent in 2009; for the period 1 January to 31 May 2010, 98 per cent of such requests had been met. In Geneva, which was reporting that category of meetings for the first time, 95 per cent of the requests for interpretation services had been met in 2009. Concerning the utilization of the conference facilities at UNON, the Committee noted that in 2009 all meetings of Nairobi-based bodies had been held in Nairobi, in conformity with the headquarters rule. The utilization rate of the conference centre at the Economic Commission for Africa (ECA) had remained at 76 per cent in 2009. Owing to increased competition in the local and regional markets, an improvement in the centre's utilization rate might not be realistically sustainable in the near future. ECA marketing activities of the centre included participation in high-profile international conventions and exhibitions. To ensure sustainability of the occupancy rate achieved in 2009, ECA had established partnerships with the Addis Ababa Tourism Commission, Ethiopian Airlines and others to promote Addis Ababa as a conference and tourism destination.

Impact of CMP on conference services

The Committee [A/65/32] noted that after the relocation of meetings to the North Lawn building during the renovation of the UN Headquarters building in New York, limitations continued in accommodating meetings with large numbers of participants owing to reduced capacity in the rooms. Accommodating ad hoc meeting requests in excess of core activities was challenging because of the reduced number of rooms. Since not all conference rooms had the same equipment, such as that for videoconferencing, it was often necessary to reassign rooms based on last-minute requests for such services. The relocation of all staff of the Department for General Assembly and Conference Management (DGACM) into eight swing spaces had posed challenges, and some difficulties persisted.

Answering queries from delegations, a Secretariat representative said that no core activities had been affected and no official meetings had been cancelled or requests refused because of a lack of space; however, there was limited space for side events and gallery space. With regard to availability of documentation,

because of the limited storage space in the North Lawn building, DGACM had moved forward with electronic processing and printing on demand, which tied in with efforts to move towards full electronic processing of documents. Printed documents were still available but might take longer to be delivered because of lack of storage space.

Integrated global management

Regarding DGACM's integrated global management initiative, the Committee [A/65/32] noted that joint efforts of the four main duty stations had produced findings and recommendations covering all main conference management areas, including costing models. The data warehouse ("project 1"), an information technology project, was functional and yielding management information. "Project 2", a state-of-the-art meetings management system known as e-Meets 2.0, had been piloted in Vienna and was launched in New York on 16 August. The interpreters assignment programme (e-APG module) was fully functional across all duty stations. Progress on other fronts included the adoption of a single application to manage contractual translation and efforts to standardize workflows and work processes, such as global workload management and global management of contractual translation. Regarding "project 3", on documents management, work was under way on a cost-benefit analysis of information technology arrangements that would both reduce the resources spent and utilize existing applications to realize efficiencies and cost savings, as recommended by OROS [YUN 2009, p. 1428]. A global evaluation team in the four duty stations had reviewed document planning and processing systems and had sent a report to the Information Technology Governance Board.

The strategy of integrated global management had forged a single entity out of multiple parts operating in unison; however, progress in implementation had remained slow. The main reason was that integrated global management had been premised on a voluntary and collaborative approach. Exercising a more robust approach was rendered difficult by the fact that the conference management units at the various duty stations did not report to the Under-Secretary-General for General Assembly and Conference Management in New York, but to their Directors-General. The Under-Secretary-General, while accountable for the disbursement of resources under the programme budget, did not have corresponding authority in the management and disbursement of financial and human resources.

Documentation

Addressing matters related to documentation and publication and the internal printing of parliamen-

tary documents, the Committee [A/65/32] noted that significant progress had been made in ensuring the timely submission and issuance of documents in New York, including for the Fifth Committee. A decision had been taken to implement proactive documents management, namely the slotting system, at all four main duty stations, on the basis of the positive results achieved at Headquarters. Late submission of documents and inputs by Member States, however, was impeding further improvements.

The Committee agreed to change the method used to determine the length of documents from page count to word count, as proposed by the Secretary-General. The Committee decided not to endorse the recommendation by which the desirable limit of 32 pages (approximately 17,000 words) for documents emanating from intergovernmental bodies would be replaced by a limit of 10,700 words (or 20 pages).

Translation and interpretation

The Committee [A/65/32] considered matters related to translation and interpretation, including succession planning; quality control of contractual translation; the impact of freelance recruitment on the quality of interpretation; the financial and administrative implications of raising or waiving the mandatory age of separation for language staff (interpreters, translators/précis-writers, editors, verbatim reporters and proof-readers/copy preparers); and specific challenges faced by UNON. In the light of the acute demographic transition in the language services expected to take place within five years, a succession planning programme had been implemented that focused on outreach to universities and streamlining of competitive examinations for language services. Fourteen universities had signed memorandums of understanding with the United Nations, with three more Arabic-language universities to follow suit before the end of 2010. DGACM had entered into an official relationship with universities covering all six official languages (Arabic, Chinese, English, French, Russian, Spanish). Despite an insufficient budget allocation for training, every effort had been made to maintain language-related services; however, a permanent and dedicated capacity was needed to carry out training and outreach activities.

While the quality of freelance interpreters had generally been adequate, there were challenges related to the availability of interpretation services at short notice, the fierce global competition for such skills, and the fact that the conditions of employment for interpreters at the United Nations were not as competitive as those offered by other institutions. All four main duty stations had made efforts to increase the share of translation done contractually without sacrificing quality. The United Nations Office at Vienna, which

had historically lacked the capacity to monitor and control the quality of the large proportion of documentation processed externally, would soon benefit from the reclassification of posts to the senior reviser (P-5) level. Such was not the case at UNON, where the high percentage of outsourced translation called for more robust quality assurance. Other challenges faced at UNON related to the increase in the number of meetings held at the renovated conference facilities and the continued difficulty in attracting and retaining high-quality interpreters and translators. Thus, the upgrading of six interpreter and six senior reviser posts from the P-4 to the P-5 level was proposed.

GENERAL ASSEMBLY ACTION

On 24 December [meeting 73], the General Assembly, on the recommendation of the Fifth Committee [A/65/595], adopted **resolution 65/245** without vote [agenda item 132].

Pattern of conferences

The General Assembly,

Recalling its relevant resolutions, including resolutions 40/243 of 18 December 1985, 41/213 of 19 December 1986, 43/222 A to E of 21 December 1988, 51/211 A to E of 18 December 1996, 52/214 of 22 December 1997, 53/208 A to E of 18 December 1998, 54/248 of 23 December 1999, 55/222 of 23 December 2000, 56/242 of 24 December 2001, 56/254 D of 27 March 2002, 56/262 of 15 February 2002, 56/287 of 27 June 2002, 57/283 A of 20 December 2002, 57/283 B of 15 April 2003, 58/250 of 23 December 2003, 59/265 of 23 December 2004, 60/236 A of 23 December 2005, 60/236 B of 8 May 2006, 61/236 of 22 December 2006, 62/225 of 22 December 2007, 63/248 of 24 December 2008, 63/284 of 30 June 2009 and 64/230 of 22 December 2009,

Reaffirming its resolution 42/207 C of 11 December 1987, in which it requested the Secretary-General to ensure the equal treatment of the official languages of the United Nations,

Having considered the report of the Committee on Conferences for 2010 and the relevant report of the Secretary-General,

Having also considered the report of the Advisory Committee on Administrative and Budgetary Questions,

Reaffirming the provisions relating to conference services in its resolutions on multilingualism, in particular resolution 63/306 of 9 September 2009,

I

Calendar of conferences and meetings

1. *Welcomes* the report of the Committee on Conferences for 2010;

2. *Approves* the draft revised calendar of conferences and meetings of the United Nations for 2011, as submitted by the Committee on Conferences, taking into account the observations of the Committee and subject to the provisions of the present resolution;

3. *Authorizes* the Committee on Conferences to make any adjustments to the calendar of conferences and meetings for 2011 that may become necessary as a result of actions and decisions taken by the General Assembly at its sixty-fifth session;

4. *Notes with satisfaction* that the Secretariat has taken into account the arrangements referred to in General Assembly resolutions 53/208 A, 54/248, 55/222, 56/242, 57/283 B, 58/250, 59/265, 60/236 A, 61/236, 62/225 and 63/248 concerning Orthodox Good Friday and the official holidays of Eid al-Fitr and Eid al-Adha, and requests all intergovernmental bodies to observe those decisions when planning their meetings;

5. *Requests* the Secretary-General to ensure that any modification to the calendar of conferences and meetings is implemented strictly in accordance with the mandate of the Committee on Conferences and other relevant resolutions of the General Assembly;

6. *Notes* that accurate, timely and consistent information provided to the Fifth Committee during its informal consultations facilitates the decision-making process in the Committee;

II

A. Utilization of conference-servicing resources

1. *Reaffirms* the practice that, in the use of conference rooms, priority must be given to the meetings of Member States;

2. *Notes* that the overall utilization factor at the four main duty stations in 2009 was 86 per cent, as compared with 85 per cent in 2008 and 83 per cent in 2007, which is above the established benchmark of 80 per cent;

3. *Welcomes* the steps taken by those bodies that have adjusted their programmes of work in order to achieve the optimum utilization of conference-servicing resources, and requests the Committee on Conferences to continue consultations with the secretariats and bureaux of bodies that underutilize their conference-servicing resources;

4. *Recognizes* that late starts and unplanned early endings seriously affect the bodies' utilization factor owing to the amount of time lost, and invites the secretariats and bureaux of bodies to pay adequate attention to avoiding late starts and unplanned early endings;

5. *Notes* that the percentage of meetings held by the bodies entitled to meet "as required" that were provided with interpretation services in New York in 2009 was 95 per cent, as compared with 90 per cent in 2008, and requests the Secretary-General to continue to report on the provision of conference services to these bodies through the Committee on Conferences;

6. *Urges* intergovernmental bodies to review their meeting entitlements and to plan and adjust their programmes of work on the basis of their actual utilization of conference-servicing resources in order to improve their efficient use of conference services;

7. *Recognizes* the importance of meetings of regional and other major groupings of Member States for the smooth functioning of the sessions of intergovernmental bodies, requests the Secretary-General to ensure that, as far as possible, all requests for conference services for the meetings of regional and other major groupings of Member States are met, and requests the Secretariat to inform the

requesters as early as possible about the availability of conference services, including interpretation, as well as about any changes that might occur before the meeting;

8. *Notes* that the percentage of meetings held by regional and other major groupings of Member States that were provided with interpretation services at the four main duty stations was 79 per cent in 2009, as compared with 77 per cent in 2008, and requests the Secretary-General to continue to employ innovative means to address the difficulties experienced by Member States owing to the lack of conference services for some meetings of regional and other major groupings of Member States and to report thereon to the General Assembly through the Committee on Conferences;

9. *Once again urges* intergovernmental bodies to spare no effort at the planning stage to take into account the meetings of regional and other major groupings of Member States, to make provision for such meetings in their programmes of work and to notify conference services, well in advance, of any cancellations so that unutilized conference-servicing resources may, to the extent possible, be reassigned to meetings of regional and other major groupings of Member States;

10. *Notes with satisfaction* that, in accordance with several resolutions of the General Assembly, including resolution 64/230, section II.A, paragraph 9, in conformity with the headquarters rule, all meetings of Nairobi-based United Nations bodies were held in Nairobi in 2009, and requests the Secretary-General to report thereon to the Assembly at its sixty-sixth session through the Committee on Conferences;

11. *Notes* that ongoing promotional efforts and initiatives undertaken by the management of the conference centre of the Economic Commission for Africa led to a sustained increase in the utilization of the premises in 2009;

12. *Requests* the Secretary-General to continue to explore means to increase the utilization of the conference centre of the Economic Commission for Africa and to report thereon to the General Assembly at its sixty-sixth session;

13. *Calls upon* the Secretary-General and Member States to adhere to the guidelines and procedures contained in the administrative instruction for the authorization of the use of United Nations premises for meetings, conferences, special events and exhibits;

14. *Emphasizes* that such meetings, conferences, special events and exhibits must be consistent with the purposes and principles of the United Nations;

B. Impact of the capital master plan, strategy IV (phased approach), on meetings held at Headquarters during its implementation

1. *Requests* the Secretary-General to ensure that the implementation of the capital master plan, including the temporary relocation of conference-servicing staff to a swing space, will not compromise the quality of conference services provided to Member States in the six official languages and the equal treatment of the language services, which should be provided with equally favourable working conditions and resources, with a view to receiving the maximum quality of services;

2. *Requests* all meeting requesters and organizers to liaise closely with the Department for General Assembly and Conference Management of the Secretariat on all matters related to the scheduling of meetings to allow maximum predictability in coordinating activities at Headquarters during the construction period;

3. *Requests* the Committee on Conferences to keep the matter under constant review, and requests the Secretary-General to report regularly to the Committee on matters pertaining to the calendar of conferences and meetings of the United Nations during the construction period;

4. *Requests* the Secretary-General to continue to provide adequate information technology support for conference services, within the existing resources of the Department for General Assembly and Conference Management, in order to ensure their seamless operation throughout the implementation of the capital master plan;

5. *Notes* that, for the duration of the implementation of the capital master plan, a part of the conference-servicing staff and information technology resources of the Department for General Assembly and Conference Management has been temporarily relocated to a swing space, and requests the Secretary-General to continue to provide adequate support, within the existing resources of the Department, to ensure continued maintenance of the information technology facilities of the Department, implementation of the global information technology initiative and delivery of quality conference services;

6. *Requests* the Secretary-General to consult Member States on initiatives that affect the utilization of conference services and conference facilities;

III

Integrated global management

1. *Notes* the progress achieved in the implementation of the global information technology project, aimed at integrating, across duty stations, information technology into meetings management and documentation-processing systems, and the global approach to harmonizing standards and information technology and sharing good practices and technological achievements among conference services at the four main duty stations;

2. *Notes with appreciation* the efforts of the Secretary-General, using in-house capacity, to improve the utilization of conference services, in particular through the implementation of the project on the Electronic Meetings Planning and Resource Allocation System (e-Meets) and the interpreters assignment programme (e-APG module) ("project 2"), and requests the Secretary-General to report to the General Assembly at its sixty-sixth session on other efforts to that end;

3. *Requests* the Secretary-General to ensure the full implementation of the project on global documentation management ("project 3") and to report thereon to the General Assembly at its sixty-sixth session;

4. *Notes* the initiatives undertaken in the context of integrated global management aimed at streamlining procedures, achieving economies of scale and improving the quality of conference services, and in this regard stresses the importance of ensuring equal treatment of conference-servicing staff as well as the principle of equal grade for equal work at the four main duty stations;

5. *Emphasizes* that the major goals of the Department for General Assembly and Conference Management are to provide high-quality documents in a timely manner in all official languages in accordance with established regulations, as well as high-quality conference services to Member States at all duty stations, and to achieve those aims as efficiently and cost effectively as possible, in accordance with the relevant resolutions of the General Assembly;

6. *Requests* the Secretary-General to ensure that all language services are given equal treatment and are provided with equally favourable working conditions and resources, with a view to achieving the maximum quality of services, with full respect for the specificities of the six official languages and taking into account their respective workloads;

7. *Reiterates* the need for the Secretary-General to ensure the compatibility of technologies used in all duty stations and to ensure that they are user-friendly in all official languages;

8. *Requests* the Secretary-General to complete the task of uploading all important older United Nations documents onto the United Nations website in all six official languages on a priority basis so that these archives are also available to Member States through that medium;

9. *Reiterates* that the satisfaction of Member States is a key performance indicator in conference management and conference services;

10. *Requests* the Secretary-General to continue to ensure that measures taken by the Department for General Assembly and Conference Management to seek the evaluation by Member States of the quality of the conference services provided to them, as a key performance indicator of the Department, provide equal opportunities to Member States to present their evaluations in the six official languages of the United Nations and are in full compliance with relevant resolutions of the General Assembly, and requests the Secretary-General to report to the Assembly, through the Committee on Conferences, on progress made in this regard;

11. *Also requests* the Secretary-General to continue to explore best practices and techniques in client satisfaction evaluations and to report on a regular basis to the General Assembly on the results achieved;

12. *Welcomes* the efforts made by the Department for General Assembly and Conference Management to seek the evaluation by Member States of the quality of the conference services provided to them, and requests the Secretary-General to continue to explore innovative ways to systematically capture and analyse feedback from Member States and committee Chairs and Secretaries on the quality of conference services and to report thereon to the General Assembly through the Committee on Conferences;

13. *Requests* the Secretary-General to keep the General Assembly apprised of progress made in integrated global management;

14. *Notes with concern* that the Secretary-General did not include in his report on the pattern of conferences information about the financial savings achieved through the implementation of the integrated global management projects as requested in section III, paragraph 4, of its resolution 63/248, and in section III, paragraph 12, of its resolution 64/230, and reiterates its request that the Secretary-

General redouble his efforts to include this information in his next report on the pattern of conferences;

15. *Requests* the Secretary-General to assess the conference management efficiency and accountability mechanisms across the four main duty stations and to report thereon to the General Assembly at its sixty-sixth session;

IV

Documentation and publication-related matters

1. *Emphasizes* the paramount importance of the equality of the six official languages of the United Nations;

2. *Reaffirms* its decision in section IV of its resolution 64/230 that all reports adopted by the Working Group on the Universal Periodic Review of the Human Rights Council shall be issued as documents in all official languages of the United Nations in a timely manner before their consideration by the Council, in accordance with General Assembly resolutions 36/117 A of 10 December 1981, 51/211 A to E, 52/214, 53/208 A to E and 59/265, and requests the Secretary-General to ensure the support necessary to that effect;

3. *Reiterates* the importance of the timely issuance of documents for the Fifth Committee;

4. *Reiterates with concern its request* that the Secretary-General ensure that the rules concerning the simultaneous distribution of documents in all six official languages are strictly respected as regards both the distribution of printed copies and the posting of parliamentary documentation on the Official Document System and the United Nations website, in keeping with section III, paragraph 5, of its resolution 55/222;

5. *Reaffirms* that the Fifth Committee is the appropriate Main Committee of the General Assembly entrusted with responsibilities for administrative and budgetary matters;

6. *Stresses* that matters related to conference management, including documentation, fall within the purview of the Fifth Committee;

7. *Reaffirms* its decision in section III, paragraph 9, of its resolution 59/265 that the issuance of documents in all six official languages on planning, budgetary and administrative matters requiring urgent consideration by the General Assembly shall be accorded priority;

8. *Reiterates its request* that the Secretary-General direct all departments of the Secretariat to include the following elements in their reports:

(a) Summary of the report;

(b) Consolidated conclusions, recommendations and other proposed actions;

(c) Relevant background information;

9. *Reiterates its request* that all documents submitted to legislative organs by the Secretariat and intergovernmental and expert bodies for consideration and action have conclusions and recommendations in bold print;

10. *Notes with satisfaction* that all documents submitted on time and within the word limit were processed by the Department for General Assembly and Conference Management within four weeks, and encourages the Secretary-General to sustain that level of performance;

11. *Acknowledges* that a multipronged approach is required to find a solution to the perennial difficulties

of the late issuance of documents for the Fifth Committee;

12. *Recognizes* the work done by the task force chaired by the Department for General Assembly and Conference Management in positively addressing the problem of issuance of documents for the Fifth Committee;

13. *Encourages* the Chairs of the Fifth Committee and the Advisory Committee on Administrative and Budgetary Questions to continue to promote cooperation between the two bodies in the sphere of documentation;

14. *Welcomes* the continued efforts of the task force to shepherd the submission of documents by the author departments of the Secretariat;

15. *Urges* author departments to fully adhere to deadlines in meeting the goal of 90 per cent submission compliance, and requests the Secretary-General to ensure that documents submitted late do not adversely affect the issuance of documents submitted on time and in compliance with set guidelines;

16. *Requests* the Secretary-General to provide, in his next report on the pattern of conferences, further information on the waiver process for documents submitted over the word limit and/or not in compliance with the guidelines established by the General Assembly for the reports of the Secretariat, intergovernmental bodies and subsidiary organs, including the criteria for issuing waivers and their application during the previous three years;

V

Translation and interpretation-related matters

1. *Requests* the Secretary-General to redouble his efforts to ensure the highest quality of interpretation and translation services in all six official languages;

2. *Also requests* the Secretary-General to continue to seek evaluation by Member States of the quality of the conference services provided to them, including through the language-specific informational meetings held twice a year, and to ensure that such measures provide equal opportunities to Member States to present their evaluations in the six official languages of the United Nations and that they are in full compliance with the relevant resolutions of the General Assembly;

3. *Reiterates its request* that the Secretary-General ensure that the terminology used in the translation and interpretation services reflects the latest linguistic norms and terminology of the official languages in order to ensure the highest quality;

4. *Reaffirms* section V, paragraph 3, of its resolution 61/236, section V, paragraph 3, of its resolution 62/225, section V, paragraph 5, of its resolution 63/248, and section V, paragraph 4, of its resolution 64/230, and reiterates its request that the Secretary-General, when recruiting temporary assistance in the language services, ensure that all language services are given equal treatment and are provided with equally favourable working conditions and resources, with a view to achieving maximum quality of their services, with full respect for the specificities of each of the six official languages and taking into account their respective workloads;

5. *Notes with appreciation* the measures taken by the Secretariat to fill current vacancies in the language services at the United Nations Office at Nairobi, reiterates its request that the Secretary-General consider further mea-

sures aimed at decreasing the vacancy rates in Nairobi, and requests that the Secretary-General report thereon to the General Assembly at its sixty-sixth session;

6. *Requests* the Secretary-General to hold competitive examinations for the recruitment of language staff sufficiently in advance in order to fill current and future vacancies in the language services in a timely manner and to inform the General Assembly at its sixty-sixth session of efforts in this regard;

7. *Also requests* the Secretary-General to continue to improve the quality of translation of documents into the six official languages, giving particular significance to the accuracy of translation;

8. *Further requests* the Secretary-General to increase the proportion of translation done contractually, with a view to achieving, inter alia, further efficiencies where this mode of delivery yields a final product that is of comparable quality to in-house translation, and to report thereon to the General Assembly at its sixty-sixth session;

9. *Reiterates its request* that the Secretary-General provide, at all duty stations, adequate staff at the appropriate level, with a view to ensuring appropriate quality control for external translation, with due consideration of the principle of equal grade for equal work;

10. *Recalls* paragraphs 70 to 74 of the report of the Secretary-General, and requests the Secretary-General to provide for the reclassification proposed in paragraph 75 in the context of the proposed programme budget for the biennium 2012–2013;

11. *Requests* the Secretary-General to report to the General Assembly at its sixty-sixth session on the experience, lessons learned and best practices of the main duty stations in performing quality control of contractual translations, including on requirements relating to the number and appropriate level of the staff needed to carry out this function;

12. *Encourages* the Secretary-General to establish globally standardized performance indicators and costing models aimed at a more cost-effective strategy for the in-house processing of documents, and requests the Secretary-General to submit such information to the General Assembly at its sixty-sixth session;

13. *Notes with appreciation* the measures taken by the Secretary-General, in accordance with its resolutions, to address, inter alia, the issue of the replacement of retiring staff in the language services, and requests the Secretary-General to maintain and intensify those efforts, including the strengthening of cooperation with institutions that train language specialists, in order to meet the needs in the six official languages of the United Nations;

14. *Notes*, in this regard, that memorandums of understanding have not been signed with such language institutions in all geographical regions, particularly in Africa and Latin America, and requests the Secretary-General to increase his efforts to promote outreach programmes, including through internships, to language institutions in all regions and to introduce innovative methods to increase awareness of the programmes;

15. *Requests* the Department for General Assembly and Conference Management, in cooperation with the Office of Human Resources Management, to increase its efforts to raise awareness among all Member States about opportunities for employment and internships in language services in the four main duty stations;

16. *Notes with appreciation* the positive experience with traineeships at the United Nations Office at Vienna in training young professionals in and attracting them to the translation and interpretation services of the United Nations, and requests the Secretary-General to further develop the initiative and consider extending it to all duty stations, and to report thereon to the General Assembly at its sixty-sixth session;

17. *Notes* that the consolidated lists of individuals and entities subject to sanctions, according to the sanctions committees of the Security Council, have not been translated into all six official languages, and recommends that the Informal Working Group on Documentation and Other Procedural Questions of the Security Council look into the practices related to the issuance of these consolidated lists, including their translation.

On 24 December (**decision 65/544**), the Assembly decided that the item “Pattern of conferences” would remain for consideration during its resumed sixty-fifth (2011) session.

UN information systems

Information and communications technology

Report of Secretary-General. In response to General Assembly resolution 63/262 [YUN 2008, p. 1592], the Secretary-General, in an October report [A/65/491], provided an update on the status of his information and communications technology (ICT) strategy. The goal of the strategy, which comprised three strategic programmes (knowledge management, resource management, infrastructure management), was to overcome the difficulties stemming from a highly fragmented ICT environment and to leverage ICT in order to increase the Organization’s effectiveness and efficiency. The Secretariat had made significant progress since the endorsement of the strategy by the Assembly in resolution 63/262. Key ICT governance structures such as the ICT Executive Committee, the ICT Advisory Group and the Office of Information and Communications Technology (OICT) had been established and Organization-wide ICT management policies and standards had been implemented. The Secretariat made substantial progress in strategic initiatives that had been led or supported by OICT, including Umoja; Inspira; the Integrated Management Information System (IMIS) upgrade for the harmonization of contracts; support for the capital master plan (CMP); the Member States portal; the electronic fuel management system for field missions; and customer relationship management systems. The Secretariat had also made progress in developing a unified ICT disaster recovery plan and business continuity approach, which, once implemented, would contribute to improving the Organization’s capabilities to manage emergencies and reduce the associated costs. In addition, the Secretariat had contributed to system-wide ICT harmonization through inter-agency collaboration.

Parallel to those efforts, the Secretariat completed an Organization-wide review of how departments, offices and field missions were utilizing ICT resources. The initiative, called the ICT structural review, sought to take a comprehensive inventory of ICT capacities across the Organization and identify opportunities for improvement. The review found that major opportunities existed for improving the efficiency and effectiveness of global ICT operations. On the basis of the findings, the Secretary-General proposed undertaking four projects from 2011 to 2015 to realize the improvement opportunities identified: implement globalized service desks to improve quality of service and reduce costs; streamline data centres and improve server and storage management to increase quality of service and reduce costs; rationalize ICT organization to improve ICT personnel planning, effectiveness and productivity; and strengthen the functions of OICT to oversee strategic ICT activities, reduce fragmentation and promote ICT innovation across the Secretariat.

It was estimated that the first three projects could collectively deliver efficiency gains in the range of \$71.3 million to \$101.8 million per year. The full benefits would only be realized after completion of the projects. Those projected efficiencies would allow the Organization to meet increased ICT demand or to reassign staff resources to higher priority functions or other programme areas. Additionally, contractual labour could ultimately be reduced, as could spending on equipment and licensing costs for hardware and software. The cost of implementing the three proposed projects was estimated at \$118.8 million, with the amount required for the biennium 2010–2011 estimated at \$5 million. The fourth project sought to realign and strengthen the capacity of OICT to improve its operational effectiveness and efficiency by increasing ICT resources in high-priority areas. The cost of strengthening OICT was estimated at \$21.9 million, with the amount required for the biennium 2010–2011 estimated at \$3.5 million.

The report also included a unified ICT disaster recovery plan and business continuity approach.

ACABQ report. In November [A/65/576], ACABQ submitted its comments on the report.

General Assembly action. On 24 December, in section XVII of **resolution 65/259** (see p. 1429), the General Assembly requested the Secretary-General to review the proposals contained in his report and to submit new or revised proposals in the context of the proposed programme budget for the biennium 2012–2013; to report on progress made in establishing a secondary data centre, including financial resources proposed for its implementation, in the context of the proposed programme budget for 2012–2013; to submit more than one option for locating any other

facilities related to the ICT strategy; and to report to the Assembly's sixty-eighth (2013) session on the most appropriate organizational arrangements for OICT. The Assembly decided not to approve any funding related to projects 1 or 2, authorized the Secretary-General to proceed with the implementation of project 3 (rationalization of ICT organization) and decided that funding in the amount of \$1.5 million should be provided from within the resources approved for the biennium 2010–2011. The Assembly approved additional resources amounting to \$254,166.

Enterprise resource planning

Reports of Secretary-General. In response to General Assembly resolution 64/243 [YUN 2009, p. 1395], the Secretary-General, in September, submitted a second progress report [A/65/389] on the enterprise resource planning project. Umoja (Swahili for “unity”) was a continuous organizational transformation that would enable high-quality and cost-effective service delivery anywhere in the world in support of evolving UN mandates. The Secretary-General stated that since the submission of his 2009 report [YUN 2009, p. 1439], the Umoja team had made considerable progress: it had finished the detailed design of future business processes; produced an updated benefits case that verified qualitative and quantitative value opportunities; launched change management and communication programmes; analysed potential changes to the Organization's rules, regulations, policies and procedures to optimize business processes; and expanded its database of information systems. The final part of the design phase was under way.

Despite challenges, it was projected that Umoja would deliver within the time frame published in the first progress report [ibid.]. As requested by the Assembly in resolution 64/243, efforts were made to run Umoja at lower cost, while opportunities to reduce cost projections were also sought. Progress was incremental, and no dramatic cuts could be made without substantially altering the plan and approach approved by the Assembly. Therefore, the overall level of funding required remained unchanged. The Assembly was requested to approve 90 temporary posts for Umoja under the special account for recording income and expenditure of the project; appropriate an amount of \$12,416,300, initially approved in resolution 64/243 as commitment authority; and approve the redeployment of resources from contractual services to fund 10 temporary posts, bringing the number of temporary posts for the project to 90.

In November, in his first performance report on the programme budget for the biennium 2010–2011 [A/65/589], the Secretary-General said that at the time of his September report on Umoja, it was anticipated that it would be necessary to seek an appropriation

of \$12,416,300 as a commitment authority; however, based on more up-to-date information on expenditure patterns, he proposed to monitor the progress of the project and report the requirements arising from the commitment authority in the context of the second performance report for the biennium.

ACABQ report. In November [A/65/576], ACABQ submitted its comments on the report.

General Assembly action. On 24 December, in section II of **resolution 65/259** (see p. 1429), the General Assembly requested the Secretary-General to make efforts to deploy Umoja on the basis of lower-cost options, while also looking for opportunities to reduce cost projections; urged the Secretary-General to fill the vacancies in the project team; stressed that the temporary posts related to the implementation of Umoja were limited to the duration of the project; and decided not to appropriate the amount of \$12,416,300, in the light of the subsequent proposal of the Secretary-General in his November report.

International cooperation in informatics

In accordance with Economic and Social Council resolution 2007/14 [YUN 2007, p. 1486], the Secretary-General submitted a March report [E/2010/48] on international cooperation in the field of informatics. The Ad Hoc Open-ended Working Group on Informatics had continued to act as a bridge with regard to information technology between the evolving needs of Member States and the actions of the Secretariat. The cooperation of the Working Group and the Secretariat had resulted in practical enhancements in the area of technology that facilitated the work of Member States and Observers, as well as that of the non-governmental organizations accredited to the United Nations. The Secretariat and the Working Group expanded their efforts with regard to website tools and shared responsibility for creating and maintaining web pages and document updates. With the guidance of the Working Group, the Secretariat expanded efforts to utilize more fully CandiWeb, the website built in support of elections for UN organs. The Secretariat maintained Wi-Fi connectivity and dedicated Internet access points for delegates throughout the public areas and conference rooms of UN Headquarters in New York. Information posted on iSeek, the Intranet of the Secretariat, was made available on the Member States portal, *deLEGATE*, which was updated daily by the Department of Public Information in both English and French, providing access to essential information resources and specific services and tools for delegates. Between April and December 2009, 66,323 visitors accessed the portal 208,667 times. The Secretariat provided website services and a standard web content management system for approximately 60 permanent missions. It also provided e-mail services

to the permanent missions, while OICT supported 1,184 e-mail accounts on four dedicated servers. The United Nations Institute for Training and Research (UNITAR) offered a wide range of online courses, including: multilateral diplomacy; training for peacekeepers in pre-deployment stage; public finance and trade; and environmental law. In 2009 alone, 2,603 beneficiaries received online training.

On 19 July, the Council deferred consideration of international cooperation in the field of informatics until its resumed substantive session of 2010 (**decision 2010/212**).

ECONOMIC AND SOCIAL COUNCIL ACTION

On 15 December [meeting 52], the Economic and Social Council adopted **resolution 2010/38** [draft: E/2010/L.44] without vote [agenda item 7 (d)].

The need to harmonize and improve United Nations informatics systems for optimal utilization and accessibility by all States

The Economic and Social Council,

Welcoming the report of the Secretary-General on international cooperation in the field of informatics and the initiatives of the Ad Hoc Open-ended Working Group on Informatics,

Recognizing the strategic importance of information and communications technology as a critical reform instrument for improving the efficiency and effectiveness of the United Nations Secretariat,

Recalling its previous resolutions on the need to harmonize and improve United Nations information systems for optimal utilization and access by all States, with due regard to all the official languages,

Welcoming the intensification of efforts by the Chief Information Technology Officer and the Office of Information and Communications Technology of the Secretariat to improve effective collaboration and information management solutions for the needs of the permanent and observer missions at the United Nations,

1. *Reiterates once again* the high priority that it attaches to easy, economical, uncomplicated and unhindered access for States Members of the United Nations and Observers, as well as non-governmental organizations accredited to the United Nations, to the computerized databases and information systems and services of the United Nations;

2. *Requests* the President of the Economic and Social Council to convene the Ad Hoc Open-ended Working Group on Informatics for one more year to enable it to carry out, from within existing resources, the due fulfilment of the provisions of the Council resolutions on this item, to facilitate the successful implementation of the initiatives being taken by the Secretary-General with regard to the use of information technology and to continue the implementation of measures required to achieve its objectives, and in that regard requests the Working Group to continue its efforts to act as a bridge between the evolving needs of Member States and the actions of the Secretariat, and to consider its future role, status and mandate and develop findings in that regard;

3. *Expresses its appreciation* to the Secretariat for the continuing cooperation that it extends to the Working

Group in the endeavour to further improve the information technology services available to all permanent and observer missions at the United Nations and, in particular, for the implementation of a Member State web portal to consolidate and simplify secure access by authorized representatives of Member States to relevant information and for the continued upgrading and stabilizing of e-mail services for delegates, as well as for the continued assistance in the hosting of many mission websites, a cooperative effort of the Secretariat and the diplomatic community coordinated by the Working Group;

4. *Also expresses its appreciation* for the efforts of the Working Group and the Secretariat in providing training and support and raising awareness in the area of United Nations informatics systems for optimal utilization and accessibility by all States;

5. *Requests* the Secretary-General to extend full cooperation to the Working Group and to give priority to implementing its recommendations and guidance, particularly with regard to the upgrading of web-based services, including through the replacement of the CandiWeb elections and candidatures site;

6. *Also requests* the Secretary-General to report to the Economic and Social Council at its substantive session of 2011 on action taken in follow-up to the present resolution, including the findings of the Working Group and an assessment of its work and mandate.

UN premises and property

Capital master plan

Implementation of CMP

Reports of Secretary-General. In accordance with General Assembly resolution 57/292 [YUN 2002, p. 1375], the Secretary-General, in October, submitted the eighth annual progress report [A/65/511] on the implementation of the capital master plan (CMP) for the renovation of the UN Secretariat building in New York. Since his previous report [YUN 2009, p. 1446], significant progress had been made, including: the relocation of several thousand UN staff to off-site and on-site swing space; the completion and inauguration of the North Lawn building; and the closure and commencement of construction in the Conference and Secretariat buildings. Other milestones included: the temporary relocation of the Security Council; the construction of hoists on the Secretariat and Conference buildings; the completion of most of the work required in the basements; and the awarding of guaranteed maximum price contracts for additional aspects of the project. Two years into the five-year project, the Organization remained within reach of completing the project on schedule and within budget. Additional progress was made on design and construction documents, and occupancy plans were developed and approved with departments and offices concerning the reoccupancy of the Secretariat building upon the completion of its renovation. The Secretary-General established the CMP Advisory Board, which held its first meeting in May. The CMP Office

continued to solicit donations for particular rooms or building components from Member States.

In an addendum submitted in October [A/65/511/Add.1], pursuant to section III of General Assembly resolution 64/228 [YUN 2009, p. 1450], the Secretary-General provided an update on the status of the activities under the associated costs to CMP, including historical expenditure, forecasts of resource requirements for 2010, and estimated resource requirements for 2011 and until the completion of the construction project, which was anticipated for 2013. The report also described enhancements made to the governance of associated costs to CMP via the establishment of a Steering Committee.

The total resource requirement for associated costs for 2011 was estimated at \$110,977,900. Taking into account the estimated balance of \$39,106,595 against the amounts approved for the biennium 2008–2009 and for 2010, the net additional requirement for 2011 amounted to \$71,871,305.

Review of CMP

Report of Board of Auditors. In a July report on CMP for the year ended 31 December 2009 [A/65/5 (Vol. V)], the Board of Auditors said that according to statement IX of the financial statements of the United Nations for the biennium ended 31 December 2009 [A/65/5 (Vol. I)], the shortfall of income relating to CMP was \$79.0 million, compared to an excess of income over expenditure of \$397.0 million for the previous biennium. The shortfall was due to the 10-fold increase in expenditure, from \$82.9 million as at 31 December 2007 to \$813.4 million, which reflected the further advance of CMP into its operational phase, as well as the time lag between the recognition of income and the recognition of expenditure. The bulk of income was recognized prior to the bulk of expenditure, mainly as a result of the assessment scheme adopted by the General Assembly, which offered the option of a one-time assessment for the duration of the project, and the delay in the implementation of the project. Therefore, the shortfall of income did not suggest that the project was at risk financially.

The reserves and fund balances amounted to \$1.1 billion as at 31 December 2009, compared to \$532.5 million at the end of the previous biennium, or a 104 per cent increase. That was attributable mainly to the transfer of \$702.0 million to construction in progress, representing the capitalized costs incurred during the biennium.

Total assets amounted to \$1.8 billion as at 31 December 2009, compared to \$730.8 million at the end of the previous biennium, an increase of 148 per cent. That was due to an increase in the cash balance from \$365.3 million to \$923.9 million, or 153 per cent, and

in funds for construction in progress, which increased from \$113.9 million to \$763.1 million, or 570 per cent. Total liabilities increased from \$198.2 million to \$725.7 million, or 266 per cent, mainly as a result of higher unliquidated obligations.

The latest cost estimate for the project provided to the Board, which was carried out as at January 2010, was \$2.0 billion, representing an overrun of almost \$95.2 million above the \$1.9 billion budget, or 5.1 per cent. That represented a slight increase compared with the estimate submitted to the Assembly in 2009 [YUN 2009, p. 1446]. With the exception of construction costs, which declined slightly, all the expense items contributed to the increase. To bring the total project cost back down to the level of the approved budget (\$1.9 billion), the CMP Office continued to identify savings through the value engineering programme.

Of the 17 recommendations made in the Board's report for the year ended 31 December 2008 [YUN 2009, p. 1447], 9 (53 per cent) were fully implemented, 7 (41 per cent) were under implementation and 1 (6 per cent) was not implemented. The slight deterioration in the implementation rate was attributable mainly to delays in the set-up of the post-award review committee created in response to several recommendations of the Board regarding procurement management.

The Board recommended that the Secretariat include in its progress report on the implementation of CMP a detailed analysis of the trends in the total cost of the project and their causes; reassess the merits of the value engineering programme; reduce to a minimum requests for change orders; establish a typology of the principal cause of construction cost overruns; reassess the appropriateness of the scope and level of the provision for contingencies; define all the main measures relating to the refurbishment of workspaces; expedite the functioning of the post-award review committee; and improve the management of the files for the amendments by systematically including information on the negotiation process with the vendor, the results thereof, the exact nature of the work and its location.

Report of Secretary-General. In accordance with resolution 48/216 B [YUN 1993, p. 1207], the Secretary-General, in an August report [A/65/296], provided additional information in response to the recommendations of the Board of Auditors as contained in its report on the United Nations for the biennium ended 31 December 2009 [A/65/5 (Vol. I)] and its report on CMP for the year ended 31 December 2009 (see above). The report gave the status of implementation, the office responsible, the estimated completion date and the priority for each recommendation contained in the reports of the Board of Auditors. In addition, it provided updated information on the status of imple-

mentation of the Board's recommendations relating to prior periods that were reported by the Board as not having been fully implemented.

General Assembly action. By **decision 65/543** of 24 December, the General Assembly authorized the rollover into 2011 of the unspent balance of the funding for associated costs approved in 2010 to allow the Secretary-General to continue the activities and projects in 2011 that had been deferred and to avoid interruption of or negative impact on the CMP project. It also decided to consider at the first part of its resumed sixty-fifth (2011) session the report of the Secretary-General [A/65/511/Add.1] on proposals for financing associated costs for 2011 from within the approved budget for CMP.

Additional office/conference facilities

Reports of Secretary-General. In accordance with section I of General Assembly resolution 63/263 [YUN 2008, p. 1546], the Secretary-General submitted a September report [A/65/351] on overseas property management and construction projects in progress. The report reviewed progress made in enhancing the role of Headquarters in coordinating and supporting overseas property management and construction projects and delineated the role assumed by the Overseas Property Management Unit, part of the Office of Central Support Services, Department of Management, at Headquarters, in providing support in that regard and in developing a 20-year strategic capital review of overseas facilities.

Regarding additional office facilities at ECA in Addis Ababa, construction started on 1 May and the ground-breaking ceremony was held on 21 June. Measures were taken during the contract negotiations to bring the project cost within budget. A reasonable construction contingency of approximately 10 per cent was retained, which would provide against cost overruns owing to external factors. The latest cost plans amounted to \$14,333,100—the amount of the revised cost estimate endorsed by the Assembly in section IX of resolution 62/238 [YUN 2007, p. 1454].

Progress was made in the construction of additional office facilities at UNON. By the end of June, up to 75 per cent completion had been achieved, including delivery of the construction materials on site. Internal partitioning was expected to be started in September and be completed by early 2011, which would facilitate earlier occupancy of the building. The cost of the project remained at \$25,252,200—the amount of the revised cost estimates approved by the Assembly in resolution 63/263 [YUN 2008, p. 1545].

In another September report [A/65/385], the Secretary-General submitted revised estimates relating to the programme budget for the biennium

2010–2011 regarding the relocation of the subregional headquarters of the Economic Commission for Latin America and the Caribbean (ECLAC) in Mexico. The increased risk posed to UN staff as a result of natural disasters and malicious acts had led to a study by the Security and Safety Section of ECLAC on the effects of seismic activity, as well as a security risk assessment conducted by the Department of Safety and Security on the security situation in Mexico. The study and the survey found that the location of the ECLAC subregional headquarters in Mexico placed UN staff at high risk in the event of a major earthquake and/or fire, and at medium risk in the event of a car bomb or an illegal occupation such as an office break-in or a hostage incident. The Secretary-General proposed relocating the subregional headquarters to a site that met the minimum operating security standards, at an estimated cost of \$1,758,800. The Assembly was requested to authorize the Secretary-General to enter into commitments up to that amount under the programme budget for the biennium 2010–2011.

ACABQ report. In October [A/65/518], ACABQ recommended that the Assembly authorize the Secretary-General to enter into commitments in an amount up to \$1,758,800.

General Assembly action. In section III of **resolution 65/259** of 24 December (see p. 1429), the General Assembly requested the Secretary-General to assess the status of conference facilities at ECA, in particular Africa Hall and Conference Room 1, to ensure that they were in compliance with the highest international standards for conference facilities, and to report thereon in the context of his next annual progress report; welcomed his efforts to utilize additional funding arrangements to ensure that the project proceeded as originally designed; and requested him to regularly brief Member States. The Secretary-General was authorized to enter into commitments in an amount up to \$1,758,800 under section 20 (Economic and social development in Latin America and the Caribbean) of the programme budget for the biennium 2010–2011 and to report, in the context of his second performance report for that biennium, on the actual expenditure incurred.

Staff matters

Conditions of service

International Civil Service Commission

The International Civil Service Commission (ICSC), a 15-member body established in 1974 by General Assembly resolution 3357(XXIX) [YUN 1974, p. 875]

to regulate and coordinate the conditions of service and the salaries and allowances of the UN common system, held its seventieth (Santiago, Chile, 22 February–5 March) and seventy-first (New York, 26 July–6 August) sessions, at which it considered, in addition to organizational matters, the conditions of service applicable to Professional and General Service categories of staff, locally recruited staff, and staff in the field. The deliberations, recommendations and decisions of ICSC on those matters were detailed in its annual report to the Assembly [A/65/30] (see sections below on specific issues).

In a 6 October statement [A/65/493], the Secretary-General estimated the financial implications of ICSC 2010 decisions and recommendations for the programme budget for the bienniums 2010–2011, 2012–2013 and 2014–2015 onwards to be \$10,111,500, \$28,951,500 and \$31,864,000, respectively, with regard to education grant, base/floor salary scale, children's and secondary dependant's allowances, and harmonization of the conditions of service for staff serving at non-family duty stations. Requirements for the biennium 2010–2011 would be considered in the context of the performance reports for that biennium, and requirements for the biennium 2012–2013 would be considered in the context of the proposed programme budget for that biennium. The financial implications arising from ICSC decisions and recommendations for the budgets of peacekeeping operations for the periods 2010/2011, 2011/2012 and 2012/2013 onwards were estimated at \$203,600, \$116,292,200 and \$125,272,000, respectively, and the financial implications for the support account for peacekeeping operations for the periods 2010/2011 and 2011/2012 onwards were estimated at \$32,500 and \$65,000, respectively, with regard to education grant, base/floor salary scale, children's and secondary dependant's allowances, and harmonization of the conditions of service for staff serving at non-family duty stations. Requirements for peacekeeping budgets and the support account would be reflected in the performance reports relating to the budgets for the period 1 July 2010 to 30 June 2011 and in the context of the proposed budgets for the period 1 July 2011 to 30 June 2012.

In a 21 October report [A/65/532], ACABQ stated that it had no objection to the Secretary-General's approach.

The Assembly, in section XVI of **resolution 65/259** of 24 December (see p. 1429), took note of the Secretary-General's statement and the related ACABQ report.

Education grant

ICSC [A/65/30] reviewed the following aspects of the methodology for determining the education grant: eligibility criteria for receiving the grant; tracking of tuition fee movement for the purposes of adjusting the

grant and the list of representative schools; and additional boarding and education grant travel accorded to staff serving at designated duty stations.

In order to harmonize the education grant eligibility criteria, ICSC recommended that the General Assembly invite the organizations of the common system to adopt measures related to minimum age, maximum age and post-secondary education. It also recommended that the Assembly continue tracking representative school fees as the basis for adjusting fees; approve the revised list of representative schools for all country/currency zones listed in annex II to the report; approve suggested criteria for selecting representative schools; and use a cumulative approach to track the movement of fees since the most recent adjustment made for the zone, with all adjustments made on the basis of both movement of costs and fees.

ICSC recommended to the Assembly that for Austria, Denmark, France, Germany, Italy, the Netherlands, Spain, Switzerland, the United Kingdom, the United States and the United States dollar area outside the United States, the maximum admissible expenses and the maximum education grant be adjusted as shown in annex III to the report; that for Belgium, Ireland, Japan and Sweden, the maximum admissible expenses and maximum education grant remain at current levels; that for Austria, Belgium, Denmark, France, Germany, Italy, the Netherlands, Spain, Sweden, Switzerland, the United Kingdom, the United States and the United States dollar area outside the United States, the normal flat rates for boarding taken into account within the maximum admissible educational expenses and the additional amount for reimbursement of boarding costs over and above the maximum grant payable to staff members at designated duty stations be revised as shown in annex III to the report; that for Ireland and Japan the normal flat rates and the additional flat rates for boarding be maintained at current levels; that the special measures for China, Hungary, Indonesia, Romania and the Russian Federation, as well as for the eight specific schools in France, be maintained; that the special measures for Bulgaria be discontinued; and that those measures be applicable as from the school year in progress on 1 January 2011.

Separation payments

ICSC [A/65/30] considered the issue of the application of the termination indemnity in response to General Assembly resolution 64/231 [YUN 2009, p. 1455]. As both the Assembly, in resolution 63/271 [ibid., p. 1464], and the Commission had expressed support for the existing termination indemnity schedule, ICSC consideration focused on the practical application of the termination indemnity scheme. A review of staff separations was conducted to assist the Assembly in assessing the situa-

tion and addressing the concerns that some delegations had expressed about cases of possible abuse. The review was based on data collected by the ICSC secretariat from common system organizations, covering the three-year period from 2007 to 2009. Thirteen organizations employing approximately 70,000 staff provided data and were included in the analysis.

ICSC informed the Assembly that it had reviewed about 1,200 cases of termination indemnity paid by common system organizations from 2007 to 2009; the termination indemnity was used on a limited basis and covered approximately 1 per cent of the total General Service and Professional staff and about 14 per cent of all separations; and, while some fluctuations in termination indemnity numbers existed among organizations and contract types, the available data did not demonstrate that there was inappropriate application of the scheme, but that overall termination indemnity-based separation trends appeared to be driven by the operational needs of the organizations.

Remuneration issues

Base/floor salary scale

The concept of the base/floor salary scale was introduced by the General Assembly in resolution 44/198 [YUN 1989, p. 886] and took effect on 1 July 1990. The scale was set by reference to the General Schedule salary scale of the comparator civil service in Washington, D.C. Periodic adjustments were made on the basis of a comparison of net base salaries of UN officials at the midpoint of the scale with the corresponding salaries of their counterparts in the United States federal civil service. The Commission was informed that, as from 1 January 2010, the General Schedule of the comparator had increased by 1.5 per cent on a gross basis. Combined with tax changes recorded at the federal level in Washington, D.C., and in the states of Virginia and Maryland, that increase in gross comparator salaries translated into a net increase of 1.37 per cent as compared with 2009 levels.

ICSC [A/65/30] recommended to the Assembly that the base/floor salary scale for the Professional and higher categories be increased by 1.37 per cent through the standard consolidation procedure, that is, by increasing base salary while commensurately reducing post adjustment levels, with effect from 1 January 2011. The proposed base/floor salary scale was shown in annex VI to the report.

Evolution of UN/United States net remuneration margin

ICSC [A/65/30] continued to review the relationship between the net remuneration of UN staff in the Pro-

fessional and higher categories in New York and that of the United States federal civil service employees in comparable positions in Washington, D.C. ICSC was informed that, for 2010, the total increase for federal employees in the Washington, D.C. area, taking into account the adjustment of both base pay and the locality rate, was 2.42 per cent effective 1 January 2010. The increases in the other related pay systems included in the margin calculations ranged from 1.5 to 2.5 per cent.

ICSC informed the Assembly that the margin forecast between the net remuneration of UN officials in the Professional and higher categories in New York and officials in comparable positions in the United States federal civil service in Washington, D.C., for 2010 was estimated at 113.3. It drew the Assembly's attention to the fact that the average margin level for the preceding five years (2006–2010) was estimated at 114.0, which remained below the desirable midpoint of 115.0. Details of the margin calculation were contained in annex VII to the report. The Commission decided that its secretariat should commence work on the review of the net remuneration margin methodology in 2011 and report on its findings at the seventy-fifth (2012) ICSC session.

Children's and secondary dependant's allowances

In the context of its biennial review of dependency allowances for the Professional and higher categories, ICSC [A/65/30] considered the levels of children's and secondary dependant's allowances. An updated amount of the global United States dollar flat-rate was calculated following the revisions in the tax provisions and social legislation payments since the previous review in 2008 [YUN 2008, p. 1608]. That global flat rate, amounting to \$2,929, was established on the basis of the levels of child benefits recorded at the eight headquarters duty stations at the reference income level of P-4, step VI, weighted by the number of staff at those locations. The secondary dependant's allowance, set at 35 per cent of the children's allowance, amounted to \$1,025. The flat-rate amounts would be converted to local currency using the official UN operational rate of exchange as at the month of promulgation and would remain unchanged until the next biennial review.

ICSC recommended to the General Assembly that, as at 1 January 2011, the children's allowance be set at \$2,929 per annum and the disabled children's allowance at \$5,858 per annum; the secondary dependant's allowance be set at \$1,025 per annum; the United States dollar amount of the allowance be converted to local currency using the official UN exchange rate as of the date of implementation and remain unchanged until the next biennial review; as a transitional measure, if, at the time of implementation, the revised flat-rate allowance was lower than the one in effect,

the allowances payable to eligible staff be equal to the higher rate reduced by 50 per cent of the difference between the two rates; and the dependency allowances be reduced by the amount of any direct payments received by staff from a Government in respect of dependants.

Conditions of service in the field

ICSC [A/65/30] recommended that the United Nations harmonize the designation of non-family duty stations on the basis of a security assessment, as currently applied by the rest of the common system. With respect to staff assigned to non-family duty stations, ICSC recommended that a change be made to the hardship allowance whereby staff assigned to non-family duty stations would receive an additional amount in recognition of the fact that such service represented an increased level of financial and psychological hardship in terms of involuntary separation from families and the additional costs related to such service; for staff paid at the dependency rate, the additional measure would be 100 per cent of the applicable dependency rate of the hardship allowance for category E (the most difficult duty stations) and that the hardship matrix would be amended to reflect that; for staff paid at the single rate, the additional measure would be equivalent to 50 per cent of the applicable single rate of the hardship allowance for category E and that the hardship matrix would be amended to reflect that; staff would continue to receive the normal hardship allowance at the level applicable to the duty station to which they were assigned; such a change would be implemented six calendar months after a decision by the General Assembly, in order that organizations might prepare for implementation; and for organizations using the special operations approach (SOA) or extended monthly security evacuation allowance (EMSEA), a number of transitional measures would apply.

Job evaluation standards for General Service and related categories

As requested by ICSC [YUN 2009, p. 1454], the ICSC secretariat submitted the final elements of the new job evaluation system for the General Service and related categories of staff. ICSC [A/65/30] promulgated the new General Service job evaluation standards with effect from 15 March 2010.

GENERAL ASSEMBLY ACTION

On 24 December [meeting 73], the General Assembly, on the recommendation of the Fifth Committee [A/65/648], adopted **resolution 65/248** without vote [agenda item 136].

United Nations common system: report of the International Civil Service Commission

The General Assembly,

Recalling its resolutions 44/198 of 21 December 1989, 51/216 of 18 December 1996, 52/216 of 22 December 1997, 53/209 of 18 December 1998, 55/223 of 23 December 2000, 56/244 of 24 December 2001, 57/285 of 20 December 2002, 58/251 of 23 December 2003, 59/268 of 23 December 2004, 60/248 of 23 December 2005, 61/239 of 22 December 2006, 62/227 of 22 December 2007, 63/251 of 24 December 2008 and 64/231 of 22 December 2009,

Having considered the report of the International Civil Service Commission for 2010,

Reaffirming its commitment to a single, unified United Nations common system as the cornerstone for the regulation and coordination of the conditions of service of the common system,

1. *Takes note with appreciation* of the work of the International Civil Service Commission;
2. *Takes note* of the report of the Commission for 2010;
3. *Encourages* the Commission to continue to coordinate and regulate the conditions of service of staff of the organizations of the United Nations common system, bearing in mind the limitations imposed by Member States on their national civil services;
4. *Reaffirms* the role of the General Assembly in approving conditions of service and entitlements for all staff serving in the organizations of the United Nations common system, bearing in mind articles 10 and 11 of the statute of the Commission;
5. *Recalls* articles 10 and 11 of the statute of the Commission, and reaffirms the central role of the Commission in regulating and coordinating conditions of service and entitlements for all staff serving in the organizations of the United Nations common system;

A. Conditions of service applicable to both categories of staff

1. Education grant

1. *Approves*, with effect from the school year in progress on 1 January 2011, the recommendations of the Commission in paragraph 83 of its report and annex III thereto;
2. *Invites* the organizations of the United Nations common system to harmonize the education grant eligibility criteria with respect to the minimum age, the maximum age and the coverage of post-secondary education, as specified in paragraph 62 (a) of the report of the Commission;

2. Separation payments

1. *Endorses* the conclusions of the Commission in paragraph 101 of its report, and invites the governing bodies of the organizations of the United Nations common system to harmonize their termination indemnity schedules with that of the United Nations, as approved in General Assembly resolution 63/271 of 7 April 2009;
2. *Decides* to revert, at its seventy-first session, to the issue of the introduction of end-of-service severance pay in the organizations of the United Nations common system for fixed-term staff involuntarily separating upon the expiration of their contract after ten or more years of continuous service;

3. *Requests* the Commission to promulgate guidelines for the Organization to follow when it terminates a staff member based on the agreement of both sides;

B. Conditions of service of staff in the Professional and higher categories

1. Base/floor salary scale

Recalling its resolution 44/198, by which it established a floor net salary level for staff in the Professional and higher categories by reference to the corresponding base net salary levels of officials in comparable positions serving at the base city of the comparator civil service (the United States federal civil service),

Approves, with effect from 1 January 2011, as recommended by the Commission in paragraph 120 of its report, the revised base/floor scale of gross and net salaries for staff in the Professional and higher categories as contained in annex VI to the report;

2. Evolution of the margin

Recalling section 1.B of its resolution 51/216 and the standing mandate from the General Assembly, in which the Commission is requested to continue its review of the relationship between the net remuneration of United Nations staff in the Professional and higher categories in New York and that of the comparator civil service (the United States federal civil service) employees in comparable positions in Washington, D.C. (referred to as "the margin"),

1. *Reaffirms* that the range of 110 to 120 for the margin between the net remuneration of officials in the Professional and higher categories of the United Nations in New York and officials in comparable positions in the comparator civil service should continue to apply, on the understanding that the margin would be maintained at a level around the desirable midpoint of 115 over a period of time;

2. *Notes* that the margin between net remuneration of the United Nations staff in grades P-1 to D-2 in New York and that of officials in comparable positions in the United States federal civil service in Washington, D.C., for the period from 1 January to 31 December 2010 is estimated at 113.3 and that the average margin level for the past five years (2006–2010) stands at 114.0;

3. Children's and secondary dependant's allowances

Approves, with effect from 1 January 2011, as recommended by the Commission in paragraph 162 of its report, the revised children's and secondary dependant's allowances and the transitional measures relating thereto;

C. Conditions of service in the field

Harmonization of the conditions of service of staff of the organizations of the United Nations common system serving in non-family duty stations

1. *Stresses* that the authority delegated by the Secretary-General to the executive heads of the United Nations funds and programmes should be exercised in full compliance with General Assembly resolutions, the statute of the Commission and the appropriate rules and regulations of the United Nations;

2. *Requests* the Secretary-General, subject to the provisions of the present resolution, to ensure cooperation and compliance by the executive heads of all organizations to which he has delegated authority on human resources matters, with the immediate implementation of the recommendations of the Commission concerning the harmonization of the conditions of service in non-family duty stations, as reflected in the report of the Commission, and to report thereon to the Commission;

3. *Also requests* the Secretary-General, subject to the provisions of the present resolution, to exert his leadership as Chair of the United Nations System Chief Executives Board for Coordination to ensure the system-wide implementation of the recommendations of the Commission concerning the harmonization of the conditions of service in non-family duty stations, as reflected in the report of the Commission;

4. *Requests* the organizations of the United Nations common system to report annually to the Commission on the implementation of contractual arrangements and conditions of service for all of their staff serving in family and non-family duty stations;

5. *Requests* the Secretary-General, in his capacity as Chair of the Chief Executives Board for Coordination, to invite the executive heads of the agencies, funds and programmes participating in the United Nations common system to report to their respective governing bodies on the compliance of the organizations with the decisions of the General Assembly on the harmonization of the conditions of service;

6. *Approves* the recommendations of the Commission on the harmonization of the conditions of service of staff of the organizations of the United Nations common system serving in non-family duty stations, as contained in its annual report for 2010, subject to the provisions of the present resolution;

7. *Decides* that, six months after the adoption of the present resolution, all new staff who are assigned to non-family duty stations shall be under the non-family hardship element;

8. *Also decides* that the organizations of the United Nations common system shall cover only the travel costs of the rest and recuperation framework, until a further decision of the General Assembly on this issue is taken at its sixty-seventh session;

9. *Further decides* that the additional costs related to the above arrangements for the harmonization of the conditions of service, as related to the United Nations Secretariat, shall be absorbed by the Organization within existing resources, without impacting on the operational costs and without undermining the implementation of mandated programmes and activities, and requests the Secretary-General to report thereon in the context of the relevant performance reports;

10. *Requests* the Commission to submit recommendations to the General Assembly at its sixty-seventh session concerning the United Nations common system harmonized subsistence allowance or lump sum during rest and recuperation;

11. *Requests* the Secretary-General to identify offsets that can be used to implement the Commission proposals on a harmonized subsistence allowance or lump sum during

the rest and recuperation break in a cost-neutral manner without impacting on operational costs and without undermining the implementation of mandated programmes and activities;

12. *Requests* the Commission, in its annual report, to report to the General Assembly on the implementation of its decisions and recommendations by the organizations of the United Nations common system;

13. *Recognizes* the importance of mobility as a means of developing a more versatile, multi-skilled and experienced international civil service that is capable of fulfilling complex mandates;

14. *Notes with concern* the high vacancy rates in the field and the negative effect that this has on the ability of the organizations of the United Nations common system to carry out their mandates;

15. *Requests* the Secretary-General to report on the criteria and process followed for designating family and non-family duty stations to the General Assembly at its sixty-seventh session, in the context of human resources management;

16. *Regrets* that the special operations approach has led to significant variations in the compensation package of staff of the organizations of the United Nations common system in non-family duty stations;

17. *Recalls* paragraph 42 of the report of the Advisory Committee on Administrative and Budgetary Questions on human resources management, and emphasizes the importance for the Secretary-General and the executive heads of the United Nations funds and programmes to work closely with the Commission in addressing and mitigating any unintended consequences of the harmonization proposal;

18. *Requests* the Commission, in the context of its annual report, to report to the General Assembly on the implementation of its decisions regarding the harmonization of the conditions of service in non-family duty stations during the transition period;

19. *Decides* that the rest and recuperation framework should be regulated by the Commission;

20. *Requests* the Secretary-General to ensure that rest and recuperation entitlements are used by staff in a timely and effective manner;

21. *Requests* the Commission to keep the issue of the United Nations common system conditions of service in the field under review;

D. Other matters

Notes that the following measures, among others, could improve the selection process and conditions of service for executive heads of the organizations of the United Nations common system:

(a) Conducting hearings and/or meetings with candidates running for the post of executive head, in order to enhance the transparency and credibility of the selection process and make the process more inclusive of all nationalities;

(b) Ensuring that the hearings and/or meetings with the shortlisted candidates are conducted by members of the executive boards, advisory committees and/or other legislative bodies of the United Nations funds and programmes and/or other subsidiary organs and entities;

(c) Adopting provisions comprehensively addressing conflicts of interest pertaining to, and/or wrongdoing or misconduct allegedly committed by, executive heads, if such provisions have not yet been adopted.

On 24 December, the Assembly decided that the item on the United Nations common system would remain for consideration during its resumed sixty-fifth (2011) session (**decision 65/544**).

Other remuneration issues

Conditions of service and compensation for non-Secretariat officials

Ad litem judges of international tribunals

Report of Secretary-General. In a January report [A/64/635 & Corr.1] on the conditions of service for the ad litem judges of the International Tribunal for the Former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR), the Secretary-General said that the General Assembly might wish to decide to extend the pension scheme of the permanent judges of the international tribunals to the ad litem judges, given the fact that a number of them would have more than three years of continuous service as at 31 December and would be performing similar functions. Should the Assembly decide to take that action, the related budgetary implications were estimated at \$421,300 for ICTR and \$346,566 for ICTY annually, based on the current terms of service of the ad litem judges.

ACABQ report. In February [A/64/7/Add.20], ACABQ observed that, given the differences in conditions of service of the ad litem and the permanent judges of the Tribunals, the matter of pension benefits for the ad litem judges should be considered in the context of the review of the emoluments, pensions and other conditions of service for the members of the International Court of Justice (ICJ) and the judges of the Tribunals, to be conducted by the Assembly at its sixty-fifth session (see below).

GENERAL ASSEMBLY ACTION

On 29 March [meeting 81], the General Assembly, on the recommendation of the Fifth Committee [A/64/548/Add.2], adopted **resolution 64/261** without vote [agenda item 132].

Conditions of service of the ad litem judges of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda

The General Assembly,

Recalling its resolution 63/259 of 24 December 2008 and section II, paragraph 10, of its resolution 64/239 of 24 December 2009,

Bearing in mind the completion strategies of the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia set out by the Security Council, requiring expeditious completion of cases,

Also bearing in mind that the permanent and ad litem judges of the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia shall be persons of high moral character, impartiality and integrity,

Affirming that the ad litem judges of the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia benefit from the same terms and conditions of service, mutatis mutandis, as those of the permanent judges of the Tribunals, pursuant to the statutes of the Tribunals,

Recognizing that, as at 17 March 2010, 17 ad litem judges of the Tribunals had served for an uninterrupted period of service of three years or more,

Also recognizing that the permanent judges of the Tribunals are entitled to pensions after serving for at least three years,

Further recognizing the decisions to extend the terms of office of the ad litem judges of the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia beyond a cumulative period of service of three years, in the greater interest of successful implementation of the completion strategies of the Tribunals,

Acknowledging that ad litem judges at the Tribunals have significantly contributed to the implementation of the completion strategies,

Also acknowledging that the workload of the ad litem judges and permanent judges of the Tribunals is identical and that their responsibilities are nearly identical, despite the prevailing differences in their terms and conditions of service,

Having considered the report of the Secretary-General on conditions of service of the ad litem judges of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda and the related report of the Advisory Committee on Administrative and Budgetary Questions,

1. *Takes note* of the report of the Secretary-General;
2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions, subject to the provisions of the present resolution;
3. *Emphasizes* that the Fifth Committee is the appropriate Main Committee of the General Assembly for administrative and budgetary questions;
4. *Welcomes* the efforts and commitment of the judges to the successful implementation of the completion strategies of the respective Tribunals;
5. *Decides* that the matter of the difference in pension rights between ad litem judges and permanent judges of the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia shall be resolved as a priority of the General Assembly at the main part of its sixty-fifth session;
6. *Also decides* that, in future, when an extension of mandates for ad litem judges with budgetary implications is being sought, matters relating to the conditions of ser-

vice should be brought to the attention of the Fifth Committee, as the appropriate Main Committee of the General Assembly with authority for determining the conditions of service;

7. *Further decides* that the decisions to be taken with respect to paragraph 5 of the present resolution shall apply to all ad litem judges of the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia who have served for an uninterrupted period of service of three years or more;

8. *Requests* the Secretary-General to include a comprehensive actuarial study of the cost of extending pensions to the ad litem judges of the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia in his report requested pursuant to section I, paragraph 8, of General Assembly resolution 63/259;

9. *Decides* to continue its consideration of the report of the Secretary-General and the related report of the Advisory Committee on Administrative and Budgetary Questions at the main part of its sixty-fifth session.

Report of Secretary-General. In response to General Assembly resolution 63/259 [YUN 2008, p. 1606], the Secretary-General submitted a July report [A/65/134 & Corr.1] on conditions of service and compensation for officials other than Secretariat officials: members of ICJ and judges and ad litem judges of ICTY and ICTR. He proposed increasing the special allowance of the Presidents and of the Vice-Presidents, when acting as President of ICJ and the Tribunals, to \$25,000 and \$156 per day, respectively; extending the education allowance entitlement to ad litem judges of the Tribunals who had served for a continuous period of over three years; aligning the relocation allowance conditions applicable to judges of the Tribunals with those applicable to ICJ judges; extending the relocation allowance entitlement to the ad litem judges of the Tribunals; and extending pension rights to the ad litem judges of the Tribunals who had served for a continuous period of over three years. Should the Assembly approve those proposals, the programme budget implications for the biennium 2010–2011 were estimated at \$16,200 for ICJ, \$467,953 for ICTY and \$1,210,700 for ICTR. Additional requirements that might arise would relate to inflationary adjustments and would be reported in the context of the performance reports for the biennium 2010–2011.

ACABQ report. In October [A/65/533], ACABQ recommended that the Assembly effect no changes in the conditions of service of the ad litem judges in respect of the education grant, relocation allowance and retirement benefits. ACABQ recognized, however, that without the contribution of the ad litem judges, the work of the Tribunals would have been subject to further delays and additional costs would have been incurred. Accordingly, the Assembly might wish to request the Secretary-General to present a proposal for a one-time ex gratia payment upon completion of

service for those ad litem judges who had served for a continuous period of more than three years. ACABQ had no objections to the Secretary-General's other proposals.

GENERAL ASSEMBLY ACTION

On 24 December [meeting 73], the General Assembly, on the recommendation of the Fifth Committee [A/65/646], adopted **resolution 65/258** without vote [agenda item 129].

Conditions of service and compensation for officials other than Secretariat officials: members of the International Court of Justice and judges and ad litem judges of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda

The General Assembly,

Recalling its resolutions 37/240 of 21 December 1982, 40/257 A and C of 18 December 1985 and 45/250 A to C of 21 December 1990, section VIII of its resolution 53/214 of 18 December 1998, its resolutions 55/249 of 12 April 2001, 56/285 of 27 June 2002 and 57/289 of 20 December 2002, section III of its resolution 59/282 of 13 April 2005, its resolutions 61/262 of 4 April 2007, 63/259 of 24 December 2008 and 64/261 of 29 March 2010 and its decision 62/547 of 3 April 2008,

Recalling also Article 32 of the Statute of the International Court of Justice, as well as relevant resolutions of the General Assembly that govern the conditions of service and compensation for the members of the International Court of Justice and the judges of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 and the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994,

Having considered the reports of the Secretary-General and the related reports of the Advisory Committee on Administrative and Budgetary Questions,

Noting that the workload of the President of the International Court of Justice and that of the Vice-President, when acting as President, have increased since 1987 and that the amounts of the special allowance of the President and of the Vice-President, when acting as President, have not increased since then,

Noting also that the workload of the Presidents of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda and that of the Vice-Presidents, when acting as President, have increased since the inception of the Tribunals and that the amounts of the special allowance of the Presidents and of the Vice-Presidents, when acting as President, have not increased since then,

Reaffirming that ad litem judges of the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia benefit from the same terms and conditions of service, mutatis mutandis, as those of the permanent judges of the Tribunals, pursuant to the statutes of the Tribunals,

1. *Takes note* of the reports of the Secretary-General;

2. *Reaffirms* the principle that the conditions of service and compensation for non-Secretariat United Nations officials shall be separate and distinct from those for officials of the Secretariat;

3. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions, subject to the provisions of the present resolution;

4. *Takes note* that the review of the pension benefits of the members of the International Court of Justice and the judges of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda will take place at its sixty-sixth session, including options for defined benefit and defined contribution pension schemes;

5. *Decides* to review at its sixty-sixth session the pension schemes for the members of the International Court of Justice and the judges of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda, and requests the Secretary-General to include in his report a proposal for a mechanism that he may use to determine retirement pension benefits, taking into account acquired pension benefit rights accrued prior to serving in the Court or the Tribunals;

6. *Also decides* to increase the special allowance of the Presidents and that of the Vice-Presidents, when acting as President of the Court or the Tribunals, to 25,000 United States dollars per year and 156 dollars per day, respectively;

7. *Further decides* that the relocation allowance benefit received by the judges of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda shall be the same as that received by the members of the International Court of Justice;

8. *Decides* to grant a one-time ex gratia payment upon completion of service for ad litem judges who have served for a continuous period of more than three years, on the basis of the length of time served exceeding those three years, as per the schedule contained in annex to the present resolution;

9. *Also decides* that, owing to the unique and exceptional circumstances of the conditions of service of ad litem judges in the International Criminal Tribunal for Rwanda arising from the failure to establish a second pool of ad litem judges, the decision set out in paragraph 8 above shall under no circumstances constitute a precedent for eligibility for elements of conditions of service, as such eligibility does not exist under the current regulatory framework;

10. *Further decides* to re-establish a three-year cycle for the review of the conditions of service and compensation for the members of the International Court of Justice and the judges and ad litem judges of the two Tribunals, and to undertake the next comprehensive review at its sixty-eighth session.

ANNEX

One-time ex gratia payment schedule for ad litem judges of the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia

<i>Term of service (years)</i>	<i>Months of salary</i>
< 3	0.000000
4	2.054112
5	4.108225
6	6.162337
7	8.216449
8	10.270562

Note: Payment is prorated by number of months.

Members of ICSC and Chair of ACABQ

Report of Secretary-General. In December, the Secretary-General submitted a report [A/65/676] in which he updated information provided in 2008 [YUN 2008, p. 1604] on conditions of service and compensation for officials, other than Secretariat officials, serving the General Assembly: full-time members of ICSC and the Chair of ACABQ. He proposed that the Assembly restore the relativity relating to the net compensation and post-retirement benefits of the Chair of ACABQ and the Chair and Vice-Chair of ICSC. Should the Assembly approve the proposal, an additional \$28,900 would be required for the programme budget for the biennium 2010–2011. That would represent the full cost of provisions in respect of the Chair of ACABQ and the net cost to the United Nations of the provisions for the Chair and Vice-Chair of ICSC, which were financed jointly with the other organizations of the UN system.

After-service health insurance benefits

Report of Secretary-General. In response to section XI of General Assembly resolution 64/245 [YUN 2009, p. 1408], the Secretary-General, in a September report on after-service health insurance: medical and dental reserve funds [A/65/342], described the purpose, management and funding of health insurance reserve funds. Since the primary purpose of those funds was for premium stabilization, the reserves, by their very nature, were applied to existing plan contributors in accordance with current sources of funding. For that reason, the United Nations used a “premium holiday” to periodically distribute excess reserve amounts to all funding sources on the basis of current plan participant data. That was considered the most equitable means of returning excess health insurance reserve funds to all the funding sources. In his 2009 report [YUN 2009, p. 1456], the Secretary-General had recommended a one-time initial infusion of funds, of which \$83.1 million was to be transferred from existing medical and dental reserves. Of that total, the share from contributions by the staff and retirees would be

\$24.1 million and the share from the Organization would be \$59.0 million.

ACABQ report. In October [A/65/507], ACABQ, noting the significant variation in the levels of reserve balances maintained for the UN health insurance plans, called for efforts to establish guidelines to ensure greater consistency.

General Assembly action. The General Assembly, in section IV of **resolution 65/259** of 24 December (see p. 1429), noted the significant variation in the levels of reserve balances maintained for the UN medical and dental reserve funds mentioned in the Secretary-General’s report, and requested him to establish guidelines to ensure greater consistency. It requested the Secretary-General to include, in future performance reports on the budget, information regarding the medical and dental reserve funds, the number of months that premium holidays had been applied during the budgetary period, other surplus fund distribution methods used, and the financial impact on the budgets. He was also asked to include, in his report to the Assembly at its sixty-seventh (2013) session, an analysis of options for the judicious use of reserves in excess of reasonable industry and UN standards, in the context of the forthcoming analysis of pay-as-you-go and long-term financing strategies for after-service health insurance liabilities.

Staff safety and security

Report of Secretary-General. In response to General Assembly resolution 64/77 [YUN 2009, p. 1459], the Secretary-General submitted a September report [A/65/344 & Corr.1] on the safety and security of UN and associated personnel, covering developments since his 2009 report [YUN 2009, p. 1458]. The UN security management system was responsible for over 150,000 civilian personnel of the organizations of the UN system in more than 170 countries. The report stated that, in 2009, 45 UN civilian personnel lost their lives owing to security incidents, 31 from violence and 14 from safety-related incidents; 190 civilian personnel were injured in security incidents, 110 from violence and 80 from safety-related incidents. The primary cause of death from violence of civilian personnel was terrorism. Of all UN civilian personnel affected by security incidents, 95 per cent were based in the field. Internationally recruited personnel were disproportionately more affected by security incidents than nationally recruited personnel. Female personnel were disproportionately more affected by robbery and crimes at residences.

Abductions of UN civilian personnel continued, with 22 civilian personnel abducted in 11 countries in 2009. Abductions included cases of criminally mo-

tivated kidnapping and economically and politically driven acts of hostage-taking. All abducted personnel were released, although in some cases their captivity lasted for several months. In 2009, 163 civilian personnel were detained or arrested, 88 per cent of whom were nationally recruited personnel. Of those, 24 per cent (39 cases) of detentions were considered job related, in that personnel were detained in the course of, or in connection with, the implementation of their official duties. Most cases were resolved and the detained personnel were released within hours, days or weeks. In two cases, the United Nations was denied access to a detainee and was given no reasons for the arrest.

The report described measures taken to implement a new strategic vision for the Department of Safety and Security (DSS) and to strengthen the unified security structure by means of well-designed security programmes and policies throughout a decentralized security management system. The new DSS strategic approach was exemplified in the philosophy of “how to stay” and deliver on mandates and programmes in increasingly dangerous environments. Significant developments included a new security level system, guidelines for acceptable risk and revision of the Framework of Accountability for the UN security management system.

The Secretary-General called on Member States to observe the internationally agreed principles on the protection of UN and associated personnel. Conducting critical humanitarian activities and operating in high-threat environments, including conflict situations, required security investments commensurate with programme needs.

GENERAL ASSEMBLY ACTION

On 15 December [meeting 67], the General Assembly adopted **resolution 65/132** [draft: A/65/L.31 & Add.1] without vote [agenda item 69].

Safety and security of humanitarian personnel and protection of United Nations personnel

The General Assembly,

Reaffirming its resolution 46/182 of 19 December 1991 on the strengthening of the coordination of humanitarian emergency assistance of the United Nations,

Recalling all relevant resolutions on safety and security of humanitarian personnel and protection of United Nations personnel, including its resolution 64/77 of 7 December 2009, as well as Security Council resolution 1502(2003) of 26 August 2003 and relevant statements by the President of the Council,

Recalling also all Security Council resolutions and presidential statements and reports of the Secretary-General to the Council on the protection of civilians in armed conflict,

Recalling further all relevant provisions of international law, including international humanitarian law and human rights law, as well as all relevant treaties,

Reaffirming the need to promote and ensure respect for the principles and rules of international law, including international humanitarian law,

Reaffirming also the principles of neutrality, humanity, impartiality and independence for the provision of humanitarian assistance,

Recalling that primary responsibility under international law for the security and protection of humanitarian personnel and United Nations and associated personnel lies with the Government hosting a United Nations operation conducted under the Charter of the United Nations or its agreements with relevant organizations,

Expressing its appreciation to those Governments which respect the internationally agreed principles on the protection of humanitarian and United Nations personnel, while expressing concern over the lack of respect for these principles in some areas,

Urging all parties involved in armed conflicts, in compliance with international humanitarian law, in particular their obligations under the Geneva Conventions of 12 August 1949 and the obligations applicable to them under the Additional Protocols thereto of 8 June 1977, to ensure the security and protection of all humanitarian personnel and United Nations and associated personnel,

Welcoming the fact that the number of States parties to the Convention on the Safety of United Nations and Associated Personnel, which entered into force on 15 January 1999, has continued to rise, the number now having reached eighty-nine, mindful of the need to promote the universality of the Convention, and welcoming the entry into force on 19 August 2010 of the Optional Protocol to the Convention on the Safety of United Nations and Associated Personnel, which expands the scope of legal protection under the Convention,

Deeply concerned by the dangers and security risks faced by humanitarian personnel and United Nations and associated personnel at the field level, as they operate in increasingly complex contexts, as well as the continuous erosion, in many cases, of respect for the principles and rules of international law, in particular international humanitarian law,

Stressing the importance of fully respecting the obligations relating to the use of vehicles and premises of humanitarian personnel and United Nations and associated personnel as defined by relevant international instruments, as well as the obligations relating to distinctive emblems recognized in the Geneva Conventions,

Commending the courage and commitment of those who take part in humanitarian operations, often at great personal risk, especially locally recruited staff,

Expressing profound regret at the deaths of and violent acts against international and national humanitarian personnel and United Nations and associated personnel involved in the provision of humanitarian assistance, and strongly deplored the rising toll of casualties among such personnel in complex humanitarian emergencies, in particular in armed conflicts and in post-conflict situations,

Expressing deep concern at the deep and long lasting impacts of attacks and threats against humanitarian personnel and United Nations and associated personnel,

Strongly condemning acts of murder and other forms of violence, rape and sexual assault and all forms of violence committed in particular against women and children, and intimidation, armed robbery, abduction, hostage-taking,

kidnapping, harassment and illegal arrest and detention to which those participating in humanitarian operations are increasingly exposed, as well as attacks on humanitarian convoys and acts of destruction and looting of property,

Expressing deep concern that the occurrence of attacks and threats against humanitarian personnel and United Nations and associated personnel is a factor that increasingly restricts the provision of assistance and protection to populations in need,

Recalling the report entitled “Towards a Culture of Security and Accountability” of the Independent Panel on Safety and Security of United Nations Personnel and Premises Worldwide, and its recommendations, including on accountability,

Affirming the need for States to ensure that perpetrators of attacks committed on their territory against humanitarian personnel and United Nations and associated personnel do not operate with impunity, and that the perpetrators of such acts are brought to justice, as provided for by national laws and obligations under international law,

Recalling the inclusion of attacks intentionally directed against personnel involved in a humanitarian assistance or peacekeeping mission in accordance with the Charter as a war crime in the Rome Statute of the International Criminal Court, and noting the role that the Court can play in appropriate cases in bringing to justice those responsible for serious violations of international humanitarian law,

Reaffirming the need to ensure adequate levels of safety and security for United Nations personnel and associated humanitarian personnel, including locally recruited staff, which constitutes an underlying duty of the Organization, and mindful of the need to promote and enhance security consciousness within the organizational culture of the United Nations and a culture of accountability at all levels, as well as to continue to promote awareness of and sensitivity to national and local cultures and laws,

Gravely concerned at the high number of accidents and resulting casualties among United Nations and associated personnel, and conscious of the importance of road safety in ensuring the continuity of United Nations humanitarian operations and preventing casualties among civilians and United Nations and associated personnel,

Noting the importance of reinforcing close collaboration between the United Nations and the host country on contingency planning, information exchange and risk assessment in the context of good mutual cooperation on issues relating to the security of United Nations and associated personnel,

1. *Welcomes* the report of the Secretary-General;

2. *Urges* all States to make every effort to ensure the full and effective implementation of the relevant principles and rules of international law, including international humanitarian law, human rights law and refugee law related to the safety and security of humanitarian personnel and United Nations personnel;

3. *Strongly urges* all States to take the necessary measures to ensure the safety and security of humanitarian personnel and United Nations and associated personnel and to respect and ensure respect for the inviolability of United Nations premises, which are essential to the continuation and successful implementation of United Nations operations;

4. *Calls upon* all Governments and parties in complex humanitarian emergencies, in particular in armed con-

licts and in post-conflict situations, in countries in which humanitarian personnel are operating, in conformity with the relevant provisions of international law and national laws, to cooperate fully with the United Nations and other humanitarian agencies and organizations and to ensure the safe and unhindered access of humanitarian personnel and delivery of supplies and equipment, in order to allow those personnel to perform efficiently their task of assisting the affected civilian population, including refugees and internally displaced persons;

5. *Calls upon* all States to consider becoming parties to and to respect fully their obligations under the relevant international instruments;

6. *Also calls upon* all States to consider becoming parties to the Rome Statute of the International Criminal Court;

7. *Further calls upon* all States to consider becoming parties to the Optional Protocol to the Convention on the Safety of United Nations and Associated Personnel, and urges States parties to put in place appropriate national legislation, as necessary, to enable its effective implementation;

8. *Calls upon* all States, all parties involved in armed conflict and all humanitarian actors to respect the principles of neutrality, humanity, impartiality and independence for the provision of humanitarian assistance;

9. *Expresses deep concern* over the continuing and dramatic escalation of threats and deliberate targeting of, and the disturbing trend of politically or criminally motivated attacks against, the safety and security of humanitarian personnel and United Nations and associated personnel;

10. *Welcomes* the contribution of female United Nations and associated personnel in United Nations humanitarian operations, expresses concern that in some cases these personnel are relatively more exposed to certain forms of crime and acts of intimidation and harassment, and strongly urges the United Nations system and Member States to take appropriate action for their safety and security;

11. *Strongly condemns* all threats and acts of violence against humanitarian personnel and United Nations and associated personnel, reaffirms the need to hold accountable those responsible for such acts, strongly urges all States to take stronger action to ensure that any such acts committed on their territory are investigated fully and to ensure that the perpetrators of such acts are brought to justice in accordance with national laws and obligations under international law, and urges States to end impunity for such acts;

12. *Calls upon* all States to comply fully with their obligations under international humanitarian law, including as provided by the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949, in order to respect and protect civilians, including humanitarian personnel, in territories subject to their jurisdiction;

13. *Also calls upon* all States to provide adequate and prompt information in the event of the arrest or detention of humanitarian personnel or United Nations and associated personnel, so as to afford them the necessary medical assistance and to allow independent medical teams to visit and examine the health of those detained, and urges them to take the necessary measures to ensure the speedy release of those who have been arrested or detained in violation of

the relevant conventions referred to in the present resolution and applicable international humanitarian law;

14. *Calls upon* all other parties involved in armed conflict to refrain from abducting humanitarian personnel or United Nations and associated personnel or detaining them in violation of the relevant conventions referred to in the present resolution and applicable international humanitarian law, and speedily to release, without harm or requirement of concession, any abductee or detainee;

15. *Requests* the Secretary-General to take the necessary measures to promote full respect for the human rights, privileges and immunities of United Nations and other personnel carrying out activities in fulfilment of the mandate of a United Nations operation, and also requests the Secretary-General to seek the inclusion, in negotiations of headquarters and other mission agreements concerning United Nations and associated personnel, of the applicable conditions contained in the Convention on the Privileges and Immunities of the United Nations, the Convention on the Privileges and Immunities of the Specialized Agencies and the Convention on the Safety of United Nations and Associated Personnel;

16. *Recommends* that the Secretary-General continue to seek the inclusion of, and that host countries include, key provisions of the Convention on the Safety of United Nations and Associated Personnel, among others, those regarding the prevention of attacks against members of the operation, the establishment of such attacks as crimes punishable by law and the prosecution or extradition of offenders, in future as well as, if necessary, in existing status-of-forces, status-of-mission, host country and other related agreements negotiated between the United Nations and those countries, mindful of the importance of the timely conclusion of such agreements, and encourages further efforts in this regard;

17. *Reaffirms* the obligation of all humanitarian personnel and United Nations and associated personnel to respect and, where required, observe the national laws of the country in which they are operating, in accordance with international law and the Charter of the United Nations;

18. *Stresses* the importance of ensuring that humanitarian personnel and United Nations and associated personnel are aware of and sensitive to national and local customs and traditions in their countries of assignment and communicate clearly their purpose and objectives to local populations;

19. *Requests* the Secretary-General to continue to take the necessary measures to ensure that United Nations and other personnel carrying out activities in fulfilment of the mandate of a United Nations operation are properly informed about and operate in conformity with the minimum operating security standards and relevant codes of conduct and are properly informed about the conditions under which they are called upon to operate and the standards that they are required to meet, including those contained in relevant national laws and international law, and that adequate training in security, human rights law and international humanitarian law is provided so as to enhance their security and effectiveness in accomplishing their functions, and reaffirms the necessity for all other humanitarian organizations to provide their personnel with similar support;

20. *Also requests* the Secretary-General to continue, in coordination with Member States, to take the necessary

measures to ensure that all United Nations premises and assets, including staff residences, are compliant with the United Nations minimum operating security standards and other relevant United Nations security standards;

21. *Welcomes* the ongoing efforts of the Secretary-General to ensure that all United Nations personnel receive adequate safety and security training, stresses the need to continue to improve training so as to enhance cultural awareness and knowledge of relevant law, including international humanitarian law, prior to their deployment to the field, and reaffirms the necessity for all other humanitarian organizations to provide their personnel with similar support;

22. *Also welcomes* the efforts of the Secretary-General to provide counselling and support services to United Nations personnel affected by safety and security incidents, and emphasizes the importance of making available stress management, mental health and related services for United Nations personnel throughout the system;

23. *Requests* the Secretary-General and the United Nations system to continue taking necessary measures to enhance road safety, including through improved training and initiatives to promote road safety so as to reduce incidents caused by road hazards, and also requests the Secretary-General to report on the steps taken to strengthen data collection on and analysis of road incidents, including civilian casualties resulting from road accidents;

24. *Welcomes* the progress made towards further enhancing the security management system of the United Nations, and supports the approach taken by the Secretary-General to focus the security management system on enabling the United Nations system to deliver its mandates, programmes and activities by effectively managing the risks to which personnel are exposed;

25. *Requests* the Secretary-General, inter alia through the Inter-Agency Security Management Network, to continue to promote increased cooperation and collaboration among United Nations departments, organizations, funds and programmes and affiliated international organizations, including between their headquarters and field offices, in the planning and implementation of measures aimed at improving staff security, training and awareness, and calls upon all relevant United Nations departments, organizations, funds and programmes and affiliated international organizations to support those efforts;

26. *Calls upon* all relevant actors to make every effort to support in their public statements a favourable environment for the safety and security of humanitarian personnel and United Nations and associated personnel;

27. *Emphasizes* the need to pay particular attention to the safety and security of locally recruited humanitarian personnel, who are particularly vulnerable to attacks and who account for the majority of casualties, including in cases of kidnapping, harassment, banditry and intimidation, requests the Secretary-General to keep under review the relevant United Nations safety and security policy, operational and administrative arrangements related to locally recruited personnel, and calls upon the United Nations and humanitarian organizations to ensure that their personnel are adequately informed about and trained in the relevant security measures, plans and initiatives of their respective organizations, which should be in line with applicable national laws and international law;

28. *Notes with appreciation* the progress reported in implementing the recommendations of the Independent Panel on Safety and Security of United Nations Personnel and Premises Worldwide, including on accountability, notes that action has been taken on the recommendations that fall within the remit of the United Nations security management system and that the recommendations have either been implemented or are in the process of being implemented, looks forward to a further progress report to be included in the report of the Secretary-General on safety and security to be submitted to the General Assembly at its sixty-sixth session, and notes that the Secretariat will examine innovative ways to further develop the security management system;

29. *Requests* the Department of Safety and Security of the Secretariat to further strengthen the analysis of threats and to continue to improve and implement an effective, modern and flexible information management capacity in support of analytical and operational requirements, including the ongoing system-wide analysis of best practices and information on the range and scope of safety and security incidents involving humanitarian personnel and United Nations and associated personnel, including attacks against them, in order to make objective and evidence-based decisions on how to reduce the risks arising in the context of United Nations related operations;

30. *Welcomes* the work of the Secretary-General in enhancing security collaboration with host Governments, including efforts to support United Nations designated officials with regard to collaboration with host Government authorities on staff safety and security;

31. *Stresses* that the effective functioning at the country level of security operations requires a unified capacity for policy, standards, coordination, communication, compliance and threat and risk assessment, and notes the benefits thereof to United Nations and associated personnel, including those achieved by the Department of Safety and Security since its establishment;

32. *Recognizes* the steps taken by the Secretary-General thus far, as well as the need for continued efforts to enhance coordination and cooperation, at both the headquarters and the field levels, between the United Nations and other humanitarian and non-governmental organizations on matters relating to the safety and security of humanitarian personnel and United Nations and associated personnel, with a view to addressing mutual security concerns in the field, taking into account relevant national and local initiatives in this regard, inter alia those derived from the "Saving Lives Together" framework, encourages collaborative initiatives to address security training needs, invites Member States to consider increasing support to those initiatives, and requests the Secretary-General to report on steps taken in this regard;

33. *Underlines* the urgent need to allocate adequate and predictable resources to the safety and security of United Nations personnel, through regular and extrabudgetary resources, including through the consolidated appeals process, and encourages all States to contribute to the Trust Fund for Security of Staff Members of the United Nations System, inter alia, with a view to reinforcing the efforts of the Department of Safety and Security to meet its mandate and responsibilities to enable the safe delivery of programmes;

34. *Also underlines* the need for better coordination between the United Nations and host Governments, in accordance with the relevant provisions of international law and national laws, on the use and deployment of essential equipment required to provide for the safety and security of United Nations personnel and associated personnel working in the delivery of humanitarian assistance by United Nations organizations;

35. *Recalls* the essential role of telecommunications resources in facilitating the safety of humanitarian personnel and United Nations and associated personnel, calls upon States to consider acceding to or ratifying the Tampere Convention on the Provision of Telecommunication Resources for Disaster Mitigation and Relief Operations of 18 June 1998, which entered into force on 8 January 2005, and urges them to facilitate and expedite, consistent with their national laws and international obligations applicable to them, the use of communications equipment in such operations, inter alia by limiting and, whenever possible, expeditiously lifting the restrictions placed on the use of communications equipment by United Nations and associated personnel;

36. *Requests* the Secretary-General to submit to the General Assembly at its sixty-sixth session a comprehensive and updated report on the safety and security of humanitarian personnel and protection of United Nations personnel and on the implementation of the present resolution.

Revised security management framework

Report of Secretary-General. In response to General Assembly resolutions 64/243 [YUN 2009, p. 1395] and 64/245 [ibid., p. 1406], the Secretary-General submitted an August report [A/65/320 & Corr.1] containing the revised framework for accountability of the UN security management system, including an update on the implementation of the new security level system that would replace the long-standing security phase system in January 2011, and a funding proposal for strengthening safety and security in high-risk locations. The Assembly was requested to appropriate an amount of \$3,181,100 under the programme budget for the biennium 2010–2011.

ACABQ report. In November [A/65/575], ACABQ endorsed the Secretary-General's proposal.

General Assembly action. The Assembly, in section XIV of **resolution 65/259** of 24 December (see p. 1429), stressed the importance of close coordination and consultation with host Governments in operationalizing the new security level system from 1 January 2011. It requested the Secretary-General to submit to the Assembly's sixty-seventh (2013) session detailed information on and analysis of the effectiveness of the new security level system within the context of the report on a comprehensive safety and security policy framework at the United Nations.

Emergency Preparedness and Support Unit

Report of Secretary-General. In a February report [A/64/662], the Secretary-General proposed the establishment of an Emergency Preparedness and Support Unit (EPSU), stating that the increased risk to UN staff resulting from malicious acts, natural disasters and other emergencies demanded a comprehensive and coordinated support system for the survivors of such incidents and for the families affected by the injury or death of a loved one in the service of the United Nations. Between 2003 and 2010, 86 staff members had been victims of natural disasters and 191 military and civilian personnel had been victims of malicious acts. On the basis of an internal review of the Organization's response capacity, as well as the lessons learned from major incidents, the Secretary-General proposed to establish EPSU within the Office of Human Resources Management (OHRM) as an initial step for providing and coordinating the provision of essential support. He requested the General Assembly to approve the establishment of the Unit and the related eight new posts, and to appropriate an amount of \$3,145,100 for the biennium 2010–2011 for that purpose.

ACABQ report. In March [A/64/7/Add.22], ACABQ expressed its concern that the establishment of a separate structure would add another layer of bureaucracy, and recommended against the establishment of the Unit. It could, however, support a limited strengthening of certain functions within OHRM. ACABQ recommended the appropriation of an additional amount of \$1,571,800 for the biennium 2010–2011.

General Assembly action. The General Assembly, in section II of **resolution 64/260** of 29 March (see p. 1437), approved two P-5, one P-4, one P-2 and one General Service (Other level) positions for the emergency preparedness and support team, to be funded from general temporary assistance; approved an additional amount of \$2,745,000 for the biennium 2010–2011; and requested the Secretary-General to develop a comprehensive emergency management framework, including emergency preparedness and victim support components, and to submit a proposal in the context of the proposed programme budget for the biennium 2012–2013.

Other staff matters

Human resources management

Human resources management reform

Reports of Secretary-General. In response to General Assembly resolution 63/250 [YUN 2008, p. 1616], the Secretary-General submitted a September report [A/65/305] on human resources manage-

ment reform, which focused on reforms implemented or in the process of implementation since the sixty-third (2008) session of the Assembly. Those reforms addressed the priority areas of contractual arrangements and harmonization of conditions of service, talent management and revitalizing the entry of young professionals into the Organization.

An addendum on contractual arrangements and harmonization of conditions of service [A/65/305/Add.1] stated that considerable progress had been achieved in contractual reform. The report reviewed the implementation of continuing appointments, as requested by resolution 63/250, and updated information on the number of staff who were converted to a permanent appointment following the one-time review of those staff with rights to be considered for conversion to such appointment [YUN 2009, p. 1465]. To facilitate the review of the issue of continuing appointments by the Assembly and with a view to implementing continuing appointments by 1 January 2011, the report contained information on procedures for the granting and termination of such appointments, including eligibility criteria and the role of the performance appraisal system; financial and managerial implications of granting such appointments, including the possible establishment of a ceiling; and implications of the implementation of such appointments for the system of geographical ranges, for Junior Professional Officers and for successful candidates from competitive examinations. The report also contained information on the conditions of service in non-family duty stations. The Assembly was requested to consider endorsing ICSC's recommendations with regard to the harmonization of conditions of service in non-family duty stations, as reflected in its 2010 report [A/65/30]; requesting ICSC to keep the issue of conditions in the field under review; and approving the implementation of continuing appointments as of 1 January 2011 under the conditions specified in the report.

A second addendum [A/65/305/Add.2], which reviewed the system of desirable ranges for geographical distribution of the staff of the UN Secretariat, showed the impact on the system if changes were to be made to the weights of existing factors (membership, population and contribution) to determine the desirable ranges of representation for Member States, as well as to the base figure of number of posts included in the system of desirable ranges. The scenarios described in the report showed how changing the weights of the factors would result in changes in the representation status of Member States. The same was true when the base figure was expanded to include staff not having geographic status. The Secretary-General drew the Assembly's attention to his continued efforts to address the issues surrounding representation of Member States in the Secretariat, which included ensuring

that selection decisions took into consideration, among other factors, the nationality of recommended candidates. The Organization would continue to engage in targeted outreach campaigns to foster an understanding of careers in the Secretariat and to encourage applications from nationals of unrepresented and underrepresented States. The Secretary-General recommended that the Assembly consider the scenarios presented in the report and provide further guidance.

A third addendum [A/65/305/Add.3] described the implementation of the new human resources management system, Inspira, which provided the technological foundation for staffing, performance management and learning management, and replaced current systems supporting those functions (Galaxy, Nucleus and e-PAS). Information was provided on the project's background, governance and timeline, Inspira modules and operational support arrangements.

In a fourth addendum on the young professionals programme [A/65/305/Add.4], the Secretary-General requested the Assembly to approve the change of the age limit for the national competitive recruitment examination from 32 years to 26; to approve the use of 15 per cent of vacant extrabudgetary and peacekeeping support account posts for the young professionals programme; and to approve the internal circulation of P-3-level positions for 15 days to give priority consideration to the young professionals programme candidates, followed by external circulation if no suitable candidate was identified.

ACABQ report. Commenting on the Secretary-General's reports in October [A/65/537], ACABQ disagreed with the proposed requirement for heads of department to justify selection of an external candidate in writing for approval by OHRM, and recommended deleting the special procedures for the selection of external candidates from the staff selection system, stating that all candidates should be assessed on the basis of the requirements of the post. It trusted that the new human resources scorecard—which provided a mechanism for the Secretary-General to monitor the performance of his senior managers in contributing to equitable geographical representation and gender parity in staffing—would set out the expectations the Organization had of its senior managers. ACABQ said there was a need for a unified, integrated, Organization-wide approach to training, targeted to address gaps in skills sets, linked to career path planning and management, and based on a needs assessment.

Staff regulations and rules

Reports of Secretary-General. In order to implement the new contractual arrangements approved by the General Assembly in resolution 63/250 [YUN 2008, p. 1616] and pursuant to staff regulation 12.3, the Secretary-General, in August [A/65/202], provided

the Assembly with information on the new UN Staff Rules that he was provisionally promulgating [ST/SGB/2010/6]. The new Staff Rules would enter into effect on 1 January 2011, taking into account any possible modifications by the Assembly. The Assembly was invited to request the Secretary-General to amend staff rule 4.14 on the basis of its consideration of the report of the Secretary-General on continuing appointments [A/65/305/Add.1], and to reconsider the requirement that internationally recruited staff members renounce United States permanent resident status and, if it agreed to remove that requirement, to decide to delete staff rule 1.5 (c).

In accordance with Assembly resolution 62/269 [YUN 2008, p. 1568], the Secretary-General, in a July report [A/65/213], proposed a possible amendment to the Staff Regulations and Rules to address issues of potential conflict of interest. The proposed amendment to staff regulation 1.2 (m) reflected an all-encompassing definition of conflict of interest that was not limited to financial interests. The Assembly was requested to approve the text of the amendment, which was set out in the annex to the report.

ACABQ report. In October comments [A/65/537], ACABQ recommended that the Assembly reconsider the requirement for an international recruit to renounce permanent resident status and that it approve the amendment to staff regulation 1.2 (m).

Ethics in the UN system

JIU report. In September [A/65/345], the Secretary-General transmitted to the General Assembly the report of the Joint Inspection Unit (JIU) entitled "Ethics in the United Nations system" [JIU/REP/2010/3]. The review followed up on an earlier JIU report on oversight lacunae in UN system organizations [YUN 2006, p. 1652] in order to determine progress, lessons learned and best practices in establishing and implementing the ethics function throughout the UN system. The objective of the review was to provide recommendations leading to a fully operational ethics function in each of the organizations of the UN system, designed to ensure an understanding by all staff of minimum acceptable standards of behaviour. JIU recommended that smaller organizations provide the ethics function through either a joint ethics office established by a group of organizations or through insourcing to the ethics office of another organization; term limits be set to the appointment of the head of the ethics office, either for a non-renewable term of seven years, or no more than two consecutive appointments of four of five years; the head of the ethics office submit an annual report directly to the legislative body; the head of the ethics office enjoy informal access to the legislative bodies; executive heads file a financial disclosure statement; and an internal mechanism be established for

the ethics office and/or the internal oversight service to investigate allegations brought against the executive head of the organization.

In September [A/65/345/Add.1], the Secretary-General submitted his comments and those of CEB on the JIU report. While generally accepting the recommendations, agencies expressed concern regarding several of them, including the concept of a shared ethics function among smaller agencies.

GENERAL ASSEMBLY ACTION

On 24 December [meeting 73], the General Assembly, on the recommendation of the Fifth Committee [A/65/647], adopted **resolution 65/247** without vote [agenda item 134].

Human resources management

The General Assembly,

Recalling Articles 8, 97, 100 and 101 of the Charter of the United Nations,

Recalling also its resolutions 49/222 A and B of 23 December 1994 and 20 July 1995, 51/226 of 3 April 1997, 52/219 of 22 December 1997, 52/252 of 8 September 1998, 53/221 of 7 April 1999, 55/258 of 14 June 2001, 57/305 of 15 April 2003, 58/296 of 18 June 2004, 59/266 of 23 December 2004, 60/1 of 16 September 2005, 60/260 of 8 May 2006, 61/244 of 22 December 2006, 61/276, section VIII, of 29 June 2007, 62/238, section XXI, of 22 December 2007, 62/248 of 3 April 2008, 63/250 of 24 December 2008 and 63/271 of 7 April 2009, and its decisions 64/546 of 22 December 2009 and 64/548 of 24 December 2009, as well as its other relevant resolutions and decisions,

Reaffirming that the staff of the United Nations is an invaluable asset of the Organization, and commending its contribution to furthering the purposes and principles of the United Nations,

Paying tribute to the memory of all staff members who have lost their lives in the service of the Organization,

Having considered the relevant reports of the Secretary-General on human resources management submitted to the General Assembly and the related reports of the Advisory Committee on Administrative and Budgetary Questions,

Having also considered the report of the Joint Inspection Unit on ethics in the United Nations system, as well as the note by the Secretary-General transmitting his comments and those of the United Nations System Chief Executives Board for Coordination thereon,

1. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions, subject to the provisions of the present resolution and taking into account the provisions of General Assembly resolution 65/248 of 24 December 2010;

I

Human resources management reform

2. *Emphasizes* the fundamental importance of human resources management reform in the United Nations as a contribution to the strengthening of the international civil service, recalls, in this context, the reports of the Interna-

tional Civil Service Commission, and reaffirms its commitment to the implementation of these reforms;

3. *Reaffirms its support* for the integrity and independence of the international civil service;

4. *Acknowledges* that human resources management must play a central, strategic role in ensuring that the Organization works in an integrated manner;

5. *Also acknowledges* that human resources management must continuously work to develop an Organization that is responsive and supports a culture of empowerment and performance, allows equal access to career opportunities irrespective of programmes and sources of funding and provides staff members with the chance to learn and grow so that they can reach their greatest potential;

6. *Notes* the variety of human resources management initiatives that the Organization has undertaken since the adoption by the General Assembly of its resolution 63/250, and recognizes that the continued implementation of the reform initiatives will better equip the Organization to address a variable and demanding environment in which integration and harmonization will provide the basis for longer-term efficiencies in productivity and an improved work environment that will, in turn, better enable the Organization to meet its mandates;

7. *Acknowledges* the efforts made by the Secretary-General to address some of the issues raised in its resolution 63/250, and encourages him to further intensify his efforts in its implementation;

8. *Urges* the Secretary-General to ensure that the lessons learned from the implementation of previous reforms are taken into consideration in the formulation of new proposals;

9. *Expresses concern* over the fact that not all staff representatives have participated in the Staff-Management Coordination Committee, and reiterates its call upon the staff representatives from New York and management to intensify efforts to overcome differences and to engage in a consultative process;

10. *Requests* the Secretary-General to report regularly on progress in the implementation of ongoing human resources management reform, including on efficiencies and concrete improvements;

II

Recruitment and staffing

11. *Reiterates* that the Secretary-General has to ensure that the highest standards of efficiency, competence and integrity serve as the paramount consideration in the employment of staff, with due regard to the principle of equitable geographical distribution, in accordance with Article 101, paragraph 3, of the Charter of the United Nations;

12. *Regrets* that the Secretary-General is of the view that all-encompassing workforce planning for the Secretariat is of limited value and that he has not presented an Organization-wide strategic workforce plan;

13. *Recognizes* that workforce planning should be considered an ongoing process, that the staffing requirements of the Organization are contingent upon mandates and that there is scope for the Secretary-General in forecasting future staffing requirements for major occupational groups, including the number of staff needed and the skill sets required;

14. *Requests* the Secretary-General to report on progress achieved in this regard to the General Assembly at its sixty-seventh session in the context of his report on human resources management;

15. *Also requests* the Secretary-General to continue to ensure equal treatment of candidates with equivalent educational backgrounds during the recruitment process, taking fully into account the fact that Member States have different education systems and that no education system shall be considered the standard to be applied by the Organization;

16. *Expresses deep concern* at the persistently high vacancy rates in the Organization, in particular in field missions, and the high turnover of staff, especially in difficult duty stations, which has a detrimental effect on the implementation of the mandates of the Organization, and requests the Secretary-General to fill all vacancies in an expeditious manner;

17. *Recognizes* the paramount importance of speeding up the recruitment and staffing process, in accordance with Article 101, paragraph 3, of the Charter;

18. *Takes note* of paragraphs 11 and 12 of the report of the Advisory Committee on Administrative and Budgetary Questions, decides that, for the time being, the period for the circulation of specific job openings will remain at 60 days, and requests the Secretary-General to conduct a comprehensive review of the entire recruitment process to improve the overall response time with a view to realizing the benchmark of 120 days for filling a post, and to report thereon to the General Assembly at its sixty-seventh session;

19. *Recalls* paragraph 13 of the report of the Advisory Committee on Administrative and Budgetary Questions, and requests the Secretary-General to delete the special procedures for the selection of external candidates from the staff selection system;

20. *Requests* the Secretary-General to ensure that all administrative instructions and any other internal instructions on human resources as well as any information-technology-related applications are in full compliance with the relevant resolutions of the General Assembly;

21. *Emphasizes* the importance of the participation of staff representatives in the work of the central review bodies, and requests the Secretary-General and invites staff representatives to engage in a consultative process with a view to resuming the participation of staff representatives in the work of the central review bodies;

22. *Welcomes* the intention of the Secretary-General to expedite the selection process through virtual meetings of the central review bodies;

23. *Requests* the Secretary-General to ensure that all applicants are informed of the results of their applications;

24. *Also requests* the Secretary-General, in cooperation with Member States, to increase awareness of job opportunities in the Organization, including through more extensive outreach, with a view to identifying eligible and qualified candidates to fill vacancies, in particular those which have been vacant in excess of the 120-day benchmark;

25. *Decides* that associate experts shall continue to be considered as external candidates with no preferential treatment;

26. *Reaffirms* the need to respect the equality of each of the two working languages of the Secretariat, also reaffirms the use of additional working languages in specific

duty stations as mandated, and in this regard requests the Secretary-General to ensure that vacancy announcements specify the need for either of the working languages of the Secretariat unless the functions of the post require a specific working language;

27. *Recalls* paragraph 27 of the report of the Advisory Committee on Administrative and Budgetary Questions, and reiterates its request that the Secretary-General ensure that the Office of Human Resources Management continues to strengthen its monitoring of delegated authority for human resources management, including compliance with geographical and gender targets, while ensuring that the highest standards of efficiency, competency and integrity serve as the paramount consideration in the recruitment of staff;

28. *Requests* the Secretary-General to include in the human resources management scorecard an additional operational indicator on excess unutilized leave;

29. *Notes* the progress made in the implementation of Inspira, and welcomes all efforts made by the Secretary-General to review and remedy unintended consequences and to minimize inconveniences, especially before its application in the area of peacekeeping missions;

30. *Urges* the Secretary-General to ensure the timely realization of the wide range of benefits that the system is expected to bring;

31. *Requests* the Secretary-General, in this respect, to ensure the effective roll-out of Inspira with a view to filling positions in field missions without further delay;

32. *Also requests* the Secretary-General to ensure a seamless and well-functioning interface between Inspira and the enterprise resource planning system, Umoja;

33. *Further requests* the Secretary-General to include, in Inspira website tutorials, tips relating to personal history profiles and competency-based interviews and other materials helpful for external candidates in applying and being considered for vacancies, no later than the end of the sixty-fifth session of the General Assembly, and to report his achievements in that regard to the Assembly at its sixty-seventh session;

34. *Regrets* that the Secretary-General did not submit proposals on a mobility policy pursuant to section VII of General Assembly resolution 63/250, and in this regard requests that a comprehensive proposal be submitted to the Assembly at its sixty-seventh session;

III

Young professionals programme

35. *Approves* the young professionals programme, subject to the provisions of the present resolution;

36. *Requests* the Secretary-General, as a one-time exceptional measure until 31 December 2012, to make efforts to place in P-3 posts, subject to geographical distribution, successful national competitive recruitment examination candidates who were on the roster as at 31 December 2009 and who show an interest in and are qualified for such positions, decides that such candidates shall not be granted continuing appointments, and requests the Secretary-General to report thereon to the General Assembly at its sixty-seventh session;

37. *Takes note* of paragraph 72 of the report of the Advisory Committee on Administrative and Budgetary Questions, and approves the use of 15 per cent of the positions at the P-1 and P-2 levels in field operations financed

through the regular budget and voluntary contributions, on the understanding that all other such positions, as well as positions at the P-1 and P-2 levels financed through peace-keeping budgets, will be advertised;

38. *Notes with appreciation* the recent efforts made by the Secretary-General to expedite the placement of successful candidates from national competitive recruitment examinations, and requests him to ensure the expeditious placement of successful candidates;

39. *Decides* that the maximum age for eligibility for the young professionals programme is thirty-two;

40. *Requests* the Secretary-General to report to the General Assembly at its sixty-seventh session on the implementation of the young professionals programme, including progress made in reducing the time required to mark the examination and to place successful candidates;

IV

Performance management

41. *Emphasizes* that a credible, fair and fully functioning performance appraisal system is critical to effective human resources management, and requests the Secretary-General to ensure its rigorous implementation;

42. *Recalls* paragraph 2 of section VI of its resolution 63/250, and requests the Secretary-General to continue to develop and implement measures to strengthen the performance appraisal system, in particular by rewarding staff for excellent performance and imposing sanctions for under-performance, and to strengthen the link between performance and career progression, in particular for those staff members in managerial positions, and to report thereon to the General Assembly at its sixty-seventh session;

43. *Requests* the Secretary-General to report to the General Assembly at its sixty-seventh session on the implementation of the new talent management system;

V

Career development and staff well-being

44. *Recalls* paragraphs 17 and 18 of the report of the Advisory Committee on Administrative and Budgetary Questions, and requests the Secretary-General to include in the training strategy a full picture of the total training resources, including extrabudgetary resources, as well as of the management of such resources, and to build the strategy on the basis of a needs assessment;

45. *Notes* that the proper take-up of leave and rest and recuperation entitlements is an essential element of staff and organizational health and well-being;

46. *Emphasizes* that it is the responsibility of managers to ensure the implementation of policies related to staff health and well-being, in particular in field locations;

47. *Requests* the Secretary-General to report to the General Assembly at its sixty-seventh session on efforts to enhance the understanding and implementation of the principles of work-life balance and a flexible workforce across the Secretariat;

VI

Contractual arrangements

48. *Recalls* paragraph 2 of section II of its resolution 63/250, and reaffirms that contractual arrangements comprise three types of appointments: temporary, fixed-term and continuing;

49. *Approves* the granting of continuing contracts as at 1 January 2011 to eligible staff members on the basis of the continuing needs of the Organization;

50. *Recalls* paragraph 23 of section II of its resolution 63/250, and decides that successful candidates from national competitive recruitment examinations and staff from language services after two years of probationary service will be granted continuing contracts, notwithstanding the provisions contained in paragraphs 51 to 61 of the present resolution;

51. *Decides* that the continuing needs of the Organization shall be determined on the basis of established and temporary posts of a duration of more than five years as well as general temporary assistance in special political missions, with the exception of those covered by the provisions of paragraphs 53 (b) and (c) of the present resolution, subject to two post envelopes, one for international staff in the Professional and higher categories and in the Field Service category and one for staff in the General Service and other locally recruited categories, to be reviewed regularly by the General Assembly and expanded or contracted on the basis of the activities of the Organization;

52. *Also decides* to set the initial level of the post envelopes at 75 per cent of the total number of posts identified in paragraph 51 of the present resolution, and to include permanent contracts within the post envelopes;

53. *Further decides* that staff members must satisfy the following criteria in order to be eligible for consideration for the granting of continuing contracts:

(a) They must have completed a minimum of five years of continuing service under the Staff Regulations and Rules of the United Nations;

(i) Staff members of the United Nations Secretariat who have accrued at least five years of continuous service on fixed-term appointments, including periods of service in an entity that applies the Staff Regulations and Rules of the United Nations;

(ii) Staff members who were previously appointed under the 100, 200 or 300 series of the Staff Rules and who have been appointed since 1 July 2009 on a fixed-term appointment under the provisional staff rules after a competitive process under staff rule 4.15 if they have served for five years continuously;

(b) They must not be national staff recruited for field missions;

(c) They must not be international or locally recruited staff recruited for service in the International Criminal Tribunal for Rwanda or the International Tribunal for the Former Yugoslavia;

(d) They must have received a performance rating of at least "Meets expectations" or equivalent in the four most recent performance appraisal reports, and must not have been subject to any disciplinary measure during the five years prior to their consideration for the granting of a continuing contract;

(e) They must have at least seven years of service remaining before reaching the mandatory age of separation;

54. *Decides* that internationally recruited staff in the Professional and higher categories as well as staff in the Field Service category who satisfy the eligibility criteria for the granting of continuing contracts, as set out in para-

graph 53 of the present resolution, shall be allocated points, as set out in the annex to the present resolution, for the following additional criteria:

(a) Performance ratings of above "Meets expectations" or equivalent in the four most recent performance appraisal reports;

(b) Service in duty stations with hardship classification of A, B, C, D or E of at least one year in each duty station;

(c) Service in non-family duty stations of at least one year in each duty station;

(d) Geographical mobility, defined as movement between two duty stations in different countries, with continuous periods of service of at least one year in each duty station;

(e) Functional mobility, defined as continuous periods of service of at least one year each in more than one job family;

(f) Proficiency in one official language of the United Nations other than one's mother tongue;

(g) Each additional year of service beyond five years;

55. *Also decides* that General Service and other locally recruited staff who satisfy the eligibility criteria for the granting of continuing contracts, as set out in paragraph 53 of the present resolution, shall be allocated points, as set out in the annex to the present resolution, for the criteria indicated in subparagraphs (a), (e), (f) and (g) of paragraph 54 of the present resolution;

56. *Further decides* that staff members identified in paragraph 51 of the present resolution who satisfy the eligibility criteria for continuing contracts will be granted continuing contracts, subject to the availability of contracts within the appropriate post envelope, on an annual basis, and based on ranking in the number of points received through the mechanism outlined in paragraph 54 of the present resolution;

57. *Decides* that staff members awarded the same number of points shall be ranked on the basis of length of service;

58. *Urges* the Secretary-General to consider granting five-year fixed-term contracts to staff members who are ranked according to the process outlined in paragraph 54 of the present resolution but who are not awarded continuing contracts;

59. *Recalls its decision* in paragraph 24 of section II of its resolution 63/250 that periods of service of associate experts (Junior Professional Officers) shall not be taken into account as part of the requisite period of service for a continuing appointment;

60. *Requests* the Secretary-General to report to the General Assembly on the implementation of the continuing appointments regime in the context of his report on human resources reform, including a review of the level of the post envelopes, as necessary, starting with its sixty-seventh session;

61. *Also requests* the Secretary-General to report to the General Assembly at its seventy-third session on the implementation of the provisions of the present resolution with the aim of reviewing the system of granting of continuing contracts;

62. *Decides* that staff members who are granted continuing contracts shall be subject to decisions of the

General Assembly on mobility and the learning policy of the Secretary-General;

VII

Comprehensive assessment of the system of geographical distribution

63. *Recalls* paragraph 17 of section IX of its resolution 63/250, and requests the Secretary-General to report thereon to the General Assembly at the sixty-seventh session;

64. *Reiterates its requests* to the Secretary-General to present proposals to effectively increase the representation of developing countries in the Secretariat and to report thereon to the General Assembly at its sixty-seventh session;

65. *Recalls* paragraph 13 of section IX of resolution 63/250, and requests the Secretary-General to continue to ensure the proper representation of troop-contributing countries in the Department of Peacekeeping Operations and the Department of Field Support of the Secretariat, taking into account their contribution to United Nations peacekeeping;

66. *Decides* that staff members shall retain geographical status when serving against a geographical post, except those recruited under the young professionals programme;

67. *Reaffirms* that the system of geographical distribution is applicable solely to regular budget posts in the Professional and higher categories of staff;

VIII

Gender representation

68. *Expresses serious concern* that progress towards the goal of 50/50 gender balance in the United Nations system, especially at senior and policymaking levels, in conformity with Article 101, paragraph 3, of the Charter, has been slow;

69. *Requests* the Secretary-General to increase his efforts to attain and monitor the goal of gender parity in the Secretariat, in particular at senior levels, and in this context to ensure that women, especially those from developing countries and countries with economies in transition, are appropriately represented within the Secretariat, and to report thereon to the General Assembly at its sixty-seventh session;

IX

Consultants, individual contractors, gratis personnel and employment of retired staff

70. *Expresses concern* over the increase in the use of consultants, especially in the core activities of the Organization, stresses that the use of consultants should be governed by the relevant resolutions of the General Assembly, in particular resolution 53/221, section VIII, and that they should be drawn from the widest possible geographical basis, and requests the Secretary-General to make the greatest possible use of in-house capacity and to report to the General Assembly at its sixty-seventh session on the measures taken to that effect;

71. *Reiterates* that in areas where consultants are frequently hired for a period of more than one year, the Secretary-General should submit proposals, where necessary, for the establishment of posts and should report thereon to the General Assembly at its sixty-seventh session;

72. *Requests* the Secretary-General to report to the General Assembly at its sixty-seventh session on the use of retired former staff and to develop clear criteria for the employment of retirees;

X

Provisional Staff Rules and amendments to the Staff Regulations

73. *Takes note* of paragraphs 84 and 85 of the report of the Advisory Committee on Administrative and Budgetary Questions on reconsidering the requirement to renounce permanent resident status;

74. *Takes note also* of the report of the Secretary-General on the provisional Staff Rules;

75. *Decides*, in this regard, to defer until its sixty-sixth session consideration of the proposal of the Secretary-General to amend the Staff Regulations;

XI

Other matters

76. *Welcomes* the improvement in the compliance rates of the financial disclosure programme, and requests the Secretary-General to further encourage full participation in, and compliance with, the programme;

77. *Requests* the Secretary-General to encourage wider participation by senior executives in the public disclosure programme;

78. *Requests* the International Civil Service Commission to consider standards of conduct in the context of its 2011 programme of work and report;

79. *Requests* the Secretary-General to provide to the General Assembly for its consideration at the main part of its sixty-sixth session a comprehensive report on conflict of interest, including a contemporary analysis of what constitutes personal conflict of interest, as well as legal, management and mitigation aspects;

80. *Decides* to consider at the same time the relevant recommendations of the International Civil Service Commission on standards of conduct, the outstanding draft code of ethics and any other relevant reports;

81. *Requests* the Secretary-General to intensify his outreach activities to attract external candidates;

82. *Also requests* the Secretary-General to analyse the reasons why staff members leave the Organization, on the basis of exit questionnaires for staff members leaving voluntarily, and to report his findings to the General Assembly at its sixty-seventh session;

83. *Reiterates its request*, contained in paragraph 91 of its resolution 64/243 of 24 December 2009, that the Secretary-General, in proposing posts for the Office of the United Nations High Commissioner for Human Rights, ensure that they conform to relevant legislative mandates, including those of the Human Rights Council.

ANNEX

Point system to assess the eligibility of staff for conversion from fixed-term to continuing appointments

Criteria

- | | |
|--|---|
| 1. Rating for the past four performance reports: | |
| Exceeds performance expectations | 7 points for each report (for at least a one-year period) |
| Frequently exceeds performance expectations | 5 points for each report (for at least a one-year period) |

- | | |
|--|---------------------------|
| 2. Service of at least one year (continuous) in a hardship duty station: | |
| Categories A and B | 1 point per tour of duty |
| Category C | 3 points per tour of duty |
| Category D | 5 points per tour of duty |
| Category E | 7 points per tour of duty |
| 3. Service in a non-family duty station for at least one year (continuous) | 2 points per tour of duty |
| 4. Geographic mobility for at least one year (continuous) | 3 points per tour of duty |
| 5. Functional mobility for at least one year (continuous) | 2 points per tour of duty |
| 6. Proficiency in one official language of the United Nations other than one's mother tongue | 2 points |
| 7. Each additional year of service beyond five years | 1 point for each year |

On 24 December, the Assembly decided that the item on human resources management would remain for consideration during its resumed sixty-fifth (2011) session (**decision 65/544**).

Staff composition

Reports of Secretary-General. In accordance with a series of General Assembly resolutions, the most recent of which was resolution 63/250 [YUN 2008, p. 1616], the Secretary-General submitted a report on the composition of the Secretariat [A/65/350], covering the period from 1 July 2009 to 30 June 2010, which contained information on the demographic characteristics of the Secretariat and on the system of desirable ranges. The global staff of the Secretariat as at 30 June totalled 44,134; that number comprised all categories of staff holding permanent/probationary, fixed-term and temporary contracts recruited internationally and locally from 187 Member States. In 2010, the staff population included an additional 1,450 staff of the Secretariat who were administered by the United Nations Development Programme (UNDP), not recorded in the Integrated Management Information System (IMIS), and who were not previously included in reports. All Secretariat staff were employed in four entity groups—departments/offices, regional commissions, tribunals and field operations. Field operations, as opposed to field offices, referred to peacekeeping missions and certain special political missions. Non-field operations comprised 20,141 staff members (45.6 per cent) and field operations comprised 23,993 staff members (54.4 per cent). By category, the staff was distributed as follows: 27,537 General Service and related staff (62 per cent); 12,159 Professional and higher categories staff (28 per cent); and 4,438 Field Service staff (10 per cent). Under the contractual reform that took effect in 2009, all Secretariat staff were appointed under one of three appointment types: permanent/probationary (4,979 staff); fixed-term (36,718 staff); and temporary (2,437 staff). The overall percentage of female staff was 33 per cent (14,500 of 44,134). The average age for all staff was 42.3 years.

As at 30 June, 2,886 Secretariat staff members were subject to the system of desirable ranges. Under that system, 12 countries were unrepresented, 31 were underrepresented, 132 were within range and 17 overrepresented.

An addendum [A/65/350/Add.1] provided information on the engagements of gratis personnel (4,979), retirees (3,784) and consultants and individual contractors (35,231) who were employed between 1 January 2008 and 31 December 2009.

ACABQ report. In October [A/65/537], ACABQ, while recognizing that the use of retirees in some departments, such as language staff in DGACM, had advantages, noted that the increasing trend of hiring retirees in other departments continued unabated. It reiterated that the situation could be avoided through rigorous succession planning and urged the Secretary-General to give priority attention to that issue.

Ethics Office

Report of Secretary-General. In response to General Assembly resolution 60/254 [YUN2006, p. 1633], the Secretary-General, in September [A/65/343], reported on the activities of the Ethics Office between 1 August 2009 and 31 July 2010. During that period, the Office received 412 requests covering a broad range of issues: general ethics advice (74 per cent of requests); protection against retaliation (9 per cent); standard-setting and policy support (7 per cent); training (2 per cent); and other general information. Requests for services continued to come from diverse geographical and organizational sources, although the majority (52 per cent) came from offices and personnel based in New York. With regard to the mode of contact, most requests came via e-mail (75 per cent), followed by paper-based correspondence and requests through the Helpline (11 per cent each) and walk-ins (3 per cent).

The Office handled 308 requests for ethics advice and guidance: 95 (31 per cent) related to outside activities; 40 (13 per cent) to personal investments and assets; 42 (14 per cent) to other conflicts of interest; 58 (19 per cent) to gifts, hospitality and honours; and 3 (1 per cent) to post-employment restrictions. Enquiries under the employment-related category, totalling 70, represented 22 per cent of all requests for advice and involved staff seeking guidance on how to manage situations that related to their employment, such as allegations of misconduct, career-related concerns, and performance appraisal issues. The Office either referred the individual to the appropriate authority for assistance or advised on the proper course of action. The Office received 36 requests related to protection against retaliation, 18 of which were deemed to warrant preliminary review. The Office concluded its review of 8 cases: in 4 cases it was determined that

there was no *prima facie* case of retaliation, while in 4 other instances the requests were either withdrawn or abandoned by the complainants. The preliminary review process was under way in relation to the remaining 10 cases. Of the remaining 18 requests, 2 were determined to fall outside the scope of the mandate, and 16 staff members were provided with advice and guidance regarding the scope and application of the policy and the necessary conditions for commencing a preliminary review, as well as the corrective measures available in the event that retaliation was established. Under the financial disclosure programme administered by the Office, 3,618 staff members were required to file, using the established online financial disclosure filing system. As at the programme closing date (31 December 2009), 99.61 per cent of staff (3,604 participants) had complied with filing obligations. The Office also carried out training, education and outreach, and standard-setting and policy support.

The report included information on the activities of the United Nations Ethics Committee, including a review of any complex ethics issues that it had dealt with.

Multilingualism

In response to General Assembly resolution 63/306 [YUN 2009, p. 1468], the Secretary-General submitted an October report [A/65/488] on the role of multilingualism in the Secretariat, particularly with regard to human resources management; conference management; peacekeeping, security, political, legal and inspection offices and departments; humanitarian, economic, and social offices and departments; internal communication; and public information and outreach. The report concluded that the United Nations had improved and sought creative ways to promote multilingualism in all areas of its work. The Secretariat was striving to make content available in all six official languages in a timely manner, while ensuring the quality of interpretation and translation. It had used formal and informal ways to reach out to the global public, the UN community and staff in the official languages through its outreach programmes and initiatives.

Protection from sexual exploitation and abuse

Report of Secretary-General. In compliance with General Assembly resolution 57/306 [YUN 2003, p. 1237], the Secretary-General submitted a February report [A/64/669] on special measures for protection from sexual exploitation and sexual abuse, in which he presented data on allegations of sexual exploitation and abuse in the UN system during 2009.

All of the 43 UN entities from which information had been sought provided information. The number of allegations reported totalled 154, compared with 111 in 2008. Eight entities reported having received allegations, whereas 35 reported none. Allegations were transmitted to OIOS for investigation. During 2009, most allegations (112 or 73 per cent) were related to peacekeeping personnel. A cause for concern was the increase in the number of allegations of incidents involving minors, including rape; they constituted 46 per cent of the allegations reported in 2009 (51 out of 112).

Investigations involving 39 peacekeeping personnel had been completed as at 31 December 2009. Investigations were conducted involving 13 military personnel, following which allegations against 5 were determined to be unsubstantiated and 8 were substantiated. DPKO and DFS communicated the results of substantiated investigations to the relevant troop-contributing countries, and six individuals were repatriated on disciplinary grounds and barred from future peacekeeping operations. On the basis of an allegation of sexual assault, a troop-contributing country carried out an investigation and, as a result, reduced the individual in rank and barred him from participating in peacekeeping operations. An OIOS contingent investigation report containing evidence of misconduct was transmitted to the relevant troop-contributing country, which increased training and education activities for personnel serving under UN mandates. Investigations involving 13 civilian UN personnel were conducted, following which allegations against 5 were determined to be unsubstantiated and the remainder were substantiated. The substantiated cases were referred to the relevant employers for further action. Investigations were conducted involving 13 police and corrections personnel, following which allegations against 8 were determined to be unsubstantiated, and the remainder were substantiated. Of those, three individuals were repatriated on disciplinary grounds and barred from participating in peacekeeping operations, and two were repatriated on administrative grounds pending the convening of a board of inquiry. Most allegations were related to transactional sex.

Of the 42 allegations involving personnel of entities other than DPKO and DFS, 15 investigations were unsubstantiated or closed, 17 were substantiated and 10 were ongoing. Five cases involving UNICEF staff and three cases involving UNDP staff were referred to the relevant office for follow-up action. Five United Nations Volunteers were subjected to disciplinary measures. Seven allegations regarding the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) were referred to the UNRWA investigative body, and five staff members were separated as a result of the investigation. One staff member was separated on the recommendation

of the medical board review, and one case was being investigated.

The report described progress made in enforcing UN standards of conduct related to sexual exploitation and abuse. The Task Force on Protection from Sexual Exploitation and Abuse addressed ways of institutionalizing protection, produced guidance documents and delivered training. The Task Force also finalized its website. Conduct and Discipline Teams were operational in 16 peacekeeping and special political missions.

The United Nations continued its efforts and collaboration with governmental and non-governmental partners to address the issue and raise awareness, the Secretary-General said. The Organization was aware of the challenges related to reporting mechanisms, investigative procedures, community outreach and awareness-training, and the Secretary-General remained committed to his policy of zero tolerance of sexual exploitation and abuse and to his efforts to prevent the perpetration of such acts.

ACABQ report. Commenting in April [A/64/660], ACABQ stated that the report could benefit from a more in-depth analysis of data and trends. It requested that the next report include an assessment of the impact of recent reforms relating to welfare and recreation in that context.

UN Joint Staff Pension Fund

As at 31 December, the United Nations Joint Staff Pension Fund (UNJSPF) had 121,138 active participants as compared to 117,580 at the end of 2009 [YUN 2009, p. 1471]. The number of periodic payments in awards increased from 61,841 to 63,830; 22,294 full retirement benefits; 14,163 early retirement benefits; 7,085 deferred retirement benefits; 10,727 widows' and widowers' benefits; 1,209 disability benefits; 8,310 child benefits; and 42 secondary dependants' benefits. The payroll for benefits in payment for the year increased by 3.9 per cent over 2009 to \$1.9 billion. The total expenditure for benefits, administration and investment costs of \$2 billion exceeded contribution income by \$1.8 million, which increased from \$1.9 billion to \$2 billion (approximately 5.2 per cent). The market value of the Fund's assets increased from \$36.7 billion to \$40.3 billion, representing an increase of about 9.7 per cent.

The Fund was administered by the 33-member United Nations Joint Staff Pension Board (UNJSPB). At its fifty-seventh session (London, 15–23 July) [A/65/9], the Board addressed actuarial matters; investments of the Fund; administrative matters; audit; governance; and benefit provisions of the Fund. The Board recommended to the Assembly the approval of an amendment to the Regulations of the Fund that would allow additional contributions to be made by

part-time staff; the suspension of the special index provision under the Fund pension adjustment system for all separations as from 1 January 2011; and the approval of funding for the cost-sharing arrangement for the use of the new system of administration of justice of the United Nations.

Regarding the revised budget estimates for the biennium 2010–2011, the Board decided that the total appropriation would remain at \$176,318,500.

An annex to the Board's report contained the report of the Board of Auditors on the financial statement of UNJSPF for the biennium ended 31 December 2009.

Reports of Secretary-General. In a September report [A/C.5/65/3], the Secretary-General informed the General Assembly that there were no financial implications for the regular budget should the Assembly adopt the recommendations submitted in the Board's report. The Assembly took note of the report in section I of **resolution 65/259** of 24 December (see p. 1429).

Also in September [A/C.5/65/2], the Secretary-General reported on investments of UNJSPF and measures undertaken to increase diversification. He provided information on the management of the investments of the Fund during the period from 1 April 2008 to 31 March 2010 and on investment returns, diversification of investments and development-related investments of UNJSPF. The Fund had performed steadily, in excess of its benchmarks, during the unprecedented volatility of the preceding year. Several initiatives were undertaken to strengthen investment decisions and the supporting infrastructure.

ACABQ report. In November [A/65/567], ACABQ recommended approval of the Pension Board's proposals, subject to its observations and recommendations.

GENERAL ASSEMBLY ACTION

On 24 December [meeting 73], the General Assembly, on the recommendation of the Fifth Committee [A/65/633], adopted **resolution 65/249** without vote [agenda item 137].

United Nations pension system

The General Assembly,

Recalling its resolutions 61/240 of 22 December 2006, 62/241 of 22 December 2007, 63/252 of 24 December 2008 and section II of its resolution 64/245 of 24 December 2009,

Having considered the report of the United Nations Joint Staff Pension Board for 2010, including the financial statements of the United Nations Joint Staff Pension Fund for the biennium ended 31 December 2009, the audit opinion and report of the Board of Auditors thereon and the information provided on the internal audits of the Fund and the observations of the Board and of the Audit Committee, the reports of the Secretary-General on the investments of the United Nations Joint Staff Pension Fund and measures undertaken to increase diversification and on the admin-

istrative and financial implications arising from the report of the United Nations Joint Staff Pension Board, and the related report of the Advisory Committee on Administrative and Budgetary Questions,

1. *Takes note* of the report of the United Nations Joint Staff Pension Board for 2010, in particular the actions taken by the Board as set out in chapter II.B of the report;

2. *Notes with concern* that the Board of Auditors issued a modified audit opinion on the financial statements of the United Nations Joint Staff Pension Fund for the biennium ended 31 December 2009 with one emphasis of matter on the management of investments, and requests the Secretary-General to implement the recommendations of the Board without further delay;

3. *Expresses concern* at the results of the actuarial valuation of the United Nations Joint Staff Pension Fund, which revealed a deficit of 0.38 per cent of pensionable remuneration as at 31 December 2009, which was the Fund's first deficit in seven consecutive actuarial valuations;

4. *Endorses* the recommendation of the Advisory Committee on Administrative and Budgetary Questions;

Administrative arrangements, revised budget and longer-term objectives of the United Nations Joint Staff Pension Fund

5. *Takes note* of the information set out in paragraphs 130 to 140 of the report of the United Nations Joint Staff Pension Board on the revised budget estimates for the biennium 2010–2011;

6. *Approves* the recommendation of the United Nations Joint Staff Pension Board that the total appropriation of 176,318,500 United States dollars remain unchanged and that the requirements of the Fund be met through redeployment, with revised administrative costs, investment costs, audit costs and Board expenses as set out in annex XIX to the report of the Board;

Investments of the United Nations Joint Staff Pension Fund

7. *Takes note* of the report of the Secretary-General on the investments of the United Nations Joint Staff Pension Fund and measures undertaken to increase diversification and the observations of the United Nations Joint Staff Pension Board, as set out in its report;

8. *Recalls* its resolution 33/121 B of 19 December 1978;

9. *Requests* the Secretary-General, as fiduciary for the investment of the assets of the Fund, to continue to diversify its investments between developed, developing and emerging markets, wherever this serves the interests of the participants and the beneficiaries of the Fund, and also requests the Secretary-General to ensure that decisions concerning the investments of the Fund in any country are implemented prudently, taking fully into account the four main criteria for investment, namely, safety, profitability, liquidity and convertibility, under the current volatile market conditions;

10. *Supports* the recommendations of the Board that more detailed disclosures be provided in the future.

On 24 December, the Assembly decided that the item on the UN pension system would remain for consideration during its resumed sixty-fifth (2011) session (**decision 65/544**).

Travel-related matters

Report of Secretary-General. The Secretary-General, in September, submitted to the General Assembly his biennial report [A/65/348] on standards of accommodation for air travel, providing information for the two-year period ended 30 June 2010 and comparative statistics for the two-year period ended 30 June 2008. In accordance with Assembly resolution 42/214 [YUN 1987, p. 1165], payment of first-class accommodation by air was limited to the heads of delegations of the least developed countries to the sessions of the Assembly. During the reporting period, 28 first-class trips were approved at a cost of \$309,380, compared with 33 trips at a cost of \$334,105 for the period from 1 July 2006 to 30 June 2008. The Assembly President had incurred two trips at an additional cost of \$2,759, compared with six trips at a cost of \$21,466 in the period from 1 July 2006 to 30 June 2008. Exceptions had been authorized by the Secretary-General for his personal aides or staff providing security services to him, his wife or other authorized officials. In the two-year period ended 30 June 2010, the number of trips taken by such personnel had increased to 72, at an additional cost of \$325,103, compared to 56 trips (\$172,499) in the previous period. For the Deputy Secretary-General, 21 first-class trips were authorized for the two-year period ended 30 June 2010, at a cost of \$139,936, compared with 17 trips (\$61,683) for the previous period. A summary of exceptions listed 262 trips for the two-year period ended 30 June 2010, for an additional cost of \$733,779; exceptions for other UN entities numbered 72, involving an additional cost of \$108,141.

ACABQ report. In December [A/65/632], ACABQ noted that for the UN Secretariat and other UN entities combined, an additional cost of \$537,654 was incurred for 243 authorized exceptions between 1 July 2006 and 30 June 2008, while an additional cost of \$841,920 was incurred for 334 authorized exceptions between 1 July 2008 and 30 June 2010, representing higher costs of \$304,266 (56 per cent) as a result of an increase of 91 authorized exceptions (37 per cent). ACABQ stated that the issue should be kept under review, and encouraged the United Nations and its entities to explore ways to reduce overall travel expenditures.

JIU report. The Secretary-General, in September [A/65/338], transmitted to the Assembly the JIU report entitled "Review of travel arrangements within the United Nations system" [JIU/REP/2010/2]. JIU stated that travel represented one of the largest parts of UN system organizations' budgets after staff costs. A conservative estimate of airline ticket expenditures of international organizations in 2008 amounted to \$1.1 billion. Although CEB had established the Working Group on Standards of Accommodation for Air Travel in the United Nations system, the role of the

Inter-Agency Travel Network (IATN) as an advisory body on travel issues needed more prominence. International organizations in Geneva took steps in 2001 to combine their travel volumes and negotiate with airlines for preferential airfares, achieving savings of around \$18 million in 2008; those savings should be used to create two positions to improve service quality and efficiency. The CEB commitment to achieving climate neutrality would lead to sustainable travel strategies that would modify travel patterns; those improvements would necessitate the updating of travel manuals and policies. The financial crisis had resulted in some organizations making reductions in their travel budgets. Other measures to reduce costs included adherence to advance travel planning, expanding lump sum options, entering into joint airline negotiations, offering staff incentives and streamlining travel claims processing. JIU also recommended that the executive heads of UN system organizations provide reports on travel expenditures to their governing bodies, and that all staff members be informed of their rights and responsibilities.

Note by Secretary-General. In September [A/65/338/Add.1], the Secretary-General transmitted his comments and those of CEB on the JIU report. UN system entities generally accepted the JIU recommendations and expressed appreciation for the wide-ranging nature of the report, which covered areas as diverse as participation in the inter-agency travel networks, the expansion of the travel modules of the enterprise resource planning systems and recovery for fraudulent travel claims.

CEB report. In accordance with General Assembly resolutions 60/255 [YUN 2006, p. 1618], 62/238 [YUN 2007, p. 1451] and 63/268 [YUN 2009, p. 1391], the Secretary-General, in September, transmitted a CEB report [A/65/386] that examined the existing standards of travel for staff with a view to harmonizing them. The report noted that for bodies under the authority of the Secretary-General—the United Nations and funds and programmes—many of the key travel policies had already been harmonized, and suggested that further progress could be achieved through increased participation by agencies in the Inter-Agency Travel Network.

Administration of justice

Report of Secretary-General. In response to General Assembly resolutions 63/253 [YUN 2008, p. 1637] and 64/233 [YUN 2009, p. 1474], the Secretary-General submitted a September report [A/65/373 & Corr.1] on the administration of justice at the United Nations. He recalled that the Assembly, in resolution 61/261 [YUN 2007, p. 1525], had established a new system of administration of justice for Secretariat staff that had become operational on 1 July 2009.

The Secretary-General viewed the new system as a significant improvement over the old one. Substantial accomplishments had been achieved during the first year of operation. For example, whereas the old system was noted for the length of time—often years—required to adjudicate a case, the new United Nations Dispute Tribunal took an average of six months to dispose of a case. Through the consultative mechanism, staff had expressed confidence in the new system—a major change of view in a short time. During the preceding year, the Management Evaluation Unit had responded to more than 425 requests for review, the Office of Staff Legal Assistance had resolved over 50 per cent of the more than 900 cases received, the United Nations Dispute Tribunal had disposed of 220 of 510 cases and the United Nations Appeals Tribunal had disposed of 64 of 110 cases; those numbers included cases transferred from the old system. Those accomplishments were also the result of the increased productivity, often using strained resources, of both the units representing the Secretary-General as respondent in cases before the Tribunals and the units servicing the Tribunals.

A high percentage of cases coming before the Organization's "first responders" (the Office of the United Nations Ombudsman and Mediation Services, the Office of Staff Legal Assistance and the Management Evaluation Unit) were settled informally. Although the new system was better resourced and more professional, the experience of the first year had demonstrated that some elements required adjustment, strengthening or further consideration.

The Secretary-General requested additional resources amounting to \$7,627,500 under the programme budget for the biennium 2010–2011 for the more urgent requirements of the new system.

ACABQ report. In November [A/65/557], ACABQ submitted its observations and recommendations on the report.

Report of Internal Justice Council. On 15 June [A/65/86], the Internal Justice Council submitted to the Secretary-General, for transmission to the General Assembly, the code of conduct for the judges of the United Nations Dispute Tribunal and the United Nations Appeals Tribunal. The Council had drafted the Code in consultation with the judges of the Tribunals.

In response to Assembly resolution 62/228 [YUN 2007, p. 1528], which decided to establish the Internal Justice Council to help to ensure independence, professionalism and accountability in the new system of administration of justice, the Council submitted an August report [A/65/304] containing its views on the implementation of the new system. The five-member Council was established in May 2008. The report reviewed the operations of the United Nations Dispute

Tribunal and the United Nations Appeals Tribunal, including issues common to the Tribunals; the Office of Administration of Justice; and the Office of Staff Legal Assistance. It also discussed the relationship between the formal and informal systems. The report concluded that the new system was working as well as its resources allowed, and better than expected after only a year of operation. The Council attributed the system's success largely to the dedication of the judges, registrars and their staff, the staff of the Office of Administration of Justice and lawyers from both the Office of Staff Legal Assistance and management who appeared before the Tribunals. Aware of the financial constraints facing the Assembly, the Council regretted that many of its recommendations would require additional resources and presented only those it considered essential for the new system's effective functioning. Recommendations covered seven areas: advertising, interviewing and recommending of judges for appointment; Tribunals; the Office of Administration of Justice; the Office of Staff Legal Assistance; the Internal Justice Council; the relationship between the formal and informal systems; and disciplinary proceedings.

Letter from Chair of Sixth Committee. On 27 October [A/C.5/65/9], the President of the General Assembly transmitted to the Chair of the Fifth Committee a letter of 22 October from the Chair of the Sixth (Legal) Committee regarding the agenda item on administration of justice at the United Nations. The Sixth Committee Chair reported that, during the Committee's debate, delegations addressed the scope of the system of administration of justice with a view to ensuring that effective remedies were available to all categories of UN personnel, and reaffirmed that non-staff personnel should be afforded effective legal remedies. Delegations requested the Secretary-General to provide more information, particularly taking into account the different categories of non-staff personnel. Delegations considered that many of the issues described by the Secretary-General in his report raised important legal questions, including due process and the rule of law. Since many of those issues were still under consideration in the formal system of administration of justice, however, it was premature and inappropriate for the Assembly to express a view at that stage. Finally, delegations were of the view that the Sixth Committee should revert at a later stage to the outstanding legal issues raised by the reports of the Secretary-General and the Internal Justice Council, including the question of effective remedies for non-staff personnel and the code of conduct for the judges of the United Nations Dispute Tribunal and the United Nations Appeals Tribunal. They recalled the request contained in resolution 62/228 [YUN 2007, p. 1528] that the Secretary-General report on mechanisms for the removal of judges, the

definition of the “grounds of misconduct or incapacity” and the means for establishing such grounds in a specific case. Delegations recommended that the Assembly take up the item again at its resumed (2011) sixty-sixth session.

General Assembly action. On 6 December (**decision 65/513**), the General Assembly decided that the consideration of the outstanding legal aspects of administration of justice at the United Nations, including the question of effective remedies for non-staff personnel and the code of conduct for the judges of the Tribunals, would be continued during its sixty-sixth (2011) session in the framework of a working group of the Sixth Committee, taking into account the results of the deliberations of the Fifth and Sixth Committees, previous decisions of the Assembly and any further decisions that the Assembly might take during its sixty-fifth session. The Assembly included the item in the provisional agenda of its sixty-sixth session.

Communication. On 5 November [A/65/568], the Secretary-General transmitted to the President of the General Assembly a letter from Judge Jean Courtial, President of the United Nations Appeals Tribunal, forwarding a note that set out the views of the judges of the Tribunal regarding their status and the situation of the Appeals Tribunal Registry.

Office of Ombudsman and Mediation Services

Reports of Secretary-General. The Secretary-General, in an August report [A/65/332], provided the General Assembly with responses to systemic issues identified in his 2009 report on the activities of the Office of the United Nations Ombudsman and Mediation Services [YUN 2009, p. 1473]. The issues addressed included career progression and development, and leadership and managerial effectiveness.

In response to Assembly resolutions 59/283 [YUN 2005, p. 1529] and 62/228 [YUN 2007, p. 1528], the Secretary-General submitted an August report [A/65/303] on the 2009 activities of the Office, which delivered informal conflict-resolution services to the staff of the Secretariat, UNDP, the United Nations Population Fund, the United Nations Children's Fund, the United Nations Office for Project Services and UNHCR. All regional ombudsmen and case officers had been appointed (Bangkok, Geneva, Khartoum, Kinshasa, Nairobi, Santiago and Vienna). The Mediation Service was fully staffed and operational, mediation guidelines had been developed and several complex cases resolved. Targeted efforts to reach out to staff, including those in remote locations, had been launched. The Deputy Secretary-General had issued a memorandum to all heads of departments to encourage the use of infor-

mal resolution. The first five months of 2010 gave an indication of the success of those efforts: there was a 69 per cent increase in its utilization by staff members of the Secretariat and a 33 per cent increase in its overall utilization. In about 80 per cent of cases received by the Office during two recent field missions, a satisfactory solution was found by the time the missions were completed.

In addition, in the second half of 2009, 79 per cent of the cases received did not proceed to the United Nations Dispute Tribunal.

Overall case volume continued to be high, due in part to the growing recognition of the importance of informal resolution. In 2009, 1,287 cases, comprising 1,869 issues, were opened. With appropriate capacity, the Office was well positioned to prevent festering issues from erupting and to help create durable solutions. The success of informal resolution also depended on a shift in organizational culture that recognized the importance of conflict prevention and conflict management for dealing with issues before they became public or adversarial. The Secretary-General made a number of recommendations to improve the operations of the Office.

In November [A/65/557], ACABQ submitted its observations and recommendations on the report.

Appointment of judges

Extension of terms of office. By an 8 February letter [A/64/664], the Secretary-General transmitted to the President of the General Assembly a request by the Chairperson of the Internal Justice Council to extend by 12 months the tenure of three ad litem judges of the United Nations Dispute Tribunal in order to take care of the backlog of cases transferred to the Tribunal upon the abolition of the old system of administration of justice.

On 4 March [A/C.5/64/16], the Assembly President transmitted the Secretary-General's letter to the Chair of the Fifth Committee. As the Assembly, by resolution 63/253 [YUN 2008, p. 1637], had decided that three ad litem judges would be appointed for a one-year period as from 1 July 2009, the President sought the views of the Committee to facilitate the appropriate action by the Assembly.

Speaking before the Fifth Committee on 10 March [A/C.5/64/SR.26], the ACABQ Chairperson said that ACABQ had no objection to extending the terms of service of those judges for the period deemed necessary, but not longer than one year.

On 29 March (**decision 64/417 A** and **decision 64/553**), the Assembly extended the terms of office of three ad litem judges by one year beginning on 1 July 2010.

Appointment of judge. On 18 June, following the resignation of a judge of the United Nations Dispute Tribunal [A/64/793], the Assembly, on the recommendation of the Internal Justice Council [A/64/791], transmitted by the Secretary-General [A/64/797], appointed an ad litem judge for a one-year term of office beginning on 1 July 2010 (**decision 64/417 B**).

Vacancy on Tribunal. In a 23 December letter [A/65/232], the Secretary-General informed the Assembly of a forthcoming vacancy on the United Nations Appeals Tribunal and requested it to appoint a judge for the remainder of the seven-year term of the judge who had resigned. On 29 December [A/65/671], the Internal Justice Council presented the names of three candidates for appointment as a judge of the Tribunal.

GENERAL ASSEMBLY ACTION

On 24 December [meeting 73], the General Assembly, on the recommendation of the Fifth Committee [A/65/650], adopted **resolution 65/251** without vote [agenda item 140].

Administration of justice at the United Nations

The General Assembly,

Recalling section XI of its resolution 55/258 of 14 June 2001, its resolutions 57/307 of 15 April 2003, 59/266 of 23 December 2004, 59/283 of 13 April 2005, 61/261 of 4 April 2007, 62/228 of 22 December 2007, 63/253 of 24 December 2008 and 64/233 of 22 December 2009 and its decision 63/531 of 11 December 2008,

Having considered the reports of the Secretary-General on administration of justice at the United Nations and on the activities of the Office of the United Nations Ombudsman and Mediation Services, the report of the Internal Justice Council on administration of justice at the United Nations, the letter dated 27 October 2010 from the President of the General Assembly to the Chair of the Fifth Committee, the letter dated 5 November 2010 from the Secretary-General to the President of the Assembly and the related report of the Advisory Committee on Administrative and Budgetary Questions,

1. Takes note of the reports of the Secretary-General on administration of justice at the United Nations and on the activities of the Office of the United Nations Ombudsman and Mediation Services and the report of the Internal Justice Council on administration of justice at the United Nations;

2. Reaffirms its resolutions 61/261, 62/228, 63/253 and 64/233 on the establishment of the new system of administration of justice;

3. Endorses the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions, subject to the provisions of the present resolution;

I

System of administration of justice

4. Notes with appreciation the achievements produced since the inception of the new system of administration of justice in regard to both the disposal of the backlog and the addressing of new cases, despite the numerous difficulties faced during the implementation of the new system of administration of justice;

5. Commends the efforts of all who were involved in managing the transition from the previous internal justice system and those involved in the implementation and functioning of the new system of administration of justice;

6. Emphasizes the importance of the principle of judicial independence in the system of administration of justice;

7. Reaffirms its decision, contained in paragraph 4 of resolution 61/261, to establish a new, independent, transparent, professionalized, adequately resourced and decentralized system of administration of justice consistent with the relevant rules of international law and the principles of the rule of law and due process to ensure respect for the rights and obligations of staff members and the accountability of managers and staff members alike;

8. Acknowledges the evolving nature of the new system of administration of justice and the need to carefully monitor its implementation;

9. Stresses that all elements of the new system of administration of justice must work in accordance with the Charter of the United Nations and the legal and regulatory framework approved by the General Assembly;

10. Also stresses the importance of ensuring access for all staff members to the new system of administration of justice, regardless of their duty station;

II

Informal system

11. Recognizes that the informal system of administration of justice is an efficient and effective option for staff who seek redress of grievances;

12. Reaffirms that the informal resolution of conflict is a crucial element of the system of administration of justice, and emphasizes that all possible use should be made of the informal system in order to avert unnecessary litigation;

13. Notes the increase of approximately 70 per cent, in the period from 2009 to 2010, in the number of cases received from United Nations Secretariat staff, including staff in field operations;

14. Also notes that the delayed response of departmental heads to the grievances of and issues raised by staff has an impact in respect of increasing the number of cases before the formal system of administration of justice;

15. Requests the Secretary-General to ensure that management responds to requests from the Ombudsman and Mediation Services in a timely manner, taking into account paragraphs 129 and 130 of the report of the Secretary-General on the activities of the Office of the United Nations Ombudsman and Mediation Services, and to report thereon to the General Assembly at its sixty-sixth session;

16. Decides to fix the term of the United Nations Ombudsman at five years, with the possibility of renewal for one additional term, and requests the Secretary-General

to expeditiously conclude inter-agency negotiations on the revised terms of reference and to report to the General Assembly at its sixty-sixth session, including on the question of the eligibility of the head of the Office of the United Nations Ombudsman and Mediation Services for other employment in the United Nations after the expiration of his or her term, taking into consideration, inter alia, the potential impact on recruitment;

17. *Recalls its requests* to the Secretary-General, contained in paragraph 67 (a) of resolution 62/228 and paragraph 21 of resolution 63/253, to report to it on the revised terms of reference for the Office of the United Nations Ombudsman and Mediation Services, and requests the Secretary-General to ensure that the terms of reference and guidelines for the Mediation Division are promulgated as soon as possible;

18. *Recalls* paragraph 12 of resolution 61/261 and paragraph 25 of resolution 62/228 regarding the establishment of a single integrated and decentralized Office of the Ombudsman for the United Nations Secretariat, funds, and programmes, and requests the Secretary-General to ensure that the structure of the Office of the United Nations Ombudsman and Mediation Services reflects the responsibility of the United Nations Ombudsman for the oversight of the entire Office;

19. *Reaffirms* paragraph 29 of resolution 62/228 regarding the process of nomination and appointment of the United Nations Ombudsman;

20. *Concurs* with the recommendations made in section V of the report of the Secretary-General on the activities of the Office of the United Nations Ombudsman and Mediation Services;

21. *Recalls* paragraphs 11 and 12 of resolution 64/233, and welcomes, in this regard, efforts taken by the Office of the United Nations Ombudsman and Mediation Services, including the launch of the key stakeholders forum, in order to promote greater harmony in the workplace;

22. *Also recalls* the recommendations contained in paragraphs 124 to 126 and 128 to 133 of the report of the Secretary-General on the activities of the Office of the United Nations Ombudsman and Mediation Services, and requests the Secretary-General to ensure the full implementation of those recommendations that are readily implementable and that do not require additional resources or amendments to the Staff Regulations and Rules, and to include all other recommendations in his proposed programme budget for the biennium 2012–2013;

23. *Notes* recommendation 4 in paragraph 129 of the Secretary-General's report and requests the Secretary-General, in consultation with relevant stakeholders, to submit a proposal in this regard to the General Assembly at its sixty-sixth session;

24. *Emphasizes* that it is important to ensure equal and continued access by all staff to the informal system of administration of justice, including to the rapid response teams;

25. *Recognizes* that the Office of the United Nations Ombudsman and Mediation Services has limited capacity to respond to crises and requests for in-person interventions of its current work in the field, and requests the Secretary-General to address this limitation in future budget proposals;

26. *Requests* the Secretary-General to take fully into account the balance between the workload of the regional

ombudsmen and the resources allocated to them in his future proposed programme budgets;

27. *Recalls* paragraph 13 of resolution 64/233, and requests the Secretary-General to submit a report on the activities of the Office of the United Nations Ombudsman and Mediation Services for consideration by the General Assembly at its sixty-sixth session;

28. *Decides* to revert to the proposal for biennial submission of the report of the Secretary-General on the activities of the Office of the United Nations Ombudsman and Mediation Services at its sixty-sixth session;

29. *Requests* the Office of the United Nations Ombudsman and Mediation Services to provide an informal briefing to the General Assembly at its sixty-sixth session on the financial and administrative implications resulting from settlements reached through informal dispute resolution, bearing in mind the confidential nature of individual settlement agreements;

III

Formal system

30. *Takes note* of paragraph 24 of the report of the Advisory Committee on Administrative and Budgetary Questions;

31. *Requests* the Secretary-General to continue current funding arrangements for the ad litem judges and the nine support staff until 31 December 2011, as adopted by the General Assembly in its decision 64/553 of 29 March 2010;

32. *Notes with appreciation* the important role of the Office of Administration of Justice in maintaining the independence of the formal system of justice and the progress made by its Executive Director during its first year;

33. *Welcomes* the launch of the website of the Office of Administration of Justice and requests the Secretary-General to continue improving its utility, effectiveness and user-friendly tools to enable an increased number of staff members to utilize the website, and to report to the General Assembly thereon at its sixty-sixth session;

34. *Recalls* paragraph 80 of the report of the Secretary-General and requests the Secretary-General to submit proposals on the appropriate post level for the Executive Director of the Office of Administration of Justice, and to report to the General Assembly at its sixty-sixth session in the context of the proposed programme budget for the biennium 2012–2013;

35. *Stresses* that professional legal assistance is critical for the effective and appropriate utilization of the available mechanisms within the system of administration of justice;

36. *Notes* the important role played by the Office of Staff Legal Assistance in providing legal assistance to staff members in an independent and impartial manner, and also notes that the Office currently represents staff members in cases before the United Nations Dispute Tribunal in New York, Geneva and Nairobi;

37. *Reiterates its request* to the Secretary-General to work with staff associations in developing incentives to enable and encourage staff to continue to participate in the work of the Office of Staff Legal Assistance, including by providing volunteer professional legal counsel;

38. *Decides* that the role of professional legal staff in the Office of Staff Legal Assistance shall continue to be that of assisting staff members and their volunteer repre-

sentatives in processing claims through the formal system of administration of justice;

39. *Welcomes* the establishment of the Trust Fund for United Nations Staff Legal Assistance, commends staff and associations that made contributions to the Trust Fund and encourages those that have not done so to make contributions thereto;

40. *Recalls* paragraph 14 of resolution 63/253 and regrets that the Secretary-General did not include in his report on administration of justice at the United Nations proposals for a staff-funded scheme in the Organization under which legal assistance and support would be provided to staff, and requests the Secretary-General to submit such proposals to the General Assembly no later than at its sixty-sixth session, including proposals that are based on a mandatory contribution from staff and proposals based on mixed funding, taking into account the views of relevant stakeholders;

41. *Requests* the Secretary-General to consider in his proposals on mixed funding opt-in and opt-out mechanisms as well as a system of fees proportionate to salary levels;

42. *Notes* that the current terms of the ad litem judges are about to expire, while the backlog remains to be cleared;

43. *Notes with appreciation* that the two half-time judges already appointed have facilitated the constitution of three-judge panels that will conduct hearings on important matters;

44. *Recalls* paragraphs 48 and 49 of resolution 63/253, and requests the United Nations Dispute Tribunal to ensure that the best possible use is made of the three ad litem judges in order to reduce the existing backlog of cases before the United Nations Dispute Tribunal;

45. *Requests* the Secretary-General, in order to attract a pool of outstanding candidates reflecting appropriate language and geographical diversity, different legal systems and gender balance, to advertise Tribunal vacancies widely in appropriate journals in both English and French, and to disseminate information relating to the judicial vacancies to Chief Justices and to relevant associations, such as judges' professional associations, if possible, before those vacancies arise;

46. *Decides* to defer until its sixty-sixth session a review of the statutes of the Tribunals, in the light of experience gained, including on the efficiency of the overall functioning of the Tribunals, in particular regarding the number of judges and the panels of the United Nations Dispute Tribunal;

47. *Requests* the Secretary-General to report on the provisions needed for dedicated courtroom space in the three United Nations Dispute Tribunal locations;

48. *Notes with regret* that, with the current staffing of the United Nations Appeals Tribunal, the Registry faces difficulties in preparing the legal memorandums and summaries of issues according to the requisite standard and with the speed necessary for the judges to carry out their work effectively and efficiently;

49. *Decides* to approve one legal assistant position (General Service (Other level)) for one year, to service the United Nations Appeals Tribunal and to be funded through general temporary assistance;

50. *Also decides* to revert to the issue of travel privileges and the level of the daily subsistence allowance for

the judges of the United Nations Appeals Tribunal in the context of the proposed programme budget for the biennium 2012–2013;

51. *Endorses* paragraph 45 of the report of the Advisory Committee on Administrative and Budgetary Questions, and reiterates its request to the Secretary-General to submit to the General Assembly at its sixty-sixth session a report containing a detailed proposal regarding possible options for delegation of authority for disciplinary measures;

52. *Stresses* that the Internal Justice Council can help to ensure independence, professionalism and accountability in the system of administration of justice, and encourages the Council to continue to provide its views on the implementation of the system of administration of justice and, if it deems it necessary, on how to enhance its contribution to the system, and to report thereon to the General Assembly at its sixty-sixth session;

53. *Requests* the Secretary-General to include in his report to the General Assembly at its sixty-sixth session the following information, bearing in mind the principle of judicial independence:

(a) Clear statistics on the cases received and disposed of during the period by both Tribunals, including information, by category, on whether the judgements rendered found for the applicant or for the respondent and on the administrative issues involved;

(b) Analysis of trends over a number of reporting periods in order to identify systemic issues leading to usage of the system of justice and to monitor whether they are being effectively addressed over time;

(c) Detailed information on monetary compensation awarded, and indirect costs associated with an appeal, for example, in staff time, including identification of those aspects of staff administration that give rise to large numbers of appeals;

(d) Detailed information on payments of compensation to staff equal to six months of salary or more, with an indication of the offices or departments concerned, the location of these offices or departments and some details of the facts of the case;

54. *Recognizes* that the introduction of the new system of administration of justice should, inter alia, have a positive impact on staff-management relations and improve the performance of both staff and managers, and requests the Secretary-General to report thereon to the General Assembly at its sixty-sixth session;

55. *Requests* the Secretary-General, with regard to the scope of the system of the administration of justice, in particular remedies available to the different categories of non-staff personnel, to provide more concrete information for consideration by the General Assembly at its sixty-sixth session, taking into account the different categories of non-staff personnel concerned, as noted in the report of the Secretary-General on administration of justice at the United Nations, and paragraph 8 of its resolution 64/233, as well as the options referred to in paragraph 9 of that resolution;

56. *Recalls* paragraph 13 of resolution 63/253, and decides to revert at its sixty-sixth session to the mandate and functioning of the Office of Staff Legal Assistance, including the participation of current and former staff as volunteers;

IV

Financial implications and cost-sharing arrangements

57. *Recalls* paragraph 62 of resolution 62/228, and notes with concern the delay in finalizing an agreement with the funds and programmes on a cost-sharing arrangement, and in this regard urges the Secretary-General to expeditiously conclude the negotiations and to report thereon to the General Assembly during its sixty-sixth session;

58. *Notes* that many of the issues described by the Secretary-General in section IV of his report on administration of justice at the United Nations are still under consideration in the formal system of administration of justice;

V

Other issues

59. *Reaffirms* that the Fifth Committee is the appropriate Main Committee of the General Assembly entrusted with responsibilities for administrative and budgetary matters, and reaffirms the role of the Fifth Committee in carrying out a thorough analysis and approving human and financial resources and policies, with a view to ensuring full, effective and efficient implementation of all mandated programmes and activities and the implementation of policies in this regard;

60. *Invites* the Sixth Committee to consider the legal aspects of the reports to be submitted by the Secretary-General, without prejudice to the role of the Fifth Committee as the Main Committee entrusted with responsibilities for administrative and budgetary matters;

61. *Recalls* paragraph 9 of resolution 61/261, and requests the Secretary-General to report on the need for enhancing education and training of all judges, ombudsmen, legal representatives, registrars, mediators and court and office staff of the new system of administration of justice, as recommended by the Redesign Panel on the United Nations system of administration of justice in paragraphs 115 to 119 of its report;

62. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "Administration of justice at the United Nations".

Also on 24 December, in section XV of **resolution 65/259** (see p. 1429), the Assembly took action on the financial implications of the administration of justice at the United Nations.

On the same day, the Assembly decided that the item on the administration of justice at the United Nations would remain for consideration during its resumed sixty-fifth (2011) session (**decision 65/544**).

Criminal behaviour and disciplinary action

Reports of Secretary-General. In January [A/64/640], the Secretary-General submitted a report entitled "Towards an accountability system in the United Nations Secretariat", which the General Assembly acted on in **resolution 64/259** of 29 March (see p. 1404).

In July [A/65/185], the Secretary-General submitted a report on the criminal accountability of UN officials and experts on mission, which the Assembly acted on in **resolution 65/20** of 6 December (see p. 102).

In response to Assembly resolution 59/287 [YUN 2005, p. 1474], the Secretary-General submitted a July report [A/65/180] on disciplinary matters and possible criminal behaviour, covering the period from 1 July 2009 to 30 June 2010, following the establishment of the new system of administration of justice. The report noted that the Secretariat had received 167 cases during the reporting period, with 66 cases concerning staff based at UN Headquarters and offices away from Headquarters, and 101 concerning field staff. Most cases (40) were related to the misuse of computer-related resources, followed by cases of financial disclosure (26), fraud or misrepresentation (24), theft or misappropriation (19) and assault (12). Cases were disposed of as follows: administrative measures (36); other disciplinary measures (16); and dismissals (13). No action was taken in 35 cases: in 21 cases after the analysis of the entire dossier; in 10 due to the separation of the staff member after the case was received; and in 4 due to the fact that an initial review indicated that a disciplinary process was not warranted or could not be sustained. Five cases involving UN officials were referred to Member States.

Appendices

Roster of the United Nations

(There were 192 Member States as at 31 December 2010.)

<i>Member State</i>	<i>Date of admission</i>	<i>Member State</i>	<i>Date of admission</i>	<i>Member State</i>	<i>Date of admission</i>
Afghanistan	19 Nov. 1946	Democratic Republic of the Congo ⁴	20 Sep. 1960	Latvia	17 Sep. 1991
Albania	14 Dec. 1955	Denmark	24 Oct. 1945	Lebanon	24 Oct. 1945
Algeria	8 Oct. 1962	Djibouti	20 Sep. 1977	Lesotho	17 Oct. 1966
Andorra	28 July 1993	Dominica	18 Dec. 1978	Liberia	2 Nov. 1945
Angola	1 Dec. 1976	Dominican Republic	24 Oct. 1945	Libyan Arab Jamahiriya	14 Dec. 1955
Antigua and Barbuda	11 Nov. 1981	Ecuador	21 Dec. 1945	Liechtenstein	18 Sep. 1990
Argentina	24 Oct. 1945	Egypt ⁵	24 Oct. 1945	Lithuania	17 Sep. 1991
Armenia	2 Mar. 1992	El Salvador	24 Oct. 1945	Luxembourg	24 Oct. 1945
Australia	1 Nov. 1945	Equatorial Guinea	12 Nov. 1968	Madagascar	20 Sep. 1960
Austria	14 Dec. 1955	Eritrea	28 May 1993	Malawi	1 Dec. 1964
Azerbaijan	2 Mar. 1992	Estonia	17 Sep. 1991	Malaysia ⁸	17 Sep. 1957
Bahamas	18 Sep. 1973	Ethiopia	13 Nov. 1945	Maldives	21 Sep. 1965
Bahrain	21 Sep. 1971	Fiji	13 Oct. 1970	Mali	28 Sep. 1960
Bangladesh	17 Sep. 1974	Finland	14 Dec. 1955	Malta	1 Dec. 1964
Barbados	9 Dec. 1966	France	24 Oct. 1945	Marshall Islands	17 Sep. 1991
Belarus ¹	24 Oct. 1945	Gabon	20 Sep. 1960	Mauritania	27 Oct. 1961
Belgium	27 Dec. 1945	Gambia	21 Sep. 1965	Mauritius	24 Apr. 1968
Belize	25 Sep. 1981	Georgia	31 July 1992	Mexico	7 Nov. 1945
Benin	20 Sep. 1960	Germany ⁶	18 Sep. 1973	Micronesia (Federated States of)	17 Sep. 1991
Bhutan	21 Sep. 1971	Ghana	8 Mar. 1957	Monaco	28 May 1993
Bolivia	14 Nov. 1945	Greece	25 Oct. 1945	Mongolia	27 Oct. 1961
Bosnia and Herzegovina ²	22 May 1992	Grenada	17 Sep. 1974	Montenegro ²	28 June 2006
Botswana	17 Oct. 1966	Guatemala	21 Nov. 1945	Morocco	12 Nov. 1956
Brazil	24 Oct. 1945	Guinea	12 Dec. 1958	Mozambique	16 Sep. 1975
Brunei Darussalam	21 Sep. 1984	Guinea-Bissau	17 Sep. 1974	Myanmar	19 Apr. 1948
Bulgaria	14 Dec. 1955	Guyana	20 Sep. 1966	Namibia	23 Apr. 1990
Burkina Faso	20 Sep. 1960	Haiti	24 Oct. 1945	Nauru	14 Sep. 1999
Burundi	18 Sep. 1962	Honduras	17 Dec. 1945	Nepal	14 Dec. 1955
Cambodia	14 Dec. 1955	Hungary	14 Dec. 1955	Netherlands	10 Dec. 1945
Cameroon	20 Sep. 1960	Iceland	19 Nov. 1946	New Zealand	24 Oct. 1945
Canada	9 Nov. 1945	India	30 Oct. 1945	Nicaragua	24 Oct. 1945
Cape Verde	16 Sep. 1975	Indonesia ⁷	28 Sep. 1950	Niger	20 Sep. 1960
Central African Republic	20 Sep. 1960	Iran (Islamic Republic of)	24 Oct. 1945	Nigeria	7 Oct. 1960
Chad	20 Sep. 1960	Iraq	21 Dec. 1945	Norway	27 Nov. 1945
Chile	24 Oct. 1945	Ireland	14 Dec. 1955	Oman	7 Oct. 1971
China	24 Oct. 1945	Israel	11 May 1949	Pakistan	30 Sep. 1947
Colombia	5 Nov. 1945	Italy	14 Dec. 1955	Palau	15 Dec. 1994
Comoros	12 Nov. 1975	Jamaica	18 Sep. 1962	Panama	13 Nov. 1945
Congo	20 Sep. 1960	Japan	18 Dec. 1956	Papua New Guinea	10 Oct. 1975
Costa Rica	2 Nov. 1945	Jordan	14 Dec. 1955	Paraguay	24 Oct. 1945
Côte d'Ivoire	20 Sep. 1960	Kazakhstan	2 Mar. 1992	Peru	31 Oct. 1945
Croatia ²	22 May 1992	Kenya	16 Dec. 1963	Philippines	24 Oct. 1945
Cuba	24 Oct. 1945	Kiribati	14 Sep. 1999	Poland	24 Oct. 1945
Cyprus	20 Sep. 1960	Kuwait	14 May 1963	Portugal	14 Dec. 1955
Czech Republic ³	19 Jan. 1993	Kyrgyzstan	2 Mar. 1992	Qatar	21 Sep. 1971
Democratic People's Republic of Korea	17 Sep. 1991	Lao People's Democratic Republic	14 Dec. 1955	Republic of Korea	17 Sep. 1991

<i>Member State</i>	<i>Date of admission</i>	<i>Member State</i>	<i>Date of admission</i>	<i>Member State</i>	<i>Date of admission</i>
Republic of Moldova	2 Mar. 1992	Somalia	20 Sep. 1960	Turkmenistan	2 Mar. 1992
Romania	14 Dec. 1955	South Africa	7 Nov. 1945	Tuvalu	5 Sep. 2000
Russian Federation ⁹	24 Oct. 1945	Spain	14 Dec. 1955	Uganda	25 Oct. 1962
Rwanda	18 Sep. 1962	Sri Lanka	14 Dec. 1955	Ukraine	24 Oct. 1945
Saint Kitts and Nevis	23 Sep. 1983	Sudan	12 Nov. 1956	United Arab Emirates	9 Dec. 1971
Saint Lucia	18 Sep. 1979	Suriname	4 Dec. 1975	United Kingdom of Great Britain and Northern Ireland	24 Oct. 1945
Saint Vincent and the Grenadines	16 Sep. 1980	Swaziland	24 Sep. 1968	United Republic of Tanzania ¹⁰	14 Dec. 1961
Samoa	15 Dec. 1976	Sweden	19 Nov. 1946	United States of America	24 Oct. 1945
San Marino	2 Mar. 1992	Switzerland	10 Sep. 2002	Uruguay	18 Dec. 1945
Sao Tome and Principe	16 Sep. 1975	Syrian Arab Republic ⁵	24 Oct. 1945	Uzbekistan	2 Mar. 1992
Saudi Arabia	24 Oct. 1945	Tajikistan	2 Mar. 1992	Vanuatu	15 Sep. 1981
Senegal	28 Sep. 1960	Thailand	16 Dec. 1946	Venezuela (Bolivarian Republic of)	15 Nov. 1945
Serbia ²	1 Nov. 2000	The former Yugoslav Republic of Macedonia ²	8 Apr. 1993	Viet Nam	20 Sep. 1977
Seychelles	21 Sep. 1976	Timor-Leste	27 Sep. 2002	Yemen ¹¹	30 Sep. 1947
Sierra Leone	27 Sep. 1961	Togo	20 Sep. 1960	Zambia	1 Dec. 1964
Singapore ⁸	21 Sep. 1965	Tonga	14 Sep. 1999	Zimbabwe	25 Aug. 1980
Slovakia ³	19 Jan. 1993	Trinidad and Tobago	18 Sep. 1962		
Slovenia ²	22 May 1992	Tunisia	12 Nov. 1956		
Solomon Islands	19 Sep. 1978	Turkey	24 Oct. 1945		

NOTES

¹ On 19 September 1991, the Byelorussian Soviet Socialist Republic informed the United Nations that it had changed its name to Belarus.

² The Socialist Federal Republic of Yugoslavia was an original Member of the United Nations, the Charter having been signed on its behalf on 26 June 1945 and ratified 19 October 1945, until its dissolution following the establishment and subsequent admission, as new Members, of Bosnia and Herzegovina, the Republic of Croatia, the Republic of Slovenia, the former Yugoslav Republic of Macedonia, and the Federal Republic of Yugoslavia. The Republic of Bosnia and Herzegovina, the Republic of Croatia and the Republic of Slovenia were admitted as Members of the United Nations on 22 May 1992. On 8 April 1993, the General Assembly decided to admit as a Member of the United Nations the State provisionally referred to for all purposes within the United Nations as “the former Yugoslav Republic of Macedonia”, pending settlement of the difference that had arisen over its name. The Federal Republic of Yugoslavia was admitted as a Member of the United Nations on 1 November 2000. On 12 February 2003, it informed the United Nations that it had changed its name to Serbia and Montenegro, effective 4 February 2003. In a letter dated 3 June 2006, the President of the Republic of Serbia informed the Secretary-General that the membership of Serbia and Montenegro was being continued by the Republic of Serbia following Montenegro’s declaration of independence from Serbia on 3 June 2006. On 28 June 2006, Montenegro was accepted as a United Nations Member State by the General Assembly.

³ Czechoslovakia, an original Member of the United Nations from 24 October 1945, changed its name to the Czech and Slovak Federal Republic on 20 April 1990. It was dissolved on 1 January 1993 and succeeded by the Czech Republic and Slovakia, both of which became Members of the United Nations on 19 January 1993.

⁴ The Republic of Zaire informed the United Nations that, effective 17 May 1997, it had changed its name to the Democratic Republic of the Congo.

⁵ Egypt and Syria, both of which became Members of the United Nations on 24 October 1945, joined together—following a plebiscite held in those countries on 21 February 1958—to form the United Arab Republic. On 13 October 1961, Syria, having resumed its status as an independent State, also resumed its separate membership in the United Nations; it changed its name to the Syrian Arab Republic on 14 September 1971. The United Arab Republic continued as a Member of the United Nations and reverted to the name Egypt on 2 September 1971.

⁶ Through accession of the German Democratic Republic to the Federal Republic of Germany on 3 October 1990, the two German States (both of which had become Members of the United Nations on 18 September 1973) united to form one sovereign State. As from that date, the Federal Republic of Germany has acted in the United Nations under the designation Germany.

⁷ On 20 January 1965, Indonesia informed the Secretary-General that it had decided to withdraw from the United Nations. On 19 September 1966, it notified the Secretary-General of its decision to resume participation in the activities of the United Nations. On 28 September 1966, the General Assembly took note of that decision, and the President invited the representatives of Indonesia to take their seats in the Assembly.

⁸ On 16 September 1963, Sabah (North Borneo), Sarawak and Singapore joined with the Federation of Malaya (which became a Member of the United Nations on 17 September 1957) to form Malaysia. On 9 August 1965, Singapore became an independent State; on 21 September 1965, it became a Member of the United Nations.

⁹ The Union of Soviet Socialist Republics was an original Member of the United Nations from 24 October 1945. On 24 December 1991, the President of the Russian Federation informed the Secretary-General that the membership of the USSR in all United Nations organs was being continued by the Russian Federation.

¹⁰ Tanganyika was admitted to the United Nations on 14 December 1961, Zanzibar on 16 December 1963. Following ratification, on 26 April 1964, of the Articles of Union between Tanganyika and Zanzibar, the two States became represented as a single Member: the United Republic of Tanganyika and Zanzibar; it changed its name to the United Republic of Tanzania on 1 November 1964.

¹¹ Yemen was admitted to the United Nations on 30 September 1947, Democratic Yemen on 14 December 1967. On 22 May 1990, the two countries merged and were thereafter represented as one Member of the United Nations under the designation Yemen.

Charter of the United Nations and Statute of the International Court of Justice

Charter of the United Nations

NOTE: The Charter of the United Nations was signed on 26 June 1945, in San Francisco, at the conclusion of the United Nations Conference on International Organization, and came into force on 24 October 1945. The Statute of the International Court of Justice is an integral part of the Charter.

Amendments to Articles 23, 27 and 61 of the Charter were adopted by the General Assembly on 17 December 1963 and came into force on 31 August 1965. A further amendment to Article 61 was adopted by the General Assembly on 20 December 1971 and came into force on 24 September 1973. An amendment to Article 109, adopted by the General Assembly on 20 December 1965, came into force on 12 June 1968.

The amendment to Article 23 enlarges the membership of the Security Council from 11 to 15. The amended Article 27 provides that decisions of the Security Council on procedural matters shall be made by an affirmative vote of nine members (formerly seven) and on all other matters by an affirmative vote of nine members (formerly seven), including the concurring votes of the five permanent members of the Security Council.

The amendment to Article 61, which entered into force on 31 August 1965, enlarges the membership of the Economic and Social Council from 18 to 27. The subsequent amendment to that Article, which entered into force on 24 September 1973, further increases the membership of the Council from 27 to 54.

The amendment to Article 109, which relates to the first paragraph of that Article, provides that a General Conference of Member States for the purpose of reviewing the Charter may be held at a date and place to be fixed by a two-thirds vote of the members of the General Assembly and by a vote of any nine members (formerly seven) of the Security Council. Paragraph 3 of Article 109, which deals with the consideration of a possible review conference during the tenth regular session of the General Assembly, has been retained in its original form in its reference to a "vote of any seven members of the Security Council", the paragraph having been acted upon in 1955 by the General Assembly, at its tenth regular session, and by the Security Council.

WE THE PEOPLES OF THE UNITED NATIONS DETERMINED

- to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and
- to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and
- to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and
- to promote social progress and better standards of life in larger freedom,

AND FOR THESE ENDS

- to practice tolerance and live together in peace with one another as good neighbours, and
- to unite our strength to maintain international peace and security, and
- to ensure, by the acceptance of principles and the institution of methods, that armed force shall not be used, save in the common interest, and
- to employ international machinery for the promotion of the economic and social advancement of all peoples,

HAVE RESOLVED TO COMBINE OUR EFFORTS TO ACCOMPLISH THESE AIMS

Accordingly, our respective Governments, through representatives assembled in the city of San Francisco, who have exhibited their

full powers found to be in good and due form, have agreed to the present Charter of the United Nations and do hereby establish an international organization to be known as the United Nations.

Chapter I PURPOSES AND PRINCIPLES

Article 1

The Purposes of the United Nations are:

1. To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace;
2. To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace;
3. To achieve international co-operation in solving international problems of an economic, social, cultural or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion; and
4. To be a centre for harmonizing the actions of nations in the attainment of these common ends.

Article 2

The Organization and its Members, in pursuit of the Purposes stated in Article 1, shall act in accordance with the following Principles:

1. The Organization is based on the principle of the sovereign equality of all its Members.
2. All Members, in order to ensure to all of them the rights and benefits resulting from membership, shall fulfil in good faith the obligations assumed by them in accordance with the present Charter.
3. All Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered.
4. All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.
5. All Members shall give the United Nations every assistance in any action it takes in accordance with the present Charter, and shall refrain from giving assistance to any state against which the United Nations is taking preventive or enforcement action.
6. The Organization shall ensure that states which are not Members of the United Nations act in accordance with these Principles so far as may be necessary for the maintenance of international peace and security.
7. Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter; but this principle shall not prejudice the application of enforcement measures under Chapter VII.

Chapter II MEMBERSHIP

Article 3

The original Members of the United Nations shall be the states which, having participated in the United Nations Conference on International Organization at San Francisco or having previously signed the Declaration by United Nations of 1 January 1942, sign the present Charter and ratify it in accordance with Article 110.

Article 4

1. Membership in the United Nations is open to all other peace-loving states which accept the obligations contained in the present Charter and, in the judgment of the Organization, are able and willing to carry out these obligations.
2. The admission of any such state to membership in the United Nations will be effected by a decision of the General Assembly upon the recommendation of the Security Council.

Article 5

A Member of the United Nations against which preventive or enforcement action has been taken by the Security Council may be suspended from the exercise of the rights and privileges of membership by the General Assembly upon the recommendation of the Security Council. The exercise of these rights and privileges may be restored by the Security Council.

Article 6

A Member of the United Nations which has persistently violated the Principles contained in the present Charter may be expelled from the Organization by the General Assembly upon the recommendation of the Security Council.

Chapter III ORGANS

Article 7

1. There are established as the principal organs of the United Nations: a General Assembly, a Security Council, an Economic and Social Council, a Trusteeship Council, an International Court of Justice, and a Secretariat.
2. Such subsidiary organs as may be found necessary may be established in accordance with the present Charter.

Article 8

The United Nations shall place no restrictions on the eligibility of men and women to participate in any capacity and under conditions of equality in its principal and subsidiary organs.

Chapter IV THE GENERAL ASSEMBLY

Composition

Article 9

1. The General Assembly shall consist of all the Members of the United Nations.
2. Each Member shall have not more than five representatives in the General Assembly.

Functions and Powers

Article 10

The General Assembly may discuss any questions or any matters within the scope of the present Charter or relating to the powers and functions of any organs provided for in the present Charter, and, except as provided in Article 12, may make recommendations to the Members of the United Nations or to the Security Council or both on any such questions or matters.

Article 11

1. The General Assembly may consider the general principles of co-operation in the maintenance of international peace and security, including the principles governing disarmament and the regulation of armaments, and may make recommendations with regard to such principles to the Members or to the Security Council or to both.
2. The General Assembly may discuss any questions relating to the maintenance of international peace and security brought before it by any Member of the United Nations, or by the Security Council, or by a state which is not a Member of the United Nations in accordance with Article 35, paragraph 2, and, except as provided in Article 12, may make recommendations with regard to any such questions to the state or states concerned or to the Security Council or to both. Any such question on which action is necessary shall be referred to the Security Council by the General Assembly either before or after discussion.
3. The General Assembly may call the attention of the Security Council to situations which are likely to endanger international peace and security.
4. The powers of the General Assembly set forth in this Article shall not limit the general scope of Article 10.

Article 12

1. While the Security Council is exercising in respect of any dispute or situation the functions assigned to it in the present Charter, the General Assembly shall not make any recommendation with regard to that dispute or situation unless the Security Council so requests.

2. The Secretary-General, with the consent of the Security Council, shall notify the General Assembly at each session of any matters relative to the maintenance of international peace and security which are being dealt with by the Security Council and shall similarly notify the General Assembly, or the Members of the United Nations if the General Assembly is not in session, immediately the Security Council ceases to deal with such matters.

Article 13

1. The General Assembly shall initiate studies and make recommendations for the purpose of:

- a. promoting international co-operation in the political field and encouraging the progressive development of international law and its codification;
- b. promoting international co-operation in the economic, social, cultural, educational and health fields, and assisting in the realization of human rights and fundamental freedoms for all without distinction as to race, sex, language or religion.

2. The further responsibilities, functions and powers of the General Assembly with respect to matters mentioned in paragraph 1 (b) above are set forth in Chapters IX and X.

Article 14

Subject to the provisions of Article 12, the General Assembly may recommend measures for the peaceful adjustment of any situation, regardless of origin, which it deems likely to impair the general welfare or friendly relations among nations, including situations resulting from a violation of the provisions of the present Charter setting forth the Purposes and Principles of the United Nations.

Article 15

1. The General Assembly shall receive and consider annual and special reports from the Security Council; these reports shall include an account of the measures that the Security Council has decided upon or taken to maintain international peace and security.

2. The General Assembly shall receive and consider reports from the other organs of the United Nations.

Article 16

The General Assembly shall perform such functions with respect to the international trusteeship system as are assigned to it under Chapters XII and XIII, including the approval of the trusteeship agreements for areas not designated as strategic.

Article 17

1. The General Assembly shall consider and approve the budget of the Organization.

2. The expenses of the Organization shall be borne by the Members as apportioned by the General Assembly.

3. The General Assembly shall consider and approve any financial and budgetary arrangements with specialized agencies referred to in Article 57 and shall examine the administrative budgets of such specialized agencies with a view to making recommendations to the agencies concerned.

*Voting**Article 18*

1. Each member of the General Assembly shall have one vote.

2. Decisions of the General Assembly on important questions shall be made by a two-thirds majority of the members present and voting. These questions shall include: recommendations with respect to the maintenance of international peace and security, the election of the non-permanent members of the Security Council, the election of the members of the Economic and Social Council, the election of members of the Trusteeship Council in accordance with paragraph 1 (c) of Article 86, the admission of new Members to the United Nations, the suspension of the rights and privileges of membership, the expulsion of Members, questions relating to the operation of the trusteeship system, and budgetary questions.

3. Decisions on other questions, including the determination of additional categories of questions to be decided by a two thirds majority, shall be made by a majority of the members present and voting.

Article 19

A Member of the United Nations which is in arrears in the payment of its financial contributions to the Organization shall have no vote in the General Assembly if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years. The General Assembly may, nevertheless, permit such a Member to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the Member.

*Procedure**Article 20*

The General Assembly shall meet in regular annual sessions and in such special sessions as occasion may require. Special sessions shall be convoked by the Secretary-General at the request of the Security Council or of a majority of the Members of the United Nations.

Article 21

The General Assembly shall adopt its own rules of procedure. It shall elect its President for each session.

Article 22

The General Assembly may establish such subsidiary organs as it deems necessary for the performance of its functions.

Chapter V

THE SECURITY COUNCIL

*Composition**Article 23¹*

1. The Security Council shall consist of fifteen Members of the United Nations. The Republic of China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America shall be permanent members of the Security Council. The General Assembly shall elect ten other Members of the United Nations to be non-permanent members of the Security Council, due regard being specially paid, in the first instance to the contribution of Members of the United Nations to the maintenance of international peace and security and to the other purposes of the Organization, and also to equitable geographical distribution.

2. The non-permanent members of the Security Council shall be elected for a term of two years. In the first election of the non-permanent members after the increase of the membership of the Security Council from eleven to fifteen, two of the four additional members shall be chosen for a term of one year. A retiring member shall not be eligible for immediate re-election.

3. Each member of the Security Council shall have one representative.

Functions and Powers

Article 24

1. In order to ensure prompt and effective action by the United Nations, its Members confer on the Security Council primary responsibility for the maintenance of international peace and security, and agree that in carrying out its duties under this responsibility the Security Council acts on their behalf.

2. In discharging these duties the Security Council shall act in accordance with the Purposes and Principles of the United Nations. The specific powers granted to the Security Council for the discharge of these duties are laid down in Chapters VI, VII, VIII and XII.

3. The Security Council shall submit annual and, when necessary, special reports to the General Assembly for its consideration.

Article 25

The Members of the United Nations agree to accept and carry out the decisions of the Security Council in accordance with the present Charter.

Article 26

In order to promote the establishment and maintenance of international peace and security with the least diversion for armaments of the world's human and economic resources, the Security Council shall be responsible for formulating, with the assistance of the Military Staff Committee referred to in Article 47, plans to be submitted to the Members of the United Nations for the establishment of a system for the regulation of armaments.

Voting

Article 27²

1. Each member of the Security Council shall have one vote.
2. Decisions of the Security Council on procedural matters shall be made by an affirmative vote of nine members.

3. Decisions of the Security Council on all other matters shall be made by an affirmative vote of nine members including the concurring votes of the permanent members; provided that, in decisions under Chapter VI, and under paragraph 3 of Article 52, a party to a dispute shall abstain from voting.

Procedure

Article 28

1. The Security Council shall be so organized as to be able to function continuously. Each member of the Security Council shall for this purpose be represented at all times at the seat of the Organization.

2. The Security Council shall hold periodic meetings at which each of its members may, if it so desires, be represented by a member of the government or by some other specially designated representative.

3. The Security Council may hold meetings at such places other than the seat of the Organization as in its judgment will best facilitate its work.

Article 29

The Security Council may establish such subsidiary organs as it deems necessary for the performance of its functions.

Article 30

The Security Council shall adopt its own rules of procedure, including the method of selecting its President.

Article 31

Any Member of the United Nations which is not a member of the Security Council may participate, without vote, in the discussion of any question brought before the Security Council whenever the latter considers that the interests of that Member are specially affected.

Article 32

Any Member of the United Nations which is not a member of the Security Council or any state which is not a Member of the United Nations, if it is a party to a dispute under consideration by the Security Council, shall be invited to participate, without vote, in the discussion relating to the dispute. The Security Council shall lay down such conditions as it deems just for the participation of a state which is not a Member of the United Nations.

Chapter VI

PACIFIC SETTLEMENT OF DISPUTES

Article 33

1. The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice.

2. The Security Council shall, when it deems necessary, call upon the parties to settle their dispute by such means.

Article 34

The Security Council may investigate any dispute, or any situation which might lead to international friction or give rise to a dispute, in order to determine whether the continuance of the dispute or situation is likely to endanger the maintenance of international peace and security.

Article 35

1. Any Member of the United Nations may bring any dispute, or any situation of the nature referred to in Article 34, to the attention of the Security Council or of the General Assembly.

2. A state which is not a Member of the United Nations may bring to the attention of the Security Council or of the General Assembly any dispute to which it is a party if it accepts in advance, for the purposes of the dispute, the obligations of pacific settlement provided in the present Charter.

3. The proceedings of the General Assembly in respect of matters brought to its attention under this Article will be subject to the provisions of Articles 11 and 12.

Article 36

1. The Security Council may, at any stage of a dispute of the nature referred to in Article 33 or of a situation of like nature, recommend appropriate procedures or methods of adjustment.

2. The Security Council should take into consideration any procedures for the settlement of the dispute which have already been adopted by the parties.

3. In making recommendations under this Article the Security Council should also take into consideration that legal disputes should as a general rule be referred by the parties to the International Court of Justice in accordance with the provisions of the Statute of the Court.

Article 37

1. Should the parties to a dispute of the nature referred to in Article 33 fail to settle it by the means indicated in that Article, they shall refer it to the Security Council.

2. If the Security Council deems that the continuance of the dispute is in fact likely to endanger the maintenance of international peace and security, it shall decide whether to take action under Article 36 or to recommend such terms of settlement as it may consider appropriate.

Article 38

Without prejudice to the provisions of Articles 33 to 37, the Security Council may, if all the parties to any dispute so request, make recommendations to the parties with a view to a pacific settlement of the dispute.

Chapter VII

ACTION WITH RESPECT TO THREATS
TO THE PEACE, BREACHES OF THE PEACE,
AND ACTS OF AGGRESSION

Article 39

The Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security.

Article 40

In order to prevent an aggravation of the situation, the Security Council may, before making the recommendations or deciding upon the measures provided for in Article 39, call upon the parties concerned to comply with such provisional measures as it deems necessary or desirable. Such provisional measures shall be without prejudice to the rights, claims or position of the parties concerned. The Security Council shall duly take account of failure to comply with such provisional measures.

Article 41

The Security Council may decide what measures not involving the use of armed force are to be employed to give effect to its decisions, and it may call upon the Members of the United Nations to apply such measures. These may include complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio and other means of communication, and the severance of diplomatic relations.

Article 42

Should the Security Council consider that measures provided for in Article 41 would be inadequate or have proved to be

inadequate, it may take such action by air, sea or land forces as may be necessary to maintain or restore international peace and security. Such action may include demonstrations, blockade, and other operations by air, sea, or land forces of Members of the United Nations.

Article 43

1. All Members of the United Nations, in order to contribute to the maintenance of international peace and security, undertake to make available to the Security Council, on its call and in accordance with a special agreement or agreements, armed forces, assistance and facilities, including rights of passage, necessary for the purpose of maintaining international peace and security.

2. Such agreement or agreements shall govern the numbers and types of forces, their degree of readiness and general location, and the nature of the facilities and assistance to be provided.

3. The agreement or agreements shall be negotiated as soon as possible on the initiative of the Security Council. They shall be concluded between the Security Council and Members or between the Security Council and groups of Members and shall be subject to ratification by the signatory states in accordance with their respective constitutional processes.

Article 44

When the Security Council has decided to use force it shall, before calling upon a Member not represented on it to provide armed forces in fulfilment of the obligations assumed under Article 43, invite that Member, if the Member so desires, to participate in the decisions of the Security Council concerning the employment of contingents of that Member's armed forces.

Article 45

In order to enable the United Nations to take urgent military measures, Members shall hold immediately available national air-force contingents for combined international enforcement action. The strength and degree of readiness of these contingents and plans for their combined action shall be determined, within the limits laid down in the special agreement or agreements referred to in Article 43, by the Security Council with the assistance of the Military Staff Committee.

Article 46

Plans for the application of armed force shall be made by the Security Council with the assistance of the Military Staff Committee.

Article 47

1. There shall be established a Military Staff Committee to advise and assist the Security Council on all questions relating to the Security Council's military requirements for the maintenance of international peace and security, the employment and command of forces placed at its disposal, the regulation of armaments, and possible disarmament.

2. The Military Staff Committee shall consist of the Chiefs of Staff of the permanent members of the Security Council or their representatives. Any Member of the United Nations not permanently represented on the Committee shall be invited by the Committee to be associated with it when the efficient discharge of the Committee's responsibilities requires the participation of that Member in its work.

3. The Military Staff Committee shall be responsible under the Security Council for the strategic direction of any armed forces placed at the disposal of the Security Council. Questions relating to the command of such forces shall be worked out subsequently.

4. The Military Staff Committee, with the authorization of the Security Council and after consultation with appropriate regional agencies, may establish regional sub-committees.

Article 48

1. The action required to carry out the decisions of the Security Council for the maintenance of international peace and security shall be taken by all the Members of the United Nations or by some of them, as the Security Council may determine.

2. Such decisions shall be carried out by the Members of the United Nations directly and through their action in the appropriate international agencies of which they are members.

Article 49

The Members of the United Nations shall join in affording mutual assistance in carrying out the measures decided upon by the Security Council.

Article 50

If preventive or enforcement measures against any state are taken by the Security Council, any other state, whether a Member of the United Nations or not, which finds itself confronted with special economic problems arising from the carrying out of those measures shall have the right to consult the Security Council with regard to a solution of those problems.

Article 51

Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defence shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.

Chapter VIII

REGIONAL ARRANGEMENTS

Article 52

1. Nothing in the present Charter precludes the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action, provided that such arrangements or agencies and their activities are consistent with the Purposes and Principles of the United Nations.

2. The Members of the United Nations entering into such arrangements or constituting such agencies shall make every effort to achieve pacific settlement of local disputes through such regional arrangements or by such regional agencies before referring them to the Security Council.

3. The Security Council shall encourage the development of pacific settlement of local disputes through such regional arrangements or by such regional agencies either on the initiative of the states concerned or by reference from the Security Council.

4. This Article in no way impairs the application of Articles 34 and 35.

Article 53

1. The Security Council shall, where appropriate, utilize such regional arrangements or agencies for enforcement action

under its authority. But no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council, with the exception of measures against any enemy state, as defined in paragraph 2 of this Article, provided for pursuant to Article 107 or in regional arrangements directed against renewal of aggressive policy on the part of any such state, until such time as the Organization may, on request of the Governments concerned, be charged with the responsibility for preventing further aggression by such a state.

2. The term enemy state as used in paragraph 1 of this Article applies to any state which during the Second World War has been an enemy of any signatory of the present Charter.

Article 54

The Security Council shall at all times be kept fully informed of activities undertaken or in contemplation under regional arrangements or by regional agencies for the maintenance of international peace and security.

Chapter IX

INTERNATIONAL ECONOMIC AND SOCIAL CO-OPERATION

Article 55

With a view to the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, the United Nations shall promote:

- a. higher standards of living, full employment, and conditions of economic and social progress and development;
- b. solutions of international economic, social, health, and related problems; and international cultural and educational co-operation; and
- c. universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion.

Article 56

All Members pledge themselves to take joint and separate action in co-operation with the Organization for the achievement of the purposes set forth in Article 55.

Article 57

1. The various specialized agencies, established by intergovernmental agreement and having wide international responsibilities, as defined in their basic instruments, in economic, social, cultural, educational, health, and related fields, shall be brought into relationship with the United Nations in accordance with the provisions of Article 63.

2. Such agencies thus brought into relationship with the United Nations are hereinafter referred to as specialized agencies.

Article 58

The Organization shall make recommendations for the coordination of the policies and activities of the specialized agencies.

Article 59

The Organization shall, where appropriate, initiate negotiations among the states concerned for the creation of any new specialized agencies required for the accomplishment of the purposes set forth in Article 55.

Article 60

Responsibility for the discharge of the functions of the Organization set forth in this Chapter shall be vested in the General Assembly and, under the authority of the General Assembly, in the Economic and Social Council, which shall have for this purpose the powers set forth in Chapter X.

Chapter X
THE ECONOMIC AND
SOCIAL COUNCIL

*Composition**Article 61³*

1. The Economic and Social Council shall consist of fifty-four Members of the United Nations elected by the General Assembly.

2. Subject to the provisions of paragraph 3, eighteen members of the Economic and Social Council shall be elected each year for a term of three years. A retiring member shall be eligible for immediate re-election.

3. At the first election after the increase in the membership of the Economic and Social Council from twenty-seven to fifty-four members, in addition to the members elected in place of the nine members whose term of office expires at the end of that year, twenty-seven additional members shall be elected. Of these twenty-seven additional members, the term of office of nine members so elected shall expire at the end of one year, and of nine other members at the end of two years, in accordance with arrangements made by the General Assembly.

4. Each member of the Economic and Social Council shall have one representative.

*Functions and Powers**Article 62*

1. The Economic and Social Council may make or initiate studies and reports with respect to international economic, social, cultural, educational, health, and related matters and may make recommendations with respect to any such matters to the General Assembly, to the Members of the United Nations, and to the specialized agencies concerned.

2. It may make recommendations for the purpose of promoting respect for, and observance of, human rights and fundamental freedoms for all.

3. It may prepare draft conventions for submission to the General Assembly, with respect to matters falling within its competence.

4. It may call, in accordance with the rules prescribed by the United Nations, international conferences on matters falling within its competence.

Article 63

1. The Economic and Social Council may enter into agreements with any of the agencies referred to in Article 57, defining the terms on which the agency concerned shall be brought into relationship with the United Nations. Such agreements shall be subject to approval by the General Assembly.

2. It may co-ordinate the activities of the specialized agencies through consultation with and recommendations to such agencies and through recommendations to the General Assembly and to the Members of the United Nations.

Article 64

1. The Economic and Social Council may take appropriate steps to obtain regular reports from the specialized agencies. It may make arrangements with the Members of the United Nations and with the specialized agencies to obtain reports on the steps taken to give effect to its own recommendations and to recommendations on matters falling within its competence made by the General Assembly.

2. It may communicate its observations on these reports to the General Assembly.

Article 65

The Economic and Social Council may furnish information to the Security Council and shall assist the Security Council upon its request.

Article 66

1. The Economic and Social Council shall perform such functions as fall within its competence in connection with the carrying out of the recommendations of the General Assembly.

2. It may, with the approval of the General Assembly, perform services at the request of Members of the United Nations and at the request of specialized agencies.

3. It shall perform such other functions as are specified elsewhere in the present Charter or as may be assigned to it by the General Assembly.

*Voting**Article 67*

1. Each member of the Economic and Social Council shall have one vote.

2. Decisions of the Economic and Social Council shall be made by a majority of the members present and voting.

*Procedure**Article 68*

The Economic and Social Council shall set up commissions in economic and social fields and for the promotion of human rights, and such other commissions as may be required for the performance of its functions.

Article 69

The Economic and Social Council shall invite any Member of the United Nations to participate, without vote, in its deliberations on any matter of particular concern to that Member.

Article 70

The Economic and Social Council may make arrangements for representatives of the specialized agencies to participate, without vote, in its deliberations and in those of the commissions established by it, and for its representatives to participate in the deliberations of the specialized agencies.

Article 71

The Economic and Social Council may make suitable arrangements for consultation with non-governmental organizations which are concerned with matters within its competence. Such arrangements may be made with international organizations and, where appropriate, with national organizations after consultation with the Member of the United Nations concerned.

Article 72

1. The Economic and Social Council shall adopt its own rules of procedure, including the method of selecting its President.
2. The Economic and Social Council shall meet as required in accordance with its rules, which shall include provision for the convening of meetings on the request of a majority of its members.

Chapter XI

DECLARATION REGARDING
NON-SELF-GOVERNING TERRITORIES

Article 73

Members of the United Nations which have or assume responsibilities for the administration of territories whose peoples have not yet attained a full measure of self-government recognize the principle that the interests of the inhabitants of these territories are paramount, and accept as a sacred trust the obligation to promote to the utmost, within the system of international peace and security established by the present Charter, the well-being of the inhabitants of these territories and, to this end:

- a. to ensure, with due respect for the culture of the peoples concerned, their political, economic, social, and educational advancement, their just treatment, and their protection against abuses;
- b. to develop self-government, to take due account of the political aspirations of the peoples, and to assist them in the progressive development of their free political institutions, according to the particular circumstances of each territory and its peoples and their varying stages of advancement;
- c. to further international peace and security;
- d. to promote constructive measures of development, to encourage research, and to co-operate with one another and, when and where appropriate, with specialized international bodies with a view to the practical achievement of the social, economic, and scientific purposes set forth in this Article; and
- e. to transmit regularly to the Secretary-General for information purposes, subject to such limitation as security and constitutional considerations may require, statistical and other information of a technical nature relating to economic, social, and educational conditions in the territories for which they are respectively responsible other than those territories to which Chapters XII and XIII apply.

Article 74

Members of the United Nations also agree that their policy in respect of the territories to which this Chapter applies, no less than in respect of their metropolitan areas, must be based on the general principle of good-neighbourliness, due account being taken of the interests and well-being of the rest of the world, in social, economic, and commercial matters.

Chapter XII

INTERNATIONAL TRUSTEESHIP SYSTEM

Article 75

The United Nations shall establish under its authority an international trusteeship system for the administration and supervision of such territories as may be placed thereunder by subsequent individual agreements. These territories are hereinafter referred to as trust territories.

Article 76

The basic objectives of the trusteeship system, in accordance with the Purposes of the United Nations laid down in Article 1 of the present Charter, shall be:

- a. to further international peace and security;
- b. to promote the political, economic, social, and educational advancement of the inhabitants of the trust territories, and their progressive development towards self-government or independence as may be appropriate to the particular circumstances of each territory and its peoples and the freely expressed wishes of the peoples concerned, and as may be provided by the terms of each trusteeship agreement;
- c. to encourage respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion, and to encourage recognition of the interdependence of the peoples of the world; and
- d. to ensure equal treatment in social, economic, and commercial matters for all Members of the United Nations and their nationals, and also equal treatment for the latter in the administration of justice, without prejudice to the attainment of the foregoing objectives and subject to the provisions of Article 80.

Article 77

1. The trusteeship system shall apply to such territories in the following categories as may be placed thereunder by means of trusteeship agreements:

- a. territories now held under mandate;
- b. territories which may be detached from enemy states as a result of the Second World War; and
- c. territories voluntarily placed under the system by states responsible for their administration.

2. It will be a matter for subsequent agreement as to which territories in the foregoing categories will be brought under the trusteeship system and upon what terms.

Article 78

The trusteeship system shall not apply to territories which have become Members of the United Nations, relationship among which shall be based on respect for the principle of sovereign equality.

Article 79

The terms of trusteeship for each territory to be placed under the trusteeship system, including any alteration or amendment, shall be agreed upon by the states directly concerned, including the mandatory power in the case of territories held under mandate by a Member of the United Nations, and shall be approved as provided for in Articles 83 and 85.

Article 80

1. Except as may be agreed upon in individual trusteeship agreements, made under Articles 77, 79 and 81, placing each territory under the trusteeship system, and until such agreements have been concluded, nothing in this Chapter shall be construed in or of itself to alter in any manner the rights whatsoever of any states or any peoples or the terms of existing international instruments to which Members of the United Nations may respectively be parties.

2. Paragraph 1 of this Article shall not be interpreted as giving grounds for delay or postponement of the negotiation and conclusion of agreements for placing mandated and other territories under the trusteeship system as provided for in Article 77.

Article 81

The trusteeship agreement shall in each case include the terms under which the trust territory will be administered and designate the authority which will exercise the administration of the trust territory. Such authority, hereinafter called the administering authority, may be one or more states or the Organization itself.

Article 82

There may be designated, in any trusteeship agreement, a strategic area or areas which may include part or all of the trust territory to which the agreement applies, without prejudice to any special agreement or agreements made under Article 43.

Article 83

1. All functions of the United Nations relating to strategic areas, including the approval of the terms of the trusteeship agreements and of their alteration or amendment, shall be exercised by the Security Council.

2. The basic objectives set forth in Article 76 shall be applicable to the people of each strategic area.

3. The Security Council shall, subject to the provisions of the trusteeship agreements and without prejudice to security considerations, avail itself of the assistance of the Trusteeship Council to perform those functions of the United Nations under the trusteeship system relating to political, economic, social, and educational matters in the strategic areas.

Article 84

It shall be the duty of the administering authority to ensure that the trust territory shall play its part in the maintenance of international peace and security. To this end the administering authority may make use of volunteer forces, facilities, and assistance from the trust territory in carrying out the obligations towards the Security Council undertaken in this regard by the administering authority, as well as for local defence and the maintenance of law and order within the trust territory.

Article 85

1. The functions of the United Nations with regard to trusteeship agreements for all areas not designated as strategic, including the approval of the terms of the trusteeship agreements and of their alteration or amendment, shall be exercised by the General Assembly.

2. The Trusteeship Council, operating under the authority of the General Assembly, shall assist the General Assembly in carrying out these functions.

Chapter XIII

THE TRUSTEESHIP COUNCIL

*Composition**Article 86*

1. The Trusteeship Council shall consist of the following Members of the United Nations:

- a. those Members administering trust territories;
- b. such of those Members mentioned by name in Article 23 as are not administering trust territories; and
- c. as many other Members elected for three-year terms by the General Assembly as may be necessary to ensure that the total number of members of the Trusteeship Council is equally divided between those Members of the United Nations which administer trust territories and those which do not.

2. Each member of the Trusteeship Council shall designate one specially qualified person to represent it therein.

*Functions and Powers**Article 87*

The General Assembly and, under its authority, the Trusteeship Council, in carrying out their functions, may:

- a. consider reports submitted by the administering authority;
- b. accept petitions and examine them in consultation with the administering authority;
- c. provide for periodic visits to the respective trust territories at times agreed upon with the administering authority; and
- d. take these and other actions in conformity with the terms of the trusteeship agreements.

Article 88

The Trusteeship Council shall formulate a questionnaire on the political, economic, social, and educational advancement of the inhabitants of each trust territory, and the administering authority for each trust territory within the competence of the General Assembly shall make an annual report to the General Assembly upon the basis of such questionnaire.

*Voting**Article 89*

1. Each member of the Trusteeship Council shall have one vote.

2. Decisions of the Trusteeship Council shall be made by a majority of the members present and voting.

*Procedure**Article 90*

1. The Trusteeship Council shall adopt its own rules of procedure, including the method of selecting its President.

2. The Trusteeship Council shall meet as required in accordance with its rules, which shall include provision for the convening of meetings on the request of a majority of its members.

Article 91

The Trusteeship Council shall, when appropriate, avail itself of the assistance of the Economic and Social Council and of the specialized agencies in regard to matters with which they are respectively concerned.

Chapter XIV

THE INTERNATIONAL COURT OF JUSTICE

Article 92

The International Court of Justice shall be the principal judicial organ of the United Nations. It shall function in accordance with the annexed Statute, which is based upon the Statute of the Permanent Court of International Justice and forms an integral part of the present Charter.

Article 93

1. All Members of the United Nations are *ipso facto* parties to the Statute of the International Court of Justice.

2. A state which is not a Member of the United Nations may become a party to the Statute of the International Court of Justice on conditions to be determined in each case by the General Assembly upon the recommendation of the Security Council.

Article 94

1. Each Member of the United Nations undertakes to comply with the decision of the International Court of Justice in any case to which it is a party.

2. If any party to a case fails to perform the obligations incumbent upon it under a judgment rendered by the Court, the other party may have recourse to the Security Council, which may, if it deems necessary, make recommendations or decide upon measures to be taken to give effect to the judgment.

Article 95

Nothing in the present Charter shall prevent Members of the United Nations from entrusting the solution of their differences to other tribunals by virtue of agreements already in existence or which may be concluded in the future.

Article 96

1. The General Assembly or the Security Council may request the International Court of Justice to give an advisory opinion on any legal question.

2. Other organs of the United Nations and specialized agencies, which may at any time be so authorized by the General Assembly, may also request advisory opinions of the Court on legal questions arising within the scope of their activities.

Chapter XV
THE SECRETARIAT

Article 97

The Secretariat shall comprise a Secretary-General and such staff as the Organization may require. The Secretary-General shall be appointed by the General Assembly upon the recommendation of the Security Council. He shall be the chief administrative officer of the Organization.

Article 98

The Secretary-General shall act in that capacity in all meetings of the General Assembly, of the Security Council, of the Economic and Social Council, and of the Trusteeship Council, and shall perform such other functions as are entrusted to him by these organs. The Secretary-General shall make an annual report to the General Assembly on the work of the Organization.

Article 99

The Secretary-General may bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security.

Article 100

1. In the performance of their duties the Secretary-General and the staff shall not seek or receive instructions from any government or from any other authority external to the Organization. They shall refrain from any action which might reflect on their position as international officials responsible only to the Organization.

2. Each Member of the United Nations undertakes to respect the exclusively international character of the responsibilities of the Secretary-General and the staff and not to seek to influence them in the discharge of their responsibilities.

Article 101

1. The staff shall be appointed by the Secretary-General under regulations established by the General Assembly.

2. Appropriate staffs shall be permanently assigned to the Economic and Social Council, the Trusteeship Council, and, as required, to other organs of the United Nations. These staffs shall form a part of the Secretariat.

3. The paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence, and integrity. Due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible.

Chapter XVI

MISCELLANEOUS PROVISIONS

Article 102

1. Every treaty and every international agreement entered into by any Member of the United Nations after the present Charter comes into force shall as soon as possible be registered with the Secretariat and published by it.

2. No party to any such treaty or international agreement which has not been registered in accordance with the provisions of paragraph 1 of this Article may invoke that treaty or agreement before any organ of the United Nations.

Article 103

In the event of a conflict between the obligations of the Members of the United Nations under the present Charter and their obligations under any other international agreement, their obligations under the present Charter shall prevail.

Article 104

The Organization shall enjoy in the territory of each of its Members such legal capacity as may be necessary for the exercise of its functions and the fulfilment of its purposes.

Article 105

1. The Organization shall enjoy in the territory of each of its Members such privileges and immunities as are necessary for the fulfilment of its purposes.

2. Representatives of the Members of the United Nations and officials of the Organization shall similarly enjoy such privileges and immunities as are necessary for the independent exercise of their functions in connection with the Organization.

3. The General Assembly may make recommendations with a view to determining the details of the application of paragraphs 1 and 2 of this Article or may propose conventions to the Members of the United Nations for this purpose.

Chapter XVII

TRANSITIONAL SECURITY
ARRANGEMENTS

Article 106

Pending the coming into force of such special agreements referred to in Article 43 as in the opinion of the Security Council enable it to begin the exercise of its responsibilities under Article 42, the parties to the Four-Nation Declaration, signed at Moscow, 30 October 1943, and France, shall, in accordance with the provisions of paragraph 5 of that Declaration, consult with one another and as occasion requires with other Members of the United Nations with a view to such joint action on behalf of the Organization as may be necessary for the purpose of maintaining international peace and security.

Article 107

Nothing in the present Charter shall invalidate or preclude action, in relation to any state which during the Second World War has been an enemy of any signatory to the present Charter, taken or authorized as a result of that war by the Governments having responsibility for such action.

Chapter XVIII
AMENDMENTS

Article 108

Amendments to the present Charter shall come into force for all Members of the United Nations when they have been adopted by a vote of two thirds of the members of the General Assembly and ratified in accordance with their respective constitutional processes by two thirds of the Members of the United Nations, including all the permanent members of the Security Council.

Article 109⁴

1. A General Conference of the Members of the United Nations for the purpose of reviewing the present Charter may be held at a date and place to be fixed by a two-thirds vote of the members of the General Assembly and by a vote of any nine members of the Security Council. Each Member of the United Nations shall have one vote in the conference.

2. Any alteration of the present Charter recommended by a two-thirds vote of the conference shall take effect when ratified in accordance with their respective constitutional processes by two thirds of the Members of the United Nations including all the permanent members of the Security Council.

3. If such a conference has not been held before the tenth annual session of the General Assembly following the coming into force of the present Charter, the proposal to call such a conference shall be placed on the agenda of that session of the General Assembly, and the conference shall be held if so decided by a majority vote of the members of the General Assembly and by a vote of any seven members of the Security Council.

Chapter XIX

RATIFICATION AND SIGNATURE

Article 110

1. The present Charter shall be ratified by the signatory states in accordance with their respective constitutional processes.

2. The ratifications shall be deposited with the Government of the United States of America, which shall notify all the signatory states of each deposit as well as the Secretary-General of the Organization when he has been appointed.

3. The present Charter shall come into force upon the deposit of ratifications by the Republic of China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America, and by a majority of the other signatory states. A protocol of the ratifications deposited shall thereupon be drawn up by the Government of the United States of America which shall communicate copies thereof to all the signatory states.

4. The states signatory to the present Charter which ratify it after it has come into force will become original Members of the United Nations on the date of the deposit of their respective ratifications.

Article 111

The present Charter, of which the Chinese, French, Russian, English, and Spanish texts are equally authentic, shall remain deposited in the archives of the Government of the United States of America. Duly certified copies thereof shall be transmitted by that Government to the Governments of the other signatory states.

IN FAITH WHEREOF the representatives of the Governments of the United Nations have signed the present Charter.

DONE at the city of San Francisco the twenty-sixth day of June, one thousand nine hundred and forty-five.

NOTES

¹Amended text of Article 23, which came into force on 31 August 1965. The text of Article 23 before it was amended read as follows:

1. The Security Council shall consist of eleven Members of the United Nations. The Republic of China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America shall be permanent members of the Security Council. The General Assembly shall elect six other Members of the United Nations to be non-permanent members of the Security Council, due regard being specially paid in the first instance to the contributions of Members of the United Nations to the maintenance of international peace and security and to the other purposes of the Organization, and also to equitable geographical distribution.
2. The non-permanent members of the Security Council shall be elected for a term of two years. In the first election of the non-permanent members, however, three shall be chosen for a term of one year. A retiring member shall not be eligible for immediate re-election.
3. Each member of the Security Council shall have one representative.

²Amended text of Article 27, which came into force on 31 August 1965. The text of Article 27 before it was amended read as follows:

1. Each member of the Security Council shall have one vote.
2. Decisions of the Security Council on procedural matters shall be made by an affirmative vote of seven members.
3. Decisions of the Security Council on all other matters shall be made by an affirmative vote of seven members including the concurring votes of the permanent members; provided that, in decisions under Chapter VI, and under paragraph 3 of Article 52, a party to a dispute shall abstain from voting.

³ Amended text of Article 61, which came into force on 24 September 1973. The text of Article 61 as previously amended on 31 August 1965 read as follows:

1. The Economic and Social Council shall consist of twenty-seven Members of the United Nations elected by the General Assembly.
2. Subject to the provisions of paragraph 3, nine members of the Economic and Social Council shall be elected each year for a term of three years. A retiring member shall be eligible for immediate re-election.
3. At the first election after the increase in the membership of the Economic and Social Council from eighteen to twenty-seven members, in addition to the members elected in place of the six members whose term of office expires at the end of that year, nine additional members shall be elected. Of these nine additional members, the term of office of three members so elected shall expire at the end of one year, and of three other members at the end of two years, in accordance with arrangements made by the General Assembly.
4. Each member of the Economic and Social Council shall have one representative.

⁴ Amended text of Article 109, which came into force on 12 June 1968. The text of Article 109 before it was amended read as follows:

1. A General Conference of the Members of the United Nations for the purpose of reviewing the present Charter may be held at a date and place to be fixed by a two-thirds vote of the members of the General Assembly and by a vote of any seven members of the Security Council. Each Member of the United Nations shall have one vote in the conference.
2. Any alteration of the present Charter recommended by a two-thirds vote of the conference shall take effect when ratified in accordance with their respective constitutional processes by two thirds of the Members of the United Nations including all the permanent members of the Security Council.
3. If such a conference has not been held before the tenth annual session of the General Assembly following the coming into force of the present Charter, the proposal to call such a conference shall be placed on the agenda of that session of the General Assembly, and the conference shall be held if so decided by a majority vote of the members of the General Assembly and by a vote of any seven members of the Security Council.

Statute of the International Court of Justice

Article 1

The International Court of Justice established by the Charter of the United Nations as the principal judicial organ of the United Nations shall be constituted and shall function in accordance with the provisions of the present Statute.

Chapter I

ORGANIZATION OF THE COURT

Article 2

The Court shall be composed of a body of independent judges, elected regardless of their nationality from among persons of high moral character, who possess the qualifications required in their respective countries for appointment to the highest judicial offices, or are jurisconsults of recognized competence in international law.

Article 3

1. The Court shall consist of fifteen members, no two of whom may be nationals of the same state.
2. A person who for the purposes of membership in the Court could be regarded as a national of more than one state shall be deemed to be a national of the one in which he ordinarily exercises civil and political rights.

Article 4

1. The members of the Court shall be elected by the General Assembly and by the Security Council from a list of persons nominated by the national groups in the Permanent Court of Arbitration, in accordance with the following provisions.
2. In the case of Members of the United Nations not represented in the Permanent Court of Arbitration, candidates shall be nominated by national groups appointed for this purpose by their governments under the same conditions as those prescribed for members of the Permanent Court of Arbitration by Article 44 of the Convention of The Hague of 1907 for the pacific settlement of international disputes.
3. The conditions under which a state which is a party to the present Statute but is not a Member of the United Nations may participate in electing the members of the Court shall, in the absence of a special agreement, be laid down by the General Assembly upon recommendation of the Security Council.

Article 5

1. At least three months before the date of the election, the Secretary-General of the United Nations shall address a written request to the members of the Permanent Court of Arbitration belonging to the states which are parties to the present Statute, and to the members of the national groups appointed under Article 4, paragraph 2, inviting them to undertake, within a given time, by national groups, the nomination of persons in a position to accept the duties of a member of the Court.
2. No group may nominate more than four persons, not more than two of whom shall be of their own nationality. In no case may the number of candidates nominated by a group be more than double the number of seats to be filled.

Article 6

Before making these nominations, each national group is recommended to consult its highest court of justice, its legal faculties

and schools of law, and its national academies and national sections of international academies devoted to the study of law.

Article 7

1. The Secretary-General shall prepare a list in alphabetical order of all the persons thus nominated. Save as provided in Article 12, paragraph 2, these shall be the only persons eligible.
2. The Secretary-General shall submit this list to the General Assembly and to the Security Council.

Article 8

The General Assembly and the Security Council shall proceed independently of one another to elect the members of the Court.

Article 9

At every election, the electors shall bear in mind not only that the persons to be elected should individually possess the qualifications required, but also that in the body as a whole the representation of the main forms of civilization and of the principal legal systems of the world should be assured.

Article 10

1. Those candidates who obtain an absolute majority of votes in the General Assembly and in the Security Council shall be considered as elected.
2. Any vote of the Security Council, whether for the election of judges or for the appointment of members of the conference envisaged in Article 12, shall be taken without any distinction between permanent and non-permanent members of the Security Council.
3. In the event of more than one national of the same state obtaining an absolute majority of the votes both of the General Assembly and of the Security Council, the eldest of these only shall be considered as elected.

Article 11

If, after the first meeting held for the purpose of the election, one or more seats remain to be filled, a second and, if necessary, a third meeting shall take place.

Article 12

1. If, after the third meeting, one or more seats still remain unfilled, a joint conference consisting of six members, three appointed by the General Assembly and three by the Security Council, may be formed at any time at the request of either the General Assembly or the Security Council, for the purpose of choosing by the vote of an absolute majority one name for each seat still vacant, to submit to the General Assembly and the Security Council for their respective acceptance.
2. If the joint conference is unanimously agreed upon any person who fulfils the required conditions, he may be included in its list, even though he was not included in the list of nominations referred to in Article 7.
3. If the joint conference is satisfied that it will not be successful in procuring an election, those members of the Court who have already been elected shall, within a period to be fixed by the Security Council, proceed to fill the vacant seats by selection from among those candidates who have obtained votes either in the General Assembly or in the Security Council.
4. In the event of an equality of votes among the judges, the eldest judge shall have a casting vote.

Article 13

1. The members of the Court shall be elected for nine years and may be re-elected; provided, however, that of the judges elected at the first election, the terms of five judges shall expire at the end of three years and the terms of five more judges shall expire at the end of six years.

2. The judges whose terms are to expire at the end of the above-mentioned initial periods of three and six years shall be chosen by lot to be drawn by the Secretary-General immediately after the first election has been completed.

3. The members of the Court shall continue to discharge their duties until their places have been filled. Though replaced, they shall finish any cases which they may have begun.

4. In the case of the resignation of a member of the Court, the resignation shall be addressed to the President of the Court for transmission to the Secretary-General. This last notification makes the place vacant.

Article 14

Vacancies shall be filled by the same method as that laid down for the first election, subject to the following provision: the Secretary-General shall, within one month of the occurrence of the vacancy, proceed to issue the invitations provided for in Article 5, and the date of the election shall be fixed by the Security Council.

Article 15

A member of the Court elected to replace a member whose term of office has not expired shall hold office for the remainder of his predecessor's term.

Article 16

1. No member of the Court may exercise any political or administrative function, or engage in any other occupation of a professional nature.

2. Any doubt on this point shall be settled by the decision of the Court.

Article 17

1. No member of the Court may act as agent, counsel, or advocate in any case.

2. No member may participate in the decision of any case in which he has previously taken part as agent, counsel, or advocate for one of the parties, or as a member of a national or international court, or of a commission of enquiry, or in any other capacity.

3. Any doubt on this point shall be settled by the decision of the Court.

Article 18

1. No member of the Court can be dismissed unless, in the unanimous opinion of the other members, he has ceased to fulfil the required conditions.

2. Formal notification thereof shall be made to the Secretary-General by the Registrar.

3. This notification makes the place vacant.

Article 19

The members of the Court, when engaged on the business of the Court, shall enjoy diplomatic privileges and immunities.

Article 20

Every member of the Court shall, before taking up his duties, make a solemn declaration in open court that he will exercise his powers impartially and conscientiously.

Article 21

1. The Court shall elect its President and Vice-President for three years; they may be re-elected.

2. The Court shall appoint its Registrar and may provide for the appointment of such other officers as may be necessary.

Article 22

1. The seat of the Court shall be established at The Hague. This, however, shall not prevent the Court from sitting and exercising its functions elsewhere whenever the Court considers it desirable.

2. The President and the Registrar shall reside at the seat of the Court.

Article 23

1. The Court shall remain permanently in session, except during the judicial vacations, the dates and duration of which shall be fixed by the Court.

2. Members of the Court are entitled to periodic leave, the dates and duration of which shall be fixed by the Court, having in mind the distance between The Hague and the home of each judge.

3. Members of the Court shall be bound, unless they are on leave or prevented from attending by illness or other serious reasons duly explained to the President, to hold themselves permanently at the disposal of the Court.

Article 24

1. If, for some special reason, a member of the Court considers that he should not take part in the decision of a particular case, he shall so inform the President.

2. If the President considers that for some special reason one of the members of the Court should not sit in a particular case, he shall give him notice accordingly.

3. If in any such case the member of the Court and the President disagree, the matter shall be settled by the decision of the Court.

Article 25

1. The full Court shall sit except when it is expressly provided otherwise in the present Statute.

2. Subject to the condition that the number of judges available to constitute the Court is not thereby reduced below eleven, the Rules of the Court may provide for allowing one or more judges, according to circumstances and in rotation, to be dispensed from sitting.

3. A quorum of nine judges shall suffice to constitute the Court.

Article 26

1. The Court may from time to time form one or more chambers, composed of three or more judges as the Court may determine, for dealing with particular categories of cases; for example, labour cases and cases relating to transit and communications.

2. The Court may at any time form a chamber for dealing with a particular case. The number of judges to constitute such a chamber shall be determined by the Court with the approval of the parties.

3. Cases shall be heard and determined by the chambers provided for in this Article if the parties so request.

Article 27

A judgment given by any of the chambers provided for in Articles 26 and 29 shall be considered as rendered by the Court.

Article 28

The chambers provided for in Articles 26 and 29 may, with the consent of the parties, sit and exercise their functions elsewhere than at The Hague.

Article 29

With a view to the speedy dispatch of business, the Court shall form annually a chamber composed of five judges which, at the request of the parties, may hear and determine cases by summary procedure. In addition, two judges shall be selected for the purpose of replacing judges who find it impossible to sit.

Article 30

1. The Court shall frame rules for carrying out its functions. In particular, it shall lay down rules of procedure.
2. The Rules of the Court may provide for assessors to sit with the Court or with any of its chambers, without the right to vote.

Article 31

1. Judges of the nationality of each of the parties shall retain their right to sit in the case before the Court.
2. If the Court includes upon the Bench a judge of the nationality of one of the parties, any other party may choose a person to sit as judge. Such person shall be chosen preferably from among those persons who have been nominated as candidates as provided in Articles 4 and 5.
3. If the Court includes upon the Bench no judge of the nationality of the parties, each of these parties may proceed to choose a judge as provided in paragraph 2 of this Article.
4. The provisions of this Article shall apply to the case of Articles 26 and 29. In such cases, the President shall request one or, if necessary, two of the members of the Court forming the chamber to give place to the members of the Court of the nationality of the parties concerned, and, failing such, or if they are unable to be present, to the judges specially chosen by the parties.
5. Should there be several parties in the same interest, they shall, for the purpose of the preceding provisions, be reckoned as one party only. Any doubt upon this point shall be settled by the decision of the Court.
6. Judges chosen as laid down in paragraphs 2, 3 and 4 of this Article shall fulfil the conditions required by Articles 2, 17 (paragraph 2), 20, and 24 of the present Statute. They shall take part in the decision on terms of complete equality with their colleagues.

Article 32

1. Each member of the Court shall receive an annual salary.
2. The President shall receive a special annual allowance.
3. The Vice-President shall receive a special allowance for every day on which he acts as President.
4. The judges chosen under Article 31, other than members of the Court, shall receive compensation for each day on which they exercise their functions.
5. These salaries, allowances, and compensation shall be fixed by the General Assembly. They may not be decreased during the term of office.
6. The salary of the Registrar shall be fixed by the General Assembly on the proposal of the Court.
7. Regulations made by the General Assembly shall fix the conditions under which retirement pensions may be given to members of the Court and to the Registrar, and the conditions under which members of the Court and the Registrar shall have their travelling expenses refunded.
8. The above salaries, allowances, and compensation shall be free of all taxation.

Article 33

The expenses of the Court shall be borne by the United Nations in such a manner as shall be decided by the General Assembly.

Chapter II

COMPETENCE OF THE COURT

Article 34

1. Only states may be parties in cases before the Court.
2. The Court, subject to and in conformity with its Rules, may request of public international organizations information relevant to cases before it, and shall receive such information presented by such organizations on their own initiative.
3. Whenever the construction of the constituent instrument of a public international organization or of an international convention adopted thereunder is in question in a case before the Court, the Registrar shall so notify the public international organization concerned and shall communicate to it copies of all the written proceedings.

Article 35

1. The Court shall be open to the states parties to the present Statute.
2. The conditions under which the Court shall be open to other states shall, subject to the special provisions contained in treaties in force, be laid down by the Security Council, but in no case shall such conditions place the parties in a position of inequality before the Court.
3. When a state which is not a Member of the United Nations is a party to a case, the Court shall fix the amount which that party is to contribute towards the expenses of the Court. This provision shall not apply if such state is bearing a share of the expenses of the Court.

Article 36

1. The jurisdiction of the Court comprises all cases which the parties refer to it and all matters specially provided for in the Charter of the United Nations or in treaties and conventions in force.
2. The states parties to the present Statute may at any time declare that they recognize as compulsory *ipso facto* and without special agreement, in relation to any other state accepting the same obligation, the jurisdiction of the Court in all legal disputes concerning:
 - a. the interpretation of a treaty;
 - b. any question of international law;
 - c. the existence of any fact which, if established, would constitute a breach of an international obligation;
 - d. the nature or extent of the reparation to be made for the breach of an international obligation.
3. The declarations referred to above may be made unconditionally or on condition of reciprocity on the part of several or certain states, or for a certain time.
4. Such declarations shall be deposited with the Secretary-General of the United Nations, who shall transmit copies thereof to the parties to the Statute and to the Registrar of the Court.
5. Declarations made under Article 36 of the Statute of the Permanent Court of International Justice and which are still in force shall be deemed, as between the parties to the present Statute, to be acceptances of the compulsory jurisdiction of the International Court of Justice for the period which they still have to run and in accordance with their terms.
6. In the event of a dispute as to whether the Court has jurisdiction, the matter shall be settled by the decision of the Court.

Article 37

Whenever a treaty or convention in force provides for reference of a matter to a tribunal to have been instituted by the League of Nations, or to the Permanent Court of International Justice, the matter shall, as between the parties to the present Statute, be referred to the International Court of Justice.

Article 38

1. The Court, whose function is to decide in accordance with international law such disputes as are submitted to it, shall apply:

- a. international conventions, whether general or particular, establishing rules expressly recognized by the contesting states;
- b. international custom, as evidence of a general practice accepted as law;
- c. the general principles of law recognized by civilized nations;
- d. subject to the provisions of Article 59, judicial decisions and the teachings of the most highly qualified publicists of the various nations, as subsidiary means for the determination of rules of law.

2. This provision shall not prejudice the power of the Court to decide a case *ex aequo et bono*, if the parties agree thereto.

Chapter III
PROCEDURE

Article 39

1. The official languages of the Court shall be French and English. If the parties agree that the case shall be conducted in French, the judgment shall be delivered in French. If the parties agree that the case shall be conducted in English, the judgment shall be delivered in English.

2. In the absence of an agreement as to which language shall be employed, each party may, in the pleadings, use the language which it prefers; the decision of the Court shall be given in French and English. In this case the Court shall at the same time determine which of the two texts shall be considered as authoritative.

3. The Court shall, at the request of any party, authorize a language other than French or English to be used by that party.

Article 40

1. Cases are brought before the Court, as the case may be, either by the notification of the special agreement or by a written application addressed to the Registrar. In either case the subject of the dispute and the parties shall be indicated.

2. The Registrar shall forthwith communicate the application to all concerned.

3. He shall also notify the Members of the United Nations through the Secretary-General, and also any other states entitled to appear before the Court.

Article 41

1. The Court shall have the power to indicate, if it considers that circumstances so require, any provisional measures which ought to be taken to preserve the respective rights of either party.

2. Pending the final decision, notice of the measures suggested shall forthwith be given to the parties and to the Security Council.

Article 42

1. The parties shall be represented by agents.

2. They may have the assistance of counsel or advocates before the Court.

3. The agents, counsel, and advocates of parties before the Court shall enjoy the privileges and immunities necessary to the independent exercise of their duties.

Article 43

1. The procedure shall consist of two parts: written and oral.

2. The written proceedings shall consist of the communication to the Court and to the parties of memorials, counter-memorials and, if necessary, replies; also all papers and documents in support.

3. These communications shall be made through the Registrar, in the order and within the time fixed by the Court.

4. A certified copy of every document produced by one party shall be communicated to the other party.

5. The oral proceedings shall consist of the hearing by the Court of witnesses, experts, agents, counsel, and advocates.

Article 44

1. For the service of all notices upon persons other than the agents, counsel, and advocates, the Court shall apply direct to the government of the state upon whose territory the notice has to be served.

2. The same provision shall apply whenever steps are to be taken to procure evidence on the spot.

Article 45

The hearing shall be under the control of the President or, if he is unable to preside, of the Vice-President; if neither is able to preside, the senior judge present shall preside.

Article 46

The hearing in Court shall be public, unless the Court shall decide otherwise, or unless the parties demand that the public be not admitted.

Article 47

1. Minutes shall be made at each hearing and signed by the Registrar and the President.

2. These minutes alone shall be authentic.

Article 48

The Court shall make orders for the conduct of the case, shall decide the form and time in which each party must conclude its arguments, and make all arrangements connected with the taking of evidence.

Article 49

The Court may, even before the hearing begins, call upon the agents to produce any document or to supply any explanations. Formal note shall be taken of any refusal.

Article 50

The Court may, at any time, entrust any individual, body, bureau, commission, or other organization that it may select, with the task of carrying out an enquiry or giving an expert opinion.

Article 51

During the hearing any relevant questions are to be put to the witnesses and experts under the conditions laid down by the Court in the rules of procedure referred to in Article 30.

Article 52

After the Court has received the proofs and evidence within the time specified for the purpose, it may refuse to accept any further oral or written evidence that one party may desire to present unless the other side consents.

Article 53

1. Whenever one of the parties does not appear before the Court, or fails to defend its case, the other party may call upon the Court to decide in favour of its claim.

2. The Court must, before doing so, satisfy itself, not only that it has jurisdiction in accordance with Articles 36 and 37, but also that the claim is well founded in fact and law.

Article 54

1. When, subject to the control of the Court, the agents, counsel, and advocates have completed their presentation of the case, the President shall declare the hearing closed.

2. The Court shall withdraw to consider the judgment.

3. The deliberations of the Court shall take place in private and remain secret.

Article 55

1. All questions shall be decided by a majority of the judges present.

2. In the event of an equality of votes, the President or the judge who acts in his place shall have a casting vote.

Article 56

1. The judgment shall state the reasons on which it is based.

2. It shall contain the names of the judges who have taken part in the decision.

Article 57

If the judgment does not represent in whole or in part the unanimous opinion of the judges, any judge shall be entitled to deliver a separate opinion.

Article 58

The judgment shall be signed by the President and by the Registrar. It shall be read in open court, due notice having been given to the agents.

Article 59

The decision of the Court has no binding force except between the parties and in respect of that particular case.

Article 60

The judgment is final and without appeal. In the event of dispute as to the meaning or scope of the judgment, the Court shall construe it upon the request of any party.

Article 61

1. An application for revision of a judgment may be made only when it is based upon the discovery of some fact of such a nature as to be a decisive factor, which fact was, when the judgment was given, unknown to the Court and also the party claiming revision, always provided that such ignorance was not due to negligence.

2. The proceedings for revision shall be opened by a judgment of the Court expressly recording the existence of the new fact, recognizing that it has such a character as to lay the case open to revision, and declaring the application admissible on this ground.

3. The Court may require previous compliance with the terms of the judgment before it admits proceedings in revision.

4. The application for revision must be made at latest within six months of the discovery of the new fact.

5. No application for revision may be made after the lapse of ten years from the date of the judgment.

Article 62

1. Should a state consider that it has an interest of a legal nature which may be affected by the decision in the case, it may submit a request to the Court to be permitted to intervene.

2. It shall be for the Court to decide upon this request.

Article 63

1. Whenever the construction of a convention to which states other than those concerned in the case are parties is in question, the Registrar shall notify all such states forthwith.

2. Every state so notified has the right to intervene in the proceedings; but if it uses this right, the construction given by the judgment will be equally binding upon it.

Article 64

Unless otherwise decided by the Court, each party shall bear its own costs.

Chapter IV

ADVISORY OPINIONS

Article 65

1. The Court may give an advisory opinion on any legal question at the request of whatever body may be authorized by or in accordance with the Charter of the United Nations to make such a request.

2. Questions upon which the advisory opinion of the Court is asked shall be laid before the Court by means of a written request containing an exact statement of the question upon which an opinion is required, and accompanied by all documents likely to throw light upon the question.

Article 66

1. The Registrar shall forthwith give notice of the request for an advisory opinion to all states entitled to appear before the Court.

2. The Registrar shall also, by means of a special and direct communication, notify any state entitled to appear before the Court or international organization considered by the Court, or, should it not be sitting, by the President, as likely to be able to furnish information on the question, that the Court will be prepared to receive, within a time limit to be fixed by the President, written statements, or to hear, at a public sitting to be held for the purpose, oral statements relating to the question.

3. Should any such state entitled to appear before the Court have failed to receive the special communication referred to in paragraph 2 of this Article, such state may express a desire to submit a written statement or to be heard; and the Court will decide.

4. States and organizations having presented written or oral statements or both shall be permitted to comment on the statements made by other states or organizations in the form, to the extent, and within the time limits which the Court, or, should

it not be sitting, the President, shall decide in each particular case. Accordingly, the Registrar shall in due time communicate any such written statements to states and organizations having submitted similar statements.

Article 67

The Court shall deliver its advisory opinions in open court, notice having been given to the Secretary-General and to the representatives of Members of the United Nations, of other states and of international organizations immediately concerned.

Article 68

In the exercise of its advisory functions the Court shall further be guided by the provisions of the present Statute which apply in contentious cases to the extent to which it recognizes them to be applicable.

Chapter V
AMENDMENT

Article 69

Amendments to the present Statute shall be effected by the same procedure as is provided by the Charter of the United Nations for amendments to that Charter, subject however to any provisions which the General Assembly upon recommendation of the Security Council may adopt concerning the participation of states which are parties to the present Statute but are not Members of the United Nations.

Article 70

The Court shall have power to propose such amendments to the present Statute as it may deem necessary, through written communications to the Secretary-General, for consideration in conformity with the provisions of Article 69.

Structure of the United Nations

General Assembly

The General Assembly is composed of all Member States of the United Nations.

SESSIONS

Resumed sixty-fourth session: 22 January–14 September

Sixty-fifth session: 14 September–24 December (suspended)

OFFICERS

Resumed sixty-fourth session

President: Ali Abdussalam Treki (Libya)

Vice-Presidents: Barbados, Belgium, China, El Salvador, Finland, France, Ghana, Guinea-Bissau, India, Kazakhstan, Maldives, Nepal, Russian Federation, Slovenia, South Africa, Sudan, Turkmenistan, Venezuela, United Kingdom, United States

Sixty-fifth session

President: Joseph Deiss (Switzerland)¹

*Vice-Presidents:*² Afghanistan, Belarus, Botswana, China, Ecuador, Equatorial Guinea, France, Gambia, Indonesia, Luxemburg, Mauritania, Nicaragua, Pakistan, Russian Federation, Senegal, Sudan, Suriname, United Arab Emirates, United Kingdom, United States, Uzbekistan

The Assembly has four types of committees: (1) Main Committees, (2) procedural committees, (3) standing committees, (4) subsidiary and ad hoc bodies. In addition, it convenes conferences to deal with specific subjects.

Main Committees

By resolution 47/233, the General Assembly rationalized its Committee structure as follows:

Disarmament and International Security Committee (First Committee), Special Political and Decolonization Committee (Fourth Committee), Economic and Financial Committee (Second Committee), Social, Humanitarian and Cultural Committee (Third Committee), Administrative and Budgetary Committee (Fifth Committee), Legal Committee (Sixth Committee).

The General Assembly may constitute other committees, on which all Member States of the United Nations have the right to be represented.

OFFICERS OF THE MAIN COMMITTEES

Resumed sixty-fourth session

Fourth Committee³

Chairperson: Nassir Abdulaziz Al-Nasser (Qatar)

Vice-Chairpersons: Ridas Petkus (Lithuania), Heidi Schroderus-Fox (Finland), Reniery Valladares (Honduras)

Rapporteur: Mohammed Osman Sidahmed Mohammed Ali (Sudan)

Fifth Committee³

Chairperson: Peter Maurer (Switzerland)

Vice-Chairpersons: Danilo Rosales Diaz (Nicaragua), Babou Sène (Senegal), Sirithon Wairatpanij (Thailand)

Rapporteur: Yuliana Zhivkova Georgieva (Bulgaria)

Sixty-fifth session

First Committee

Chairperson: Miloš Koterec (Slovakia)⁴

Vice-Chairpersons: Hossam Eldeen Aly (Egypt), Herman Schaper (Netherlands), Carlos Sorreta (Philippines)

Rapporteur: Enrique Ochoa (Mexico)

Fourth Committee

Chairperson: Chitsaka Chipaziwa (Zimbabwe)⁴

Vice-Chairpersons: Radoslaw Flisiuk (Poland), David Windsor (Australia), Marcela Zamora (Costa Rica)

Rapporteur: Mohammad Wali Naeemi (Afghanistan)

Second Committee

Chairperson: Enkhsetseg Ochir (Mongolia)⁴

Vice-Chairpersons: Erik Lundberg (Finland), Csilla Wurtz (Hungary), Jean Claudy Pierre (Haiti)

Rapporteur: Paul Empole (Democratic Republic of the Congo)

Third Committee

Chairperson: Michel Tommo Monthe (Cameroon)⁴

Vice-Chairpersons: Margareta Ploder (Austria), M. Luz Melon (Argentina), Waheed A. Al-Shami (Yemen)

Rapporteur: Aisif Garayev (Azerbaijan)

Fifth Committee

Chairperson: Gert Rosenthal (Guatemala)⁴

Vice-Chairpersons: Muhammad Irfan Soomro (Pakistan), Ioana Sanda Stoica (Romania), Josiel Motumisi Tawana (South Africa)

Rapporteur: Nicole Mannion (Ireland)

Sixth Committee

Chairperson: Isabelle Picco (Monaco)⁴

Vice-Chairpersons: Reta Alemu Nega (Ethiopia), Chull-joo Park (Republic of Korea), Eva Šurkova (Slovakia)

Rapporteur: Glenna Cabello de Daboin (Venezuela)

Procedural committees

General Committee

The General Committee consists of the President of the General Assembly, as Chairperson, the 21 Vice-Presidents and the Chairpersons of the six Main Committees.

Credentials Committee

The Credentials Committee consists of nine members appointed by the General Assembly on the proposal of the President.

Resumed sixty-fourth session

Brazil, China, Jamaica, Philippines, Russian Federation, Spain, United Republic of Tanzania, United States, Zambia

Sixty-fifth session⁵

Bahamas, China, Finland, Gabon, Guatemala, Kenya, Russian Federation, Singapore, United States

Standing committees

The two standing committees consist of experts appointed in their individual capacity for three-year terms.

Advisory Committee on Administrative and Budgetary Questions (ACABQ)

Chairperson: Susan McLurg (United States)

To serve until 31 December 2010: Jorge Flores Callejas (Honduras), Imtiaz Hussain (Pakistan), Misako Kaji (Japan)⁶, Anupam Ray (India)⁷

To serve until 31 December 2011: Aicha Afifi (Morocco), Renata Archini (Italy), Vladimir A. Iosifov (Russian Federation), Susan M. McLurg (United States), Alejandro Torres Lépori (Argentina)

To serve until 31 December 2012: Jasminka Dinić (Croatia), Collen V. Kelapile (Botswana), Stafford O. Neil (Jamaica), Mohammad Mustafa Tal (Jordan), Nonye Udo (Nigeria)

On 19 November 2010 (dec. 65/406 A), the General Assembly appointed the following for a three-year term beginning on 1 January 2011 to fill vacancies occurring on 31 December 2010: Namgya C. Khampa (India), Peter Maddens (Belgium), Richard Moon (United Kingdom), Carlos Ruiz Massieu (Mexico), Akira Sugiyama (Japan), Zhang Wanhai (China).

Committee on Contributions

To serve until 31 December 2010: Joseph Acakpo-Satchivi (Benin), Abdelmalek Bouheddou (Algeria), Gordon Eckersley (Australia), Bernardo Greiver del Hoyo (Uruguay), Luis Mariano Hermosillo Sosa (Mexico), Eduardo Manuel da Fonseca Fernandes Ramos (Portugal)

To serve until 31 December 2011: Andrei V. Kovalenko (Russian Federation)⁸, Richard Moon (United Kingdom), Park Hae-yun (Republic of Korea), Gönke Roscher (Germany), Courtney H. Williams (Jamaica), Wu Gang (China)

To serve until 31 December 2012: Andrzej T. Abraszewski (Poland), Meshal Al-Mansour (Kuwait), Elmi Ahmed Dualeh (Somalia), Ihor V. Humenny (Ukraine), Lisa P. Spratt (United States), Shigeki Sumi (Japan)

On 19 November 2010 (dec. 65/407 A), the General Assembly appointed the following for a three-year term beginning on 1 January 2011 to fill the vacancies occurring on 31 December 2010: Joseph Acakpo-Satchivi (Benin), Gordon Eckersley (Australia), Bernardo Greiver Del Hoyo (Uruguay), Juan Mbomio Ndong Mangué (Equatorial Guinea), Pedro Luis Pedrosa Cuesta (Cuba), Thomas Schlesinger (Austria).

Subsidiary and ad hoc bodies

The following is a list of subsidiary and ad hoc bodies functioning in 2010, including the number of members, dates of meetings/sessions in 2010, document numbers of reports (which generally provide specific information on membership), and relevant decision numbers pertaining to elections.

Ad Hoc Committee on the Administration of Justice at the United Nations

Session: Did not meet in 2010

Membership: Open to all Member States of the United Nations and members of the specialized agencies or of IAEA

Ad Hoc Committee on Criminal Accountability of United Nations Officials and Experts on Mission

Session: Did not meet in 2010

Membership: Open to all Member States of the United Nations or members of the specialized agencies or of IAEA

Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996

Session: Fourteenth, New York, 12–16 April

Chairperson: Rohan Perera (Sri Lanka)

Membership: Open to all Member States of the United Nations or members of the specialized agencies or of IAEA

Report: A/65/37

Ad Hoc Committee on the Indian Ocean

Meeting: Did not meet in 2010

Membership: 43

Advisory Board on Disarmament Matters

Sessions: Fifty-third, New York, 24–26 February; fifty-fourth, Geneva, 7–9 July

Chairperson: Carlo Trezza (Italy)

Membership: 15 (plus the UNIDIR Director as an ex-officio member)

Report: A/65/228

Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law

Session: Forty-fifth, New York, 14 October

Chairperson: Ebenezer Appreku (Ghana)

Membership: 25

Report: A/65/514

Board of Auditors

Sessions: Sixty-fourth regular session, New York, 19–21 July; fortieth special session, Bonn, Germany, 7 December

Chairperson: Terence Nombembe (South Africa)

Membership: 3

Committee on Conferences

Sessions: New York, 30 March (organizational); 30 August–3 September (substantive)

Chairperson: Claudia Corti (Argentina)

Membership: 19

Report: A/65/32

Decisions: GA 64/407 B, GA 65/405 A

Committee on the Exercise of the Inalienable Rights of the Palestinian People

Meetings: Throughout the year

Chairperson: Paul Badji (Senegal)

Membership: 24

Report: A/65/35

Decision: GA 64/429

Committee on Information

Session: Thirty-second, New York, 26 April–7 May

Chairperson: Antonio Pedro Monteiro Lima (Cape Verde)

Membership: 112

Report: A/65/21

Committee on the Peaceful Uses of Outer Space

Session: Fifty-third, Vienna, 9–18 June

Chairperson: Dumitru-Dorin Prunariu (Romania)

Membership: 69

Report: A/65/20

Committee for Programme and Coordination (CPC)

Sessions: Fiftieth, New York, 29 April (organizational); 7 June–2 July (substantive)

Chairperson: Vladimir Pavlovich (Belarus)

Membership: 34

Report: A/65/16

Decision: GA 65/404

Committee on Relations with the Host Country

Meetings: New York, 17 February, 20 May, 1 and 29 September, 28 October

Chairperson: Minas Hadjimichael (Cyprus)

Membership: 19 (including the United States as host country)

Report: A/65/26

Committee for the United Nations Population Award

Chairperson: Hamidon Ali (Malaysia)

Membership: 10 (plus the Secretary-General and the UNFPA Executive Director as ex-officio members)

Report: A/65/216

Decision: ESC 2010/201 A

Disarmament Commission

Sessions: New York, 15 March (organizational); 29 March–16 April (substantive)

Chairperson: Jean-François Régis Zinsou (Benin)

Membership: All Member States of the United Nations

Report: A/65/42

High-level Committee on South-South Cooperation

Session: Sixteenth, New York, 4 February

President: Zachary D. Muburi Muita (Kenya)

Membership: All Member States of the United Nations

Report: A/65/39

Human Rights Council

Sessions: Thirteenth special, 27–28 January; fourteenth special, 23 December; thirteenth regular, 1–26 March; fourteenth regular, 31 May–18 June; fifteenth regular, 13 September–1 October; all in Geneva

President: Alex Van Meeuwen (Belgium) (until June); Sihasak Phuangketkeow (from June)

Membership: 47

Reports: A/65/53, A/65/53/Add.1, A/66/53

Decision: GA 64/421

Independent Audit Advisory Committee

Sessions: Ninth, 17–19 February; tenth, 19–21 May; eleventh, 21–23 July; twelfth, 15–16 December; all in New York

Chairperson: David M. Walker (United States)

Membership: 5

Reports: A/65/329, A/66/299

Decision: GA 65/410

International Civil Service Commission (ICSC)

Sessions: Seventieth, Santiago, Chile, 22 February–5 March; seventy-first, New York, 26 July–6 August

Chairperson: Kingston P. Rhodes (Sierra Leone)

Membership: 15

Report: A/65/30

Decisions: GA 64/412 B, GA 65/409

ADVISORY COMMITTEE ON POST ADJUSTMENT QUESTIONS

Session: Thirty-second, New York, 25 January–1 February

Chairperson: Wolfgang Stöckl (Germany)

Membership: 6

International Law Commission

Session: Sixty-second, Geneva, 3 May–4 June, 5 July–6 August

Chairperson: Xue Hanqin (China) (through June); Nugroho Wisnumurti (Indonesia) (from July)

Membership: 34

Report: A/65/10

Investments Committee

Chairperson: William J. McDonough (United States)

Membership: 9 (plus two ad hoc members)

Decision: GA 65/408

Joint Advisory Group on the International Trade Centre UNCTAD/WTO

Session: Forty-fourth, Geneva, 16–17 December

Chairperson: Darlington Mwape (Zambia)

Membership: Open to all member States of UNCTAD and WTO

Report: ITC/AG(XLIV)/238

Joint Inspection Unit (JIU)

Chairperson: Gérard Biraud (France)

Membership: 11

Report: A/65/34

Decision: GA 64/425

Office of the United Nations High Commissioner for Refugees (UNHCR)**EXECUTIVE COMMITTEE OF THE HIGH COMMISSIONER'S PROGRAMME**

Session: Sixty-first, Geneva, 4–8 October

Chairperson: Hisham Badr (Egypt)

Membership: 79

Report: A/65/12/Add.1

Decision: ESC 2010/201 B

High Commissioner: António Guterres

Panel of External Auditors

Session: Fifty-first, Berne, Switzerland, 6–7 December

Membership: Members of the UN Board of Auditors and appointed external auditors of the specialized agencies and of IAEA

Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization

Meetings: New York, 1, 2 and 9 March

Chairperson: Carlos D. Sorreta (Philippines)

Membership: Open to all Member States of the United Nations

Report: A/65/33

Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Chairperson: Palitha T. B. Kohona (Sri Lanka)

Membership: 3

Report: A/65/327

Special Committee on Peacekeeping Operations

Meetings: New York, 22 February–19 March

Chairperson: U. Joy Ogwu (Nigeria)

Membership: 145

Report: A/64/19

Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Session: New York, 25 February, 18 and 30 March (first part); 15 and 21–25 June (second part)

Chairperson: Donatus Keith St. Aimee (Saint Lucia)

Membership: 28

Report: A/65/23

United Nations Commission on International Trade Law (UNCITRAL)

Session: Forty-third, New York, 21 June–9 July

Chairperson: Ricardo Sandoval López (Chile)

Membership: 60

Report: A/65/17

Decision: GA 64/405 B & C

United Nations Conciliation Commission for Palestine

Membership: 3

Reports: A/65/225, A/66/296

United Nations Conference on Trade and Development (UNCTAD)

Session: Did not meet in 2010

Membership: Open to all Member States of the United Nations or members of the specialized agencies or of IAEA

Secretary-General: Supachai Panitchpakdi (Thailand)

TRADE AND DEVELOPMENT BOARD

Sessions: Fifty-seventh (annual), 15–28 September; forty-ninth, 8–9 June; fiftieth, 8 July; fifty-first, 29–30 November and 2 December (all executive); all in Geneva

President: Luis Manuel Piantini Munnigh (Dominican Republic) (fifty-seventh annual); Jean Feyder (Luxembourg) (forty-ninth and fiftieth executive); Ibrahim S.M. Al-Adoofi (Yemen) (fifty-first executive)

Membership: Open to all member States of UNCTAD

Reports: TD/B/57/8, TD/B/EX(49)/4, TD/B/EX(50)/5, TD/B/EX(51)/5

INVESTMENT, ENTERPRISE AND DEVELOPMENT COMMISSION

Session: Second, Geneva, 26–30 April

Chairperson: Maurice Peter Kagimu Kiwanuka (Uganda)

Membership: Open to all member States of UNCTAD

Report: TD/B/C.II/10

TRADE AND DEVELOPMENT COMMISSION

Session: Second, Geneva, 3–7 May

Chairperson: A. Hernandez Basave (Mexico)

Membership: Open to all member States of UNCTAD

Report: TD/B/C.I/13

Intergovernmental Group of Experts on Competition Law and Policy

Session: Did not meet in 2010

Membership: Open to all member States of UNCTAD

WORKING PARTY ON THE FRAMEWORK STRATEGIC AND THE PROGRAMME BUDGET

Sessions: Fifty-fifth, 15–16 February; fifty-sixth, 6–8 September; fifty-seventh, 22–24 November and 2 December; all in Geneva

Chairperson: Vassily Nebenzia (Russian Federation) (fifty-fifth); Carmen Elena Castillo-Galland (El Salvador) (fifty-sixth); Bakary Junior Bamba (Côte d'Ivoire) (fifty-seventh)

Membership: Open to all member States of UNCTAD

Reports: TD/B/WP/220, TD/B/WP/225, TD/B/WP/227

United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women)⁹

EXECUTIVE BOARD

Session: New York, 15 and 22 December (organizational)

Chairperson: Hamidon Ali (Malaysia)

Membership: 41

Executive Director: Michelle Bachelet (Chile)

Report: UNW/2011/1

Resolution: GA 64/289

Decision: ESC 2010/201 F

United Nations Environment Programme (UNEP)

GOVERNING COUNCIL

Session: Eleventh special, Bali, Indonesia, 24–26 February

President: Oliver Dulić (Serbia)

Membership: 58

Report: A/65/25

Decision: 64/406 B

Executive Director: Achim Steiner (Germany)

United Nations Human Settlements Programme (UN-Habitat)

GOVERNING COUNCIL

Session: Did not meet in 2010

Membership: 58

Decision: ESC 2010/201 B & C

Executive Director: Anna Kajumulo Tibaijuka (Tanzania)¹⁰

United Nations Institute for Disarmament Research (UNIDIR)

BOARD OF TRUSTEES

Sessions: Fifty-third, New York, 24–26 February; fifty-fourth, Geneva, 7–9 July

Chairperson: Carlo Trezza (Italy)

Membership: 15 (plus 1 ex-officio member)

Reports: A/65/177, A/65/228

Director: Theresa Hitchens (United States)

United Nations Institute for Training and Research (UNITAR)

BOARD OF TRUSTEES

Session: Forty-ninth, Beijing, 28–29 June

Chairperson: Henri Lopes (Congo)

Membership: 15 (plus ex-officio members)

Report: UNITAR/BT/2010/1

Executive Director: Carlos Lopes (Guinea-Bissau)

United Nations Joint Staff Pension Board

Session: Fifty-seventh, London, 15–23 July

Chairperson: Vladimir Yossifov (Bulgaria)

Membership: 33

Report: A/65/9

Chief Executive Officer: Bernard Cochemé (France)

United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)

ADVISORY COMMISSION OF UNRWA

Meeting: Cairo, Egypt, 21–22 June

Chairperson: Amr Aboulatta (Egypt)

Membership: 23

Report: A/65/13

WORKING GROUP ON THE FINANCING OF UNRWA

Meetings: New York, 13, 28 September, 6 October, 28 October (regular); 15 March (extraordinary)

Chairperson: Ertuğrul Apakan (Turkey)

Membership: 9

Report: A/65/551

Commissioner-General: Filippo Grandi (Italy)

United Nations Scientific Committee on the Effects of Atomic Radiation

Session: Fifty-seventh, Vienna, 16–20 August

Chairperson: Norman Gentner (Canada)

Membership: 21

Report: A/65/46

United Nations Staff Pension Committee

Membership: 12

United Nations University (UNU)

COUNCIL OF THE UNITED NATIONS UNIVERSITY

Session: Fifty-seventh, Tokyo, 29 November–2 December

Chairperson: Juan Ramón de la Fuente (Mexico)

Membership: 24 (plus 3 ex-officio members and the UNU Rector)

Rector: Konrad Osterwalder (Switzerland)

Report: E/2011/129

United Nations Voluntary Fund for Indigenous Populations

BOARD OF TRUSTEES

Session: Twenty-third, Geneva, 8–12 February

Chairperson: Kenneth Deer (Canada)

Membership: 5

Report: A/65/163

United Nations Voluntary Fund for Victims of Torture

BOARD OF TRUSTEES

Sessions: Thirty-second, 1–3 February; thirty-third, 8–22 October; all in Geneva

Chairperson: Mercedes Doretti (Argentina)

Membership: 5

Reports: A/65/265, A/66/276

United Nations Voluntary Trust Fund on Contemporary Forms of Slavery

BOARD OF TRUSTEES

Session: Fifteenth, Geneva, 6–10 December

Chairperson: David Weissbrodt (United States)

Membership: 5

Report: A/66/217

Security Council

The Security Council consists of 15 Member States of the United Nations (five permanent members and ten non-permanent members), in accordance with the provisions of Article 23 of the United Nations Charter as amended in 1965.

MEMBERS

Permanent members: China, France, Russian Federation, United Kingdom, United States

Non-permanent members: Austria, Bosnia and Herzegovina, Brazil, Gabon, Japan, Lebanon, Mexico, Nigeria, Turkey, Uganda

On 12 October 2010 (dec. 65/402), the General Assembly elected Colombia, Germany, India, Portugal and South Africa for a two-year term beginning on 1 January 2011, to replace Austria, Japan, Mexico, Turkey and Uganda, whose terms of office were to expire on 31 December 2010.

PRESIDENT

The presidency of the Council rotates monthly, according to the English alphabetical listing of its Member States. The following served as President during 2010:

Month	Member	Representative
January	China	Zhang Yesui
February	France	Gérald Araud
March	Gabon	Emmanuel Issoze-Ngondet
April	Japan	Yukio Takasu
May	Lebanon	Nawaf Salam
June	Mexico	Claude Heller
July	Nigeria	Joy Ogwu
August	Russian Federation	Vitaly Churkin
September	Turkey	Ertuğrul Apakan
October	Uganda	Ruhakana Rugunda
November	United Kingdom	Mark Lyall Grant
December	United States	Susan Rice

Military Staff Committee

The Military Staff Committee consists of the chiefs of staff of the permanent members of the Security Council or their representatives. It meets fortnightly.

Standing committees

Each of the three standing committees of the Security Council is composed of representatives of all Council members: Committee of Experts (to examine the provisional rules of procedure of the Council and any other matters entrusted to it by the Council),

Committee on the Admission of New Members,
Committee on Council Meetings Away from Headquarters.

Subsidiary bodies

Counter-Terrorism Committee (CTC)

Chairperson: Ertuğrul Apakan (Turkey)

Membership: 15

United Nations Compensation Commission

GOVERNING COUNCIL

Sessions: Sixty-ninth, 27–29 April; seventieth, 9–11 November; all in Geneva

President: Christian Strohal (Austria)

Membership: 15

Reports: S/2010/208, S/2010/587

1540 Committee

Chairman: Claude Heller (Mexico)

Membership: 15

International Tribunal for the Former Yugoslavia (ICTY)

President: Judge Patrick Robinson (Jamaica)

Under-Secretary-General, Prosecutor: Serge Brammertz (Belgium)

Assistant Secretary-General, Registrar: John Hocking (Australia)

International Criminal Tribunal for Rwanda (ICTR)

President: Judge Dennis Byron (Saint Kitts and Nevis)

Under-Secretary-General, Prosecutor: Hassan Bubacar Jallow (Gambia)

Assistant Secretary-General, Registrar: Adama Dieng (Senegal)

Advisory Subsidiary body

Peacebuilding Commission (PBC)¹¹

ORGANIZATIONAL COMMITTEE

Session: Fourth, New York, 27 January and 16 September

Chairperson: Peter Wittig (Germany)

Membership: 31

Report: A/65/701-S/2011/41

Decisions: GA 65/411, ESC 2010/201 G

Peacekeeping operations

United Nations Truce Supervision Organization (UNTSO)

Head of Mission, Chief of Staff: Major General Robert Mood

United Nations Military Observer Group in India and Pakistan (UNMOGIP)

Chief Military Observer: Major General Kim Moon Hwa

United Nations Peacekeeping Force in Cyprus (UNFICYP)

Special Representative of the Secretary-General and Head of Mission:

Tayé-Brook Zerihoun (until April), Lisa M. Buttenheim (from June)

Force Commander: Rear Admiral Mario César Sánchez Debernardi

United Nations Disengagement Observer Force (UNDOF)

Head of Mission and Force Commander: Major General Natalio C. Ecarma

United Nations Interim Force in Lebanon (UNIFIL)

Force Commander: Major General Claudio Graziano (until January), Major General Alberto Asarta Cuevas (from February)

United Nations Mission for the Referendum in Western Sahara (MINURSO)

Special Representative of the Secretary-General and Head of Mission: Hany Abdel-Aziz

Force Commander: Major General Zhao Jingmin

United Nations Interim Administration Mission in Kosovo (UNMIK)

Special Representative of the Secretary-General and Head of Mission: Lamberto Zannier

OSCE Head of Mission in Kosovo: Jean-Claude Schlumberger

Deputy Special Representative of the Secretary-General: Robert E. Sorenson

United Nations Organization Mission in the Democratic Republic of the Congo (MONUC)¹²

Special Representative of the Secretary-General and Head of Mission: Alan Doss

Deputy Special Representative of the Secretary-General: Fidèle Sarassoro

Force Commander: Lieutenant General Babacar Gaye

Police Commissioner: Abdallah Wafy

United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO)¹³

Special Representative of the Secretary-General and Head of Mission: Roger A. Meece

Deputy Special Representative of the Secretary-General: Fidèle Sarassoro

Force Commander: Lieutenant General Chander Prakash

United Nations Mission in Liberia (UNMIL)

Special Representative of the Secretary-General and Head of Mission: Ellen Margrethe Løj
Deputy Special Representative: Moustapha Soumaré
Deputy Special Representative for Rule of Law: Henrietta Joy Abena Nyarko Mensa-Bonsu
Force Commander: Lieutenant General Sikander Afzal (until November), Major General Muhammad Khalid (from November)

United Nations Operation in Côte d'Ivoire (UNOCI)

Special Representative of the Secretary-General and Head of Mission: Choi Young-jin
Principal Deputy Special Representative: Abou Moussa
Deputy Special Representative: Georg Charpentier (until March), Steven Ursino (ad interim since March), Ndolamb Ngokwey (from July)
Force Commander: Major General Fernand Marcel Amoussou (until March), Major General Abdul Hafiz (from March)

United Nations Stabilization Mission in Haiti (MINUSTAH)

Special Representative of the Secretary-General and Head of Mission: Hédi Annabi (until 12 January)¹⁴, Edmond Mulet (from 14 January)
Principal Deputy Special Representative: Luiz Carlos da Costa (until 12 January)¹⁴, Kevin Kennedy (from April)
Deputy Special Representative and Humanitarian Coordinator: Kim Bolduc (until April), Nigel Fisher (ad interim from May)
Force Commander: Major General Floriano Peixoto Vieira Neto (until March), Major General Luiz Guilherme Paul Cruz (from April)

United Nations Mission in Sudan (UNMIS)

Special Representative of the Secretary-General and Head of Mission: Ashraf Jehangir Qazi (until February), Haile Menkerios (from March)
Deputy Special Representative and Humanitarian Coordinator: Georg Charpentier
Deputy Special Representative: Jasbir Singh Liddar
Force Commander: Major General Paban Jung Thapa (until May), Major General Moses Bisong Obi (from June)
Police Commissioner: Rajesh Dewan

United Nations Integrated Mission in Timor-Leste (UNMIT)

Special Representative of the Secretary-General and Head of Mission: Ameerah Haq
Deputy Special Representative for Governance Support, Development and Humanitarian Coordination: Finn Reske-Nielsen
Deputy Special Representative for Security Sector Support and Rule of Law: Takahisa Kawakami (until March), Shigeru Mochida (from July)
Police Commissioner: Luis Carrilho

African Union-United Nations Hybrid Operation in Darfur (UNAMID)

AU-UN Joint Special Representative for Darfur and Head of Mission: Ibrahim Gambari
Deputy Joint Special Representative for Operations and Management: Mohamed Yonis
Force Commander: Lieutenant General Patrick Nyamvumba
Police Commissioner: Major General Michael Fryer

United Nations Mission in the Central African Republic and Chad (MINURCAT)¹⁵

Special Representative of the Secretary-General and Head of Mission: Victor da Silva Angelo (until March), Youssef Mahmoud (from June)
Deputy Special Representative of the Secretary-General: Rima Salah
Force Commander: Major General Elhadji Mouhamedou Kandji
Police Commissioners: Mamadou Mountaga Diallo

Political, peacebuilding and other missions

United Nations Political Office for Somalia (UNPOS)

Special Representative of the Secretary-General and Head of UNPOS: Ahmedou Ould-Abdallah (until June), Augustine P. Mahiga (from June)
Deputy Special Representative of the Secretary-General for Somalia: Charles Petrie (until March)

United Nations Integrated Peacebuilding Office in Guinea-Bissau (UNIOGBIS)¹⁶

Special Representative of the Secretary-General and Head of UNIOGBIS: Joseph Mutaboba

Office of the United Nations

Special Coordinator for the Middle East (UNSCO)

Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority: Robert H. Serry
Deputy Special Coordinator for the Middle East Peace Process: Maxwell Gaylard

United Nations Integrated Peacebuilding Office in the Central African Republic (BINUCA)¹⁷

Special Representative of the Secretary-General and Head of BINUCA: Sahle-Work Zewde
Deputy Special Representative of the Secretary-General: Bo Schack

Office of the United Nations Special Coordinator of the Secretary-General for Lebanon (UNSCOL)

Special Coordinator of the Secretary-General for Lebanon: Michael C. Williams
Deputy Special Coordinator: Marta Ruedas

Office of the Special Representative of the Secretary-General for West Africa (UNOWA)

Special Representative of the Secretary-General and Head of UNOWA: Said Djinnit

United Nations Assistance Mission in Afghanistan (UNAMA)

Special Representative of the Secretary-General and Head of Mission: Kai Eide (until February), Staffan de Mistura (from March)
Deputy Special Representative: Robert Watkins
Deputy Special Representative (political): Martin Kobler

United Nations Assistance Mission for Iraq (UNAMI)

Special Representative of the Secretary-General for Iraq and Head of Mission: Ad Melkert
Deputy Special Representative for Political, Electoral and Constitutional Support: Jerzy Skuratowicz
Deputy Special Representative for Humanitarian, Reconstruction and Development Affairs: Christine McNab

United Nations Integrated Peacebuilding Office in Sierra Leone (UNIPSIL)

Executive Representative of the Secretary-General: Michael von der Schulenburg

United Nations Integrated Office in Burundi (BINUB)

Executive Representative of the Secretary-General and Head of BINUB: Youssef Mahmoud (until March), Charles Petrie (from April)
Deputy Special Representative: Bintou Keita

United Nations Mission in Nepal (UNMIN)

Representative of the Secretary-General in Nepal and Head of Mission: Karin Landgren

United Nations Regional Centre for Preventive Diplomacy for Central Asia (UNRCCA)

Special Representative of the Secretary-General and Head of UNRCCA: Miroslav Jenča

Economic and Social Council

The Economic and Social Council consists of 54 Member States of the United Nations, elected by the General Assembly, each for a three-year term, in accordance with the provisions of Article 61 of the United Nations Charter as amended in 1965 and 1973.

MEMBERS

To serve until 31 December 2010: Australia, Brazil, Cameroon, China, Congo, Finland, Malaysia, Moldova, Mozambique, Niger, Norway, Pakistan, Poland, Republic of Korea, Russian Federation, Saint Lucia, United Kingdom, Uruguay

To serve until 31 December 2011: Côte d'Ivoire, Estonia, France, Germany, Guatemala, Guinea-Bissau, India, Japan, Liechtenstein, Malta, Mauritius, Morocco, Namibia, Peru, Saint Kitts and Nevis, Saudi Arabia, Turkey, Venezuela

To serve until 31 December 2012: Argentina, Bahamas, Bangladesh, Belgium, Canada, Chile, Comoros, Egypt, Ghana, Iraq, Italy, Mongolia, Philippines, Rwanda, Slovakia, Ukraine, United States, Zambia

On 25 October 2010 (decision 65/403), the General Assembly elected Spain and Switzerland as members of the Economic and Social Council for the remainder of the terms of office of Turkey and Liechtenstein, respectively, beginning on 1 January 2011. At the same meeting, the General Assembly elected the following for a three-year term of office beginning on 1 January 2011 to fill vacancies occurring on 31 December 2010: Australia, Cameroon, China, Ecuador, Finland, Gabon, Hungary, Latvia, Malawi, Mexico, Nicaragua, Norway, Pakistan, Qatar, Republic of Korea, Russian Federation, Senegal, United Kingdom.

SESSIONS

Organizational session: New York, 19 January, 9 and 12 February

Resumed organizational session: New York, 28 April and 21 May

Special high-level meeting with the Bretton Woods institutions, the World Trade Organization and UNCTAD: New York, 18–19 March

Substantive session: New York, 28 June–23 July

Resumed substantive session: New York, 9 September, 25 October, 10 November, 14–15 December

OFFICERS

President: Hamidon Ali (Malaysia)

Vice-Presidents: Somduth Soborun (Mauritius), Alexandru Cujba (Moldova), Heraldo Muñoz (Chile), Morten Wetland (Norway)

Subsidiary and other related organs

SUBSIDIARY ORGANS

The Economic and Social Council may, at each session, set up committees or working groups of the whole or of limited membership, and refer to them any item on the agenda for study and report.

Other subsidiary organs reporting to the Council consist of functional commissions, regional commissions, standing committees, expert bodies and ad hoc bodies.

The inter-agency United Nations System Chief Executives Board for Coordination also reports to the Council.

Functional commissions

Commission on Crime Prevention and Criminal Justice

Sessions: Nineteenth, Vienna, 17–21 May (regular); 3 December (resumed)

Chairperson: Eugenio María Curia (Argentina)

Membership: 40

Report: E/2010/30

Commission on Narcotic Drugs

Sessions: Fifty-third, Vienna, 8–12 March; 2 December (resumed)

Chairperson: Ali Ashgar Soltanieh (Iran)

Membership: 53

Report: E/2010/28

Commission on Population and Development

Session: Forty-third, New York, 12–16 April

Chairman: Daniel Carmon (Israel)

Membership: 47

Report: E/2010/25

Decision: ESC 2010/201 B & C

Commission on Science and Technology for Development

Session: Thirteenth, Geneva, 17–21 May

Intersessional panel: 15–17 December

Chairman: Frédéric Riehl (Switzerland)

Membership: 43

Report: E/2010/31

Decision: ESC 2010/201 B & G

Commission for Social Development

Session: Forty-eighth, New York, 3–12 and 19 February

Chairperson: Leslie Kojo Christian (Ghana)

Membership: 46

Report: E/2010/26

Decision: ESC 2010/201 B

Commission on the Status of Women

Session: Fifty-fourth, New York, 1–12 March

Chairperson: Garen Nazarian (Armenia)

Membership: 45

Report: E/2010/27

Decision: ESC 2010/201 B

Commission on Sustainable Development

Session: Eighteenth, New York, 3–14 May

Chairperson: Luis Alberto Ferraté Felice (Guatemala)

Membership: 53

Report: E/2010/29

Decision: ESC 2010/201 B

Statistical Commission

Session: Forty-first, New York, 23–26 February

Chairperson: Ali bin Mahboob Al-Raisi (Oman)

Membership: 24

Report: E/2010/24

United Nations Forum on Forests

Session: Did not meet in 2010

Membership: Open to all Member States of the United Nations and members of the specialized agencies

Regional commissions

Economic Commission for Africa (ECA)

Session: Forty-third session of the Commission/Third Joint Annual Meetings of the African Union Conference of Ministers of Economy and Finance and the ECA Conference of African Ministers of Finance, Planning and Economic Development, Lilongwe, Malawi, 25–30 March

Chairperson: Bingu wa Mutharika (Malawi)

Membership: 53

Economic Commission for Europe (ECE)

Session: Did not meet in 2010

Membership: 56

Economic Commission for Latin America and the Caribbean (ECLAC)

Session: Thirty-third session, Brasília, Brazil, 30 May–1 June

Chairperson: President of Brazil

Membership: 44 members, 9 associate members

Report: E/2012/40

Economic and Social Commission for Asia and the Pacific (ESCAP)

Session: Sixty-sixth, Incheon, Republic of Korea, 13–19 May
Chairperson: Kim Jong-hoon (Republic of Korea)
Membership: 53 members, 9 associate members
Report: E/2010/39

Economic and Social Commission for Western Asia (ESCWA)

Session: Twenty-sixth, Beirut, Lebanon, 17–20 May
Chairpersons: Zeina Toukan (Jordan) for the senior officials' segment;
 Jaafar Hassan (Jordan) for the ministerial segment
Membership: 14
Report: E/2010/41

Standing committees

Committee on Non-Governmental Organizations

Sessions: New York, 25 January–3 February (regular); 26 May–4 June and 18 June (resumed)
Chairperson: Ramis Sen (Turkey)
Membership: 19
Decision: ESC 2010/201 B
Reports: E/2010/32 (Part I), E/2010/32 (Part II)

Committee for Programme and Coordination (CPC)

Sessions: Fiftieth, New York, 29 April (organizational); 7 June–2 July (substantive)
Chairman: Vladimir Pavlovich (Belarus)
Membership: 34
Report: A/65/16
Decision: ESC 2010/201 B

Expert bodies

Committee of Experts on International Cooperation in Tax Matters

Session: Sixth, Geneva, 18–22 October
Chairperson: Armando Lara Yaffar (Mexico)
Membership: 25
Report: E/2010/45
Decision: ESC 2010/201 E

Committee for Development Policy

Session: Twelfth, New York, 22–26 March
Chairperson: Frances Stewart (United Kingdom)
Membership: 24
Report: E/2010/33
Decision: ESC 2010/201 C

Committee on Economic, Social and Cultural Rights

Sessions: Forty-fourth, 3–21 May; forty-fifth, 1–19 November; all in Geneva
Chairperson: Jaime Marchan-Romero (Ecuador)
Membership: 18
Report: E/2011/22
Decision: ESC 2010/201 E

Committee of Experts on Public Administration

Session: Ninth, New York, 19–23 April
Chairperson: Luis F. Aguilar Villanueva (Mexico)
Membership: 24
Report: E/2010/44

Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized System of Classification and Labelling of Chemicals

Session: Fifth, Geneva, 10 December
Chairperson: Claude Pfauvadel (France)
Membership: 65
Report: ST/SG/AC.10/38
Decision: ESC 2010/201 B & E

Intergovernmental Working Group of Experts on International Standards of Accounting and Reporting

Session: Twenty-seventh, Geneva, 13–15 October
Chairperson: Nancy Kamp-Roelands (Netherlands)
Membership: 34
Report: TD/B/C.II/ISAR/57
Decision: ESC 2010/201 B & G

Permanent Forum on Indigenous Issues

Session: Ninth, New York, 19–30 April
Chairperson: Carlos Mamani Condori (Bolivia)
Membership: 16
Report: E/2010/43
Decision: ESC 2010/201 B & G

United Nations Group of Experts on Geographical Names

Session: Did not meet in 2010
Membership: Representatives of the 24 geographical/linguistic divisions of the Group of Experts

Ad hoc body

United Nations System Chief Executives Board for Coordination (CEB)

Sessions: First, Vienna, 9 April; second, New York, 5 November
Chairman: Secretary-General Ban Ki-moon (Republic of Korea)
Membership: 29
Reports: CEB/2010/1, CEB/2010/2

Other related bodies

International Research and Training Institute for the Advancement of Women (INSTRAW)¹⁸

EXECUTIVE BOARD

Membership: 10
Acting Director: Carolina Taborga (Bolivia) (until June); Yassine Fall (Senegal) (from July)

Joint United Nations Programme on Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome (UNAIDS)

PROGRAMME COORDINATING BOARD

Meetings: Twenty-sixth, 22–24 June; twenty-seventh, 6–8 December; all in Geneva
Chairperson: Marijke Wijnroks (Netherlands)
Membership: 22
Reports: UNAIDS/PCB(26)/10.15, UNAIDS/PCB(27)/10.27
Executive Director: Michel Sidibé (Mali)
Decision: ESC 2010/201 B

United Nations Children's Fund (UNICEF)

EXECUTIVE BOARD

Sessions: First, 12–14 January (regular); second, 7–9 September (regular); annual, 1–4 June; all in New York
President: Abulkalam Abdul Momen (Bangladesh)
Membership: 36
Report: E/2010/34/Rev.1
Decision: ESC 2010/201 B
Executive Director: Ann M. Veneman (United States) (until April), Anthony Lake (United States) (from May)

United Nations Development Programme (UNDP)/ United Nations Population Fund (UNFPA)/ United Nations Office for Project Services (UNOPS)¹⁹

EXECUTIVE BOARD

Sessions: First, 19–22 January (regular); second, 30 August–3 September (regular); all in New York; annual, Geneva, 21 June–2 July
President: John W. Ashe (Antigua and Barbuda)
Membership: 36
Report: E/2010/35
Decision: ESC 2010/201 B

Administrator of UNDP: Helen Clark (New Zealand)
Associate Administrator: Ad Melkert (Netherlands) (until 1 February);
 Rebeca Grynspan (Costa Rica)
Executive Director of UNFPA: Thoraya Ahmed Obaid (Saudi Arabia)
Executive Director of UNOPS: Jan Mattsson (Sweden)

UNITED NATIONS CAPITAL DEVELOPMENT FUND (UNCDF)

The UNDP/UNFPA/UNOPS Executive Board acts as the Executive Board of the Fund.

Managing Director: Helen Clark (UNDP Administrator)

UNITED NATIONS VOLUNTEERS (UNV)

Report: DP/2012/12

United Nations Research Institute for Social Development (UNRISD)

BOARD OF TRUSTEES

Session: Forty-eighth, Geneva, 22–23 June

Chairperson: Lourdes Arizpe (Mexico)

Membership: 10

Reports: Board/10/3, Board/11/3

Director: Sarah Cook (United Kingdom)

United Nations Interregional Crime and Justice Research Institute (UNICRI)

BOARD OF TRUSTEES

Membership: 7 (plus 4 ex-officio members)

Director: Sandro Calvani (Italy) (until February); Jonathan Lucas (Seychelles) (from February)

United Nations System Staff College (UNSSC)

BOARD OF GOVERNORS

Chairperson: Asha-Rose Migiro (Tanzania)

Membership: 9 (plus 3 ex-officio members)

Director: Carlos Lopes (Guinea-Bissau)

World Food Programme (WFP)

EXECUTIVE BOARD

Sessions: First, 8–11 February (regular); second, 8–11 November (regular); annual, 7–11 June; all in Rome

President: Sabas Pretelt de la Vega (Colombia)

Membership: 36

Report: E/2011/36

Decision: ESC 2010/201 B

Executive Director: Josette Sheeran (United States)

Trusteeship Council

The Trusteeship Council suspended operation on 1 November 1994 following the independence of Palau, the last remaining United Nations trust territory, on 1 October 1994. The General Assembly, by resolution 60/1 of 16 September 2005, considering

that the Council no longer met and had no remaining functions, resolved that Chapter XIII of the United Nations Charter and references to the Council in Chapter XII should be deleted.

International Court of Justice

Judges of the Court

The International Court of Justice consists of 15 Judges elected for nine-year terms by the General Assembly and the Security Council.

<i>Judge</i>	<i>Country of nationality</i>	<i>End of term</i>
Hisashi Owada, <i>President</i>	Japan	2012
Peter Tomka, <i>Vice-President</i>	Slovakia	2012
Xue Hanqin ²⁰	China	2012
Abdul G. Koroma	Sierra Leone	2012
Awn Shawkat Al-Khasawneh	Jordan	2018
Thomas Buergenthal ²¹	United States	2015
Bruno Simma	Germany	2012
Ronny Abraham	France	2018
Kenneth Keith	New Zealand	2015
Bernardo Sepúlveda Amor	Mexico	2015
Mohamed Bennouna	Morocco	2015
Leonid Skotnikov	Russian Federation	2015
Antônio Augusto Cançado Trindade	Brazil	2018
Abdulqawi Ahmed Yusuf	Somalia	2018
Christopher Greenwood	United Kingdom	2018

Registrar: Philippe Couvreur

Deputy Registrar: Thérèse de Saint Phalle

Chamber of Summary Procedure

Members: Hisashi Owada (ex officio), Peter Tomka (ex officio), Abdul G. Koroma, Thomas Burgenthal, Bruno Simma

Substitute members: Leonid Skotnikov, Christopher Greenwood

Parties to the Court's Statute

All Member States of the United Nations are ipso facto parties to the Statute of the International Court of Justice.

States accepting the compulsory jurisdiction of the Court

Declarations made by the following States—several with reservations—accepting the Court's compulsory jurisdiction (or made under the Statute of the Permanent Court of International Justice and deemed to be an acceptance of the jurisdiction of the International Court), were in force at the end of 2010:

Australia, Austria, Barbados, Belgium, Botswana, Bulgaria, Cambodia, Cameroon, Canada, Costa Rica, Côte d'Ivoire, Cyprus, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Egypt, Estonia, Finland, Gambia, Georgia, Germany, Greece, Guinea, Guinea-Bissau, Haiti, Honduras, Hungary, India, Japan, Kenya, Lesotho, Liberia, Liechtenstein, Luxembourg, Madagascar, Malawi, Malta, Mauritius, Mexico, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Senegal, Slovakia, Somalia, Spain, Sudan, Suriname, Swaziland, Sweden, Switzerland, Togo, Uganda, United Kingdom, Uruguay.

United Nations organs and specialized and related agencies authorized to request advisory opinions from the Court

Authorized by the United Nations Charter to request opinions on any legal question: General Assembly, Security Council

Authorized by the General Assembly in accordance with the Charter to request opinions on legal questions arising within the scope of their activities: Economic and Social Council, Trusteeship Council, Interim Committee of the General Assembly, ILO, FAO, UNESCO, ICAO, WHO, IBRD, IFC, IDA, IMF, ITU, WMO, IMO, WIPO, IFAD, UNIDO, IAEA

Committees of the Court

BUDGETARY AND ADMINISTRATIVE COMMITTEE

Members: Hisashi Owada (Chairperson) (ex officio), Peter Tomka (ex officio), Kenneth Keith, Bernardo Sepúlveda Amor, Mohamed Bennouna, Abdulqawi Ahmed Yusuf, Christopher Greenwood

LIBRARY COMMITTEE

Members: Thomas Buergethal (Chairperson) (until September), Bruno Simma (Chairperson) (from September), Ronny Abraham, Mohamed Bennouna, Antônio Augusto Cançado Trindade

RULES COMMITTEE

Members: Awn Shawkat Al-Khasawneh (Chairperson), Ronny Abraham, Kenneth Keith, Leonid Skotnikov, Antônio Augusto Cançado Trindade, Christopher Greenwood

Other United Nations-related bodies

The following bodies are not subsidiary to any principal organ of the United Nations but were established by an international treaty instrument or arrangement sponsored by the United Nations and are thus related to the Organization and its work.

Committee on the Elimination of Discrimination against Women (CEDAW)

Sessions: Forty-fifth, Geneva, 18 January–5 February; forty-sixth, New York, 12–30 July; forty-seventh, Geneva, 4–22 October
Chairperson: Naéla Gabr (Egypt)
Membership: 23
Reports: A/65/38, A/66/38

Committee on the Elimination of Racial Discrimination (CERD)

Sessions: Seventy-sixth, 15 February–12 March; seventy-seventh, 2–27 August; all in Geneva
Chairperson: Anwar Kemal (Pakistan)
Membership: 18
Report: A/65/18

Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families

Sessions: Twelfth, 26–30 April; thirteenth, 22 November–3 December; all in Geneva
Chairperson: Abdelhamid El Jamri (Morocco)
Membership: 14
Reports: A/65/48, A/66/48

Committee on the Rights of the Child

Sessions: Fifty-third, 11–29 January; fifty-fourth, 25 May–11 June; fifty-fifth, 13 September–1 October; all in Geneva
Chairperson: Yanghee Lee (Republic of Korea)
Membership: 18
Reports: A/65/41, A/67/41

These bodies, often referred to as “Treaty organs”, are serviced by the United Nations Secretariat and may be financed in part or wholly from the Organization’s regular budget, as authorized by the General Assembly, to which most of them report annually.

Committee against Torture

Sessions: Forty-fourth, 26 April–14 May; forty-fifth, 1–19 November; all in Geneva
Chairperson: Claudio Grossman (Chile)
Membership: 10
Reports: A/65/44, A/66/44

Conference on Disarmament

Meetings: Geneva, 18 January–26 March, 31 May–16 July, 9 August–24 September
President: Bangladesh, Belarus, Belgium, Brazil, Bulgaria, Cameroon (successively)
Membership: 65
Report: A/65/27

Human Rights Committee

Sessions: Ninety-eighth, New York, 8–26 March; ninety-ninth, 12–30 July; 100th, 11–29 October; all in Geneva
Chairperson: Yuji Iwasawa (Japan)
Membership: 18
Reports: A/65/40 (Vol. I), A/66/40 (Vol. I)

International Narcotics Control Board (INCB)

Sessions: Ninety-seventh, 1–5 February; ninety-eighth, 3–14 May; ninety-ninth, 27 October–12 November; all in Vienna
President: Hamid Ghodse (Iran)
Membership: 13
Report: E/INCB/2010/1
Decision: ESC 2010/201 D

Principal members of the United Nations Secretariat²²

Secretariat

Secretary-General: Ban Ki-moon
Deputy Secretary-General: Asha-Rose Migiro

Executive Office of the Secretary-General

Under-Secretary-General, Chef de Cabinet: Vijay Nambiar
Assistant Secretary-General, Deputy Chef de Cabinet: Kim Won-soo
Assistant Secretary-General for Policy Planning: Robert Orr

Office of Internal Oversight Services

Under-Secretary-General: Inga-Britt Ahlenius (until September), Carman L. Lapointe (from September)

Office of Legal Affairs

Under-Secretary-General, Legal Counsel: Patricia O’Brien
Assistant Secretary-General: Peter Taksøe-Jensen (until September), D. Stephen Mathias (from September)

Department of Political Affairs

Under-Secretary-General: B. Lynn Pascoe
Assistant Secretary-General: Haile Menkerios (until April), Oscar Fernández-Taranco, Tayé-Brook Zerihoun (from April)

Office for Disarmament Affairs

Under-Secretary-General, High Representative: Sergio de Queiroz Duarte

Department of Peacekeeping Operations

Under-Secretary-General: Alain Le Roy (until October)
Assistant Secretaries-General: Edmond Mulet (until April), Atul Khare (from May)
Assistant Secretary-General, Military Adviser: Lieutenant General Chikadibia Obiakor (until September), Lieutenant General Babacar Gaye (from September)

Department of Field Support

Under-Secretary-General: Susana Malcorra
Assistant Secretary-General: Anthony Banbury

Office for the Coordination of Humanitarian Affairs

Under-Secretary-General for Humanitarian Affairs, Emergency Relief Coordinator: John Holmes (until July), Valerie Amos (from July)
Assistant Secretary-General, Deputy Emergency Relief Coordinator: Catherine Bragg

Department of Economic and Social Affairs

Under-Secretary-General: Sha Zukang
Assistant Secretary-General for Economic Development: Kwame Sundaram Jomo
Assistant Secretary-General for Policy Coordination and Inter-agency Affairs: Thomas Stelzer

Department for General Assembly and Conference Management

Under-Secretary-General: Muhammad Shaaban
Assistant Secretary-General: Franz Baumann

Department of Public Information

Under-Secretary-General for Communications and Public Information and Coordinator for Multilingualism: Kiyotaka Akasaka

Department of Safety and Security

Under-Secretary-General: Gregory B. Starr

Department of Management

Under-Secretary-General: Angela Kane
OFFICE OF PROGRAMME PLANNING, BUDGET AND ACCOUNTS
Assistant Secretary-General, Controller: Jun Yamazaki
OFFICE OF HUMAN RESOURCES MANAGEMENT
Assistant Secretary-General: Catherine Pollard
OFFICE OF CENTRAL SUPPORT SERVICES
Assistant Secretary-General: Warren Sach
CAPITAL MASTER PLAN PROJECT
Assistant Secretary-General, Executive Director: Michael Adlerstein

Office of Information and Communications Technology

Assistant Secretary-General, Chief Information Technology Officer: Choi Soon-Hong

Office of the United Nations Ombudsman

Assistant Secretary-General, Ombudsman: Johnston Barkat

Peacebuilding Support Office

Assistant Secretary-General: Judy Cheng-Hopkins

United Nations Joint Staff Pension Fund

Assistant Secretary-General, Chief Executive Officer: Bernard G. Cochemé

Economic Commission for Africa

Under-Secretary-General, Executive Secretary: Abdoulaye Jannah

Economic Commission for Europe

Under-Secretary-General, Executive Secretary: Ján Kubiš

Economic Commission for Latin America and the Caribbean

Under-Secretary-General, Executive Secretary: Alicia Bárcena

Economic and Social Commission for Asia and the Pacific

Under-Secretary-General, Executive Secretary: Noeleen Heyzer

Economic and Social Commission for Western Asia

Under-Secretary-General, Executive Secretary: Bader Al-Dafa (until September), Rima Khalaf (from September)

United Nations Office at Geneva

Under-Secretary-General, Director-General of the United Nations Office at Geneva: Sergei Ordzhonikidze

United Nations Office at Vienna

Under-Secretary-General, Director-General of the United Nations Office at Vienna and Executive Director of the United Nations Office on Drugs and Crime: Antonio Maria Costa (until July), Yury Fedotov (from July)

United Nations Office at Nairobi

Under-Secretary-General, Director-General of the United Nations Office at Nairobi: Achim Steiner

International Court of Justice Registry

Assistant Secretary-General, Registrar: Philippe Couvreur

Secretariats of subsidiary organs, special representatives and other related bodies**Counter-Terrorism Committee Executive Directorate**

Assistant Secretary-General, Executive Director: Michael P.F. Smith

International Civil Service Commission

Under-Secretary-General, Chairman: Kingston Papie Rhodes
Assistant Secretary-General, Vice-Chairman: Wolfgang Stöckl

International Trade Centre UNCTAD/WTO

Assistant Secretary-General, Executive Director: Patricia Francis

Joint United Nations Programme on HIV/AIDS

Under-Secretary-General, Executive Director: Michel Sidibé
Under-Secretary-General, Special Adviser to the Secretary-General, Special Envoy for HIV/AIDS in Asia: Nafis Sadik
Assistant Secretary-General, Deputy Executive Director: Paul De Lay
Assistant Secretary-General, Deputy Executive Director: Jan Beagle
Assistant Secretary-General, Special Envoy for HIV/AIDS in Africa: Elizabeth Mataka
Assistant Secretary-General, Special Envoy for HIV/AIDS in the Caribbean Region: George Alleyne

Office of the Administration of Justice

Executive Director: Andrei Terekhov

Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States

Under-Secretary-General, High Representative: Cheick Sidi Diarra

Office of the Secretary-General's Special Envoy for Malaria

Assistant Secretary-General, Special Envoy: Ray Chambers

Office of the Special Adviser to the Secretary-General on Africa

Under-Secretary-General, Special Adviser: Cheick Sidi Diarra

Office of the Special Adviser to the Secretary-General on Myanmar

Under-Secretary-General, Special Adviser: Vijay Nambiar

Office of the Special Representative to the Secretary-General for Children and Armed Conflict

Under-Secretary-General, Special Representative: Radhika Coomaraswamy

**Office of the Special Adviser to the Secretary-General
on the Prevention of Genocide**

Under-Secretary-General, Special Adviser: Francis Deng

**Office of the Special Representative of the
Secretary-General for West Africa**

Under-Secretary-General, Special Representative: Said Djinnit

**Office of the United Nations
High Commissioner for Refugees**

Under-Secretary-General, High Commissioner: António Guterres
Assistant Secretary-General, Deputy High Commissioner: L. Craig Johnstone (until January), Alexander Aleinikoff (from February)
Assistant Secretary-General, Assistant High Commissioner (Protection): Erika Feller
Assistant Secretary-General, Assistant High Commissioner (Operations): Janet Lim

**Office of the United Nations
High Commissioner for Human Rights**

Under-Secretary-General, High Commissioner: Navanethem Pillay
Assistant Secretary-General, Deputy High Commissioner: Kyung-wha Kang
Assistant Secretary-General for Human Rights: Ivan Šimonović

**Office of the United Nations
Special Coordinator for the Middle East**

Under-Secretary-General, Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority: Robert H.erry
Deputy Special Coordinator and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority, Jerusalem: Maxwell Gaylard

**Office of the Special Representative
of the Secretary-General for Violence against Children**

Assistant Secretary-General, Special Representative: Marta Santos Pais

**Personal Envoy of the Secretary-General
for the Greece-FYROM Talks**

Under-Secretary-General, Personal Envoy: Matthew Nimetz

Personal Envoy of the Secretary-General for Western Sahara

Under-Secretary-General, Personal Envoy: Christopher Ross

**Personal Representative of the Secretary-General
on the Border Controversy between Guyana and Venezuela**

Under-Secretary-General: Norman Girvan

**Secretary-General's High-level Coordinator
for compliance by Iraq with its obligations regarding the
repatriation or return of all Kuwaiti and third country nationals
or their remains, as well as the return of all Kuwaiti property,
including archives seized by Iraq**

Under-Secretary-General, High-Level Coordinator: Gennady P. Tarasov

Senior UN System Coordinator for Avian and Human Influenza

Assistant Secretary-General, Senior UN System Coordinator: David Nabarro

Special Advisers to the Secretary-General

Under-Secretary-General, Special Advisers: Joseph V. Reed, Iqbal Riza

Special Adviser to the Secretary-General on Cyprus

Under-Secretary-General, Special Adviser: Alexander Downer

**Special Adviser to the Secretary-General
on Innovative Financing for Development**

Under-Secretary-General, Special Adviser: Philippe Douste-Blazy

**Special Adviser to the Secretary-General
for Internet Governance**

Under-Secretary-General, Special Adviser: Nitin Desai

**Special Adviser to the Secretary-General
on Legal Issues related to Piracy off the Coast of Somalia**

Special Adviser: Jack Lang

**Special Adviser to the Secretary-General and Mediator in the
border dispute between Equatorial Guinea and Gabon**

Under-Secretary-General, Special Adviser: Nicolas Michel

**Special Envoy of the Secretary-General for the implementation
of Security Council resolution 1559/2004**

Under-Secretary-General, Special Envoy: Terje Roed-Larsen

**Special Representative of the Secretary-General
on Food Security and Nutrition**

Special Representative: David Nabarro

Special Representative on Sexual Violence in Conflict

Under-Secretary-General, Special Representative: Margot Wallström

Special Representative of the Secretary-General on Migration

Under-Secretary-General, Special Representative: Peter Sutherland

**Special Representative of Secretary-General
on the issue of human rights, transnational
corporations and other business enterprises**

Under-Secretary-General, Special Representative: John Ruggie

Special Representative of the Secretary-General for the Sudan

Under-Secretary-General, Special Representative: Ashraf Jehangir Qazi (until February), Haile Menkerios (from February)
Assistant Secretary-General, Principal Deputy Special Representative: Jasbir Singh Lidder

Special Court for Sierra Leone

Assistant Secretary-General, Registrar: Herman von Hebel (until February), Binta Mansaray (from February)

Special Tribunal for Lebanon

Assistant Secretary-General, Registrar: David Tolbert (until March), Herman von Hebel (from March)

Staff-Management Coordination Committee

Assistant Secretary-General, President: Dieter Goethel

United Nations Alliance of Civilizations

Under-Secretary-General, High Representative: Jorge Sampaio

United Nations Children's Fund

Under-Secretary-General, Executive Director: Ann M. Veneman (until April), Anthony Lake (from May)
Assistant Secretaries-General, Deputy Executive Directors: Hilde Johnson (external relations), Omar Abdi (operations), Saad Houry (programmes)

United Nations Compensation Commission

Assistant Secretary-General, Executive Secretary: Mojtaba Kazazi

United Nations Conference on Trade and Development

Under-Secretary-General, Conference Secretary-General: Supachai Panitchpakdi

Assistant Secretary-General, Deputy-Secretary-General: Petko Draganov

United Nations Convention on Biological Diversity

Assistant Secretary-General, Executive Secretary: Ahmed Djoghlaif

United Nations Convention to Combat Desertification

Assistant Secretary-General, Executive Secretary: Luc Gnacadja

United Nations Development Programme

Under-Secretary-General, Administrator: Helen Clark
Under-Secretary-General, Associate Administrator: Rebeca Grynspan
Assistant Administrator and Director, Bureau for Crisis Prevention and Recovery: Jordan Ryan
Assistant Administrator and Director, Partnerships Bureau: Bruce Jenks (until May), Sigrid Kaag (from May)
Assistant Administrator and Director, Bureau of Management: Akiko Yuge

Assistant Administrator and Director, Bureau for Development Policy: Olav Kjørven
Assistant Administrator and Regional Director, Africa: Tegegnework Gettu
Assistant Administrator and Regional Director, Arab States: Amat Al Alim Alsoswa
Assistant Administrator and Regional Director, Asia and the Pacific: Ajay Chhibber
Assistant Administrator and Regional Director, Europe and the Commonwealth of Independent States: Kori Udovički
Assistant Administrator and Regional Director, Latin America and the Caribbean: Heraldo Muñoz

United Nations Environment Programme

Under-Secretary-General, Executive Director: Achim Steiner
Assistant Secretary-General, Deputy Executive Director: Angela Cropper
Assistant Secretary-General, Executive Secretary United Nations Framework Convention on Climate Change: Yvo de Boer (until May), Christiana Figueres (from May)

United Nations Global Compact

Executive Director: Georg Kell

United Nations Human Settlements Programme

Under-Secretary-General, Executive Director: Anna Kajumulo Tibaijuka (until October), Joan Clos (from October)
Assistant Secretary-General, Deputy Executive Director: Inga Björk-Klevby

United Nations Institute for Training and Research

Assistant Secretary-General, Executive Director: Carlos Lopes

United Nations International School

Assistant Secretary-General, Special Representative: Sylvia Fuhrman

United Nations Office for Disaster Risk Reduction

Assistant Secretary-General, Special Representative: Margareta Wahlström

United Nations Office for Project Services

Assistant Secretary-General, Executive Director: Jan Mattsson

United Nations Office for Partnerships

Executive Director: Amir Dossal

Office of the United Nations Special Envoy to Haiti

Under-Secretary-General, Special Envoy: William J. Clinton
Under-Secretary-General, Deputy Special Envoy: Paul Farmer

United Nations Office on Sport for Development and Peace

Under-Secretary-General, Special Adviser: Wilfried Lemke

United Nations Millennium Project

Under-Secretary-General, Senior Adviser to the Secretary-General on the Millennium Goals, Director UN Millennium Project: Jeffrey Sachs

United Nations Population Fund

Under-Secretary-General, Executive Director: Thoraya Ahmed Obaid
Assistant Secretary-General, Deputy Executive Director (Management): Mari Simonen
Assistant Secretary-General, Deputy Executive Director (Programme): Purnima Mane

United Nations Relief and Works Agency for Palestine Refugees in the Near East

Under-Secretary-General, Commissioner-General: Karen Koning AbuZayd (until January), Filippo Grandi (from January)
Assistant Secretary-General, Deputy Commissioner-General: Filippo Grandi (until January), Margot B. Ellis (from January)

United Nations University

Under-Secretary-General, Rector: Konrad Osterwalder

World Food Programme

Under-Secretary-General, Executive Director: Josette Sheeran
Assistant Secretary-General, Deputy Executive Director: Amir Mahmoud Abdulla
Assistant Secretary-General, Deputy Executive Director for Hunger Solutions: Sheila Sisulu

NOTES

- ¹ Elected on 11 June 2010 (GA dec. 64/422).
- ² Elected on 11 June 2010 (GA dec. 64/424).
- ³ One of the Main Committees that met during the resumed session.
- ⁴ Elected by the Committees; announced by the Assembly President on 11 June 2010 (GA dec. 64/423 A) and on 31 August 2010 (GA dec. 64/423 B).
- ⁵ Appointed on 5 October 2010 (GA dec. 65/401).
- ⁶ Resigned effective 1 August 2010; Akira Sugiyama (Japan) was appointed on 30 July 2010 (GA dec. 64/408 C) to fill the resultant vacancy.
- ⁷ Appointed on 16 March 2010 (GA dec. 64/408 B) to fill the vacancy created by the resignation of Nagesh Singh (India).
- ⁸ Appointed on 3 June 2010 (GA dec. 64/409 B) to fill the vacancy created by the resignation of Vyacheslav A. Logutov (Russian Federation).
- ⁹ Established by the General Assembly on 2 July 2010 (GA res. 64/289) to be operational on 1 January 2011.
- ¹⁰ Resigned effective 18 October 2010; Joan Clos (Spain) was appointed on 25 August 2010 (GA dec. 64/428) to fill the resultant vacancy.
- ¹¹ Also an advisory subsidiary body of the General Assembly.
- ¹² Mandate ended on 30 June 2010; MONUC was renamed United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) as of 1 July 2010 (GA res. 1925 (2010)).
- ¹³ Established on 1 July 2010 (GA res. 1925 (2010)).
- ¹⁴ Lost his life in the earthquake in Haiti, 12 January 2010.
- ¹⁵ Mandate ended on 31 December 2010.
- ¹⁶ Established by the Security Council on 26 June 2009 to be operational on 1 January 2010.
- ¹⁷ Established by the Security Council on 7 April 2009 to be operational on 1 January 2010.
- ¹⁸ Dissolved as of 20 July (GA res. 64/289; ESC res. 2010/7).
- ¹⁹ Renamed on 23 July to include UNOPS (ESC res. 2010/23).
- ²⁰ Elected on 29 June 2010 for a term of office beginning immediately and expiring on 5 February 2012, as a result of the resignation of Shi Jiuyong (GA dec. 64/426 A).
- ²¹ Resigned effective 9 September 2010; Joan Donoghue (United States) was elected on the same day to fill the resultant vacancy (GA dec. 64/426 B).
- ²² As at 30 June 2010, staff internationally and locally recruited in the UN Secretariat, including staff on an appointment of less than one year, numbered 44,134 under the 100, 200 or 300 series of the Staff Rules. Of these, 12,159 were in the Professional and higher categories, 4,438 in the Field Service category, 27,537 in the General Service and related categories.

Agendas of the United Nations principal organs in 2010

This appendix lists the items on the agendas of the General Assembly, the Security Council and the Economic and Social Council during 2010. For the Assembly, the column headed “*Allocation*” indicates the assignment of each item to plenary meetings or committees.

General Assembly

Agenda items considered at the resumed sixty-fourth session (22 January–14 September 2010) [decision 64/549, A/64/49 (Vol. II)]

<i>Item No.</i>	<i>Title</i>	<i>Allocation</i>
9.	Report of the Security Council.	Plenary
10.	Report of the Peacebuilding Commission.	Plenary
13.	Prevention of armed conflict.	Plenary
14.	Protracted conflicts in the GUAM area and their implications for international peace, security and development.	Plenary
15.	The situation in the Middle East.	Plenary
16.	Question of Palestine.	Plenary
18.	The situation in the occupied territories of Azerbaijan.	Plenary
20.	The situation in Central America: progress in fashioning a region of peace, freedom, democracy and development.	Plenary
21.	Question of Cyprus.	Plenary
22.	Armed aggression against the Democratic Republic of the Congo.	Plenary
23.	Question of the Falkland Islands (Malvinas).	Plenary
24.	The situation of democracy and human rights in Haiti.	Plenary
25.	Armed Israeli aggression against the Iraqi nuclear installations and its grave consequences for the established international system concerning the peaceful uses of nuclear energy, the non-proliferation of nuclear weapons and international peace and security.	Plenary
26.	Consequences of the Iraqi occupation of and aggression against Kuwait.	Plenary
29.	Effects of atomic radiation.	4th
33.	Comprehensive review of the whole question of peacekeeping operations in all their aspects.	4th
42.	Report of the Economic and Social Council.	Plenary
44.	Implementation of the Declaration of Commitment on HIV/AIDS and the Political Declaration on HIV/AIDS.	Plenary
45.	Sport for peace and development: building a peaceful and better world through sport and the Olympic ideal.	Plenary
46.	Global road safety crisis.	Plenary
48.	Integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic, social and related fields.	Plenary
49.	Culture of peace.	Plenary
52.	Follow-up to and implementation of the outcome of the 2002 International Conference on Financing for Development and the 2008 Review Conference.	Plenary, 2nd
53.	Sustainable development:	2nd
	(d) Protection of global climate for present and future generations.	
62.	Advancement of women.	3rd
63.	New Partnership for Africa's Development: progress in implementation and international support.	Plenary
64.	Report of the Human Rights Council.	Plenary, 3rd
70.	Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance:	Plenary
	(a) Strengthening of the coordination of emergency humanitarian assistance of the United Nations.	
77.	Request for an advisory opinion of the International Court of Justice on whether the unilateral declaration of independence of Kosovo is in accordance with international law.	Plenary
96.	General and complete disarmament.	1st
106.	Measures to eliminate international terrorism	6th
107.	Report of the Secretary-General on the work of the Organization.	Plenary
108.	Report of the Secretary-General on the Peacebuilding Fund.	Plenary
111.	Elections to fill vacancies in subsidiary organs and other elections:	Plenary
	(a) Election of seven members of the Committee for Programme and Coordination;	
	(b) Election of the United Nations High Commissioner for Refugees;	
	(c) Election of thirty members of the United Nations Commission on International Trade Law;	
	(d) Election of the Executive Director of the United Nations Environment Programme;	
	(f) Election of the Executive Director of the United Nations Human Settlements Programme;	
	(h) Election of fourteen members of the Human Rights Council.	

<i>Item No.</i>	<i>Title</i>	<i>Allocation</i>
112.	Appointments to fill vacancies in subsidiary organs and other appointments: (f) Appointment of members of the Committee on Conferences; (g) Appointment of members of the Joint Inspection Unit; (i) Appointment of the Under-Secretary-General for Internal Oversight Services; (j) Appointment of three ad litem judges of the United Nations Dispute Tribunal.	Plenary, 5th
113.	Admission of new Members to the United Nations.	Plenary
114.	Follow-up to the outcome of the Millennium Summit.	Plenary
115.	The United Nations Global Counter-Terrorism Strategy.	Plenary
118.	Revitalization of the work of the General Assembly.	Plenary, 1st, 4th, 2nd, 3rd, 5th, 6th
119.	Question of equitable representation on and increase in the membership of the Security Council and related matters.	Plenary
120.	Strengthening of the United Nations system.	Plenary
121.	United Nations reform: measures and proposals.	Plenary
122.	Follow-up to the recommendations on administrative management and internal oversight of the Independent Inquiry Committee into the United Nations Oil-for-Food Programme.	Plenary
123.	Global health and foreign policy.	Plenary
125.	Cooperation between the United Nations and the Collective Security Treaty Organization.	Plenary
126.	Sixty-fifth anniversary of the end of the Second World War.	Plenary
127.	International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994.	Plenary
128.	International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991.	Plenary
129.	Financial reports and audited financial statements, and reports of the Board of Auditors.	5th
130.	Review of the efficiency of the administrative and financial functioning of the United Nations.	5th
131.	Programme budget for the biennium 2008–2009.	5th
132.	Proposed programme budget for the biennium 2010–2011.	5th
133.	Programme planning.	Plenary, 1st, 4th, 2nd, 3rd, 5th, 6th
134.	Improving the financial situation of the United Nations.	5th
135.	Pattern of conferences.	5th
136.	Scale of assessments for the apportionment of the expenses of the United Nations.	5th
137.	Human resources management.	5th
138.	Joint Inspection Unit.	5th
139.	United Nations common system.	5th
140.	Report on the activities of the Office of Internal Oversight Services.	5th
141.	Review of the implementation of General Assembly resolutions 48/218B, 54/244 and 59/272.	5th
142.	Administration of justice at the United Nations.	5th, 6th
143.	Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994.	5th
144.	Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991.	5th
145.	Scale of assessments for the apportionment of the expenses of United Nations peacekeeping operations.	5th
146.	Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations.	5th
147.	Financing of the United Nations Operation in Burundi.	5th
148.	Financing of the United Nations Operation in Côte d'Ivoire.	5th
149.	Financing of the United Nations Peacekeeping Force in Cyprus.	5th
150.	Financing of the United Nations Organization Mission in the Democratic Republic of the Congo.	5th
151.	Financing of the United Nations Mission in East Timor.	5th
152.	Financing of the United Nations Integrated Mission in Timor-Leste.	5th
153.	Financing of the United Nations Mission in Ethiopia and Eritrea.	5th
154.	Financing of the United Nations Observer Mission in Georgia.	5th
155.	Financing of the United Nations Stabilization Mission in Haiti.	5th
156.	Financing of the United Nations Interim Administration Mission in Kosovo.	5th
157.	Financing of the United Nations Mission in Liberia.	5th
158.	Financing of the United Nations peacekeeping forces in the Middle East.	5th

Item No.	Title	Allocation
159.	Financing of the United Nations Mission in the Sudan.	5th
160.	Financing of the United Nations Mission for the Referendum in Western Sahara.	5th
161.	Financing of the African Union-United Nations Hybrid Operation in Darfur.	5th
162.	Financing of the United Nations Mission in the Central African Republic and Chad.	5th
163.	Financing of the activities arising from Security Council resolution 1863(2009).	5th
172.	Question of the Comorian island of Mayotte.	Plenary

**Agenda of the sixty-fifth session, first part
(14 September–24 December 2010) [A/65/49 (Vol. I), Annex I]**

Item No.	Title	Allocation
1.	Opening of the session by the President of the General Assembly.	Plenary
2.	Minute of silent prayer or meditation.	Plenary
3.	Credentials of representatives to the sixty-fifth session of the General Assembly:	Plenary
	(a) Appointment of the members of the Credentials Committee;	
	(b) Report of the Credentials Committee.	
4.	Election of the President of the General Assembly.	Plenary
5.	Election of the officers of the Main Committees.	1st, 4th, 2nd, 3rd, 5th, 6th
6.	Election of the Vice-Presidents of the General Assembly.	Plenary
7.	Organization of work, adoption of the agenda and allocation of items: reports of the General Committee.	Plenary
8.	General debate.	Plenary

A. Promotion of sustained economic growth and sustainable development in accordance with the relevant resolutions of the General Assembly and recent United Nations conferences

9.	Report of the Economic and Social Council.	Plenary
10.	Implementation of the Declaration of Commitment on HIV/AIDS and the Political Declaration on HIV/AIDS.	Plenary
11.	Sport for peace and development.	Plenary
12.	2001–2010: Decade to Roll Back Malaria in Developing Countries, Particularly in Africa.	Plenary
13.	Integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic, social and related fields.	Plenary
14.	Global Agenda for Dialogue among Civilizations.	Plenary
15.	Culture of peace.	Plenary
16.	The role of the United Nations in promoting a new global human order.	Plenary
17.	Information and communications technologies for development.	2nd
18.	Macroeconomic policy questions:	2nd
	(a) International trade and development;	
	(b) International financial system and development;	
	(c) External debt sustainability and development.	
19.	Follow-up to and implementation of the outcome of the 2002 International Conference on Financing for Development and the 2008 Review Conference.	2nd
20.	Sustainable development:	Plenary, 2nd
	(a) Implementation of Agenda 21, the Programme for the Further Implementation of Agenda 21 and the outcomes of the World Summit on Sustainable Development;	
	(b) Follow-up to and implementation of the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States;	
	(c) International Strategy for Disaster Reduction;	
	(d) Protection of global climate for present and future generations of humankind;	
	(e) Implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa;	
	(f) Convention on Biological Diversity;	
	(g) Report of the Governing Council of the United Nations Environment Programme on its eleventh special session;	
	(h) United Nations Decade of Education for Sustainable Development;	
	(i) Harmony with Nature.	
21.	Implementation of the outcome of the United Nations Conference on Human Settlements (Habitat II) and strengthening of the United Nations Human Settlements Programme (UN-Habitat).	2nd
22.	Globalization and interdependence:	2nd
	(a) Role of the United Nations in promoting development in the context of globalization and interdependence;	
	(b) Preventing and combating corrupt practices and transfer of assets of illicit origin and returning such assets, in particular to the countries of origin, consistent with the United Nations Convention against Corruption;	
	(c) International migration and development.	

<i>Item No.</i>	<i>Title</i>	<i>Allocation</i>
23.	Groups of countries in special situations:	2nd
(a)	Fourth United Nations Conference on the Least Developed Countries;	
(b)	Specific actions related to the particular needs and problems of landlocked developing countries: outcome of the International Ministerial Conference of Landlocked and Transit Developing Countries and Donor Countries and International Financial and Development Institutions on Transit Transport Cooperation.	
24.	Eradication of poverty and other development issues:	Plenary, 2nd
(a)	Implementation of the Second United Nations Decade for the Eradication of Poverty (2008–2017);	
(b)	Industrial development cooperation.	
25.	Operational activities for development: operational activities for development of the United Nations system.	2nd
26.	Agriculture development and food security.	2nd
27.	Social development:	3rd
(a)	Implementation of the outcome of the World Summit for Social Development and of the twenty-fourth special session of the General Assembly;	
(b)	Social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family;	
(c)	Follow-up to the International Year of Older Persons: Second World Assembly on Ageing;	
(d)	United Nations Literacy Decade: education for all.	
28.	Advancement of women:	3rd
(a)	Advancement of women;	
(b)	Implementation of the outcome of the Fourth World Conference on Women and of the twenty-third special session of the General Assembly.	
B. Maintenance of international peace and security		
29.	Report of the Security Council.	Plenary
30.	Report of the Peacebuilding Commission.	Plenary
31.	Elimination of unilateral extraterritorial coercive economic measures as a means of political and economic compulsion.	Plenary
32.	The role of diamonds in fuelling conflict.	Plenary
33.	Prevention of armed conflict.	Plenary
34.	Protracted conflicts in the GUAM area and their implications for international peace, security and development.	Plenary
35.	Zone of peace and cooperation of the South Atlantic.	Plenary
36.	The situation in the Middle East.	Plenary
37.	Question of Palestine.	Plenary
38.	The situation in Afghanistan.	Plenary
39.	The situation in the occupied territories of Azerbaijan.	Plenary
40.	Question of the Comorian island of Mayotte.	
41.	Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba.	Plenary
42.	The situation in Central America: progress in fashioning a region of peace, freedom, democracy and development.	Plenary
43.	Question of Cyprus.	Plenary
44.	Armed aggression against the Democratic Republic of the Congo.	Plenary
45.	Question of the Falkland Islands (Malvinas).	Plenary
46.	The situation of democracy and human rights in Haiti.	Plenary
47.	Armed Israeli aggression against the Iraqi nuclear installations and its grave consequences for the established international system concerning the peaceful uses of nuclear energy, the non-proliferation of nuclear weapons and international peace and security.	Plenary
48.	Consequences of the Iraqi occupation of and aggression against Kuwait.	Plenary
49.	Effects of atomic radiation.	4th
50.	International cooperation in the peaceful uses of outer space.	4th
51.	United Nations Relief and Works Agency for Palestine Refugees in the Near East.	4th
52.	Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories.	4th
53.	Comprehensive review of the whole question of peacekeeping operations in all their aspects.	4th
54.	Questions relating to information.	4th
55.	Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter of the United Nations.	4th
56.	Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories.	4th
57.	Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations.	4th
58.	Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories.	4th
59.	Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.	Plenary, 4th
60.	Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources.	2nd
61.	Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions.	3rd

Item No.	Title	Allocation
C. Development of Africa		
62.	New Partnership for Africa's Development: progress in implementation and international support:	Plenary
	(a) New Partnership for Africa's Development: progress in implementation and international support;	
	(b) Causes of conflict and the promotion of durable peace and sustainable development in Africa.	
D. Promotion of human rights		
63.	Report of the Human Rights Council.	Plenary, 3rd
64.	Promotion and protection of the rights of children:	3rd
	(a) Promotion and protection of the rights of children;	
	(b) Follow-up to the outcome of the special session on children.	
65.	Indigenous issues:	3rd
	(a) Indigenous issues;	
	(b) Second International Decade of the World's Indigenous People.	
66.	Elimination of racism, racial discrimination, xenophobia and related intolerance:	3rd
	(a) Elimination of racism, racial discrimination, xenophobia and related intolerance;	
	(b) Comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action.	
67.	Right of peoples to self-determination.	3rd
68.	Promotion and protection of human rights:	3rd
	(a) Implementation of human rights instruments;	
	(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms;	
	(c) Human rights situations and reports of special rapporteurs and representatives;	
	(d) Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action.	
E. Effective coordination of humanitarian assistance efforts		
69.	Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance:	Plenary
	(a) Strengthening of the coordination of emergency humanitarian assistance of the United Nations;	
	(b) Assistance to the Palestinian people;	
	(c) Strengthening of international cooperation and coordination of efforts to study, mitigate and minimize the consequences of the Chernobyl disaster;	
	(d) Special economic assistance to individual countries or regions.	
F. Promotion of justice and international law		
70.	Report of the International Court of Justice.	Plenary
71.	Report of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994.	Plenary
72.	Report of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991.	Plenary
73.	Report of the International Criminal Court.	Plenary
74.	Oceans and the law of the sea:	Plenary
	(a) Oceans and the law of the sea;	
	(b) Sustainable fisheries, including through the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, and related instruments.	
75.	Responsibility of States for internationally wrongful acts.	6th
76.	Criminal accountability of United Nations officials and experts on mission.	6th
77.	Report of the United Nations Commission on International Trade Law on the work of its forty-third session.	6th
78.	United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law.	6th
79.	Report of the International Law Commission on the work of its sixty-second session.	6th
80.	Diplomatic protection.	6th
81.	Consideration of prevention of transboundary harm from hazardous activities and allocation of loss in the case of such harm.	6th
82.	Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts.	6th
83.	Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives.	6th
84.	Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization.	6th
85.	The rule of law at the national and international levels.	6th
86.	The scope and application of the principle of universal jurisdiction.	6th

Item No.	Title	Allocation
G. Disarmament		
87.	Report of the International Atomic Energy Agency.	Plenary
88.	Reduction of military budgets.	1st
89.	African Nuclear-Weapon-Free Zone Treaty.	1st
90.	Consolidation of the regime established by the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco).	1st
91.	Maintenance of international security—good-neighbourliness, stability and development in South-Eastern Europe.	1st
92.	Developments in the field of information and telecommunications in the context of international security.	1st
93.	Establishment of a nuclear-weapon-free zone in the region of the Middle East.	1st
94.	Conclusion of effective international arrangements to assure non-nuclear weapon States against the use or threat of use of nuclear weapons.	1st
95.	Prevention of an arms race in outer space.	1st
96.	Role of science and technology in the context of international security and disarmament.	Plenary, 1st
97.	General and complete disarmament:	1st
	(a) Notification of nuclear tests;	
	(b) Further measures in the field of disarmament for the prevention of an arms race on the seabed and the ocean floor and in the subsoil thereof;	
	(c) Measures to uphold the authority of the 1925 Geneva Protocol;	
	(d) Effects of the use of armaments and ammunitions containing depleted uranium;	
	(e) Missiles;	
	(f) Mongolia's international security and nuclear-weapon-free status;	
	(g) Information on confidence-building measures in the field of conventional arms;	
	(h) Consolidation of peace through practical disarmament measures;	
	(i) Establishment of a nuclear-weapon-free zone in Central Asia;	
	(j) Preventing and combating illicit brokering activities;	
	(k) Disarmament and non-proliferation education;	
	(l) Treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices;	
	(m) Assistance to States for curbing the illicit traffic in small arms and light weapons and collecting them;	
	(n) Relationship between disarmament and development;	
	(o) Observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control;	
	(p) Promotion of multilateralism in the area of disarmament and non-proliferation;	
	(q) Reducing nuclear danger;	
	(r) Measures to prevent terrorists from acquiring weapons of mass destruction;	
	(s) Regional disarmament;	
	(t) Conventional arms control at the regional and subregional levels;	
	(u) Confidence-building measures in the regional and subregional context;	
	(v) Nuclear-weapon-free southern hemisphere and adjacent areas;	
	(w) Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction;	
	(x) Renewed determination towards the total elimination of nuclear weapons;	
	(y) Transparency and confidence-building measures in outer space activities;	
	(z) The illicit trade in small arms and light weapons in all its aspects;	
	(aa) Nuclear disarmament;	
	(bb) Transparency in armaments;	
	(cc) Follow-up to the advisory opinion of the International Court of Justice on the <i>Legality of the Threat or Use of Nuclear Weapons</i> ;	
	(dd) Towards a nuclear-weapon-free world: accelerating the implementation of nuclear disarmament commitments;	
	(ee) Convening of the fourth special session of the General Assembly devoted to disarmament;	
	(ff) Preventing the acquisition by terrorists of radioactive materials and sources.	
98.	Review and implementation of the Concluding Document of the Twelfth Special Session of the General Assembly:	1st
	(a) United Nations disarmament fellowship, training and advisory services;	
	(b) United Nations Disarmament Information Programme;	
	(c) United Nations regional centres for peace and disarmament;	
	(d) Convention on the Prohibition of the Use of Nuclear Weapons;	
	(e) United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean;	
	(f) Regional confidence-building measures: activities of the United Nations Standing Advisory Committee on Security Questions in Central Africa;	
	(g) United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific.	

Item No.	Title	Allocation
99.	Review of the implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session:	1st
	(a) Report of the Conference on Disarmament;	
	(b) Report of the Disarmament Commission.	
100.	The risk of nuclear proliferation in the Middle East.	1st
101.	Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects.	1st
102.	Strengthening of security and cooperation in the Mediterranean region.	1st
103.	Comprehensive Nuclear-Test-Ban Treaty.	1st
104.	Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction.	1st
H. Drug control, crime prevention and combating international terrorism in all its forms and manifestations		
105.	Crime prevention and criminal justice.	3rd
106.	International drug control.	3rd
107.	Measures to eliminate international terrorism.	6th
I. Organizational, administrative and other matters		
108.	Report of the Secretary-General on the work of the Organization.	Plenary
109.	Report of the Secretary-General on the Peacebuilding Fund.	Plenary
110.	Notification by the Secretary-General under Article 12, paragraph 2, of the Charter of the United Nations.	Plenary
111.	Elections to fill vacancies in principal organs:	Plenary
	(a) Election of five non-permanent members of the Security Council;	
	(b) Election of eighteen members of the Economic and Social Council.	
112.	Elections to fill vacancies in subsidiary organs and other elections:	Plenary
	(a) Election of seven members of the Committee for Programme and Coordination;	
	(b) Election of five members of the Organizational Committee of the Peacebuilding Commission;	
	(c) Election of fifteen members of the Human Rights Council.	
113.	Appointments to fill vacancies in subsidiary organs and other appointments:	Plenary, 5th
	(a) Appointment of members of the Advisory Committee on Administrative and Budgetary Questions;	
	(b) Appointment of members of the Committee on Contributions;	
	(c) Confirmation of the appointment of members of the Investments Committee;	
	(d) Appointment of members of the International Civil Service Commission:	
	(i) Appointment of members of the Commission;	
	(ii) Designation of the Chairman of the Commission;	
	(e) Appointment of members of the Independent Audit Advisory Committee;	
	(f) Appointment of members of the Committee on Conferences;	
	(g) Appointment of a judge of the United Nations Appeals Tribunal;	
	(h) Appointment of ad litem judges of the United Nations Dispute Tribunal.	
114.	Admission of new Members to the United Nations.	Plenary
115.	Follow-up to the outcome of the Millennium Summit.	Plenary
116.	Follow-up to the commemoration of the two-hundredth anniversary of the abolition of the transatlantic slave trade.	Plenary
117.	Implementation of the resolutions of the United Nations.	Plenary
118.	Revitalization of the work of the General Assembly.	Plenary, 1st, 4th, 2nd, 3rd, 5th, 6th
119.	Question of equitable representation on and increase in the membership of the Security Council and related matters.	Plenary
120.	Strengthening of the United Nations system.	Plenary
121.	Multilingualism.	Plenary
122.	Cooperation between the United Nations and regional and other organizations:	Plenary
	(a) Cooperation between the United Nations and the African Union;	
	(b) Cooperation between the United Nations and the Asian-African Legal Consultative Organization;	
	(c) Cooperation between the United Nations and the Association of Southeast Asian Nations;	
	(d) Cooperation between the United Nations and the Black Sea Economic Cooperation Organization;	
	(e) Cooperation between the United Nations and the Caribbean Community;	
	(f) Cooperation between the United Nations and the Collective Security Treaty Organization;	
	(g) Cooperation between the United Nations and the Community of Portuguese-speaking Countries;	
	(h) Cooperation between the United Nations and the Council of Europe;	
	(i) Cooperation between the United Nations and the Economic Community of Central African States;	
	(j) Cooperation between the United Nations and the Economic Cooperation Organization;	
	(k) Cooperation between the United Nations and the Eurasian Economic Community;	
	(l) Cooperation between the United Nations and the International Organization of la Francophonie;	

Item No.	Title	Allocation
	(m) Cooperation between the United Nations, national parliaments and the Inter-Parliamentary Union;	
	(n) Cooperation between the United Nations and the Latin American Economic System;	
	(o) Cooperation between the United Nations and the League of Arab States;	
	(p) Cooperation between the United Nations and the Organization for the Prohibition of Chemical Weapons;	
	(q) Cooperation between the United Nations and the Organization for Security and Cooperation in Europe;	
	(r) Cooperation between the United Nations and the Organization of American States;	
	(s) Cooperation between the United Nations and the Organization of the Islamic Conference;	
	(t) Cooperation between the United Nations and the Pacific Islands Forum;	
	(u) Cooperation between the United Nations and the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization;	
	(v) Cooperation between the United Nations and the Shanghai Cooperation Organization;	
	(w) Cooperation between the United Nations and the Southern African Development Community.	
123.	Follow-up to the recommendations on administrative management and internal oversight of the Independent Inquiry Committee into the United Nations Oil for-Food Programme.	Plenary
124.	Global health and foreign policy.	Plenary
125.	International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994.	Plenary
126.	International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991.	Plenary
127.	Financial reports and audited financial statements, and reports of the Board of Auditors:	5th
	(a) United Nations;	
	(b) United Nations peacekeeping operations;	
	(c) International Trade Centre UNCTAD/WTO;	
	(d) United Nations University;	
	(e) Capital master plan;	
	(f) United Nations Development Programme;	
	(g) United Nations Children's Fund;	
	(h) United Nations Relief and Works Agency for Palestine Refugees in the Near East;	
	(i) United Nations Institute for Training and Research;	
	(j) Voluntary funds administered by the United Nations High Commissioner for Refugees;	
	(k) Fund of the United Nations Environment Programme;	
	(l) United Nations Population Fund;	
	(m) United Nations Human Settlements Programme;	
	(n) United Nations Office on Drugs and Crime;	
	(o) United Nations Office for Project Services;	
	(p) International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994;	
	(q) International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991.	
128.	Review of the efficiency of the administrative and financial functioning of the United Nations.	5th
129.	Programme budget for the biennium 2010–2011.	5th
130.	Programme planning.	Plenary, 1st, 4th, 2nd, 3rd, 5th, 6th
131.	Improving the financial situation of the United Nations.	5th
132.	Pattern of conferences.	5th
133.	Scale of assessments for the apportionment of the expenses of the United Nations.	5th
134.	Human resources management.	5th
135.	Joint Inspection Unit.	5th
136.	United Nations common system.	5th
137.	United Nations pension system.	5th
138.	Administrative and budgetary coordination of the United Nations with the specialized agencies and the International Atomic Energy Agency.	5th
139.	Report on the activities of the Office of Internal Oversight Services.	5th
140.	Administration of justice at the United Nations.	5th, 6th
141.	Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994.	5th

<i>Item No.</i>	<i>Title</i>	<i>Allocation</i>
142.	Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991.	5th
143.	Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations.	5th
144.	Financing of the United Nations Mission in the Central African Republic and Chad.	5th
145.	Financing of the United Nations Operation in Côte d'Ivoire.	5th
146.	Financing of the United Nations Peacekeeping Force in Cyprus.	5th
147.	Financing of the United Nations Organization Mission in the Democratic Republic of the Congo.	5th
148.	Financing of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo.	5th
149.	Financing of the United Nations Mission in East Timor.	5th
150.	Financing of the United Nations Integrated Mission in Timor-Leste.	5th
151.	Financing of the United Nations Mission in Ethiopia and Eritrea.	5th
152.	Financing of the United Nations Observer Mission in Georgia.	5th
153.	Financing of the United Nations Stabilization Mission in Haiti.	5th
154.	Financing of the United Nations Interim Administration Mission in Kosovo.	5th
155.	Financing of the United Nations Mission in Liberia.	5th
156.	Financing of the United Nations peacekeeping forces in the Middle East: (a) United Nations Disengagement Observer Force; (b) United Nations Interim Force in Lebanon.	5th
157.	Financing of the United Nations Mission in the Sudan.	5th
158.	Financing of the United Nations Mission for the Referendum in Western Sahara.	5th
159.	Financing of the African Union-United Nations Hybrid Operation in Darfur.	5th
160.	Financing of the activities arising from Security Council resolution 1863(2009).	5th
161.	Report of the Committee on Relations with the Host Country.	6th
162.	Follow-up to the high-level meeting held on 24 September 2010: revitalizing the work of the Conference on Disarmament and taking forward multilateral disarmament negotiations.	Plenary, 1st
163.	Appointment of the Secretary-General of the United Nations.	Plenary

Security Council

Questions considered during 2010

Title

The situation in the Middle East, including the Palestinian question.
The situation in the Middle East.
The situation in Cyprus.
The situation concerning Western Sahara.
The situation in Timor-Leste.
United Nations peacekeeping operations.
The situation in Liberia.
The situation in Somalia.
The situation in Bosnia and Herzegovina.
Security Council resolutions 1160(1998), 1199(1998), 1203(1998), 1239(1999) and 1244(1999).
International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991.
International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994.
The question concerning Haiti.
The situation in Burundi.
The situation in Afghanistan.
The situation in Sierra Leone.
The situation in the Great Lakes region.
The situation concerning the Democratic Republic of the Congo.
The situation in the Central African Republic.
Children and armed conflict.
The situation in Guinea-Bissau.
Protection of civilians in armed conflict.
Women and peace and security.
Briefing by the President of the International Court of Justice.
Briefing by the Chairman-in-Office of the Organization for Security and Cooperation in Europe.
Meeting of the Security Council with the troop- and police-contributing countries [UNFICYP, UNDOF, UNIFIL, MINURSO, MONUSCO, UNMIL, UNOCI, MINUSTAH, UNMIS, UNMIT, UNAMID, MINURCAT].

Title

Threats to international peace and security caused by terrorist acts.
 Briefings by Chairmen of subsidiary bodies of the Security Council.
 The situation in Côte d'Ivoire.
 Security Council mission.
 The promotion and strengthening of the rule of law in the maintenance of international peace and security.
 Central African region.
 Reports of the Secretary-General on the Sudan.
 Post-conflict peacebuilding [general matters].
 The situation concerning Iraq.
 Threats to international peace and security.
 Non-proliferation.
 Peace consolidation in West Africa [United Nations Office for West Africa; Guinea].
 Non-proliferation/Democratic People's Republic of Korea.
 Letter dated 22 November 2006 from the Secretary-General addressed to the President of the Security Council.
 Maintenance of international peace and security [nuclear non-proliferation and nuclear disarmament; intercultural dialogue for peace and security; optimizing the use of preventive diplomacy tools: prospects and challenges in Africa; ensuring the Security Council's effective role in maintaining international peace and security].
 The situation in Chad, the Central African Republic and the subregion.
 Peace and security in Africa [general issues; Djibouti and Eritrea].
 Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security.
 Letter dated 4 June 2010 from the Permanent Representative of the Republic of Korea to the United Nations addressed to the President of the Security Council (S/2010/281) and other relevant letters.
 Letter dated 18 December 2010 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council.

Other matters considered during 2010

Items relating to Security Council documentation and working methods and procedure.
 Annual report of the Security Council to the General Assembly.
 International Court of Justice [date of election; election of a member].

Economic and Social Council

Agenda of the organizational and resumed organizational session for 2010
(19 January, 9 and 12 February, 28 April and 21 May)

*Item No.**Title*

1. Election of the Bureau.
2. Adoption of the agenda and other organizational matters.
3. Basic programme of work of the Council.
4. Elections, nominations, confirmations and appointments.

Agenda of the substantive and resumed substantive sessions of 2010
(28 June–23 July, 9 September, 25 October, 10 November and 14, 15 December)

*Item No.**Title*

1. Adoption of the agenda and other organizational matters.

High-level segment

2. High-level segment:
 - (a) High-level policy dialogue with international financial and trade institutions;
 - (b) Development Cooperation Forum;
 - (c) Annual ministerial review:
Implementing the internationally agreed goals and commitments in regard to gender equality and empowerment of women;
 - (d) Thematic discussion:
Current global and national trends and challenges and their impact on gender equality and empowerment of women.

Operational activities segment

3. Operational activities of the United Nations for international development cooperation:
 - (a) Follow-up to policy recommendations of the General Assembly and the Council;
 - (b) Reports of the Executive Boards of the United Nations Development Programme/United Nations Population Fund, the United Nations Children's Fund and the World Food Programme.

Item No.

Title

Coordination segment

4. The role of the United Nations system in implementing the ministerial declaration of the high-level segment of the 2009 substantive session of the Council.

Humanitarian affairs segment

5. Special economic, humanitarian and disaster relief assistance.

General segment

6. Implementation of and follow-up to major United Nations conferences and summits:
 - (a) Follow-up to the International Conference on Financing for Development;
 - (b) Review and coordination of the implementation of the Programme of Action for the Least Developed Countries for the Decade 2001–2010.
7. Coordination, programme and other questions:
 - (a) Reports of coordination bodies;
 - (b) Proposed strategic framework for the period 2012–2013;
 - (c) International cooperation in the field of informatics;
 - (d) Long-term programme of support for Haiti;
 - (e) Mainstreaming a gender perspective into all policies and programmes in the United Nations system;
 - (f) African countries emerging from conflict;
 - (g) Tobacco or health.
8. Implementation of General Assembly resolutions 50/227, 52/12 B, 57/270 B and 60/265.
9. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations.
10. Regional cooperation:
Gender equality and empowerment of women in the implementation of the Millennium Development Goals: regional perspectives.
11. Economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and the Arab population in the occupied Syrian Golan.
12. Non-governmental organizations.
13. Economic and environmental questions:
 - (a) Sustainable development;
 - (b) Science and technology for development;
 - (c) Statistics;
 - (d) Human settlements;
 - (e) Environment;
 - (f) Population and development;
 - (g) Public administration and development;
 - (h) International cooperation in tax matters;
 - (i) Assistance to third States affected by the application of sanctions;
 - (j) Cartography;
 - (k) Women and development.
14. Social and human rights questions:
 - (a) Advancement of women;
 - (b) Social development;
 - (c) Crime prevention and criminal justice;
 - (d) Narcotic drugs;
 - (e) United Nations High Commissioner for Refugees;
 - (f) Comprehensive implementation of the Durban Declaration and Programme of Action;
 - (g) Human rights;
 - (h) Permanent Forum on Indigenous Issues;
 - (i) Genetic privacy and non-discrimination.

United Nations information centres and services

(as at December 2013)

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Gamal Abdel Nasser/Liberia Roads
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Serving: Ghana, Sierra Leone

ALGIERS. United Nations Information Centre
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El Biar, 16030 El Biar, Alger
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Algiers, Algeria
Serving: Algeria

ANKARA. United Nations Information Centre
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06610 Cankay
Ankara, Turkey
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159, Rue Damantsoa, Amkorahotra
(Boîte Postale, 1348)
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Serving: Madagascar

ASUNCIÓN. United Nations Information Centre
Avda. Mariscal López esq. Guillermo Saravi
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Asunción, Paraguay
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Economic and Social Commission for
Western Asia
UN House, Riad El-Solh Square
(P.O. Box 11-8575-4656)
Beirut, Lebanon
Serving: Jordan, Kuwait, Lebanon,
Syrian Arab Republic, ESCWA

BOGOTÁ. United Nations Information Centre
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Edificio World Trade Center-Torre "C"
(Apartado Aéreo 058964)
Bogotá 2, Colombia
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BRAZZAVILLE. United Nations Information Centre
Avenue Foch, Case ortf 15
(Boîte Postale 13210)
Brazzaville, Congo
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Residence Palace
Rue de la Loi/Wetstraat 155
Quartier Rubens, Block C2
1040 Brussels, Belgium
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1113 Buenos Aires, Argentina
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1 Osiris Street, Garden City
(P.O. Box 262)
Cairo, Egypt
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(P.O. Box 5366, Kingston, ACT 2604)
Canberra ACT 2600, Australia
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COLOMBO. United Nations Information Centre
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(P.O. Box 1505, Colombo)
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Immeuble Soumex-3ème Etage
Mamelles-Almadies
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Garden Avenue/Shaabab Robert Street
6th Floor International House
(P.O. Box 9224)
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United Nations Office at Geneva
Palais des Nations
1211 Geneva 10, Switzerland
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Sanders House (2nd floor), cnr. First Street
Jason Moyo Avenue
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Harare, Zimbabwe
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Serena Business Complex 2nd Floor
Sector G-5/1
Khayaban e Suhrawardy
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Menara Thamrin Building, 3A floor
Jalan MH Thamrin, Kav. 3
Jakarta 10250, Indonesia
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Harihar Bhavan Pulchowk
(P.O. Box 107, UN House)
Kathmandu, Nepal
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United Nations Compound House #7, Blk Gamma'a Avenue
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Khartoum, Sudan
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(P.O. Box 1068), Lagos, Nigeria
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(Apartado Postal 9072), La Paz, Bolivia
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Avenue de la Libération
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Cnr. Great North and Kalambo Roads
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Lusaka, Zambia
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Bldg. 69, Road 1901, Block 319
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Makati City, 1229 Metro Manila, Philippines
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United Nations Road, UN House
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Mexico City, D.F. 11000, Mexico
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Mexico
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Glazovsky Pereulok, 4/16
Moscow 119002, Russian Federation
Serving: Russian Federation
- NAIROBI.** United Nations Information Centre
United Nations Office, Gigiri
(P.O. Box 67578-00200)
Nairobi, Kenya
Serving: Kenya, Seychelles, Uganda
- NEW DELHI.** United Nations Information Centre
55 Lodi Estate
New Delhi 110 003, India
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Al. Niepodleglosci 186
00-608 Warszawa, Poland
Serving: Poland
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1775 K Street, N.W., Suite 400
Washington, D.C. 20006
United States of America
Serving: United States of America
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Windhoek, Namibia
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6 Natmauk Road, Tamwe Township
(P.O. Box 230), Yangon, Myanmar
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Immeuble Tchinda, Rue 2044
Derrière camp SIC TSINGA
(Boîte postale 836), Yaoundé, Cameroon
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Central African Republic, Gabon

Intergovernmental organizations related to the United Nations

(respective heads as at December 2010)

International Atomic Energy Agency (IAEA)

Vienna International Centre
P.O. Box 100
1400 Vienna, Austria
Telephone: (43) (1) 2600-0
Fax: (43) (1) 2600-7
E-mail: official.mail@iaea.org
Internet: www.iaea.org
Director General: Yukiya Amano (Japan)

IAEA Office at the United Nations
1 United Nations Plaza, Room 1155
New York, NY 10017, U.S.A.
Telephone: (1) (212) 963-6010/6011
Fax: (1) (917) 367-4046
E-mail: iaeanet@un.org

International Labour Organization (ILO)

4 route des Morillons
CH-1211 Geneva 22, Switzerland
Telephone: (41) (22) 799-6111
Fax: (41) (22) 798-8685
E-mail: ilo@ilo.org
Internet: www.ilo.org
Director General: Juan Somavia (Chile)

ILO Office at the United Nations
1 Dag Hammarskjöld Plaza
885 Second Avenue, 30th Floor
New York, NY 10017, U.S.A.
Telephone: (1) (212) 697-0150
Fax: (1) (212) 697-5218
E-mail: newyork@ilo.org

Food and Agriculture Organization of the United Nations (FAO)

Viale delle Terme di Caracalla
00153 Rome, Italy
Telephone: (39) (06) 57051
Fax: (39) (06) 570 53152
E-mail: fao-hq@fao.org
Internet: www.fao.org
Director General: Jacques Diouf (Senegal)

FAO Office at the United Nations
1 United Nations Plaza, Room 1125
New York, NY 10017, U.S.A.
Telephone: (1) (212) 963-6036
Fax: (1) (212) 963-5425
E-mail: FAO-LON@fao.org

United Nations Educational, Scientific and Cultural Organization (UNESCO)

UNESCO House
7 place de Fontenoy
75352 Paris 07-SP, France
Telephone: (33) (0) (1) 45-68-10-00
Fax: (33) (0) (1) 45-67-16-90
E-mail: info@unesco.org
Internet: www.unesco.org
Director General: Irina Bokova (Bulgaria)

UNESCO Office at the United Nations
2 United Nations Plaza, Room 900
New York, NY 10017, U.S.A.
Telephone: (1) (212) 963-5995
Fax: (1) (212) 963-8014
E-mail: newyork@unesco.org

World Health Organization (WHO)

Avenue Appia, 20
1211 Geneva 27, Switzerland
Telephone: (41) (22) 791-2111
Fax: (41) (22) 791-3111
E-mail: info@who.int
Internet: www.who.int
Director-General: Dr. Margaret Chan (China)

WHO Office at the United Nations
1 Dag Hammarskjöld Plaza
885 Second Avenue, 26th floor
New York, NY 10017, U.S.A.
Telephone: (1) (646) 626-6060
Fax: (1) (646) 626-6080
E-mail: wun@whoun.org

World Bank (IBRD, IDA and IFC)

1818 H Street, NW
Washington, D.C. 20433, U.S.A.
Telephone: (1) (202) 473-1000
Fax: (1) (202) 477-6391
Internet: www.worldbank.org
President: Robert B. Zoellick
(United States)

Office of the Special Representative
to the United Nations
1 Dag Hammarskjöld Plaza
885 Second Avenue, 26th floor
New York, NY 10017, U.S.A.
Telephone: (1) (212) 317-4720/4721
Fax: (1) (212) 317-4733

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Indices

Subject index

BOLD CAPITAL LETTERS are used for main subject entries (e.g. **DEVELOPMENT**) and chapter topics (e.g. **DISARMAMENT**), as well as country names (e.g. **AFGHANISTAN**), region names (e.g. **AFRICA**) and principal UN organs (e.g. **GENERAL ASSEMBLY**).

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Regular text is used for single and cross-reference entries (e.g. arms embargo, mercenaries, terrorism).

An asterisk (*) preceding a page number or range of page numbers indicates the presence of a text, reproduced in full, of a General Assembly, Security Council or Economic and Social Council resolution or decision, or a Security Council presidential statement.

United Nations bodies are listed alphabetically and may also appear under related entries.

A

Abkhazia *see* Georgia

administration, UN *see* institutional, administrative and budgetary questions

AFGHANISTAN *see also* United Nations Assistance Mission in Afghanistan (UNAMA)

children and armed conflict 361

elections 348

humanitarian assistance 905

International Security Assistance Force (ISAF) 358–361

Kabul Conference: International Conference on Afghanistan 347–348

Monitoring Team 362–363

political and security questions 339–363

report on Consolidated List review 362–363

sanctions 361–363

Sanctions Committee activities 361–362

Security Council mission to Afghanistan 340–347

terrorist attacks 78

AFRICA *see also* African Union (AU); Economic Commission for Africa (ECA); Economic Community of West African States (ECOWAS); humanitarian assistance; human rights; West Africa; *specific country names*

Burundi *141–148

human rights 766

Cameroon–Nigeria 231–233

Central Africa and Great Lakes region *116–174

Central African Republic *148–156, 902

Central African Republic and Chad *156–173

Chad 902–903

Chad–Sudan 275–276

conflict prevention and resolution 110

Congo 903

Côte d'Ivoire *177–199

human rights 766–767

Darfur *258–275

Democratic Republic of the Congo *120–141, 903

human rights 767

disarmament 578

Djibouti–Eritrea 303–306

Eritrea–Ethiopia *306–308

Great Lakes region *116–120 *see also* Central Africa and Great Lakes region

Guinea 233–237

human rights 768

Guinea-Bissau *221–231

Horn of Africa *237–308

Chad–Sudan 275–276

children and armed conflict 253–254, 294–296

Darfur *258–275

Djibouti–Eritrea 303–306

Eritrea–Ethiopia *306–308

Monitoring Group on Somalia 305

piracy *286–294

sanctions *269–272, *296–301, 305–306

Somalia *276–303

Sudan *237–275

Working Group on Children and Armed conflict 296

humanitarian assistance 902–905

Central African Republic 902

Chad 902–903

Congo 903

Democratic Republic of the Congo 903

Kenya 903

Somalia 903–904

Sudan 904

Uganda 904

West Africa 904

Zimbabwe 904–905

human rights 766–770

Burundi 766

Côte d'Ivoire 766–767

Democratic Republic of the Congo 767

Guinea 768

Sierra Leone 768

- Somalia 768–769
- Sudan 769–770
- international drug control 1258
- international finance, economic development 945–946
- Kenya 903
- Liberia *200–213
- Madagascar 315
- Mauritania 237
- Mauritius–United Kingdom 315–316
- New Partnership for Africa's Development (NEPAD) *908–916, 969
- North Africa *308–315
- Office of the Special Adviser on Africa 114–115
- peacekeeping operations 85
- political and security questions *106–316
- population, Sub-Saharan Africa 1060
- promotion of peace in Africa *109–116
 - conflict prevention and resolution 110
 - Office of the Special Adviser on Africa 114–115
 - relationship between United Nations and regional organizations *110–114
 - Secretary-General's 1998 recommendations on Africa *115–116
- Security Council missions to Africa 116
- refugees and displaced persons *1206–1209
- regional economic and social activities 968–974
 - cooperation with regional organizations 974
 - development, planning and administration 972
 - Economic Commission for Africa (ECA) 968
 - economic trends 968–969
 - food security and sustainable development 969–970
 - gender and women in development 972
 - governance and public administration 970–971
 - information, science and technology for development 971
 - macroeconomic analysis, finance and economic development 971–972
 - programme and organizational questions 973–974
 - social development 973
 - statistics 972–973
 - subregional development activities 972
 - trade, economic cooperation and regional integration 969
 - New Partnership for Africa's Development (NEPAD) *908–916, 969
 - transport and communications 971–972
- Rwanda 173–174
- Security Council missions to Africa 116
- Sierra Leone *213–221
 - human rights 768
- Somalia *276–303
 - humanitarian assistance 903–904
 - human rights 768–769
- special economic assistance
 - African economic recovery and development *908–916
 - New Partnership for Africa's Development (NEPAD) *908–916, 969
- Sudan *237–275
 - humanitarian assistance 904
 - human rights 769–770
 - technical assessment mission *121–135
- Uganda 173
 - humanitarian assistance 904
- United Nations Population Fund (UNFPA), Sub-Saharan Africa 1060
- West Africa *174–237
 - humanitarian assistance 904
 - international drug control 1258
- Western Sahara *308–315
- Zimbabwe 904–905
- African Union (AU) 106–107, 110–113, 116, 152, 167, 174–175, 177, 183, 190, 192–193, 225–226, 229–230, 233–237, 240, 242, 245, 247–250, 252–253, 258–259, 262, 264, 266–269, 272, 276, 278–282, 285–286, 295, 301–305, 308, 315
 - international peace and security 83
- African Union Mission in Somalia (AMISOM) 109, 276, 279–282, 285–286, 291, 295, 297–298, *301–303, 305–306
 - international peace and security 87–88
- African Union–United Nations Hybrid Operation in Darfur (UNAMID) 109, 237–239, 245, 247, 249, 253, 258–262, 264–266, 272, *272–275
 - international peace and security 82, 85, 87
- AGEING PERSONS, economic and social questions *1193–1197
- AGRICULTURE *1235–1240 *see also* food; nutrition
 - aid 1235–1236 *see also* humanitarian assistance
 - Committee on World Food Security 1236
 - development and food security *1236–1240
 - World Food Programme (WFP) 1235–1236
- AIDS *see* HIV/AIDS
- AMERICAN SAMOA, decolonization *599–600
- AMERICAS** *see also* Caribbean; Central America; Economic Commission for Latin America and the Caribbean (ECLAC); *specific country names*
 - Caribbean Community, political and security questions *335–337
 - Central America
 - international drug control 1258–1259
 - political and security questions *317–319
 - Colombia, political and security questions 333–334
 - cooperation between United Nations and regional organizations *335–337
 - Cuba–United States, political and security questions *334–335
 - Guatemala, political and security questions *317–318
 - Haiti, political and security questions *319–333
 - human rights 770–772
 - international drug control 1258–1259
 - Central America and the Caribbean 1258–1259
 - North America 1259
 - South America 1259
 - Nicaragua, political and security questions
 - with Costa Rica 319
 - with Honduras 319
 - North America, international drug control 1259
 - peacekeeping operations 85
 - political and security questions *317–337
 - refugees and displaced persons 1210
 - South America, international drug control 1259
- AMISOM *see* African Union Mission in Somalia (AMISOM)
- ANGUILLA, decolonization *600

anti-personnel mines, disarmament *562–563

arbitration rules *1340

armed conflict prevention *49–51

ARMENIA

Organization of the Islamic Conference (OIC) 423

political and security questions, with Azerbaijan 422–423

arms embargo *132–135, 177, 183, 195, 205–207, 269–272, 296–300, 361, 486 *see also* sanctions

ASIA AND THE PACIFIC *see also* Economic and Social Commission for Asia and the Pacific (ESCAP); Economic and Social Commission for Western Asia (ESCWA); landlocked developing countries; *specific country names*

Afghanistan

humanitarian assistance 905

human rights 772

Cambodia, human rights 772–773

Democratic People's Republic of Korea, human rights *773–776

disarmament *578–579

East and South-East Asia, international drug control 1259

humanitarian assistance 905–907

human rights 658, *772–783

international drug control 1259–1260

Iran, human rights *776–779

Iraq, humanitarian assistance 905

Kyrgyzstan

humanitarian assistance 905–906

human rights 779

Myanmar, human rights *779–783

Nepal

humanitarian assistance 906

human rights 783

Pakistan, humanitarian assistance 906

peacekeeping operations 85

population 1060–1061

refugees and displaced persons 1210–1211

regional economic and social activities *974–983

cooperation with regional bodies *979–983

disaster risk reduction 977

economic and technical cooperation 978

economic trends 974

environment and development 976

information and communication technology 976–977

least developed, landlocked and small island

developing countries 978

macroeconomic policy, poverty reduction and development 975

policy issues 975

programme

and organizational questions 978–979

performance, monitoring and evaluation 978–979

proposed programme of work, 2010–2011 979

social development 977

statistics 977–978

trade and investment 975

transport 975–976

South Asia, international drug control 1260

Sri Lanka, humanitarian assistance 906–907

Syrian Arab Republic, humanitarian assistance 907

United Nations Population Fund (UNFPA) 1060–1061

West Asia, international drug control 1260

Yemen, humanitarian assistance 907

atomic radiation, political and security questions *617–619

AU *see* African Union (AU)

aviation *see also* International Civil Aviation Organization (ICAO)

peacekeeping operations, aviation safety 84

AZERBAIJAN

Organization of the Islamic Conference (OIC) 423

political and security questions, with Armenia 422–423

B

bacteriological (biological) weapons, disarmament *549–551

BERMUDA, decolonization *600–601

BINUB *see* United Nations Integrated Office in Burundi (BINUB)

BINUCA *see* United Nations Integrated Peacebuilding Office in the Central African Republic (BINUCA)

BNUB *see* United Nations Office in Burundi (BNUB)

BOLIVIA human rights 770–771

BOSNIA AND HERZEGOVINA

civilian aspects, political and security questions *410–416

economic reform 411–412

judicial reform 411

media development 412

military and police aspects, political and security questions 415–416

Office of High Representative (OHR) *410–412

OHR–EUSR transition 410

Peace Agreement implementation *410–416

political and security questions *409–416

public administration reform 412

relations with other countries *412–415

Bretton Woods Institutions *see* International Monetary Fund (IMF)

BRITISH VIRGIN ISLANDS, decolonization *601

budget, UN *see* institutional, administrative and budgetary questions

BURUNDI *see also* United Nations Integrated Office in Burundi (BINUB); United Nations Office in Burundi (BINUCA)

children and armed conflict 146–147

human rights 766

Peacebuilding Commission 146

political and security questions *141–148

Strategic Framework for Peacebuilding in Burundi 146

C

CAMBODIA, human rights 771–773

CAMEROON–NIGERIA

Cameroon–Nigeria Mixed Commission 231–233

political and security questions 231–233

Lake Chad Basin Commission (Cameroon, Central African Republic, Chad, the Niger, Nigeria) 231

CARIBBEAN *see also* Caribbean Community; Economic Commission for Latin America and the Caribbean (ECLAC); Latin America and the Caribbean; *specific country names*

- Central America and the Caribbean, international drug control 1258–1259
 sustainable development of Caribbean Sea *1035–1037
 Caribbean Community (CARICOM) 324, 327, 335, *335–337
 CARICOM *see* Caribbean Community (CARICOM)
 CARTOGRAPHY 1004
 CAYMAN ISLANDS, decolonization *601
 CDP *see* Committee for Development Policy
 CEB *see* United Nations System Chief Executives Board for Coordination (CEB)
 CEDAW *see* Committee on the Elimination of Discrimination against Women (CEDAW)
 CENTRAL AFRICA AND GREAT LAKES REGION *see also specific country names*
 Burundi *141–148
 Central African Republic and Chad *156–173
 Central African Republic *148–156
 Democratic Republic of the Congo *120–141
 illicit arms trafficking *117–118
 International Conference on Great Lakes Region 116
 political and security questions *116–174
 Rwanda 173–174
 Uganda 173
 United Nations Standing Advisory Committee on Security Questions in Central Africa *118–120
 United Nations Office for Central Africa 118
CENTRAL AFRICAN REPUBLIC *see also* Central African Republic and Chad; United Nations Integrated Peacebuilding Office in the Central African Republic (BINUCA)
 children and armed conflict 155–156
 humanitarian assistance 902
 Peacebuilding Commission 154–155
 political and security questions *148–156
 CENTRAL AFRICAN REPUBLIC AND CHAD *see also* United Nations Mission in the Central African Republic and Chad (MINURCAT)
 political and security questions *156–173
 CENTRAL AMERICA *see also* Economic Commission for Latin America and the Caribbean (ECLAC); *specific country names*
 Guatemala *317–318
 International Commission against Impunity in Guatemala (CICIG) *317–318
 international drug control 1258–1259
 Nicaragua–Costa Rica 319
 Nicaragua–Honduras 319
 political and security questions *317–319
 CENTRAL ASIA, United Nations Population Fund 1060
CHAD *see also* Central African Republic and Chad
 humanitarian assistance 902–903
 CHAD–SUDAN, political and security questions 275–276
 chemical weapons
 convention *551–552
 disarmament *551–553
 Organization for the Prohibition of Chemical Weapons (OPCW) *552–553
 Chernobyl disaster *934–936
CHILDREN *see also* United Nations Children's Fund (UNICEF); youth; *specific country names*
 Afghanistan 361
 and armed conflict *see* Working Group on Children and Armed Conflict
 Asia and the Pacific 361, 394, 407–408
 Burundi 146–147
 Central African Republic 155–156
 Colombia 333–334
 Democratic Republic of the Congo 136–137
 economic and social questions 1183–1192
 health, tobacco use and *1227
 HIV/AIDS 1140
 Horn of Africa 253–254, 294–296
 human rights *754–758
 children and armed conflict *755–757
 convention on the rights of the child *646–653
 sale of children, child prostitution and child pornography 754–755
 violence against children 754
 international drug control, measures to protect 1247
 Nepal 394
 Philippines 407
 refugees and displaced persons, protection and assistance 1205
 Somalia 294–296
 Sri Lanka 407–408
 Sudan 253–254
 taken hostage 1159
 Uganda 173
 United Nations Children's Fund (UNICEF) 1183–1192
 Working Group on Children and Armed Conflict 137, 146, 253, 296, 333–334, 395–396, 407
 cholera outbreak, Haiti, political and security questions 327–328
 CIVIL AND POLITICAL RIGHTS *see* human rights
 civilians, protection in armed conflict *58–67
 CLIMATE CHANGE *see* environment
 cluster munitions, disarmament 562
 cocoa, international trade 944
 Collective Security Treaty Organization (CSTO) 406, *432–433
COLOMBIA
 children and armed conflict 333–334
 political and security questions 333–334
 Working Group on Children and Armed Conflict 333–334
 colonies and colonialism *see* decolonization; Non-Self-Governing Territories (NSGTs)
 commercial arbitration 1342
 Commission for Social Development 913, 1072–1076
 Commission on Crime Prevention and Criminal Justice
 international drug control 1241–1242
 legal questions 1331
 social policy, crime prevention and human resources development 1065, 1091–1092, 1095, 1101, 1103, 1107, 1109, 1117–1120, 1129
 statistics 1267
 women 1149
 Committee for Development Policy (CDP) 840, 842–843, 848, 850
 Committee for Programme and Coordination (CPC) 908, 911, 1268, 1413, 1446–1447
 Committee on the Elimination of Discrimination against Women (CEDAW) 769, 777, 1176–1177

- Committee on the Exercise of the Inalienable Rights of the Palestinian People *see* Committee on Palestinian Rights *466–470
- Committee on the Peaceful Uses of Outer Space *924
- Commonwealth of Independent States (CIS) 871, 872, 876, 890
- Comprehensive Nuclear-Test-Ban Treaty (CTBT) 52, 504, 511, 514, 528–529, 532
- conference *see specific conferences by main part of title*
- conflict prevention *48–51
- conventional weapons *see also* disarmament
 anti-personnel mines, disarmament *562–563
 cluster munitions, disarmament 562
 disarmament *554–556
 practical disarmament *563–566
 small arms, disarmament *554–559
- Convention on elimination of discrimination against women *see* human rights
- conventions *see main part of the title*
- coral reefs *1032–1034
- COSTA RICA**, political and security questions, Nicaragua–Costa Rica 319
- COTE D'IVOIRE** *see also* United Nations Operation in Côte d'Ivoire (UNOCI)
 electoral preparations 188–189
 human rights 766–767
 Inter-Ivorian dialogue *180–187
 Permanent Consultative Framework 189
 political and security questions *177–199
 sanctions 195–196, *196–198
- Counter-Terrorism Committee (CTC) *72–76
 Executive Directorate (CTED) 72
- covenants *see* human rights
- CPC *see* Committee for Programme and Coordination
- CRIME PREVENTION AND CRIMINAL JUSTICE** *1094–1132 *see also* drug abuse and control; terrorism; United Nations Office on Drugs and Crime (UNODC)
 administrative and budgetary questions *1101–1103
 assets of illicit origin *1117–1118
 Commission on Crime Prevention and Criminal Justice *1101–1103
 corruption 1117–1118
 crime data collection 1109
 Crime Prevention and Criminal Justice Programme network *1107–1109
 crime prevention programme *1103–1109
 integration and coordination *1109–1129
 peacekeeping operations *102–104
 realignment of the functions of UNODC *1102–1103
 strengthening technical cooperation *1103–1107
 terrorism 1118–1119
 trafficking in persons *1110–1116
 transnational organized crime *1109–1116
 United Nations African Institute for the Prevention of Crime and Treatment of Offenders (UNAFRI) 1107–1108
 United Nations Convention against Corruption 1117
 United Nations Convention against Transnational Organized Crime 1109–1110
 United Nations Crime Congress on Crime Prevention and Criminal Justice *1094–1101
- United Nations Interregional Crime and Justice Research Institute 1107
- UN standards and norms 1119–1120
- women in detention and in custodial and non-custodial settings *1120–1129
- CSTO *see* Collective Security Treaty Organization (CSTO)
- CTBT *see* Comprehensive Nuclear-Test-Ban Treaty (CTBT)
- CTC *see* Counter-Terrorism Committee (CTC)
- CTED *see* Counter-Terrorism Committee Executive Directorate
- CUBA–UNITED STATES *334–335
- cultural issues *see* social policy and cultural issues
- CYPRUS** *see also* United Nations Peacebuilding Force in Cyprus (UNFICYP)
 good offices mission 424–426
 human rights 783
 political and security questions *423–431

D

- DARFUR *see also* African Union–United Nations Hybrid Operation in Darfur (UNAMID)
 activities of ICC Prosecutor 267–269
 appointment 270
 extension of Panel of Experts 270
 political and security questions *258–275
 sanctions *269–272
- Decade for the Eradication of Poverty, Second *809–812
- Decade for the Eradication of Colonialism *585–587
- decolonization *583–609 *see also* Non-Self-Governing Territories (NSGTs)
 American Samoa *599–600
 Anguilla *600
 Bermuda *600–601
 British Virgin Islands *601
 Cayman Islands *601
 Decade for the Eradication of Colonialism *585–587
 Declaration on the Granting of Independence to Colonial Countries and Peoples *583–584
 dissemination of information *606–607
 economic and other activities affecting the interests of NSGTs *604–606
 Falkland Islands (Malvinas) 593–594
 Gibraltar 594
 Guam *601–602
 information on territories *607–608
 Island Territories *597–604
 military activities and arrangements in colonial countries 604
 Montserrat *602
 New Caledonia *594–595
 Pitcairn *603
 Saint Helena *603
 study and training *608–609
 territories under review *593–605
 Tokelau *595–597
 Turks and Caicos Islands *604–605
 United States Virgin Islands 605
 Western Sahara 597
- demobilization, international peace and security 54
- DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA (DPRK)**
 disarmament 539–540

- economic and social questions 1061
- human rights *773–776
- non-proliferation *386–387
- political and security questions 338, *386–388, 532, 539–540
 - Republic of Korea naval ship incident and aftermath *387–388
- DEMOCRATIC REPUBLIC OF THE CONGO (DRC)** *see also* United Nations Organization Mission in the Democratic Republic of the Congo (MONUC); United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO)
 - arms embargo *132–135
 - humanitarian and special economic assistance 902–903
 - human rights 767
 - international peace and security 48–49
 - legal questions 1273–1275, 1314, 1317–1319
 - operational activities for development 870, 874
 - political and security questions *120–141
 - refugees and displaced persons 1204, 1206
 - Security Council mission *123–127
 - sexual violence *127–128
 - technical assessment mission *121–135
 - women 1163, 1177
- Department of Economic and Social Affairs (DESA)
 - development policy and international economic cooperation 813, 840, 848
 - international trade, finance and transport 937, 944–945
 - operational activities for development 885–886
 - population 1063
- Department of Field Support (DFS) 81–82, 97, 101–102, 111, 1486
- Department of Peacekeeping Operations (DPKO)
 - Africa 111, 222, 238, 272
 - economic and social questions 864, 869–870, 887, 1161, 1168
 - institutional, administrative and budgetary questions 1486
 - international peace and security 42, 54–55, 79, 81–83, 88–89, 97, 101–102, 105
- Department of Political Affairs (DPA) 111
- Department of Public Information (DPI) *621–630
- DESA *see* Department of Economic and Social Affairs (DESA)
- DEVELOPING COUNTRIES *see also* landlocked developing countries; small island developing States
 - debt problems of *949–953
- DEVELOPMENT** *see also* developing countries; sustainable development; United Nations Conference on Trade and Development (UNCTAD); United Nations Development Programme (UNDP); United Nations Office for Project Services (UNOPS); *specific country names*
 - agriculture development and food security *1236–1240
 - economic and social questions *859–892
 - human rights, right to development *719–724
 - industrial *798–800
 - and international economic cooperation *791–800
 - operational activities for *859–892
 - audit reports 882–884, 889
 - country and regional programmes 871–872
 - democratic governance 873–874
 - Department of Economic and Social Affairs (DESA) 885–886
 - environment and sustainable development 874–875
 - evaluation of regional programme for Europe and the Commonwealth of Independent States 871–872
 - financial and administrative matters 879–885
 - monitoring and evaluation 876–879
 - other technical cooperation 885–892
 - programming arrangements 875–879
 - Resident Coordinators *863–865
 - Special Representatives of Secretary-General *863–865
 - system-wide activities *859–867
 - technical cooperation *867–892
 - UNDP operational activities 871–879
 - UNDP/UNFPA Executive Board *867–871
 - and international economic cooperation *791–858
 - and public administration *840–842
 - population and 1059
 - science and technology for *829–840
 - sustainable 800–809
 - UNDP *see* United Nations Development Programme (UNDP)
 - United Nations Population Fund (UNFPA) and 1059
- DFS *see* Department of Field Support (DFS)
- diamonds, conflict *48–51
- disabled persons *see* persons with disabilities
- DISARMAMENT** *504–580 *see also* terrorism
 - 1925 Geneva Protocol *553–554
 - Advisory Board on Disarmament Matters 513–514
 - Africa 578
 - anti-personnel mines *562–563
 - Asia and the Pacific *578–579
 - bacteriological (biological) weapons *549–551
 - chemical weapons *551–553
 - cluster munitions 562
 - Conference on Disarmament 566
 - conventional weapons *554–556
 - anti-personnel mines *562–563
 - cluster munitions 562
 - Conference on Disarmament 565
 - convention on excessively injurious conventional weapons and protocols *559–562
 - illicit arms brokering *557–559
 - military expenditures *565–566
 - practical disarmament *563–566
 - small arms *554–559
 - transparency *565–566
 - depleted uranium, effects of *570–571
 - development, disarmament and *511–513
 - environmental norms, observance of *569–570
 - fissile material *522–523
 - Hague Code of Conduct against Ballistic Missile Proliferation *533–534
 - International Atomic Energy Agency (IAEA) 539
 - International Day against Nuclear Tests 531
 - international peace and security 54
 - Latin America and the Caribbean *579–580
 - Middle East *541–542

- missiles *533–534
- multilateralism in disarmament and non-proliferation *537–539
- non-proliferation issues *531–549
 - Democratic People's Republic of Korea 539–540
 - Hague Code of Conduct against Ballistic Missile Proliferation *533–534
 - International Atomic Energy Agency (IAEA) 539
 - Iran *396–405, 540
 - Middle East *541–542
 - missiles *533–534
 - multilateralism in disarmament and non-proliferation *537–539
 - non-proliferation treaty 531–533
 - nuclear-weapon-free zones *543–549
 - radioactive waste 542–543
 - safeguards *539–542
 - Syrian Arab Republic 540
 - terrorism and WMDs *535–537
 - weapons of mass destruction *534–537
- nuclear disarmament *514–531
 - Comprehensive Nuclear-Test-Ban Treaty (CTBT) *525–529
 - Conference on Disarmament *517–522
 - fissile material *522–523
 - International Day against Nuclear Tests 531
 - prohibition of the use of nuclear weapons *530–531
 - security assurances *523–525
- nuclear-weapon-free zones *543–546
- Organization for the Prohibition of Chemical Weapons (OPCW) *552–553
- outer space, prevention of arms race in *566–569
- radioactive waste 542–543
- regional disarmament *575–580
 - Africa 578
 - Asia and the Pacific *578–579
 - confidence-building measures *576–578
 - conventional arms control at regional and subregional levels *575–576
 - Latin America and the Caribbean *579–580
- relationship between disarmament and development *512–513
- science and technology and disarmament 571
- seabed and ocean floor, prevention of an arms race on 569
- small arms *554–559
- studies, research and training *571–574
 - education *573
 - fellowships, training and advisory services *572–573
 - information programme *574
 - United Nations Institute for Disarmament Research (UNIDIR) *571–572
- terrorism and WMDs *535–537
- transparency *565–566
- United Nations Office for Disarmament Affairs (UNODA) 505
- United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean *579–580
- United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific *578–579
- United Nations regional centres for peace and disarmament *577–578
- UN machinery *504–511
 - advancing the disarmament agenda 504–505
 - comprehensive programme of disarmament 511
 - Conference on Disarmament *508–510
 - Disarmament Commission *507–508
 - fourth special session devoted to disarmament *505–507
 - multilateral disarmament agreements 511
 - United Nations Office for Disarmament Affairs (UNODA) 505
 - United Nations role in disarmament *511–514
 - WMDs *535–537
 - women and disarmament *513
- DISASTERS AND DISASTER RESPONSE** *920–936
 - see also* earthquake; Hurricane Tomas; Office of the United Nations High Commissioner for Refugees (UNHCR); refugees
 - Caribbean, Hurricane Tomas *932–933
 - Chernobyl disaster *934–936
 - Committee on the Peaceful Uses of Outer Space *924
 - disaster assistance *929–936
 - disaster reduction *925–929
 - Djibouti 929–930
 - earthquake, Haiti *931–932
 - El Niño, International Strategy for Disaster Reduction *928–929
 - El Salvador 930
 - floods, Pakistan *933–934
 - Guatemala 930
 - Haiti *932–933
 - earthquake *931–932
 - Hurricane Tomas *932–933
 - international cooperation *921–925
 - International Search and Rescue Advisory Group (INSARAG) 924
 - International Strategy for Disaster Reduction *925–928
 - Mongolia 933
 - natural disasters and vulnerability 928
 - outer space, space-based disaster management and emergency response 612–613
 - Pakistan *933–934
 - Saint Lucia, Hurricane Tomas *932–933
 - Saint Vincent and the Grenadines, Hurricane Tomas *932–933
 - United Nations Platform for Space-based Information for Disaster Management and Emergency Response (UN-SPIDER) *924
- discrimination *see* human rights
- displaced persons *see* refugees and displaced persons
- DJIBOUTI**, disasters and disaster response 929–930
- DJIBOUTI-ERITREA**
 - Monitoring Group on Somalia 305
 - political and security questions 303–306
 - sanctions 305–306
- DPKO *see* Department of Peacekeeping Operations (DPKO)
- DPRK *see* Democratic People's Republic of Korea (DPRK)
- DRC *see* Democratic Republic of the Congo (DRC)
- DRUG ABUSE AND CONTROL** *see also* United Nations Office on Drugs and Crime (UNODC)
 - abuse of drugs 1245–1247
 - Africa 1258

West Africa 1258
 Americas 1258–1259
 Central America and the Caribbean 1258–1259
 North America 1259
 South America 1259
 Asia 1259–1260
 East and South-East Asia 1259
 South Asia 1260
 West Asia 1260
 children, measures to protect 1247
 Commission on Narcotic Drugs 1245–1250
 conventions 1256–1261
 cooperation against the world drug problem *1249–1256
 data collection 1250
 Europe 1260–1261
 evaluation of drug analysis laboratories 1249
 follow-up to Political Declaration and Plan of Action 1250
 HIV/AIDS and other blood-borne viruses 1246–1247
 illicit cultivation, manufacture and trafficking 1247–1248
 international drug control *1241–1261
 International Narcotics Control Board (INCB) 1257–1261
 laundering of assets, measures against 1248
 manufacture of narcotic drugs and psychotropic substances 1248
 Oceania 1261
 “poppers” 1247
 poppy seeds, control of international trade in 1248
 prevention of drug use 1246
 proposed amendment to convention 1257
 reduction of demand 1245–1247
 regional cooperation 1251–1252
 sexual assault, drug-facilitated 1247
 synthetic cannabinoid receptor agonists 1247
 trafficking trends 1248
 United Nations action to combat drug abuse *1241–1249
 world drug situation 1258–1261
 youth, measures to protect 1247
 Durban Declaration and Programme of Action (DDPA) 664

E

earthquake, Haiti *320–321, *931–932
 EAST TIMOR *see* Timor-Leste
 ECA *see* Economic Commission for Africa (ECA)
 ECLAC *see* Economic Commission for Latin America and the Caribbean (ECLAC)
 economic, social and cultural rights *see* human rights
 Economic and Social Commission for Asia and the Pacific (ESCAP) 967, 974–979
 Economic and Social Commission for Western Asia (ESCWA) 967–968, 993–995, 997–998
ECONOMIC AND SOCIAL COUNCIL 1411–1412 *see also* economic and social questions
 Peacebuilding Commission and *57
ECONOMIC AND SOCIAL QUESTIONS *1183–1197, *1271–1391 *see also* development; international economic relations; statistics; *specific topics and social issues*
 ageing persons *1193–1197

audit reports 882–884, 889
 Bosnia and Herzegovina, economic reform 411–412
 cartography 1004
 children 1183–1192
 United Nations Children's Fund (UNICEF) 1183–1192
 Commission on Science and Technology for Development (CSTD) *829–833
 Committee for Development Policy (CDP) *840–841
 cost recovery policy, UNCDF 892
 country and regional programmes 871–872
 crime prevention and criminal justice *1094–1132
 administrative and budgetary questions *1101–1103
 assets of illicit origin *1117–1118
 corruption 1117–1118
 crime data collection 1109
 Crime Prevention and Criminal Justice Programme network *1107–1109
 crime prevention programme *1103–1109
 integration and coordination *1109–1129
 terrorism 1118–1119
 trafficking in persons *1110–1116
 transnational organized crime *1109–1116
 women in detention and in custodial and non-custodial settings *1120–1129
 crisis prevention and recovery 874
 Decade for Eradication of Poverty, Second *809–812
 democratic governance 873–874
 Department of Economic and Social Affairs (DESA) 885–886
 development
 industrial *798–800
 operational activities for *859–892
 policy
 and international economic cooperation *791–858
 and public administration *840–842
 science and technology for *829–840
 sustainable 800–809
 development policy and international economic cooperation *791–858
 disaster response *920–936
 drug control, international *1241–1261
 economic and social trends 840
 economic and technical cooperation among developing countries 891
 energy *999–1002
 environment *1005–1044
 biodiversity and ecosystem services 1029–1031
 environmental law 1041–1042
 international conventions and mechanisms 1018–1019
 oceans and seas *1031–1038
 environment and sustainable development 874–875
 evaluation of regional programme for Europe and the Commonwealth of Independent States 871–872
 field visits 871
 financial and administrative matters 879–885
 international finance *945–963
 financing and expenditures 866–867
 food and agriculture *1235–1240
 gender equality 875

- globalization and interdependence *793–798
 - industrial development *798–800
 - new global human order *796–798
 - new international economic order *795–796
- health *1218–1235
- HIV, tuberculosis and malaria 873
- humanitarian assistance *893–908
- human resources development *1129–1132
 - Education for All *1130–1132
 - financing 1129–1130
 - United Nations Literacy Decade *1130–1132
 - UN research and training institutes 1129–1130
- human settlements 1044–1051
 - coordinated implementation of Habitat Agenda *1046–1049
 - Habitat Agenda and strengthening of UN-Habitat *1044–1049
 - UN Human Settlements Programme *1049–1051
 - World Urban Forum 1045–1046
- industrial development *798–800
- information and communication technologies *833–863, 976–977, 1268
- internal audit, UNOPS 889
- international drug control *1241–1261
 - illicit cultivation, manufacture and trafficking 1247–1248
 - regional cooperation 1251–1252
 - world drug situation 1258–1261
- international economic cooperation, development policy and *791–858
- international economic relations *791–840
- international finance *945–963
 - Africa, economic development in 945–946
 - competition law and policy 961–962
 - developing countries, debt problems of *949–953
 - development, financing for *953–961
 - financial flows 945
 - financial policy *945–953
 - international financial system *946–949
 - international standards of accounting and reporting 962
 - response to global financial and economic crisis 960–961
 - taxation *962–963
- international trade *937–945
 - cocoa 944
 - commodities 944–945
 - Common Fund for Commodities 945
 - development and 941–942
 - investment, enterprise and development 943–944
 - multilateral trading system *938–941
 - negotiating frameworks 938–939
 - policy 941–942
 - promotion and facilitation 942–944
 - sugar 944
 - timber 944–945
- international transport 963–966
 - maritime transport 963
 - transport of dangerous goods 963–964
- Internet *836–839
- landlocked developing countries *855–858
- least developed countries *842–848
- microcredit and microfinance in eradication of poverty 812–813
- Millennium Development Goals (MDGs), eradication of poverty *813–829, 872–873
- monitoring and evaluation 876–879
- natural resources *1002–1004
- new global human order *796–798
- new international economic order *795–796
- nuclear energy *999–1002
- nutrition 1240
- operational activities for development *859–892
 - audit reports 882–884, 889
 - country and regional programmes 871–872
 - democratic governance 873–874
 - Department of Economic and Social Affairs (DESA) 885–886
 - environment and sustainable development 874–875
 - evaluation of regional programme for Europe and the Commonwealth of Independent States 871–872
 - financial and administrative matters 879–885
 - financing and expenditures 866–867
 - monitoring and evaluation 876–879
 - other technical cooperation 885–892
 - programming arrangements 875–879
 - Resident Coordinators *863–865
 - Special Representatives of Secretary-General *863–865
 - system-wide activities *859–867
 - technical cooperation *867–892
 - UNDP operational activities 871–879
 - UNDP/UNFPA Executive Board *867–871
 - UN Office for Project Services 887–890
- population *1052–1064
 - Commission on Population and Development *1052–1054
 - international migration and development *1054–1057
 - United Nations Population Fund (UNFPA) 1057–1062
 - UN Population Division 1063–1064
- poverty, eradication of *809–829
 - microcredit and microfinance in 812–813
 - Millennium Development Goals (MDGs) *813–829, 872
 - Second UN Decade for Eradication of Poverty *809–812
- programming arrangements 875–879
- refugees and displaced persons *1198–1217
 - Office of the United Nations High Commissioner for Refugees (UNHCR) *1198–1217
 - protection and assistance *1203–1213
 - staff security 1217
- regional economic and social activities *967–998
 - Africa 968–974
 - Asia and the Pacific *974–983
 - Europe *983–988
 - Latin America and the Caribbean *988–993
 - regional cooperation 967–968
 - review and reform of the regional commissions 968
 - Western Asia *993–998

- Resident Coordinators *863–865
- science and technology for development *829–840
- simplification and harmonization of UN development system 865–866
- small island developing States *848–855
- social policy and cultural issues *1065–1094
 - cultural development *1082–1094
 - cultural property *1091–1094
 - culture of peace *1082–1088
 - persons with disabilities *1077–1082
 - social development *1065–1077
 - sport for development and peace *1089–1090
 - trafficking in cultural property *1091–1094
- special economic assistance *908–920
- Special Representatives of Secretary-General *863–865
- special situations, groups of countries in *842–858
- statistics *1262–1270
 - agricultural statistics 1265–1266
 - crime and drugs, statistics on 1267
 - cultural statistics 1267–1268
 - demographic and social statistics 1266–1268
 - economic statistics 1262–1266
 - environment Statistics 1264
 - labour statistics 1267
 - Statistical Commission *1262–1270
- strategic plan, 2008–2011 879
- sustainable development 800–809
 - Commission on Sustainable Development 801–802
 - education for sustainable development *806–807
 - human security *805–806
 - tourism *807–809
- system-wide activities *859–867
- technical cooperation *867–892
- tourism *807–809
- trade, international *937–945
- transport, international 963–966
- United Nations Capital Development Fund 891–892
- UNDP operational activities 871–879
- United Nations Office for Partnerships 886–887
- United Nations Office for Project Services (UNOPS) 887–890
- United Nations Population Fund (UNFPA) 1057–1062
- water resources *1002–1004
- women *1133–1182
 - and armed conflict *1159–1167
 - critical areas of concern *1139–1175
 - Fourth World Conference on Women and Beijing+5 *1133–1175
 - health *1140–1144
 - and human rights *1171–1175
 - peace and security *1160–1163
 - poverty *1139–1140
 - trafficking in women and girls *1171–1175
 - UN machinery *1176–1182
 - UN-Women *1178–1182
 - violence against *1144–1159
- youth 1192–1193
- Economic Commission for Africa (ECA)
 - economic and social questions 846, 855, 912–913, 967–974
 - institutional, administrative and budgetary questions 1455, 1465
- Economic Commission for Latin America and the Caribbean (ECLAC) 967–968, 988–993, 1269, 1465
- Economic Community of Central African States (ECCAS) *117–118
- Economic Community of West African States (ECOWAS)
 - Africa 107, 116, 174–177, 183, 190–193, 198, 201, 210, 218, 222–227, 229–230, 233–234, 236
- economic cooperation, international *see* development
- economic law, international *1339–1347
- ecosystems *see* environment
- ECOWAS *see* Economic Community of West African States (ECOWAS)
- EDUCATION
 - Education for All *1130–1132
 - human rights 660–661
- elderly persons *see* ageing persons
- elections
 - Afghanistan 348
 - Asia and the Pacific 348, 363–364, 406
 - Côte d'Ivoire 188–189
 - Guinea 235–237
 - Iraq 363–364
 - Kyrgyzstan 406
 - Sudan *240–244
- electronic commerce, legal questions 1343
- El Niño, International Strategy for Disaster Reduction *928–929
- EL SALVADOR**, disasters and disaster response 930
- ENERGY** *999–1002 *see also* International Atomic Energy Agency (IAEA)
 - economic and social questions *999–1002
 - International Year of Sustainable Energy for All *1001–1002
 - nuclear energy *999–1002
- enforced disappearance, human rights *654–655
- ENVIRONMENT** *1005–1044 *see also* United Nations Environment Programme (UNEP)
 - atmosphere 1028–1029
 - biodiversity and ecosystem services 1029–1031
 - Caribbean Sea, sustainable development of *1035–1037
 - chemical safety 1038
 - climate change convention *1019–1021
 - convention on air pollution 1022
 - convention on biological diversity *1022–1025
 - convention to combat desertification *1025–1028
 - coordination and cooperation *1012–1016
 - coral reefs *1032–1034
 - deforestation and forest degradation 1031
 - economic and social questions *1005–1044
 - environmental activities *1028–1044
 - environmental emergencies *1014–1016
 - environmental law 1041–1042
 - Gaza Strip, environmental situation in 1016
 - Global Environment Facility 1017–1018
 - Haiti, environmental response in 1016
 - harmful products and waste, protection against *1038–1041
 - human rights 747–748
 - international chemicals management 1038

- international conventions and mechanisms 1018–1019
 - international environmental governance 1008–1010
 - International Mother Earth Day 1043
 - International Year of Biodiversity 1030–1031
 - International Year of Forests (2011) 1031
 - Lebanon, oil slick in *1014–1016
 - marine ecosystems *1031–1038
 - memorandums of understanding 1013
 - mercury 1038–1039
 - oceans and seas *1031–1038
 - persistent organic pollutants 1039–1040
 - small island developing States 1011–1012
 - and sustainable development 1011–1012
 - terrestrial ecosystems 1031
 - United Nations Environment Programme (UNEP) *1005–1017
 - United Nations Scientific Committee on the Effects of Atomic Radiation 1044
 - Vienna Convention and Montreal Protocol 1022
 - waste from chemical munitions dumped at sea *1037–1038
 - waste management 1040
 - ERITREA–ETHIOPIA, political and security questions *306–308
 - ESCAP *see* Economic and Social Commission for Asia and the Pacific (ESCAP)
 - ESCWA *see* Economic and Social Commission for Western Asia (ESCWA)
 - EU *see* European Union (EU)
 - EUFOR 415
 - EUPM 415–416
 - EUROPE AND THE MEDITERRANEAN** *see also* European Union (EU); *specific country names*
 - economic and social activities, regional *983–988
 - human rights 783
 - peacekeeping operations 85
 - population, Eastern Europe 1060
 - refugees and displaced persons 1212–1213
 - regional economic and social activities *983–988
 - economic trends 983
 - energy 984
 - environment 984
 - housing and land management 984–988
 - statistics, housing and land management 983
 - timber 983
 - trade 983
 - transport 983–984
 - United Nations Population Fund, Eastern Europe 1060
 - European Union (EU)
 - Africa 190, 192, 207, 223, 225–226, 235, 245, 249, 297
 - Asia and the Pacific 346, 348
 - development policy and international economic cooperation 831, 843
 - disarmament 550
 - environment and human settlements 1019, 1022, 1025, 1038, 1040
 - Europe and the Mediterranean 409–411, 415–418, 420–421, 423–424, 436
 - humanitarian and special economic assistance 930, 932
 - human rights 655, 707
 - international drug control 1256, 1258–1259
 - international peace and security 43, 46–48, 58, 83
 - Middle East 438, 443
 - operational activities for development 888
 - political and security questions 593
 - refugees and displaced persons 1212–1213
 - European Union multinational stabilization force (EUFOR) in Bosnia and Herzegovina 85, 415
 - European Union Rule of Law Mission in Kosovo (EULEX) 417
 - Every Woman Every Child Initiative *see* Global Strategy for Women's and Children's Health
 - expulsion of aliens 1324
 - extradition 1325
- F**
- FALKLAND ISLANDS (MALVINAS), decolonization 593–594
 - FAO *see* Food and Agriculture Organization of the United Nations (FAO)
 - female genital mutilation 1143–1144
 - financial and administrative matters *see also* international finance; international trade; international transport; legal questions
 - fissile material, disarmament *522–523
 - floods, Pakistan *933–934
 - flotilla incident, Occupied Palestinian Territory *439–441
 - FOOD** *1235–1240 *see also* Food and Agriculture Organization of the United Nations (FAO); nutrition; World Food Programme (WFP)
 - agriculture development and food security *1236–1240
 - Committee on World Food Security 1236
 - food aid 1235–1236
 - food security *1236–1240
 - FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS (FAO)
 - fisheries management *1357–1370
 - food security *1236–1240
- G**
- Gaza Strip, environmental situation in 1016
 - gender issues *see* women
 - GENERAL ASSEMBLY** 1407–1411
 - genocide, human rights 655
 - GEORGIA** *see also* United Nations Observer Mission in Georgia (UNOMIG)
 - appointment of Special Representative 422
 - Geneva talks 420
 - IDPs and refugees *420–421
 - political and security questions *420–422
 - GIBRALTAR, decolonization 594
 - Global Counter-Terrorism Strategy *76–78
 - Global Strategy for Women's and Children's Health (Every Woman Every Child Initiative) 1059, 1140, 1187
 - globalization, and interdependence *793–798
 - GREAT LAKES REGION** *see* Central Africa and Great Lakes region
 - GREECE**, relations with the former Yugoslav Republic of Macedonia 420
 - GUATEMALA**
 - disasters and disaster response 930
 - human rights 771
 - International Commission against Impunity in Guatemala (CICIG) *317–318
 - political and security questions *317–318

GUINEA

- human rights 768
- Joint Declaration of Ouagadougou *233–234
- political and security questions 233–237
- presidential elections 235–237

GUINEA-BISSAU *see also* United Nations Integrated Peacebuilding Office in Guinea-Bissau (UNIOGBIS); United Nations Peacebuilding Office in Guinea-Bissau (UNOGBIS)

- Department of Peacekeeping Operations (DPKO) 222
- Peacebuilding Commission 229–231
- Peacebuilding Strategic Framework 230
- political and security questions *221–231

H**HAITI** *see also* United Nations Stabilization Mission in Haiti (MINUSTAH)

- cholera outbreak 327–328
- disasters and disaster response *932–933
 - earthquake *320–321, *931–932
 - Hurricane Tomas *932–933
- humanitarian assistance 907–908
- human rights 771–772
- political and security questions *319–333
- special economic assistance *916–920

HEALTH *1218–1235 *see also* HIV/AIDS; Joint United Nations Programme on HIV/AIDS (UNAIDS)

- AIDS prevention and control *1218–1222
- child health, tobacco use and *1227
- Declaration of Commitment on HIV/AIDS *1218–1220
- foreign policy, global health and *1230–1232
- global public health *1228–1233
- Joint United Nations Programme on HIV/AIDS 1220–1222
- malaria 1227–1228
- maternal health *1227, 1232–1233
- non-communicable diseases *1222–1225
- Report on the Global AIDS Epidemic 1220
- road safety *1233–1235
- tobacco *1226–1227
- UNAIDS activities 1221–1222
- water and sanitation *1225–1226
- women *1140–1144, 1232–1233
 - female genital mutilation 1143–1144
 - Global Strategy for Women's and Children's Health 1140
 - maternal mortality 1143
 - obstetric fistula *1140–1143
 - tobacco use and maternal and child health 1143
 - traditional practices affecting the health of women and girls 1143–1144
 - women, the girl child and HIV/AIDS 1140

Herzegovina *see* Bosnia and Herzegovina

HIV/AIDS

- drug control 1246–1247
- economic and social questions, development 873
- international drug control 1246–1247
- prevention and control *1218–1222
- UNAIDS *see* Joint United Nations Programme on HIV/AIDS
- United Nations Children's Fund (UNICEF) 1188
- women, the girl child and HIV/AIDS 1140

HONDURAS, political and security questions 319**HORN OF AFRICA** *see also specific country names*

- Chad–Sudan 275–276
- children and armed conflict 253–254, 294–296
- Darfur *258–275
- Djibouti–Eritrea 303–306
- elections *240–244
- Eritrea–Ethiopia *306–308
- Monitoring Group on Somalia 305
- piracy *286–294
- political and security questions *237–308
- sanctions *269–272, *296–301, 305–306
- Somalia *276–303
- Sudan *237–275

Working Group on Children and Armed conflict 296

human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS) *see* HIV/AIDS

HUMANITARIAN ASSISTANCE *893–908 *see also* Disasters and disaster response; New Partnership for Africa's Development (NEPAD); Office for the Coordination of Humanitarian Affairs (OCHA); refugees and displaced persons

- Africa 902–905
- Asia 905–907
- coordination *893–900
- Economic and Social Council *893–897
- humanitarian activities 902–908
- humanitarian reform agenda *897–900
- Latin America and the Caribbean 907–908
- resource mobilization 901–902
 - Central Emergency Response Fund 901
 - consolidated appeals 902
 - United Nations Trust Fund for Human Security 902
- strengthening of coordination of UN emergency humanitarian assistance *894–900
- UN and other humanitarian personnel 900

HUMAN RESOURCES DEVELOPMENT *1129–1132

- Education for All *1130–1132
- financing 1129–1130
- United Nations Literacy Decade *1130–1132
- UN research and training institutes 1129–1130

HUMAN RIGHTS *631–788 *see also* Office of the United Nations High Commissioner for Human Rights (OHCHR); racism and racial discrimination; torture and cruel treatment; specific rights

advisory services and technical cooperation 657–658

Africa

- Burundi 766
- Côte d'Ivoire 766–767
- Democratic Republic of the Congo 767
- Guinea 768
- Sierra Leone 768
- Somalia 768–769
- Sudan 769–770

Americas

- Bolivia 770–771
- Colombia 771
- Guatemala 771
- Haiti 771–772

Asia and the Pacific 658

- Afghanistan 772
- Cambodia 772–773

- Democratic People's Republic of Korea *773–776
- Iran *776–779
- Kyrgyzstan 779
- Myanmar *779–783
- Nepal 783
- children *754–758
 - children and armed conflict *755–757
 - convention on the rights of the child *646–653
 - sale of children, child prostitution and child pornography 754–755
 - violence against children 754
- civil and political rights *664–719
 - administration of justice *693–695
 - arbitrary detention 711–712
 - capital punishment *699–700
 - civilians in armed conflict 698–699
 - covenant on *643–644
 - disappearance of persons 700–701
 - discrimination against minorities *679–681
 - extralegal executions *702–706
 - freedom of association 698
 - freedom of expression 697–698
 - freedom of religion or belief *681–688
 - human rights defenders 673–674
 - journalists in armed conflict 698
 - judges and lawyers, independence of 696–697
 - leprosy victims *680–681
 - mercenaries *689–692
 - missing persons *701–702
 - protection of migrants *675–679
 - racism and racial discrimination *664–673
 - reprisals for cooperation with human rights bodies 674
 - right to a nationality 697
 - right to peace *717–718
 - right to the truth *695–696
 - rule of law, democracy and human rights *693–699
 - self-determination, right to *688–692
 - terrorism *712–717
 - torture and cruel treatment *706–711
- Committee against Torture *645–646
- Committee on Economic, Social and Cultural Rights 644
- Committee on the Elimination of Racial Discrimination 640–641
- Committee on the Rights of Persons with Disabilities 653–654
- Committee on the Rights of the Child 646–647
- complaint procedure 636–637
- country situations *765–788
 - Africa 766–770
 - Americas 770–772
 - Asia *772–783
 - Cyprus 783
 - Europe and the Mediterranean 783
 - general aspects 765–766
 - Middle East *784–788
- development, right to *719–724
 - coercive economic measures *730–732
 - democratic and equitable international order *724–727
 - foreign debt 729–730
 - globalization *727–729
 - human rights and international solidarity 724
 - transnational corporations 730
- disabilities, convention on rights of persons with 653–654
- economic, social and cultural rights *719–764
 - children *754–758
 - covenant on *644–645
 - development, right to *719–724
 - emergency situations, right to education in *745–746
 - environmental and scientific concerns 747–748
 - extreme poverty *733–735
 - housing, right to adequate 740–741
 - impact of economic and financial crisis 719
 - indigenous peoples *759–764
 - maternal mortality 742
 - realizing economic, social and cultural rights 719
 - right to education *744–747
 - right to food *736–740
 - right to health *741–744
 - slavery and related issues *748–751
 - Social Forum 732–733
 - trafficking in women and girls 752–754
 - violence against women 751–752
 - vulnerable groups 751–764
 - water and sanitation *742–744
 - women 751–754
- education, human rights 660–661
- enforced disappearance, protection from *654–655
- environmental and scientific concerns 747–748
- forensic genetics 747
- general aspects 655–656
- genetic privacy 747–748
- genocide prevention 655
- Human Rights Council *633–637
- human rights instruments *639–656
- human rights treaty body system 655–656
- indigenous peoples *759–764
- International Convention for the Protection of All Persons from Enforced Disappearance *654–655
- international cooperation in the field of human rights *656–657
- International Year for People of African Descent *661–662
- Middle East
 - attack against humanitarian flotilla 786
 - Territories occupied by Israel *784–788
- migrant workers, convention on 653
- monitoring body 640–641
- national institutions 659
- Office of the High Commissioner for Human Rights (OHCHR) 637–639
- Ombudsman role and other national institutions *659–660
- Permanent Forum on Indigenous Issues 763
- prevention, role of 639
- promotion of human rights *633–662
 - children, convention on the rights of the child *646–653

- civil and political rights, covenant on *643–644
 - economic, social and cultural rights, covenant on *644–645
 - education, human rights 660–661
 - enforced disappearance, protection from *654–655
 - Human Rights Council *633–637
 - human rights instruments *639–656
 - migrant workers, convention on 653
 - racial discrimination, convention against *640–643
 - torture, convention against *645–646
 - UN machinery *633–639
 - protection of human rights *663–764
 - civil and political rights *664–719
 - economic, social and cultural rights *719–764
 - special procedures 663
 - racial discrimination, convention against *640–643
 - racism and racial discrimination *664–673
 - Fédération Internationale de Football Association (FIFA) World Cup 664
 - Intergovernmental Working Group 664
 - sports, combating racism in 664–665
 - Working Group on people of African descent 664
 - regional arrangements 658
 - role of prevention 639
 - self-determination, right to *688–692
 - mercenaries *689–692
 - Palestinian right to self-determination *688–689
 - slavery and related issues *748–751
 - fund on slavery 749
 - permanent memorial *749–751
 - slavery and transatlantic slave trade *749–751
 - strengthening action to promote human rights *656–660
 - Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment 646
 - torture, convention against *645–646
 - toxic wastes 748
 - UN machinery *633–639
 - Voluntary Fund 658
 - Voluntary Fund for Indigenous Populations 762
 - Voluntary Fund for International Decade 762–763
 - Voluntary Fund for torture victims 708
 - vulnerable groups 751–764
 - children *754–758
 - indigenous peoples *759–764
 - internally displaced persons 758–759
 - persons with disabilities 759
 - women 751–754
 - women 751–754, *1171–1175
 - convention on elimination of discrimination against women 645
 - Palestinian women 1171
 - trafficking in women and girls 752–754, *1171–1175
 - violence against women 751–752
 - working group on discrimination against women 751
 - Human Rights Council *633–637
 - HUMAN SETTLEMENTS 1044–1051
 - coordinated implementation of Habitat Agenda *1046–1049
 - Habitat Agenda and strengthening of UN-Habitat *1044–1049
 - United Nations Human Settlements Programme (UN-Habitat) *1044–1051
 - World Urban Forum 1045–1046
 - Hurricane Tomas *932–933
- I**
- IAEA *see* International Atomic Energy Agency (IAEA)
 - IAMB *see* International Advisory and Monitoring Board for Iraq (IAMB)
 - IANWGE *see* United Nations Inter-Agency Network on Women and Gender Equality (IANWGE)
 - ICAO *see* International Civil Aviation Organization (ICAO)
 - ICC *see* International Criminal Court (ICC)
 - ICJ *see* International Court of Justice (ICJ)
 - ICRC *see* International Committee of the Red Cross (ICRC)
 - ICRI *see* International Coral Reef Initiative (ICRI)
 - ICSC *see* International Civil Service Commission (ICSC)
 - ICTR *see* International Criminal Tribunal for Rwanda (ICTR)
 - ICTY *see* International Tribunal for the Former Yugoslavia (ICTY)
 - IDPs *see* internally displaced persons
 - IFAD *see* International Fund for Agricultural Development (IFAD)
 - ILO *see* International Labour Organization (ILO)
 - IMF *see* International Monetary Fund (IMF)
 - IMO *see* International Maritime Organization (IMO)
 - INCB *see* International Narcotics Control Board (INCB)
 - INDIA**, political and security questions, India–Pakistan 406
 - industrial development *798–800
 - INFORMATION *619–630
 - Department of Public Information (DPI) *621–630
 - developments in the field of information and telecommunications in the context of international security *620–621
 - economic and social questions, information and communication technologies 833
 - United Nations Communications Group 630
 - United Nations information centres *623–630
 - United Nations public information 621, *624–630
 - INSARAG *see* International Search and Rescue Advisory Group (INSARAG)
 - insolvency law 1342–1343
 - INSTITUTIONAL, ADMINISTRATIVE AND BUDGETARY QUESTIONS** *1393–1494
 - administrative matters *1448–1454
 - managerial reform and oversight *1448–1454
 - agenda 1410
 - conference management *1454–1461
 - cooperation with organizations *1414–1422
 - coordination, monitoring and cooperation 1412–1414
 - credentials 1410–1411
 - Economic and Social Council 1411–1412
 - financing and programming *1424–1447
 - accounts and auditing *1442–1446
 - contributions *1440–1442
 - financial situation 1424
 - programme planning 1446–1447
 - UN budget *1425–1440
 - General Assembly 1409–1411

- institutional machinery 1409–1412
- institutional mechanisms 1412–1413
- intergovernmental machinery *1407–1409
- organization of Assembly sessions 1409–1410
- other organizations, United Nations and *1414–1423
- peacekeeping operations *87–105
- programme of reform *1395–1407
- restructuring and institutional matters *1395–1423
- Security Council 1411
- staff matters *1465–1494
 - administration of justice *1488–1494
 - conditions of service *1465–1473
 - safety and security *1473–1478
 - travel-related matters 1488
 - United Nations Joint Staff Pension Fund *1486–1488
- UN financing and programming *1424–1447
- UN information systems 1461–1463
- UN premises and property 1463–1465
- UN restructuring issues *1395–1407
- INSTRAW *see* International Research and Training Institute for the Advancement of Women (INSTRAW)
- Intergovernmental Panel on Climate Change (IPCC) 1029
- Intergovernmental Working Group of Experts on International Standards of Accounting and Reporting (ISAR) 962
- internally displaced persons (IDPs) 157, 238, 246, *420–421, 758–759
- International Advisory and Monitoring Board for Iraq (IAMB) *371–373
- INTERNATIONAL ATOMIC ENERGY AGENCY (IAEA)
 - Asia and the Pacific 338, 373–374, 386, 396, 405
 - disarmament 508, 532–533, 535, 539–542, 544, 570
 - economic and social questions 999–1000
 - international peace and security 76
 - political and security questions 618
- International Civil Aviation Organization (ICAO) 614
- International Civil Service Commission (ICSC) 1413, 1465–1468, 1473, 1478
- International Commission against Impunity in Guatemala (CICIG) *317–318
- International Committee of the Red Cross (ICRC) 550, 1334
- International Conference on Great Lakes Region 116
- International Coral Reef Initiative (ICRI) 1032
- INTERNATIONAL COURT OF JUSTICE (ICJ)**
 - advisory proceedings *1286–1288
 - Africa 231–232
 - Americas 319
 - composition of the Court *1289
 - conditions of service and compensation 1289
 - contentious proceedings 1273–1286
 - election of judges *1289
 - Europe and the Mediterranean 409, 416–417
 - functioning of the Court 1289
 - judicial work of the Court *1273–1288
 - legal questions *1273–1289, 1348–1349
 - Middle East 445, 451, 454–455
 - organization of the Court 1289
 - Trust Fund to Assist States in Settlement of Disputes 1289
- INTERNATIONAL CRIMINAL COURT (ICC)
 - Africa 182, 189–190, 220, 246, 267–269
 - Assembly of States Parties 1316–1317
 - Chambers 1317–1320
 - cooperation, international 1319–1320
 - international peace and security 59
 - investigations 1318–1319
 - Kampala Declaration 1317
 - legal questions *1314–1320
 - new arrests, warrants and summonses 1317
 - Office of the Prosecutor 1318–1319
 - ongoing cases, trials and appeals 1317–1318
 - Registry 1319–1320
- INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA (ICTR)
 - ad litem judges *1300–1302
 - Chambers *1298–1302
 - extension of terms of office *1300–1302
 - financing 1303–1304
 - institutional, administrative and budgetary questions 1470–1471
 - international tribunals and court *1298–1306, 1314
 - Judges *1300–1302
 - new arrests 1298
 - Office of the Prosecutor 1302–1303
 - ongoing cases, trials and appeals 1298–1300
 - Registry 1303
- International Day against Nuclear Tests 531
- INTERNATIONAL ECONOMIC RELATIONS** *see also* sustainable development
 - development and *791–800
 - development policy and *791–858
 - sustainable development 800–809
- INTERNATIONAL FINANCE** *945–963 *see also* development; International Monetary Fund; United Nations Conference on Trade and Development (UNCTAD)
 - Africa, economic development in 945–946
 - competition law and policy 961–962
 - developing countries, debt problems of *949–953
 - development, financing for *953–961
 - financial flows 945
 - financial policy *945–953
 - international financial system *946–949
 - international standards of accounting and reporting 962
 - response to global financial and economic crisis 960–961
 - taxation *962–963
- International Fund for Agricultural Development (IFAD) 1287–1288
- International Labour Organization (ILO)
 - Administrative Tribunal 1287–1288
 - Global Jobs Pact 1071–1072
 - statistics 1267–1268
 - women 1168–1169, 1176
- INTERNATIONAL LAW** *see* treaties and agreements
- INTERNATIONAL LAW COMMISSION (ILC) *1321–1328
 - effects of armed conflict on treaties 1325
 - expulsion of aliens 1324
 - extradition 1325
 - immunity of State officials 1325
 - most-favoured-nation clause 1326
 - protection of persons in the event of disasters 1325

- reservations to treaties 1322–1324
- shared natural resources 1326
- treaties over time 1325–1326
- international legal questions *see* legal questions
- International Maritime Organization (IMO) 287, 290–291, 963
- International Monetary Fund (IMF)
 - economic and social questions 946–947, 949, 954, 1263
 - political and security questions 222, 230, 411–412
- International Mother Earth Day 1043
- International Narcotics Control Board (INCB) 1241, 1247–1248, 1256–1261
- INTERNATIONAL PEACE AND SECURITY** *41–105 *see also* peacebuilding; peacekeeping operations; terrorism
 - Afghanistan, terrorist attacks 78
 - civilians, protection in armed conflict *58–67
 - conflict prevention *48–51
 - Counter-Terrorism Committee 72–73, *73–76
 - demobilization 54
 - diamonds, conflict *48–51
 - disarmament 54
 - Global Counter-Terrorism Strategy *76–78
 - intercultural dialogue for peace and security 48
 - Iran, terrorist attacks 78
 - Iraq, terrorist attacks 78
 - Kimberley Process *48–51
 - maintenance of international peace and security *41–48
 - Nigeria, terrorist attacks 78
 - nuclear and radiological terrorism 76
 - Pakistan, terrorist attacks 78–79
 - Peacebuilding Commission *55–58
 - peacekeeping operations *79–105
 - peacemaking and peacebuilding *51–58
 - post-conflict peacebuilding *51–55
 - promotion of international peace and security *41–69
 - protection issues *58–67
 - radiological terrorism 76
 - reintegration, post-conflict peacebuilding 54
 - roster of political missions and offices 68–69
 - rule of law
 - post-conflict peacebuilding 54
 - preventive diplomacy and role of Security Council *42–46
 - Russian Federation, terrorist attacks 79
 - security sector reform 41–42
 - Special Committee on Peacekeeping Operations
 - consideration 41–42, 54–55
 - special political missions 68–69
 - terrorism, international *70–79
 - terrorist attacks 78–79
 - threats to international peace and security *70–79
 - Uganda, terrorist attacks 79
 - United Nations and regional organizations 46–48
- International Research and Training Institute for the Advancement of Women (INSTRAW) 1178–1179, 1396, 1403
- International Search and Rescue Advisory Group (INSARAG) 924
- International Security Assistance Force (ISAF) 85
- International Space Weather Initiative 613
- International Strategy for Disaster Reduction (ISDR) *925–928
- International Telecommunication Union (ITU) 622
- international terrorism *see* terrorism
- INTERNATIONAL TRADE** *937–945 *see also* United Nations Conference on Trade and Development (UNCTAD); World Trade Organization (WTO)
 - cocoa 944
 - commodities 944–945
 - Common Fund for Commodities 945
 - development and 941–942
 - investment, enterprise and development 943–944
 - multilateral trading system *938–941
 - negotiating frameworks 938–939
 - policy 941–942
 - promotion and facilitation 942–944
 - sugar 944
 - timber 944–945
- INTERNATIONAL TRANSPORT** 963–966
 - maritime transport 963
 - transport of dangerous goods 963–964
- INTERNATIONAL TRIBUNAL FOR THE FORMER YUGOSLAVIA (ICTY)**
 - ad litem judges *1293
 - Board of Auditors report 1296
 - Chambers *1290–1295
 - extension of terms of office *1293–1295
 - financing *1296–1298
 - institutional, administrative and budgetary questions 1470–1471
 - international tribunals and court *1290–1298, 1301, 1303, 1305–1306, 1314
 - Judges *1293–1295
 - new arrests and indictments 1291
 - Office of the Prosecutor 1295–1296
 - ongoing cases, trials and appeals 1291–1292
 - Registry 1296
- INTERNATIONAL TRIBUNALS AND COURTS** *1290–1320 *see also* International Criminal Court (ICC); International Criminal Tribunal for Rwanda (ICTR); International Tribunal for the Former Yugoslavia (ICTY)
 - ad hoc mechanism *1306–1314
 - completion strategies 1305–1306
 - financing *1296–1298, 1303–1304
 - functioning of Tribunals *1305–1314
 - International Criminal Court (ICC) *1314–1320
 - International Criminal Tribunal for Rwanda (ICTR) *1298–1306
 - International Tribunal for the Former Yugoslavia (ICTY) *1290–1298, 1305
- International Year for People of African Descent *661–662
- International Year of Biodiversity 1030–1031
- International Year of Forests 1031
- Internet, economic and social questions 836
- IRAN**
 - disarmament 540
 - human rights *776–779
 - non-proliferation issues *396–405
 - political and security questions *396–406
 - sanctions 405–406
 - terrorism 78

IRAQ *see also* United Nations Assistance Mission in Iraq (UNAMI)
 elections 363–364
 formation of national Government 367
 humanitarian assistance 905
 International Advisory and Monitoring Board (IAMB) *371–373
 Kuwait, political and security questions with 377–378
 POWs, Kuwaiti property and missing persons 377–378
 United Nations Compensation Commission and Fund 378
 non-proliferation and disarmament obligations *373–374
 oil-for-food programme *375–377
 political and security questions *363–377
 terrorism 78
 United Nations Iraq Account *375–377
 Islamic Republic of Iran *see* Iran
 islands *see* small island developing states
ISLAND TERRITORIES, decolonization *597–604
ISRAEL *see also* Middle East; Palestine
 Occupied Palestinian Territory, Israeli settlements *449–452
 Special Committee on Israeli Practices 497–498
 ITU *see* International Telecommunication Union

J

Jammu, peacekeeping operations 85
 Jerusalem, Occupied Palestinian Territory *452–453
 Joint Inspection Unit 863–865, 912–913, 1042–1043, 1448–1449, 1452–1454
 Joint United Nations Programme on HIV/AIDS (UNAIDS) 1188, 1193, 1220–1222, 1246, 1414

K

KASHMIR, peacekeeping operations 85
KENYA, humanitarian assistance 903
 Kimberley Process *48–51
 KOSOVO *see also* United Nations Interim Administration Mission in Kosovo (UNMIK)
 declaration of independence of Kosovo 417
 European Union Rule of Law Mission in Kosovo (EULEX) 417
 political and security questions *416–420
 Kosovo Force 419–420

KUWAIT

Iraq, political and security questions with 377–378
 oversight activities 378
 POWs, Kuwaiti property and missing persons 377–378
 United Nations Compensation Commission and Fund 378

KYRGYZSTAN

elections 406
 humanitarian assistance 905–906
 human rights 779
 political and security questions 406

L

Lake Chad Basin Commission (Cameroon, Central African Republic, Chad, the Niger, Nigeria) 231

LANDLOCKED DEVELOPING COUNTRIES, development policy *855–858

LATIN AMERICA AND THE CARIBBEAN *see also* Americas; Caribbean; Central America; Economic Commission for Latin America and the Caribbean (ECLAC); *specific country names*
 disarmament *579–580

economic and social activities, regional *988–993

humanitarian assistance 907–908

Hurricane Tomas *932–933

population 1060–1061

regional economic and social activities *988–993

 Caribbean 992

 economic trends 988

 equity and social cohesion 989–990

 macroeconomic policies and growth 989

 mainstreaming gender in regional development 990

 Mexico and Central America 992

 natural resources and infrastructure 991

 population and development 990

 production and innovation 989

 programme and organizational questions 992, *993

 public administration 990–991

 regional integration and cooperation 989

 statistics and economic projections 991–992

 subregional activities 992

 sustainable development and human settlements 991

 United Nations Population Fund (UNFPA) 1060–1061

LAW OF THE SEA *1356–1391 *see also* landlocked developing countries; small island developing States
 Division for Ocean Affairs and the Law of the Sea 1391
 International Seabed Authority 1370

 United Nations Convention on the Law of the Sea *1356–1391

LEAST DEVELOPED COUNTRIES (LDCs) *842–848

 preparations for Fourth United Nations Conference on *846–848

LEBANON *see also* Middle East; United Nations Interim Force in Lebanon (UNIFIL)

 oil slick in *1014–1016

 political and security questions *484–497

 Special Tribunal for Lebanon 496–497

LEGAL QUESTIONS *1271–1391

 diplomatic relations *1336–1338

 economic law, international *1339–1347

 arbitration rules *1340

 commercial arbitration 1342

 Commission on International Trade Law *1339–1347

 electronic commerce 1343

 insolvency law 1342–1343

 Legislative Guide on Insolvency Law *1341–1342

 Legislative Guide on Secured Transactions *1340–1341

 microfinance 1344

 procurement 1342

 security interests 1343

 technical cooperation and assistance 1344

 host country relations *1354–1355

 International Court of Justice (ICJ) *1273–1289

 International Criminal Court (ICC) *1314–1320

International Criminal Tribunal for Rwanda (ICTR) *1298–1306
 international economic law *1339–1347
 International Law Commission (ILC) *1321–1328
 effects of armed conflict on treaties 1325
 expulsion of aliens 1324
 extradition 1325
 immunity of State officials 1325
 most-favoured-nation clause 1326
 protection of persons in the event of disasters 1325
 reservations to treaties 1322–1324
 shared natural resources 1326
 treaties over time 1325–1326
 international legal questions *1321–1355
 international political relations *1321–1339
 International Tribunal for the Former Yugoslavia (ICTY) *1290–1298, 1305
 international tribunals and court *1290–1320
 jurisdictional immunities of States and their properties 1330
 law of the sea *1356–1391
 Division for Ocean Affairs and the Law of the Sea 1391
 International Seabed Authority 1370
 United Nations Convention on the Law of the Sea *1356–1391
 rule of law at the national and international levels *1347–1348
 security interests 1343
 Special Committee on United Nations Charter *1348–1352
 State relations and international law *1328–1336
 convention on international terrorism 1330–1331
 international liability *1329–1330
 internationally wrongful acts, responsibility of States for *1328–1329
 international terrorism *1330–1334
 jurisdictional immunities of States and their properties 1330
 measures to eliminate international terrorism *1330–1334
 Protocols Additional to the 1949 Geneva Conventions *1334–1336
 special missions 1330
 State responsibility *1328–1329
 succession of States 1330
 treaties involving international organizations 1330
 universal jurisdiction *1330
 strengthening the role of the United Nations *1348–1354
 treaties and agreements 1338–1339
 advice and capacity-building in treaty law and practice 1339
 multilateral treaties 1338–1339
 over time 1325–1326
 registration and publication of treaties 1338
 United Nations Programme for the teaching and study of international law *1352–1354
 universal jurisdiction *1330
 leprosy victims, human rights *680–681
LIBERIA *see also* United Nations Mission in Liberia (UNMIL)
 appointments 205, 211
 Peacebuilding Commission 209–210

political and security questions *200–213
 sanctions 205–209
 library and knowledge services 623, *629

M

MACEDONIA *see* The former Yugoslav Republic of Macedonia
MADAGASCAR, political and security questions 315
 malaria 873, 1227–1228
 management, *see* Institutional, Administrative and Budgetary Questions
 maritime law *see* law of the sea
 maritime transport 963
 maternal health and mortality 1143, 1232–1233
 tobacco use *1227
MAURITANIA, political and security questions 237
MAURITIUS, political and security questions, with United Kingdom 315–316
 MDGs *see* Millennium Development Goals (MDGs)
 mercenaries *689–692
 mercury 1038–1039
 microcredit and microfinance
 eradication of poverty 812–813
 legal questions 1344
MIDDLE EAST *see also* Palestine; *specific country names*
 disarmament *541–542
 flotilla incident *439–441
 human rights *784–788
 Lebanon *484–497
 Occupied Palestinian Territory, peace process *438–464
 peacekeeping operations 85
 peace process *437–464
 diplomatic efforts 437–438
 Occupied Palestinian Territory *438–464
 political and security questions *437–503
 refugees and displaced persons 1211–1212
 Syrian Arab Republic *497–503
 migrant persons *see* refugees and displaced persons
 migrant workers, human rights 653
 MILLENNIUM DEVELOPMENT GOALS (MDGs)
 children, youth and ageing persons 1183–1189
 development policy and international economic cooperation 791–792, 798, 802, 809, 813, *813–830, 836, 840, 844, 849, 855–856
 energy, natural resources and cartography 1002–1003
 environment and human settlements 1011, 1014, 1030–1031, 1034, 1041, 1046
 health, food and nutrition 1218–1221, 1227, 1230, 1232
 human rights 719, 733, 742
 institutional, administrative and budgetary questions 1396, 1410, 1412–1414, 1416
 international trade, finance and transport 938, 943, 945–946, 953–954, 959
 operational activities for development 859–860, 869–870, 872–873, 875, 879, 886–887, 890–892
 political and security questions 512, 621–622, 630
 population 1053, 1057–1059, 1062–1063
 regional economic and social activities 967–972, 974, 977–978, 988, 990, 992, 994–995, 997
 social policy, crime prevention and human resources development 1077–1078, 1130

statistics 1262, 1266, 1268
 women 1134–1136, 1139–1140, 1167–1168
 mines *see* anti-personnel mines
 MINURCAT *see* United Nations Mission in the Central African Republic and Chad (MINURCAT)
 MINURSO *see* United Nations Mission for the Referendum in Western Sahara (MINURSO)
 MINUSTAH *see* United Nations Stabilization Mission in Haiti (MINUSTAH)
 missiles, disarmament *533–534
MONGOLIA, disasters and disaster response in 933
 Monitoring Group on Somalia 305
 MONTERRAT, decolonization *602
 MONUC *see* United Nations Organization Mission in the Democratic Republic of the Congo (MONUC)
 MONUSCO *see* United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO)
 most-favoured-nation clause, legal questions 1326
 multilingualism 622, *626
 munitions *see* disarmament; weapons
MYANMAR, human rights *779–783

N

NATO *see* North Atlantic Treaty Organization (NATO)
NATURAL RESOURCES
 economic and social questions *1002–1004
 legal questions 1326
 NEPAD *see* New Partnership for Africa's Development (NEPAD)
NEPAL *see also* United Nations Mission in Nepal (UNMIN)
 children and armed conflict 394–396
 humanitarian assistance 906
 human rights 783
 political and security questions *388–396
 NEW CALEDONIA, decolonization *594–595
 New Partnership for Africa's Development (NEPAD) *908–916, 969
 Economic Commission for Africa 913
 progress in implementation and international support *908–911
 social dimensions of *913–915
 NICARAGUA–COSTA RICA, political and security questions 319
 NICARAGUA–HONDURAS, political and security questions 319
NIGERIA
 Cameroon–Nigeria Mixed Commission 231–233
 terrorist attacks 78
 non-governmental organizations 1422–1423
 non-proliferation
 Democratic People's Republic of Korea *386–387
 Non-Proliferation of Nuclear Weapons, Treaty on the (NPT) 504–505, 508–509, 511, 513, 517–518, 523, 525, 531–533, 535, 539–541, 543–544, 546, 578
 Non-Self-Governing Territories (NSGTs) *see* decolonization
 NORTH AFRICA *see also specific country names*
 political and security questions *308–315
 refugees and displaced persons 1211–1212
 North Atlantic Treaty Organization (NATO)
 Africa 290, 297
 Asia and the Pacific 339, 346, 356, 358, 361

Europe and the Mediterranean 410, 415, 419
 legal questions 1281
 NPT *see* Non-Proliferation of Nuclear Weapons, Treaty on the
 nuclear and radiological terrorism 76
 nuclear disarmament *514–531
 Comprehensive Nuclear-Test-Ban Treaty (CTBT) *525–529
 Conference on Disarmament *517–522
 fissile material *522–523
 International Day against Nuclear Tests 531
 prohibition of the use of nuclear weapons *530–531
 security assurances *523–525
 nuclear energy *999–1002
 International Atomic Energy Agency (IAEA) *999–1002
 International Year of Sustainable Energy for All *1001–1002
 nuclear-weapon-free zones *543–546
 Africa *543
 African Nuclear-Weapon-Free Zone Treaty *543
 Asia 543–546
 Central Asia *543–544
 Mongolia *544–545
 South-East Asia 546
 Treaty on a Nuclear-Weapon-Free Zone in Central Asia *544
 Latin America and the Caribbean *546–547
 Middle East *547–548
 non-proliferation issues *543–549
 nuclear-weapon-free southern hemisphere and adjacent areas *548–549
 Second Conference of Nuclear-Weapon-Free Zones and Mongolia 543
 Southern hemisphere and adjacent areas *548–549
 South Pacific 548
 nutrition 1240 *see also* food; humanitarian assistance
 Standing Committee on Nutrition 1240
 United Nations University Food and Nutrition Programme for Human and Social Development (UNU-FNP) 1240

O

OAS *see* Organization of American States (OAS)
 obstetric fistula *1140–1143
 OCCUPIED PALESTINIAN TERRITORY *see also* Israel;
 Middle East; Palestine
 economic and social situation *459–464
 flotilla incident *439–441
 fact-finding mission 440
 Panel of Inquiry 441
 follow-up to Board of Inquiry report and Fact-Finding Mission on Gaza Conflict 444–445
 Fourth Geneva Convention *464–465
 humanitarian assistance 906
 Israeli settlements *449–452
 Jerusalem *452–453
 peace process *438–464
 economic and social situation *459–464
 peaceful settlement of the question of Palestine *445–449
 permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory *463–464

- political and security questions *438–464
 Special Committee to Investigate Israeli Practices Affecting Human Rights *453–465
 United Nations Register of Damage Caused by the Construction of the Wall in the Occupied Palestinian Territory 455
- oceans and seas *see also* law of the sea
 environment *1031–1038
- OCHA *see* Office for the Coordination of Humanitarian Affairs (OCHA)
- ODA *see* official development assistance (ODA)
- OECD *see* Organization for Economic Cooperation and Development (OECD)
- office *see under main part of title*
- Office for the Coordination of Humanitarian Affairs (OCHA)
 economic and social questions 893–894, 897, 901
 political and security questions 127, 240, 286, 320, 450, 454, 471
- Office of Internal Oversight Services (OIOS)
 administrative and staff matters 1448, 1450–1452, 1454, 1456, 1486
 economic and social questions 886–887, 1170, 1214–1215
 legal questions 1319
 political and security questions 82–83, 88–89, 97, 211, 378
 United Nations financing and programming 1445–1447
- Office of the Special Adviser on Africa 114–115
- Office of the United Nations High Commissioner for Human Rights (OHCHR)
 promotion of human rights 654, 656
 protection of human rights 675, 698, 717, 719, 742, 747, 751, 759, 762
- Office of the United Nations High Commissioner for Refugees (UNHCR)
 Africa 121, 128, 158, 165–166, 253, 309, 311–312
 Asia and the Pacific 357
 evaluation activities 1214
 Executive Committee *1198–1203
 financial and administrative questions 1215–1217
 global needs assessment 1216–1217
 humanitarian and special economic assistance 894, 905, 916
 inspections 1214–1215
 institutional, administrative and budgetary questions 1454, 1490
 management and administrative change 1216
 partnerships and coordination 1213–1214
 policy development and cooperation 1213–1215
 programme policy *1198–1203
 refugees and displaced persons *1198–1217
- Office of the United Nations Special Coordinator for Lebanon (UNSCOL) 69
- Office of the United Nations Special Coordinator for the Middle East (UNSCO) 68
- official development assistance (ODA) 946, 949, 953, 959–960
- OHCHR *see* Office of the United Nations High Commissioner for Human Rights (OHCHR)
- oil-for-food programme *375–377
- OIOS *see* Office of Internal Oversight Services (OIOS)
- ONUB *see* United Nations Operation in Burundi (ONUB)
- Organization for Economic Cooperation and Development (OECD)
 development policy and international economic cooperation 792, 842
 international trade, finance and transport 946
 legal questions 1326
 operational activities for development 860, 870, 880
 regional economic and social activities 970, 991
 statistics 1263
- Organization for Democracy and Economic Development-GUAM 421, 423
- Organization for Security and Cooperation in Europe (OSCE) 412, 416, 420–422, 436
- Organization of American States (OAS) 319, 324, 327
- OSCE *see* Organization for Security and Cooperation in Europe (OSCE)
- Ouagadougou Agreement, Africa 107–108, 175, 177–178, 180–183, 188–191, *233–236
- OUTER SPACE
 Committee on the Peaceful Uses of Outer Space
 Legal Subcommittee *613–617
 Scientific and Technical Subcommittee 610–613
 Inter-Agency Meeting on Outer Space Activities 611
 international cooperation in the peaceful uses of outer space *613–617
 International Space Weather Initiative 613
 peaceful uses of outer space *609–617
 political and security questions *609–617
 scientific and technical issues 611–613
 space-based disaster management and emergency response (UN-SPIDER) 612–613
 UNISPACE III recommendations 609–610
 United Nations Programme on Space Applications 610–611
- ## P
- PAKISTAN**
 Benazir Bhutto assassination inquiry 406–407
 disasters and disaster response *933–934
 humanitarian assistance 906
 political and security questions 406–407
 India–Pakistan 406
 terrorism 78–79
- PALESTINE *see also* Israel; Middle East
 assistance to Palestinians *470–484
 Committee on Palestinian Rights *466–470
 displaced persons *480–481
 Division for Palestinian Rights *468–469
 general aspects *465–470
 human rights, Palestinian women 1171
 political and security questions *465–484
 property rights *483–484
 special information programme *469–470
 UN activities *470–474
 UNCTAD assistance to Palestinians *471–474
 women *481–483, 1171
- PEACEBUILDING *51–58
- PEACEBUILDING COMMISSION *55–58
 Burundi 146
 Central African Republic (CAR) 154–155
 Economic and Social Council and *57
 Liberia 209–210

- Organizational Committee *56–57
- Peacebuilding Fund 57–58
- review of peacebuilding architecture *55–56
- Sierra Leone 217–218
- Peacebuilding Fund 57–58
- PEACEKEEPING OPERATIONS** *79–105 *see also specific country names*
 - accounts and auditing *95
 - Africa 85
 - Americas 85
 - Asia 85
 - aviation safety 84
 - closed missions, funds for *94
 - comprehensive review of *84
 - conduct and discipline 81–82
 - cooperation
 - with regional organizations 83
 - with troop-contributing countries 82
 - criminal accountability of UN staff and experts on mission *102–104
 - cross-cutting issues *97–102
 - Europe and the Mediterranean 85
 - financial and administrative aspects of peacekeeping operations *87–105
 - funds for closed missions *94
 - general aspects of UN peacekeeping 81–83
 - information *627–628
 - management of peacekeeping assets *96–97
 - Middle East 85
 - oversight activities 83
 - peacekeeping support account *88–94
 - personnel matters *102–105
 - restructuring issues *97–102
 - roster of 2010 operations 85–87
 - safety and security 81
 - Security Council Working Group on Peacekeeping Operations 83
 - sexual exploitation and abuse 82
 - Special Committee on Peacekeeping Operations *84
 - strategies for complex peacekeeping operations 81
 - strengthening operational capacity 81
 - training 105
 - United Nations Logistics Base *96–97
 - UN police capacities 102
 - welfare and recreational needs 104
 - women in peacekeeping 83
- peacemaking *51–58
- persistent organic pollutants (POPs) 1017–1018, 1039–1040
- persons with disabilities
 - convention on rights of 653–655
 - International Year of the Family 1081–1082
 - mainstreaming disability in the development agenda *1079–1081
 - MDGs *1078–1079
 - peacekeeping operations 104–105
 - social policy and cultural issues *1077–1082
 - World Programme of Action *1077–1079
- THE PHILIPPINES**
 - children and armed conflict 407
- piracy
 - Somalia *286–294
- PITCAIRN, decolonization *603
- POLITICAL AND SECURITY QUESTIONS** *39–630 *see also Africa; Americas; Asia and the Pacific; Information; International peace and security; outer space*
 - Africa *106–316
 - Central Africa and Great Lakes region *116–174
 - Horn of Africa *237–308
 - North Africa *308–315
 - peacekeeping capacities *114–116
 - promotion of peace in *109–116
 - relationship between United Nations and regional organizations *110–114
 - technical assessment mission *121–135
 - African Union Peacekeeping Support Team 111
 - Americas *317–337
 - Central America *317–319
 - cooperation between United Nations and regional organizations *335–337
 - arms *see also* disarmament
 - embargo, Democratic Republic of the Congo *132–135
 - trafficking *117–118
 - Asia and the Pacific *338–408
 - elections 348, 363–364, 406
 - non-proliferation *386–387
 - oil-for-food programme, Iraq *375–377
 - POWs, Kuwaiti property and missing persons 377–378
 - Republic of Korea naval ship incident and aftermath *387–388
 - sanctions 361–363, 405–406
 - United Arab Emirates–Iran 408
 - United Nations Commission of Inquiry into Benazir Bhutto assassination 406–407
 - atomic radiation, effects of *617–619
 - Central Africa and Great Lakes region *116–174
 - Central America *317–319
 - children and armed conflict
 - Afghanistan 361
 - Burundi 146–147
 - Central African Republic 155–156
 - Colombia 333–334
 - Democratic Republic of the Congo 136–137
 - Nepal 394–396
 - The Philippines 407
 - Sri Lanka 407–408
 - Sudan 253–254
 - Uganda 173
 - cholera outbreak, Haiti 327–328
 - cooperation between the AU and UN system 110–111
 - decolonization *583–609
 - disarmament *504–580
 - displaced persons, Palestine *480–481
 - earthquake, Haiti *320–321
 - elections
 - Afghanistan 348
 - Côte d'Ivoire 188–189
 - Guinea 235–237
 - Iraq 363–364
 - Kyrgyzstan 406
 - Sudan *240–244

- Europe and the Mediterranean *409–436
 cooperation with
 Collective Security Treaty Organization (CSTO) *432–433
 Council of Europe *433–436
 Organization for Security and Cooperation in Europe (OSCE) 436
 Organization for Democracy and Economic Development-GUAM 423
 stability and development in South-Eastern Europe 436
 strengthening of security and cooperation in the Mediterranean *431–432
 flotilla incident, Occupied Palestinian Territory, peace process *439–441
 general aspects of international peace and security *582
 Horn of Africa *237–308
 International Conference on Great Lakes Region 116
 international peace and security *41–105
 Joint Support and Coordination Mechanism of the African Union-United Nations Hybrid Operation in Darfur 111
 Mediterranean countries, Europe and *409–436
 Middle East *437–503
 non-proliferation, Democratic People's Republic of Korea *386–387
 North Africa *308–315
 Occupied Palestinian Territory, peace process *438–464
 oil-for-food programme, Iraq *375–377
 outer space, peaceful uses of *609–617
 Peacebuilding Commission
 Burundi 146
 Central African Republic (CAR) 154–155
 Liberia 209–210
 Sierra Leone 217–218
 peacekeeping capacities, African *114–116
 piracy *286–294
 promotion of peace in Africa *109–116
 regional aspects of international peace and security *582–583
 South Atlantic *582–583
 relationship between United Nations and regional organizations *110–114
 sanctions
 Afghanistan 361–363
 Côte d'Ivoire 195–196, *196–198
 Darfur *269–272
 Iran 405–406
 Liberia 205–209
 Sierra Leone *218–219
 Security Council mission, Africa *123–127
 sexual violence, Democratic Republic of the Congo *127–128
 Special Court for Sierra Leone 220–221
 Strategic Framework for Peacebuilding in Burundi 146
 support for AU peacekeeping operations *112–114
 support for democracies *582
 United Nations Scientific Committee on the Effects of Atomic Radiation *618–619
 United Nations Standing Advisory Committee on Security Questions in Central Africa *118–120
 United Nations Office for Central Africa 118
 West Africa *174–237
 Working Group on Children and Armed Conflict Africa 296
 Americas 333–334
 political missions, special *see also specific mission names*
 political relations, legal aspects of international *1321–1339
 pollution *see* environment
 POPs *see* persistent organic pollutants (POPs)
POPULATION *1052–1064 *see also* United Nations Population Fund (UNFPA)
 Commission on Population and Development *1052–1054
 international migration and development *1054–1057
 United Nations Population Fund 1057–1062
 United Nations Population Division 1063–1064
 post-conflict peacebuilding *51–55
POVERTY
 eradication of *809–829
 women *1139–1140
 prisoners of war, Kuwaiti property and missing persons 377–378
 procurement
 economic and social questions, UNOPS 890
 legal questions 1342
 protection issues, international peace and security *58–67
 public information *see* information
 PUERTO RICO, decolonization 593
- ## R
- racism and racial discrimination *664–673 *see also* human rights
 Fédération Internationale de Football Association (FIFA) World Cup 664
 human rights *640–643
 Intergovernmental Working Group 664
 sports, combating racism in 664–665
 Working Group on people of African descent 664
 radiation
 terrorism, radiological 76
 United Nations Scientific Committee on the Effects of Atomic Radiation *618–619
 waste, disarmament 542–543
REFUGEES AND DISPLACED PERSONS *1198–1217
see also internally displaced persons (IDPs); Office of the United Nations High Commissioner for Refugees (UNHCR)
 Africa *1206–1209
 Americas 1210
 Asia and the Pacific 1210–1211
 children, protection and assistance 1205
 Europe 1212–1213
 Georgia *420–421
 Middle East and North Africa 1211–1212
 Office of the United Nations High Commissioner for Refugees (UNHCR) *1198–1217
 evaluation activities 1214
 Executive Committee *1198–1203
 financial and administrative questions 1215–1217
 global needs assessment 1216–1217
 inspections 1214–1215
 management and administrative change 1216

- partnerships and coordination 1213–1214
- policy development and cooperation 1213–1215
- programme policy *1198–1203
- Palestine *480–481
- protection and assistance *1203–1213
 - Africa *1206–1209
 - age 1204–1205
 - Americas 1210
 - Asia and the Pacific 1210–1211
 - children 1205
 - diversity 1204–1205
 - Europe 1212–1213
 - gender 1204–1205
 - international instruments 1206
 - Middle East and North Africa 1211–1212
 - populations of concern 1204
 - protracted situations and durable solutions 1205–1206
 - regional activities *1206–1213
 - resettlement 1205
 - women 1204–1205
- resettlement 1205
- staff security 1217
- Standing Committee 1203
- women 1204–1205
- regional aspects of international peace and security, South Atlantic *582–583
- regional disarmament *575–580
 - Africa 578
 - Asia and the Pacific *578–579
 - confidence-building measures *576–578
 - conventional arms control at regional and subregional levels *575–576
 - Latin America and the Caribbean *579–580
- REGIONAL ECONOMIC AND SOCIAL ACTIVITIES *967–998
 - see also specific regions and regional commissions*
 - Africa 968–974
 - cooperation with regional organizations 974
 - development, planning and administration 972
 - Economic Commission for Africa (ECA) 968
 - economic trends 968–969
 - food security and sustainable development 969–970
 - gender and women in development 972
 - governance and public administration 970–971
 - information, science and technology for development 971
 - macroeconomic analysis, finance and economic development 971–972
 - New Partnership for Africa's Development (NEPAD) 969
 - programme and organizational questions 973–974
 - social development 973
 - statistics 972–973
 - subregional development activities 972
 - transport and communications 971–972
 - Asia and the Pacific *974–983
 - cooperation with regional bodies *979–983
 - disaster risk reduction 977
 - economic and technical cooperation 978
 - economic trends 974
 - environment and development 976
 - information and communication technology 976–977
 - least developed, landlocked and small island developing countries 978
 - macroeconomic policy, poverty reduction and development 975
 - policy issues 975
 - programme
 - and organizational questions 978–979
 - performance, monitoring and evaluation 978–979
 - proposed programme of work, 2010–2011 979
 - social development 977
 - statistics 977–978
 - trade and investment 975
 - transport 975–976
 - Europe *983–988
 - activities 983–984
 - economic trends 983
 - energy 984
 - environment 984
 - housing and land management 984–988
 - statistics, housing and land management 983
 - timber 983
 - trade 983
 - transport 983–984
 - Latin America and the Caribbean *988–993
 - activities *989–993
 - economic trends 988
 - equity and social cohesion 989–990
 - macroeconomic policies and growth 989
 - mainstreaming gender in regional development 990
 - Mexico and Central America 992
 - natural resources and infrastructure 991
 - population and development 990
 - production and innovation 989
 - programme and organizational questions 992, *993
 - public administration 990–991
 - regional integration and cooperation 989
 - statistics and economic projections 991–992
 - subregional activities 992
 - sustainable development and human settlements 991
 - regional cooperation 967–968
 - review and reform of the regional commissions 968
 - Western Asia *993–998
 - activities *994–998
 - advancement of women 997–998
 - conflict mitigation and development 998
 - economic development and integration 994–995
 - economic trends 994
 - ICT and related development issues *995–997
 - natural resources management for sustainable development 994
 - programme and organizational questions 998
 - social development 994
 - statistics 997
- reintegration, post-conflict peacebuilding 54
- restructuring issues, peacekeeping operations *97–102

rights *see* human rights
road safety *1233–1235
rule of law
 post-conflict peacebuilding 54
 preventive diplomacy and role of Security Council *42–46

RUSSIAN FEDERATION, terrorist attacks 79

RWANDA *see also* International Criminal Tribunal for Rwanda (ICTR)
 political and security questions 173–174

S

safety and security, peacekeeping operations 81

SAINT HELENA, decolonization *603

SAINT LUCIA, Hurricane Tomas *932–933

SAINT VINCENT AND THE GRENADINES, Hurricane Tomas *932–933

sanctions

Afghanistan 361–363

Charter provisions relating to *1350–1352

Côte d'Ivoire 195–196, *196–198

Darfur *269–272

Iran 405–406

Liberia 205–209

Sierra Leone *218–219

Scientific and Technical Subcommittee of the Committee on Outer Space 610–613

scientific concerns, human rights 747–748

SECRETARIAT, UN *see* United Nations

SECURITY COUNCIL 1411

 Working Group on Peacekeeping Operations 83

security sector reform 41–42

self-determination, human rights *688–692

sexual exploitation and abuse

 armed conflict and women *1163–1166

 drug-facilitated sexual assault 1247

 peacekeeping operations 82

SIERRA LEONE *see also* United Nations Integrated Peacebuilding Office in Sierra Leone (UNIPSIL)

 human rights 768

 Peacebuilding Commission 217–218

 political and security questions *213–221

 sanctions *218–219

 Special Court for Sierra Leone 220–221

slavery and related issues *748–751

 fund on slavery 749

 permanent memorial *749–751

 transatlantic slave trade *749–751

small arms, disarmament *554–559

small island developing states, economic and social questions *848–855

SOCIAL POLICY AND CULTURAL ISSUES *1065–1094
see also crime prevention and criminal justice; human resources; persons with disabilities

 cultural development *1082–1094

 cultural property *1091–1094

 culture and development 1090–1091

 culture of peace *1082–1088

 International Day of Nowruz *1087

 interreligious and intercultural understanding *1084–1086

 persons with disabilities *1077–1082

 social development *1065–1077

 sport for development and peace *1089–1090

 trafficking in cultural property *1091–1094

 World Interfaith Harmony Week *1087–1088

SOMALIA; *see also* African Union Mission in Somalia (AMISOM); United Nations Political Office for Somalia (UNPOS)

 children and armed conflict 294–296

 humanitarian assistance 903–904

 human rights 768–769

 piracy *286–294

 political and security questions *276–303

 sanctions *296–301

 Working Group on Children and Armed conflict 296

SOUTH ATLANTIC, regional aspects of international peace and security *582–583

SOUTHERN AFRICA *see specific country names*

space *see* outer space

Special Committee on Peacekeeping Operations 41–42, 54–55, *84

special economic assistance *908–920

 African economic recovery and development *908–916

 African countries emerging from conflict 916

 Liberia 916

 Haiti *916–920

 recovery and reconstruction *918–920

 New Partnership for Africa's Development (NEPAD) *908–916, 969

 Economic Commission for Africa 913

 progress in implementation and international support *908–911

 social dimensions of *913–915

 third States affected by sanctions 920

special political missions 68–69

SRI LANKA

 children and armed conflict 407–408

 humanitarian assistance 906–907

 political and security questions 407–408

staff of United Nations *see* institutional, administrative and budgetary questions

STATISTICS *1262–1270

 agricultural statistics 1265–1266

 capacity-building, statistics 1268–1269

 coordination and integration of statistical programmes 1270

 crime and drugs, statistics on 1267

 cultural statistics 1267–1268

 demographic and social statistics 1266–1268

 development indicators 1266–1267

 disability statistics 1267

 Economic Commission for Latin America and the Caribbean (ECLAC) 1269

 economic statistics 1262–1266

 environmental-economic accounting 1264

 environment statistics 1264

 finance statistics 1264

 follow-up to UN conferences and summits 1269

 global geospatial information management 1268

 industrial statistics 1264–1265

 informal sector statistics 1267

information and communications technology statistics 1268
 integrated economic statistics 1265
 International Comparison Programme (ICP) 1263
 international trade in services, statistics of 1263
 international trade statistics 1265
 inventory of global statistical standards 1270
 labour statistics 1267
 Latin America and the Caribbean 1269
 national accounts 1262–1263
 population and housing censuses 1266–1268
 price indexes and statistics 1264
 programme and institutional questions 1270
 quality assurance frameworks 1269
 regional statistical development 1269
 Statistical Commission *1262–1270
 World Statistics Day *1269–1270
 Strategic Framework for Peacebuilding in Burundi 146
SUDAN *see also* Darfur; African Union–United Nations Hybrid Operation in Darfur (UNAMID); United Nations Mission in the Sudan (UNMIS)
 2005 Comprehensive Peace Agreement (CPA) 238
 appointments, political and security questions 246, 255
 children and armed conflict 253–254
 elections, political and security questions *240–244
 humanitarian assistance 904
 human rights 769–770
 political and security questions *237–275
 Security Council mission *246–253
 sugar, international trade 944
 sustainable development *800–809
SYRIAN ARAB REPUBLIC *see also* United Nations Disengagement Observer Force (UNDOF)
 disarmament 540
 humanitarian assistance 907
 political and security questions *497–503
 Special Committee on Israeli Practices 497–498
 United Nations Disengagement Observer Force *500–503

T

taxation, international finance *962–963
 technical cooperation *see* development
 technology *see* scientific concerns
 terrorism *70–79
 Afghanistan 78
 attacks 78–79
 Counter-Terrorism Committee 72–73
 disarmament *535–537
 extension of CTED mandate 73–76
 Global Counter-Terrorism Strategy *76–78
 international *70–79
 Iran 78
 Iraq 78
 legal questions, international terrorism *1330–1334
 measures to eliminate 72–76
 Nigeria 78
 nuclear and radiological terrorism 76
 Pakistan 78–79
 Russian Federation 79
 terrorist attacks 78–79
 Uganda 79

THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA, political and security questions 420
 threats to international peace and security *70–79
 timber, international trade 944–945
TIMOR-LESTE *see also* United Nations Integrated Mission in Timor-Leste
 political and security questions *379–385
 United Nations Integrated Mission in Timor-Leste *379–385
 United Nations Mission in East Timor 384
 tobacco
 health *1226–1227
 women, maternal and child health *1127, 1143
 TOKELAU, decolonization *595–597
 torture and cruel treatment, human rights, convention against *645–646
 tourism, economic and social questions *807–809
 trade *see* international trade
 trafficking in women and girls *1171–1175
 training *see* research and training
 transportation, road safety *1233–1235
 TREATIES AND AGREEMENTS 1338–1339 *see also specific name of treaty or agreement*
 advice and capacity-building in treaty law and practice 1339
 multilateral treaties 1338–1339
 UN registration and publication of treaties 1338
 tuberculosis, economic and social questions, development 873
 TURKS AND CAICOS ISLANDS, decolonization *604–605

U

UGANDA

children and armed conflict 173
 humanitarian assistance 904
 political and security questions 173
 terrorist attacks 79
 UNAIDS *see* Joint United Nations Programme on HIV/AIDS
 UNAMA *see* United Nations Assistance Mission in Afghanistan (UNAMA)
 UNAMI *see* United Nations Assistance Mission for Iraq (UNAMI)
 UNAMID *see* African Union–United Nations Hybrid Operation in Darfur (UNAMID)
 UNCDF *see* United Nations Capital Development Fund (UNCDF)
 UNCTAD *see* United Nations Conference on Trade and Development (UNCTAD)
 United Nations Democracy Fund (UNDEF) 886–887
 UNDOF *see* United Nations Disengagement Observer Force (UNDOF)
 UNDP *see* United Nations Development Programme (UNDP)
 UNEP *see* United Nations Environment Programme (UNEP)
 UNESCO *see* United Nations Educational, Scientific and Cultural Organization (UNESCO)
 UNFICYP *see* United Nations Peacekeeping Force in Cyprus (UNFICYP)
 UNFPA *see* United Nations Population Fund (UNFPA)
 United Nations Fund for International Partnerships (UNFIP) 886

- UN-Habitat *see* United Nations Human Settlements Programme
- UNHCR *see* Office of the United Nations High Commissioner for Refugees (UNHCR)
- UNICEF *see* United Nations Children's Fund (UNICEF)
- UNIDO *see* United Nations Industrial Development Organization (UNIDO)
- UNIFEM *see* United Nations Development Fund for Women (UNIFEM)
- UNIFIL *see* United Nations Interim Force in Lebanon (UNIFIL)
- UNIOGBIS *see* United Nations Integrated Peacebuilding Office in Guinea-Bissau (UNIOGBIS)
- UNIPSIL *see* United Nations Integrated Peacebuilding Office in Sierra Leone (UNIPSIL)
- UNISPACE III recommendations 609–610
- UNITAR *see* United Nations Institute for Training and Research (UNITAR)
- UNITED KINGDOM**, political and security questions, with Mauritius 315–316
- UNITED NATIONS** *see also* Economic and Social Council; General Assembly; institutional, administrative and budgetary questions; Office of Internal Oversight Services; Security Council; United Nations System Chief Executives Board for Coordination
- budget *see* institutional, administrative and budgetary questions
- public information, political and security questions 621
- regional centres for peace and disarmament *577–578
- regional organizations 46–48
- United Nations Assistance Mission for Iraq (UNAMI) 68, 363–378
- United Nations Assistance Mission in Afghanistan (UNAMA) 68, 339–340, 346–348, 356–358
- United Nations Capital Development Fund (UNCDF) 867, 875–876, 891–892
- United Nations Children's Fund (UNICEF)
- audits 1191–1192
- basic education and gender equality 1188
- budget appropriations 1190–1191
- child protection from violence, exploitation and abuse 1188
- children, youth and ageing persons 1183–1192
- Ethics Office 1190
- evaluation system 1189
- field visits 1186–1187
- gender policy 1189
- health, food and nutrition 1220
- HIV/AIDS 1188
- humanitarian action 1189
- human resources 1190
- human rights 755, 771, 773
- International Public Sector Accounting Standards 1192
- joint programming 1186
- legal questions 1290
- operational activities for development 859–860, 866, 868, 871, 876–877, 881–883, 888
- organizational matters 1189–1190
- policy advocacy and partnerships for children's rights 1189
- political and security questions 254, 286, 295, 471
- population 1057, 1060, 1061, 1063
- private fundraising and partnerships 1191
- programmes
- matters 1186
- policies 1185–1186
- by region 1186–1187
- by sector 1186–1189
- recovery policy 1192
- resource mobilization 1191
- social policy, crime prevention and human resources development 1082
- UNAIDS programme coordination 1188
- women 1169
- young child survival and development 1186–1188
- United Nations Communications Group 630
- United Nations Compensation Commission and Fund 378
- United Nations Conference on Trade and Development (UNCTAD)
- assistance to Palestinians *471–474
- development policy and international economic cooperation 830, 840, 842, 846, 855
- institutional, administrative and budgetary questions 1411–1412, 1442
- international trade, finance and transport 937–938, 941–946, 953, 961–966
- legal questions 1326
- political and security questions 471, 472
- United Nations Development Fund for Women (UNIFEM)
- institutional, administrative and budgetary questions 1396
- operational activities for development 877
- women 1145, 1160–1161, 1168–1169, 1177–1179, 1182
- United Nations Development Programme (UNDP)
- Africa 130, 132, 143, 166, 202, 213–214, 217, 224, 226, 229, 235, 239, 245, 248–249, 253, 286
- children, youth and ageing persons 1185–1186, 1190, 1192
- environment and human settlements 1012–1013, 1017, 1025
- Europe and the Mediterranean 426
- humanitarian and special economic assistance 912, 916, 918, 934
- institutional, administrative and budgetary questions 1416–1417, 1484, 1486
- Middle East 471
- operational activities for development 859, 860, 866–885, 887–888, 890–892
- population 1058, 1060–1061, 1063
- regional economic and social activities 970–971, 993
- women 1161, 1179, 1182
- United Nations Disengagement Observer Force (UNDOF) 85–86, 437, 500, *500–503
- United Nations Educational, Scientific and Cultural Organization (UNESCO)
- children, youth and ageing persons 1188, 1192
- human rights 661, 747–748
- legal questions 1371, 1391
- social policy, crime prevention and human resources development 1082, 1084–1085, 1130
- statistics 1267–1268
- United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) *1178–1182
- United Nations Environment Programme (UNEP), *1005–1014, 1016–1019, 1022–1023, 1029–1032, 1034–1035, 1038–1045, 1050

- United Nations Forum on Forests (UNFF) 1031
- United Nations High Commissioner for Refugees *see* Office of the United Nations High Commissioner for Refugees (UNHCR)
- United Nations Human Settlements Programme (UN-Habitat) 471, *1044–1051
- United Nations Industrial Development Organization (UNIDO) 798, 876, 1017, 1265
- United Nations Institute for Disarmament Research (UNIDIR) *571–572
- United Nations Institute for Training and Research (UNITAR) 1129–1130, 1352, 1463
- United Nations Integrated Mission in Timor-Leste (UNMIT) 85, 87, 338, 379, *379–385
- United Nations Integrated Office in Burundi (BINUB) 41, 68–69, 82, 106, 141, 143–144, 146–148
- United Nations Integrated Peacebuilding Office in Guinea-Bissau (UNIOGBIS) 69, 221–222, 231
- United Nations Integrated Peacebuilding Office in Sierra Leone (UNIPSIL) 68–69, 213–215, 217–220, 768
- United Nations Integrated Peacebuilding Office in the Central African Republic (BINUCA) 68–69, 149, 151–152, 156
- United Nations Inter-Agency Network on Women and Gender Equality (IANWGE) 1168, 1169
- United Nations Interim Administration Mission in Kosovo (UNMIK) 85–87, 416–418
- United Nations Interim Force in Lebanon (UNIFIL) 82, 85–87, 437, 485, 487–494, *487–496
- United Nations Military Observer Group in India and Pakistan (UNMOGIP) 85
- United Nations Mission for the Referendum in Western Sahara (MINURSO) 109, 308–313, *313–315, 341
international peace and security 85–87, 94
- United Nations Mission in East Timor (UNAMET) 384
- United Nations Mission in Ethiopia and Eritrea (UNMEE) *306–308
- United Nations Mission in Liberia (UNMIL) 85–87, 108, 178, 191, 193, *200–211
- United Nations Mission in Nepal (UNMIN) 68–69, 82, 338, *388–396
- United Nations Mission in the Central African Republic and Chad (MINURCAT) 41, 68, 82, 85, 87–88, 107, 154, 156–157, 159, 163–173
- United Nations Mission in the Sudan (UNMIS) 82, 85–86, 109, 237–241, 244, 245–249, 252–259
- United Nations Observer Mission in Georgia (UNOMIG) 87–88, 94, 422
- United Nations Office for Disarmament Affairs (UNODA) 505, 550, 554, 563, 572, 574
- United Nations Office for Partnerships 886–887
- United Nations Office for Project Services (UNOPS) 232, 859, 867–868, 885, 887–890
- United Nations Office for West Africa (UNOWA) 107, 174–177, 233, 235
- United Nations Office in Burundi (BINUB) 141, 143–144, 147–148
- United Nations Office on Drugs and Crime (UNODC)
international drug control 1241–1243, 1246–1252, 1256–1260
legal questions 1331
political and security questions 72, 222, 224, 226, 229, 287, 291
social policy, crime prevention and human resources development 1092, 1101–1103, 1109, 1110, 1117–1120, 1129
statistics 1267
- United Nations Office to the African Union (UNOAU) *111–112
- United Nations Operation in Burundi (ONUB) 144, *148
- United Nations Operation in Côte d'Ivoire (UNOCI) 82, 85–86, 107, 177–178, 180, 182–183, 188–193, 195–198, *198–201, 211
- United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) 41, 82, 85, 87, 120–123, 127, 136, *137–141
- United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) 85, 87, 120, 123, *139–141
- United Nations Peacebuilding Support Office in Guinea-Bissau (UNOGBIS) 221, 231
- United Nations Peacekeeping Force in Cyprus (UNFICYP) 85, *423–431
- United Nations Platform for Space-based Information for Disaster Management and Emergency Response (UN-SPIDER) 581, 611–613, *924–925
- United Nations Political Office for Somalia (UNPOS) 68, 301
- United Nations Population Fund (UNFPA)
activities 1057–1062
Arab States 1060
Asia and the Pacific 1060–1061
children, youth and ageing persons 1185–1187, 1190, 1192
country and intercountry programmes 1060–1061
Eastern Europe and Central Asia 1060
financial and management questions 1061–1062
gender equality 1059–1060
global programme 1060–1061
health, food and nutrition 1220, 1232
indirect cost recovery 1062
institutional, administrative and budgetary questions 1442
internal audit and oversight 1061–1062
Latin America and the Caribbean 1060–1061
operational activities for development 859–860, 866–872, 876, 881–883, 885, 888
political and security questions 136, 471, 622
population 1052, 1057–1063
reproductive health and rights 1059
Sub-Saharan Africa 1060
United Nations Population Award 1062
women 1140, 1169, 1179, 1182
- United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean *579–580
- United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific *578–579
- United Nations Regional Centre for Preventive Diplomacy for Central Asia 69
- United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)
economic and social questions 1082
institutional, administrative and budgetary questions 1454, 1486
political and security questions 471, *474–480, 482–483, 493

United Nations Research Institute for Social Development (UNRISD) 1076

United Nations Scientific Committee on the Effects of Atomic Radiation *618–619

United Nations Security Council *see* Security Council

United Nations Stabilization Mission in Haiti (MINUSTAH)

Americas 317, 320–324, 327–328, 330–331

economic and social questions 930

human rights 638

international peace and security 82, 85–88

political and security questions *328–333

United Nations Statistical Commission *see* statistics

United Nations System Chief Executives Board for Coordination (CEB)

administrative and staff matters 1449, 1452, 1454, 1480, 1488

environment and human settlements 1012–1013, 1042–1043

humanitarian and special economic assistance 912–913

international trade, finance and transport 960

operational activities for development 861, 864, 866

United Nations financing and programming 1444–1445

United Nations restructuring and institutional matters 1412–1413

United Nations System Standing Committee on Nutrition (SCN) 1218, 1240

United Nations Truce Supervision Organization (UNTSO) 85, 503

United Nations University (UNU) 1218, 1240, 1442

United Nations Volunteers (UNV) programme 890–891

UN Logistics Base, peacekeeping operations *96–97

UNMIK *see* United Nations Interim Administration Mission in Kosovo (UNMIK)

UNMIL *see* United Nations Mission in Liberia (UNMIL)

UNMIN *see* United Nations Mission in Nepal (UNMIN)

UNMIS *see* United Nations Mission in the Sudan (UNMIS)

UNMIT *see* United Nations Integrated Mission in Timor-Leste (UNMIT)

UNOCI *see* United Nations Operation in Côte d'Ivoire (UNOCI)

UNODA *see* United Nations Office for Disarmament Affairs (UNODA)

UNODC *see* United Nations Office on Drugs and Crime (UNODC)

United Nations Office for Project Services (UNOPS) 887–890

UNOGBIS *see* United Nations Peacebuilding Support Office in Guinea-Bissau (UNOGBIS)

UNOMIG *see* United Nations Observer Mission in Georgia (UNOMIG)

UNOPS *see* United Nations Office for Project Services (UNOPS)

UNOWA *see* United Nations Office for West Africa (UNOWA)

UNRWA *see* United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)

UN-SPIDER *see* United Nations Platform for Space-based Information for Disaster Management and Emergency Response (UN-SPIDER)

UNTSO *see* United Nations Truce Supervision Organization (UNTSO)

UNITED STATES VIRGIN ISLANDS, decolonization 605

V

Vienna Convention and Montreal Protocol 1022

violence, against women *1144–1159, *1163–1166

W

waste management 1040

water resources *1002–1004

International Decade for Action, “Water for Life” 2005–2015 1002–1003

International Year of Water Cooperation, 2013 *1003–1004

UN-Water 1002

weapons *see* disarmament; weapons of mass destruction (WMDs)

weapons of mass destruction (WMDs) *see also* disarmament; terrorism

disarmament *535–537

weather, International Space Weather Initiative 613

WEST AFRICA *see also* Cameroon; Côte d'Ivoire; Guinea-Bissau; Mauritania; Sierra Leone; United Nations Office in West Africa (UNOWA)

Cameroon–Nigeria, political and security questions 231–233

Côte d'Ivoire, political and security questions *177–199

drug control 1258

Guinea, political and security questions 233–237

Guinea-Bissau, political and security questions *221–231

humanitarian assistance 904

international drug control 1258

Liberia, political and security questions *200–213

Mauritania, political and security questions 237

political and security questions *174–237

regional issues, political and security questions 174–177

Sierra Leone, political and security questions *213–221

West African Economic and Monetary Union *see* Economic Community of West African States; *specific country names*

WESTERN ASIA

regional economic and social activities *993–998

advancement of women 997–998

conflict mitigation and development 998

economic development and integration 994–995

economic trends 994

ICT and related development issues *995–997

natural resources management for sustainable development 994

programme and organizational questions 998

social development 994

statistics 997

WESTERN SAHARA *see also* United Nations Mission for the Referendum in Western Sahara (MINURSO)

decolonization 597

political and security questions *308–315

further developments *311–313

WFP *see* World Food Programme (WFP)

WHO *see* World Health Organization (WHO)

WIPO *see* World Intellectual Property Organization (WIPO)

WMDs *see* weapons of mass destruction (WMDs)

WMO *see* World Meteorological Organization (WMO)

WOMEN

and armed conflict *1159–1167
 Commission on the Status of Women (CSW) 1177
 convention on the elimination of discrimination against women 1176–1177
 crime prevention *1149–1159
 critical areas of concern *1139–1175
 in development 1139
 disarmament 1168
 economic and social questions *1133–1182
 and the economy 1167
 female genital mutilation 1143–1144
 Fourth World Conference on Women and Beijing+5 *1133–1175
 gender architecture reform 1179
 health *1140–1144, 1232–1233
 Global Strategy for Women's and Children's Health 1140
 traditional practices affecting the health of women and girls 1143–1144
 human rights 751–754
 convention on elimination of discrimination against 645
 trafficking in women and girls 752–754
 violence against women 751–752
 working group on discrimination against women 751
 and human rights *1171–1175
 Palestinian women 1171
 trafficking in women and girls *1171–1175
 institutional mechanisms for the advancement of women *1168–1170
 International Widows' Day *1139–1140
 mainstreaming gender perspectives *1169–1170
 maternal mortality 1143
 obstetric fistula *1140–1143
 Palestine, political and security questions *481–483
 peacebuilding, participation in 1166–1167
 peacekeeping operations 83
 poverty *1139–1140
 in power and decision-making 1167–1168
 refugees and displaced persons 1204–1205
 situation in Democratic Republic of the Congo 1163
 status of women in the United Nations 1170
 strengthening institutional arrangements for support of gender equality and empowerment of women *1179–1180
 taken hostage 1159
 tobacco use and maternal and child health 1143
 trafficking in women and girls 752–754, *1171–1175

UNICEF gender policy 1189
 United Nations Population Fund (UNFPA), gender equality 1059–1060
 United Nations machinery *1176–1182
 UN-Women *1178–1182
 violence against women 751–752
 women, the girl child and HIV/AIDS 1140
 Working Group on Children and Armed Conflict *see* Children
 World Food Programme (WFP) *see also* food
 children, youth and ageing persons 1185–1186
 health, food and nutrition 1220, 1235–1236
 humanitarian and special economic assistance 903, 906–907
 operational activities for development 859–860, 866, 871
 political and security questions 240, 279, 286, 297, 300, 312
 WORLD HEALTH ORGANIZATION (WHO) *see also* health; HIV/AIDS
 children, youth and ageing persons 1187
 energy, natural resources and cartography 1000, 1002
 health, food and nutrition 1218, 1220, 1223, 1226–1227, 1230, 1233
 international drug control 1247
 operational activities for development 866
 political and security questions 471, 550, 570, 618
 World Intellectual Property Organization (WIPO) 1454
 World Meteorological Organization (WMO) 928
 World Trade Organization (WTO)
 economic and social questions 797, 855–856, 937–939, 942–943, 953
 institutional, administrative and budgetary questions 1411–1412, 1442
 legal questions 1326
 WTO *see* World Trade Organization (WTO)

Y

YEMEN, humanitarian assistance 907

YOUTH *see also* children; United Nations Children's Fund (UNICEF)
 drug control, protection 1247
 economic and social questions 1192–1193
 International Year of Youth 1192–1193
 World Programme of Action for Youth 1193
 World Youth Conference 1192–1193
 international drug control, protection 1247

Z

ZIMBABWE, humanitarian assistance 904–905

Index of resolutions and decisions

(For dates of sessions please refer to Appendix III.)

General Assembly		<i>Decision No.</i>	<i>Page</i>	<i>Sixty-fifth session</i>		<i>Resolution No.</i>	<i>Page</i>
<i>Sixty-fourth session</i>				<i>Resolution No.</i>	<i>Page</i>		
<i>Resolution No.</i>	<i>Page</i>						
64/250	931	64/405 B	1520	65/1	815	65/53	569
64/251	921	64/405 C	1520	65/2	850	65/54	538
64/252	115	64/406 B	1521	65/3	1441	65/55	570
64/253	1087	64/407 B	1519	65/4	1089	65/56	520
64/254	786	64/408 B	1530	65/5	1088	65/57	551
64/255	1233	64/408 C	1530	65/6	334	65/58	548
64/256	432	64/409 B	1530	65/7	56	65/59	527
64/257	582	64/412 B	1520	65/8	348	65/60	514
64/258	908	64/415 B	1301	65/9	1001	65/61	515
64/259	1404	64/416 B	1293	65/10	829	65/62	535
64/260	1437	64/416 C	1294	65/11	1083	65/63	566
64/261	1470	64/417 A	1490	65/12	1315	65/64	554
64/262	1452	64/417 B	1491	65/13	466	65/65	523
64/263	1449	64/418	583	65/14	468	65/66	506
64/264	328	64/419	1200	65/15	469	65/67	564
64/265	1222	64/420	1017	65/16	446	65/68	568
64/266	84	64/421	634, 1520	65/17	452	65/69	513
64/267	1269	64/422	1530	65/18	498	65/70	545
64/268	95	64/423 A	1530	65/19	1329	65/71	517
64/269	97	64/423 B	1530	65/20	102	65/72	518
64/270	96	64/424	1530	65/21	1344	65/73	533
64/271	89	64/425	1520	65/22	1340	65/74	536
64/272	148	64/426 A	1530	65/23	1340	65/75	558
64/273	198	64/426 B	1530	65/24	1341	65/76	529
64/274	429	64/427	1451	65/25	1352	65/77	573
64/275	137	64/428	1049	65/26	1327	65/78	577
64/276	384	64/429	1519	65/27	1338	65/79	579
64/277	307	64/502 B	1410	65/28	1329	65/80	530
64/278	330	64/503 B	1410	65/29	1329	65/81	574
64/279	418	64/548 B	94, 1410	65/30	1334	65/82	572
64/280	211	64/550	1089	65/31	1336	65/83	578
64/281	501	64/551	954, 1409	65/32	1350	65/84	119
64/282	494	64/552	749, 1410	65/33	1347	65/85	509
64/283	255	64/553	1490	65/34	1330	65/86	507
64/284	314	64/554	583	65/35	1331	65/87	571
64/285	273	64/555	848, 1030, 1410	65/36	1355	65/88	541
64/286	169	64/556	1043, 1410	65/37 A	661	65/89	560
64/287	302	64/557	1219	65/38	1373	65/90	431
64/288	111	64/558	94	65/39	1357	65/91	525
64/289	1396	64/559	617, 1410	65/40	543	65/92	550
64/290	745	64/560	583	65/41	546	65/93	510
64/291	806	64/561	849	65/42	620	65/94	1407
64/292	743	64/562	1410	65/43	547	65/95	1231
64/293	1111	64/563	48, 1410	65/44	524	65/96	618
64/294	933	64/564	801	65/45	567	65/97	614
64/295	843	64/565	960	65/46	575	65/98	476
64/296	421	64/566	850	65/47	575	65/99	480
64/297	77	64/567	1030	65/48	576	65/100	477
64/298	1287	64/568	1409	65/49	562	65/101	484
64/299	814	64/569	375, 1410, 1454	65/50	544	65/102	458
64/300	850	64/570	384, 1410	65/51	556	65/103	464
64/301	1407			65/52	553	65/104	451
					512	65/105	455

Resolution No.	Page	Resolution No.	Page	Resolution No.	Page	Decision No.	Page
65/106	499	65/164	1043	65/224	684	65/506	1298
65/107 A	623	65/165	1047	65/225	774	65/507	1290
65/107 B	623	65/166	1090	65/226	777	65/508	1273
65/108	607	65/167	795	65/227	1244	65/509	1411
65/109	604	65/168	793	65/228	1150	65/510	1411
65/110	590	65/169	1118	65/229	1120	65/511	1411
65/111	608	65/170	1055	65/230	1095	65/512	1446
65/112	312	65/171	846	65/231	1108	65/513	1490
65/113	594	65/172	856	65/232	1104	65/514	566
65/114	596	65/173	808	65/233	1252	65/515	436, 1410
65/115 A	597	65/174	809	65/234	1053	65/516	571, 1410
65/115 B	597	65/175	798	65/235	982	65/517	534, 1410
65/116	606	65/176	868	65/236	553	65/518	1411
65/117	585	65/177	865	65/237	1411	65/519	1446
65/118	583	65/178	1237	65/238	1223	65/520	84
65/119	587	65/179	463	65/239	750	65/521	594
65/120	797	65/180	1219	65/240	665	65/522	1411
65/121	582	65/181	318	65/241	780	65/523	1446
65/122	433	65/182	1194	65/242	335	65/524	583
65/123	1417	65/183	1130	65/243 A	1443	65/525	791, 941, 949
65/124	1422	65/184	1076	65/244	1446	65/526	795
65/125	985	65/185	1066	65/245	1457	65/527	842
65/126	1416	65/186	1078	65/246	1441	65/528	813
65/127	529	65/187	1145	65/247	1480	65/529	1411
65/128	986	65/188	1141	65/248	1468	65/530	1411
65/129	979	65/189	1139	65/249	1487	65/531	1446
65/130	433	65/190	1172	65/250	1451	65/532	1071
65/131	934	65/191	1136	65/251	1491	65/533	1177, 1182
65/132	1474	65/192	1202	65/252	1303	65/534	647, 755
65/133	897	65/193	1207	65/253	1297	65/535	664, 671
65/134	472	65/194	1200	65/254 A	171	65/536	638, 640, 644, 645, 646, 656, 661, 674, 675, 679, 696, 698, 708, 720, 730, 740, 741, 742, 745, 753, 758, 785
65/135	918	65/195	633	65/255	139		
65/136	932	65/196	695	65/256 A	332		
65/137	49	65/197	647	65/257 A	257		
65/138	1085	65/198	763	65/258	1472		
65/139	1414	65/199	671	65/259	1429	65/537	662
65/140	1419	65/200	641	65/260 A	1425	65/538	1095
65/141	833	65/201	688	65/260 B	1425	65/539	1411
65/142	939	65/202	689	65/260 C	1425	65/540	1446
65/143	947	65/203	690	65/261	1449	65/541	1445
65/144	950	65/204	645	65/262	1439	65/542	886
65/145	956	65/205	708			65/543	1465
65/146	959	65/206	699	Decision No.	Page	65/544	48, 84, 132, 139, 141, 173, 317, 328, 333, 358, 375, 378, 384, 385, 419, 422, 423, 425, 431, 436, 449, 510, 594, 634, 670, 751, 913, 925, 974, 983, 993, 1044, 1084, 1220, 1228, 1295, 1298, 1302, 1304, 1334, 1406, 1409, 1410, 1411, 1414, 1425, 1427, 1441, 1444, 1445, 1447, 1452, 1454, 1461, 1470, 1484, 1488, 1494
65/147	1015	65/207	659	65/401	1530		
65/148	807	65/208	704	65/402	1522		
65/149	1037	65/209	654	65/403	1524		
65/150	1032	65/210	701	65/404 A	1519, 1525		
65/151	1001	65/211	681	65/405 A	1519		
65/152	803	65/212	676	65/406 A	1519		
65/153	1225	65/213	693	65/407 A	1519		
65/154	1003	65/214	734	65/408	1520		
65/155	1035	65/215	680	65/409	1520		
65/156	853	65/216	727	65/410	1520		
65/157	925	65/217	730	65/411	57, 1522		
65/158	928	65/218	656	65/501	1410, 1455		
65/159	1020	65/219	720	65/502	1410		
65/160	1026	65/220	737	65/503 A	1410		
65/161	1023	65/221	714	65/504	1410		
65/162	1006	65/222	717	65/505	3		
65/163	806	65/223	724				

Security Council		Economic and Social Council		Resolution No.	Page	Decision No.	Page
Resolution No.	Page	Organizational session, 2010					
1908(2010)	321			2010/212	1463	2010/201 E	963, 1525
1909(2010)	388			2010/213	1423	2010/201 F	1521
1910(2010)	276	Decision No. Page		2010/214	1423	2010/201 G	1522, 1524, 1525
1911(2010)	178	2010/201 A	1519	2010/215	1423		
1912(2010)	379	2010/202	953, 1412	2010/216	1423	2010/261	1180, 1403
1913(2010)	157	2010/203	1411	2010/217	1423	2010/262	1132, 1412
1914(2010)	1289	2010/204	1412	2010/218	1423	2010/263	1202
1915(2010)	1293	2010/205	1411	2010/219	1423	2010/264	961
1916(2010)	298	2010/206	859, 1412	2010/220	1423	2010/265	998
1917(2010)	340	Resumed organizational session, 2010		2010/221	1423		
1918(2010)	287	Decision No. Page		2010/222	1423		
1919(2010)	242	2010/201 B	963, 1519, 1520, 1521, 1524, 1525, 1526	2010/223	1423		
1920(2010)	310			2010/224	1423		
1921(2010)	390	2010/207	967, 1139, 1412	2010/225	1423		
1922(2010)	159			2010/226	833		
1923(2010)	159	2010/208	893, 1412	2010/227	833		
1924(2010)	183	2010/209	893, 1412	2010/228	833		
1925(2010)	123	Substantive session, 2010		2010/229	833		
1926(2010)	1289	Resolution No. Page		2010/230	836		
1927(2010)	322	2010/1	894	2010/231	916		
1928(2010)	386	2010/2	837	2010/232	1136		
1929(2010)	396	2010/3	831	2010/233	1177		
1930(2010)	426	2010/4	993	2010/234	802		
1931(2010)	1293	2010/5	995	2010/235	1262		
1932(2010)	1300	2010/6	482	2010/236	1047		
1933(2010)	183	2010/7	1179	2010/237	1006		
1934(2010)	501	2010/8	1227	2010/238	1053		
1935(2010)	262	2010/9	841	2010/239	842		
1936(2010)	366	2010/10	1076	2010/240	1004, 1268		
1937(2010)	491	2010/11	913	2010/241	1004		
1938(2010)	202	2010/12	1073	2010/242	1073		
1939(2010)	393	2010/13	1080	2010/243	1101		
1940(2010)	219	2010/14	1196	2010/244	1245		
1941(2010)	219	2010/15	1150	2010/245	1258		
1942(2010)	189	2010/16	1120	2010/246	1202		
1943(2010)	358	2010/17	1102	2010/247	644		
1944(2010)	324	2010/18	1095	2010/248	763		
1945(2010)	270	2010/19	1092	2010/249	763		
1946(2010)	196	2010/20	1242	2010/250	763		
1947(2010)	56	2010/21	1243	2010/251	860, 867, 869, 891, 1058, 1184, 1235		
1948(2010)	413	2010/22	862	2010/252	1414		
1949(2010)	227	2010/23	868	2010/253	998		
1950(2010)	291	2010/24	1228	2010/254	998		
1951(2010)	192	2010/25	1071	2010/255	1236		
1952(2010)	133	2010/26	954	2010/256	842		
1953(2010)	428	2010/27	844	2010/257	962		
1954(2010)	1295	2010/28	917	2010/258	647, 675, 699, 763, 1101, 1245		
1955(2010)	1302	2010/29	1169				
1956(2010)	371	2010/30	589				
1957(2010)	374	2010/31	460	2010/259	747		
1958(2010)	376	2010/32	1039	2010/260	961		
1959(2010)	144	2010/33	962	Resumed substantive session, 2010			
1960(2010)	1164	2010/34	849				
1961(2010)	208	Decision No. Page		Resolution No.	Page		
1962(2010)	193	2010/201 C	841, 1521, 1524, 1525	2010/35	1180		
1963(2010)	73			2010/36	57		
1964(2010)	282	2010/201 D	1527	2010/37	644		
1965(2010)	501	2010/210	1411	2010/38	1463		
1966(2010)	1306	2010/211	1413				

Index of Security Council presidential statements

<i>Number</i>	<i>Subject</i>	<i>Date</i>	<i>Page</i>
S/PRST/2010/1	Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security	13 January 2010	47
S/PRST/2010/2	United Nations peacekeeping operations: transition and exit strategies	12 February 2010	79
S/PRST/2010/3	Peace consolidation in West Africa	16 February 2010	234
S/PRST/2010/4	Threats to international peace and security	24 February 2010	1251
S/PRST/2010/5	The situation concerning Iraq	26 February 2010	373
S/PRST/2010/6	Central African region	19 March 2010	117
S/PRST/2010/7	Post-conflict peacebuilding	16 April 2010	51
S/PRST/2010/8	Women and peace and security	27 April 2010	1160
S/PRST/2010/9	The situation in the Middle East, including the Palestinian question	1 June 2010	440
S/PRST/2010/10	Children and armed conflict	16 June 2010	756
S/PRST/2010/11	The promotion and strengthening of the rule of law in the maintenance of international peace and security	29 June 2010	42
S/PRST/2010/12	The situation in the Middle East	30 June 2010	501
S/PRST/2010/13	Letter dated 4 June 2010 from the Permanent Representative of the Republic of Korea to the United Nations addressed to the President of the Security Council and other relevant letters	9 July 2010	387
S/PRST/2010/14	Maintenance of international peace and security: optimizing the use of preventive diplomacy tools—prospects and challenges in Africa	16 July 2010	43
S/PRST/2010/15	The situation in Guinea-Bissau	22 July 2010	224
S/PRST/2010/16	The situation in Somalia	25 August 2010	289
S/PRST/2010/17	The situation concerning the Democratic Republic of the Congo	17 September 2010	128
S/PRST/2010/18	Maintenance of international peace and security: ensuring the Security Council's effective role in maintaining international peace and security	23 September 2010	45
S/PRST/2010/19	Threats to international peace and security caused by terrorist acts	27 September 2010	70
S/PRST/2010/20	Post-conflict peacebuilding	13 October 2010	53
S/PRST/2010/21	Peace and security in Africa	22 October 2010	113
S/PRST/2010/22	Women and peace and security	26 October 2010	1161
S/PRST/2010/23	The situation concerning Iraq	12 November 2010	367
S/PRST/2010/24	Reports of the Secretary-General on the Sudan	16 November 2010	250
S/PRST/2010/25	Protection of civilians in armed conflict	22 November 2010	59
S/PRST/2010/26	The situation in the Central African Republic	14 December 2010	153
S/PRST/2010/27	The situation concerning Iraq	15 December 2010	369
S/PRST/2010/28	Reports of the Secretary-General on the Sudan	16 December 2010	251
S/PRST/2010/29	The situation in Chad, the Central African Republic and the subregion	20 December 2010	168
S/PRST/2010/30	The situation in the Middle East	22 December 2010	501

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